



ValGIS Technologies

Specialising in town and regional planning and
geographic information for real estate valuations

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The Municipal Manager
Bitou Local Municipality
Private Bag X1002
PLETTENBERG BAY
6600

29 July 2024

For attention: The Manager: Town Planning






















Dear Sir,

PORTION 10 OF THE FARM HOLT HILL 434, BITOU MUNICIPALITY: APPLICATION IN TERMS OF SECTIONS 15(2)(a) AND (o) OF THE BITOU BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015 FOR A REZONING OF A PORTION OF THE FARM AS WELL A CONSENT USE

Our reference is HOLTHILL10/SandDollar.

Kindly find the following documentation in support of the application mentioned above:

1. The duly completed application form.
2. The Municipal invoice for application fees in respect of the original submission.
3. Proof of payment of the above invoice in respect of application fees.
4. The motivation memorandum including the following annexures:

-  301 Ptn 10 of Holt Hill 434 - Annexure A1 - Power of Attorney v2
-  301 Ptn 10 of Holt Hill 434 - Annexure A2 - CIPC certificate
-  301 Ptn 10 of Holt Hill 434 - Annexure A3 - Minutes of meeting of directors
-  301 Ptn 10 of Holt Hill 434 - Annexure A4 - ID document of authorised director
-  302 Ptn 10 of Holt Hill 434 - Annexure B - Locality Plan
-  303 Ptn 10 of Holt Hill 434 - Annexure C - Title Deed T45218-2021
-  304 Ptn 10 of Holt Hill 434 - Annexure D - SG Diagram p1
-  304 Ptn 10 of Holt Hill 434 - Annexure D - SG Diagram p2
-  305 Ptn 10 of Holt Hill 434 - Annexure E1 - Building Plan - Approved
-  305 Ptn 10 of Holt Hill 434 - Annexure E2 - Building Plan - Proposed
-  305 Ptn 10 of Holt Hill 434 - Annexure E3 - SDP
-  306 Ptn 10 of Holt Hill 434 - Annexure F - SDF 2022
-  307 Ptn 10 of Holt Hill 434 - Annexure G - Land use plan
-  308 Ptn 10 of Holt Hill 434 - Annexure H0 - Master Plan - Conceptual framework v2
-  308 Ptn 10 of Holt Hill 434 - Annexure H1 - Master Plan v2
-  308 Ptn 10 of Holt Hill 434 - Annexure H2 - Master Plan - Phasing v2
-  309 Ptn 10 of Holt Hill 434 - Annexure I - Bondholders consent
-  310 Ptn 10 of Holt Hill 434 - Annexure J1 - Road N2 - Geometry and access points v2
-  310 Ptn 10 of Holt Hill 434 - Annexure J2 - Sight distances on Road N2 from access point v2
-  311 Ptn 10 of Holt Hill 434 - Annexure K - Biodiversity
-  312 Ptn 10 of Holt Hill 434 - Annexure L - R5 Kwanokuthula Spatial Layout Plan [1825E-LOR-A1-5]

Your notifications on the application fees and the public participation process are awaited.

Yours sincerely,



A.C. BURGER Pr. Planner
Reg. # A/767/1994



munisipaliteit umasipala municipality

to be the best together

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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)	Armand Camille		
Surname	Burger		
South African Council for Planners (SACPLAN) registration number (if applicable)	A/767/1994		
Company name (if applicable)	ValGIS Technologies CC		
Postal Address	Postnet Suite 256, Private Bag 1006, PLETTENBERG BAY		
	Postal Code	6600	
E-mail	camille@valgis.co.za		
Tel	Cell	083 453 1532	

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

Name of registered owner(s)	Sand Dollar Investment Properties Proprietary Limited		
E-mail	Jaco van den Heever <jaco@sanddollar design.co.za>		
Tel	Cell	072 824 4888	

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

Property Description (Erf No / Farm No):	Portion 10 of the farm Holt Hill 434		
Physical/ Street Address (if available)			
Town	Plettenberg Bay		
Current Zoning	AZI	Land Use	Agriculture; a main and additional dwelling unit and a farm shop used for educational purposes.

Extent	25,9784 m ² / ha		
Applicable Zoning Scheme	Plettenberg Bay Zoning Scheme Section 7 of 2023		
	LUPO Scheme Regulations : Section 8		
Are there existing buildings?	Y Yes	N	
Title Deed number and date	T452018/2021		

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

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

Is the property bonded?		<input checked="" type="checkbox"/>	N
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.	The property is bonded and the bondholder's consent has been obtained and submitted.		

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

PART D: PRE-APPLICATION CONSULTATION			
Was a pre-application consultation held with the Municipality?	<input checked="" type="checkbox"/>	N	If Yes, complete the information below and attach the minutes of the pre-application consultation.
Official's name	Mr Chris Schlieman and Ms Adél Sanchez	Date of consultation	10 May 2023 and 15 May 2024

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

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

Supporting Information & Documentation (if applicable)

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

Y	✓	Abutting owner's consent
Y	✓	Services Report or indication of all municipal services / registered servitudes
Y	✓	Conveyancer's certificate
Y	✓	Street name and numbering plan (Applicable to Subdivision Only)
Y	✓	1 : 50 / 1:100 Flood line determination (plan / report)
Y	✓	Landscaping Plan(if applicable)
Y	✓	Home Owners' Association consent
Y	✓	Proof of failure of Home owner's association
✓	N	Other (Specify) A Master Plan for future development and the phasing thereof

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

Y	✓	National Environmental Management Act, 1998 (Act 107 of 1998)
Y	✓	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	✓	National Heritage Resources Act, 1999 (Act 25 of 1999)
Y	✓	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)
Y	✓	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)
Y	✓	If required, has application for EIA / HIA / TIA / TIS / approval been made? If yes, attach documents / plans / proof of submission etc.
Y	✓	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	✓	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	N	Soft copy of the application submitted on the AFLA PORTAL (see Part H)
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Applicant's signature:

Camille B.

Date:

29 July 2024

Full name:

Armand Camille Burger

Professional capacity:

Professional Planner A/767/1994

— **MOTIVATING MEMORANDUM** —

in support of an application
lodged by virtue of Sections 15(2)(a) and (o)
of the
Bitou By-law on Municipal Land Use Planning, 2015
pertaining to

Portion 10 of the farm Holt Hill 434

to obtain permissions in terms of the Bitou Zoning Scheme of 2023
for
the rezoning of a portion of the property
and
for a consent use of an additional dwelling unit



EXECUTIVE SUMMARY

This application is a complete revision of the application submitted on 5 October 2023, the latter of which did not reach the public participation stage and is revised due changing circumstances.



The vision of the landowner is to develop and use the subject property to achieve the economic upliftment of the disadvantaged communities of the area. This will be accomplished by means of vocational education and training, and by also involving the students/trainees in the activities on the farm.

The landowners are young and upcoming business owners/professionals who can raise funding for the first phase of the development. However, to develop the full property on a sustainable basis, it must be approached as a commercial scheme, hence the need to reserve land for commercial activities.

To achieve economic upliftment, the educational activities will be subsidised by the revenue generated from the sale of agricultural products and food produced on the farm as well as other economic activities such as the eventual leasing and sale of land and/or floor space for business, industrial and storage activities.



A Master Plan has been prepared to guide the future development in phases. The development concept is to establish a commercially controlled and secure zone of transition from urban to rural development with the subject property, theoretically divided into the eastern urban area and the western agricultural area.

During Phase I, the activities will focus on the establishment of an education complex, the installation of basic infrastructure, the start of the clearing the property of unwanted vegetation and the establishment of the first agricultural units.

As soon as a long-term vehicular access through the neighbouring Kwanokuthula can be established, the direct access to Road N2 can be closed and the following phases can commence.
























This application serves to rezone a demarcated portion of the property to Community Zone I to enable it being used for Places of Instruction. On this portion the existing “farm shop” is found and after approval, a Tech Hub will be established in a new building. All the activities in these facilities as well as elsewhere on the farm, will be strictly related and subservient to the mentioned education programmes whereby learners from the area will be enabled to develop economic skills required by the prominent economic sectors of Bitou such as tourism and agriculture.

The application also serves to obtain consent for the erection of an additional dwelling, to be occupied by the parents of the landowners, who are qualified and actively involved to establish agricultural production on the farm.

INDEX OF CONTENTS

Par.	Heading	Page
1	BACKGROUND	5
2	PRE-APPLICATION AND INITIAL APPLICATION	5
3	THE REVISED APPLICATION	5
4	ABOUT THE SUBJECT PROPERTY	5
5	LAND USE ZONING AND DEVELOPMENT CONTROL MEASURES	6
6	THE PROPOSED DEVELOPMENT OF THE PROPERTY OVER TIME	8
7	PUBLIC PARTICIPATION	14
8	SPATIAL PLANNING GUIDELINES	14
9	OTHER LEGISLATION	27
10	MOTIVATION	27
12	CONCLUSION	29

ANNEXURES

-  301 Ptn 10 of Holt Hill 434 - Annexure A1 - Power of Attorney v2
-  301 Ptn 10 of Holt Hill 434 - Annexure A2 - CIPC certificate
-  301 Ptn 10 of Holt Hill 434 - Annexure A3 - Minutes of meeting of directors
-  301 Ptn 10 of Holt Hill 434 - Annexure A4 - ID document of authorised director
-  302 Ptn 10 of Holt Hill 434 - Annexure B - Locality Plan
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-  304 Ptn 10 of Holt Hill 434 - Annexure D - SG Diagram p1
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-  308 Ptn 10 of Holt Hill 434 - Annexure H1 - Master Plan v2
-  308 Ptn 10 of Holt Hill 434 - Annexure H2 - Master Plan - Phasing v2
-  309 Ptn 10 of Holt Hill 434 - Annexure I - Bondholders consent
-  310 Ptn 10 of Holt Hill 434 - Annexure J1 - Road N2 - Geometry and access points v2
-  310 Ptn 10 of Holt Hill 434 - Annexure J2 - Sight distances on Road N2 from access point v2
-  311 Ptn 10 of Holt Hill 434 - Annexure K - Biodiversity
-  312 Ptn 10 of Holt Hill 434 - Annexure L - R5 Kwanokuthula Spatial Layout Plan [1825E-LOR-A1-5]

1. **BACKGROUND**

The owners bought the subject property in 2021. During 2022 they planned to establish a small building at the northeastern corner and submitted building plans to that effect. The building plans were rejected based on an incompatibility with the Zoning Scheme Regulations.

To proceed with the matter, the undersigned was appointed to investigate and explore opportunities to obtain the required rights for the intended land use. In the meantime, the said building was taken in use as a “farm shop” where learners are trained in various subjects.

2. **PRE-APPLICATION AND INITIAL APPLICATION**

A pre-application meeting occurred on 10 May 2023 and Me Adél Stander of the Town Planning section attended. Although Mr Marcel Minne also agreed to attend, he cancelled at the last moment due to urgent matters. These officials did discuss the matter before the meeting and Me Stander conveyed the opinion of Mr Minne.

On 5 October 2023 an application was submitted for the following land uses:

- a. An application by virtue of S.15(2)(o) for a consent for a **farm shop**;
- b. An application by virtue of S.15(2)(o) for a consent for two **additional dwelling units**;
- c. An application by virtue of S.15(2)(c) for a temporary departure to allow the temporary use of the building mentioned in paragraph a. above for **outdoor trading and dining**; and
- d. An application by virtue of S.15(2)(c) for a temporary departure to allow the temporary and occasional use of the building mentioned in paragraph a. above as a **place of worship**; and
- e. An application by virtue of S.15(2)(c) for a temporary departure to allow the temporary and occasional use of the building mentioned in paragraph a. above as a **place of instruction**.

On 14 May 2024, the landowner and author had a meeting with Mr. Chris Schlieman and Ms. Adél Stander to discuss a new development proposal which may affect the submitted application. The new development proposal as well as submitted Master Plan were discussed and agreed upon. To decide whether the October 2023 application should be interrupted or withdrawn, Ms. Stander first established whether public notice of it has been given. On 15 May she indicated by email that the notification process has not commenced, and that the original application can be amended.

3. **THE REVISED APPLICATION**

This amended application is lodged by virtue of Sections 15(2)(a) and (o) of the Bitou By-law on Municipal Land Use Planning, 2015 to obtain the following permissions as required by the Bitou Zoning Scheme By-law of 2023:

- a. An application by virtue of S.15(2)(a) for the rezoning of a portion of the farm of ±1,9006 ha in extent, to **Community Zone I**; and
- b. An application by virtue of S.15(2)(o) for a consent for an **additional dwelling unit** of 75 m².

4. **ABOUT THE SUBJECT PROPERTY**

4.1. **The Subject Property**

The application applies to Portion 10 of the farm Holt Hill 434, herein referred to as the subject property.

4.2. **Locality**

As indicated on the locality plan attached as **Annexure B**, the subject property is situated directly south and adjacent to the Road N2 and west of the Waste Transfer Station of the municipality. This position places the property in the jurisdiction of the Bitou Local Municipality which falls within the boundaries of the Eden District Municipality of the Western Cape Province.

4.3. **Ownership**

The property was registered in the name of **Sand Dollar Property Investments (Pty) Ltd** on 14 September 2021.

At a meeting of the directors held on 20 June 2023, it was resolved that director Jaco van den Heever be authorised to appoint the undersigned member of ValGIS Technologies CC to submit this application on

their behalf. The Power of attorney that was issued on 22 June 2023 was replaced with a new version. Refer to the following annexures:

- **Annexure A1** – Special Power of Attorney.
- **Annexure A2** – CIPC certificate listing the directors.
- **Annexure A3** – Minutes of a meeting of the directors.
- **Annexure A4** – ID document of the authorised director.

4.4. Title Deed

The subject property is currently registered by virtue of Deed of Transfer T45218/2021 as per attached **Annexure C**.

No restrictive conditions exist.

4.5. SG Diagram

The subject property appears on SG Diagram 10871/48 as shown on **Annexures D1 and D2**.

4.6. Bonds

The subject property is bonded (B25694/2021). The bondholder's consent has been obtained and is attached as **Annexure I**.

4.7. Size

According to its Title Deed, the subject property is 25,978⁴ ha in extent. The SG diagram shows that after the deduction of Portion 101, the remainder was 25,978³ ha in extent. For the purposes of this application this difference of 1 m² is immaterial.

4.8. Existing land use

The property is being used for the following purposes, some of them being irregular in terms of the current land use rights: Agriculture; a main dwelling unit; an additional dwelling unit; a farm worker's dwelling, and a farm shop which serves as a facility for the training of students.

5. LAND USE ZONING AND DEVELOPMENT CONTROL MEASURES

In terms of the Bitou Zoning Scheme By-law of 2023 the subject property falls in the **Agricultural Zone I**. The development parameters for this zone are summarised in the table below.

CONTROLS	DETERMINATIONS AND PARAMETERS
Primary land use	Agriculture.
Consent uses applicable in this case	Additional dwelling units Farm shop
Max. height	(i) The height of a dwelling house may not exceed 8,5 metres. (ii) Agricultural buildings other than dwelling houses may not exceed a height of 15 metres. (iii) Earth banks and retaining structures that are in the opinion of Municipality associated with bona fide agricultural activities are exempt from the general provisions in this regard in this By-law.
Coverage	Not specifically controlled.
Building lines	30 m along street and side boundaries.

Of specific importance to this application, is the meaning and limitations of the following land uses:

"additional dwelling unit"

Land use description: "additional dwelling unit" is a dwelling unit that may be erected on an agricultural land unit with the consent of the Municipality, in addition to a primary dwelling house or agricultural worker accommodation for bona fide agricultural workers, or both, provided that—
(a) additional dwelling units can be allowed at the following ratio:

Area of land unit (in ha)	No of unit/s
< 10	1
≥ 10 < 20	2
≥ 20 < 30	3
≥ 30 < 40	4

Area of land unit (in ha)	No of unit/s
≥ 40	5

and

(b) no alienation of additional dwelling units will be permitted whether by cadastral subdivision or sectional title.

Development parameters:

The development parameters applicable to “agriculture” apply, together with the following additional development parameters for “additional dwelling units”. Additional dwelling units may be erected with the consent of Municipality provided that—

- (a) a dwelling permanently occupied by a person engaged in bona fide agricultural activities on the land unit is not regarded as an additional dwelling unit;
- (b) the total floor space of an additional dwelling unit including the floor space in all ancillary buildings to the additional dwelling, shall be as permitted by the Municipality;
- (c) an additional dwelling unit that is a separate structure to a dwelling house may not exceed a height of 6,5 metres and shall be designed in harmony with the main dwelling unit;
- (d) an additional dwelling unit that is contained within the same building as a dwelling house must be designed so that the building appears to be a single dwelling house; provided that both units may have a ground floor, or one unit may be on the ground floor and the other unit above;
- (e) the existence of an additional dwelling unit may not in itself be enough reason for the Municipality to grant an application in terms of the Planning By-law to subdivide the land unit containing the dwelling units; and
- (f) The Municipality must be satisfied that services required for the additional unit are available.

The primary use of **Community Zone I** is defined as follows:

“place of instruction”:

Land use description: “place of instruction”—

- (a) means a place for education or training at pre-school, school or post-school levels;
- (b) includes a crèche, nursery school, primary school, secondary school, college, university or research institute;
- (c) includes ancillary uses including—
 - (i) a boarding hostel,
 - (ii) sports and recreation centre,
 - (iii) rooftop base telecommunication station,
 - (iv) a civic facility for the promotion of knowledge to the community including—
 - (aa) a public library;
 - (bb) place of worship;
 - (cc) place of assembly;
 - (dd) public art gallery;
 - (ee) museum;
 - (ff) place of instruction in sport where the main objective is instruction rather than participation of the public as competitors or spectators; and
 - (gg) a conference facility; but
- (d) does not include a reformatory.

Development parameters:

(a) Floor factor

The maximum floor factor shall be determined by the Municipality by taking into account the particular context of the site but shall not exceed 1,2.

(b) Coverage

The maximum coverage is 60%.

(c) Height

(i) The highest point of a building may not exceed 10,67 metres, provided that there is no height limit for a bell tower, steeple, minaret or similar architectural feature designed to accentuate the significance of a building.

(ii) The general provisions regarding earth banks and retaining structures in this By-law apply.

(d) Building lines

- (i) *The street building line is at least 5 metres.*
- (ii) *Side and rear building lines are at least 5 metres.*
- (iii) *The general building line encroachments in this By-law apply.*
- (e) **Parking and access**
Parking and access must be provided on the land unit in accordance with this By-law.
- (f) **Loading bays**
Loading bays must be provided on the land unit in accordance with this By-law.
- (g) **Screening**
The Municipality may require screening in accordance with this By-law.
- (h) **Noise mitigation**
The Municipality may require the owner to install noise mitigation measures if excessive noise is created or likely to be created.
- (i) **Refuse room**
A refuse room must be provided on the land unit in accordance with this By-law.
- (j) **Site development plan**
A site development plan shall be submitted to the Municipality for approval, who may impose such conditions as it deems fit; provided that the site development plan shall be approved prior to the approval of building plans and/or the use being exercised.

6. **THE PROPOSED DEVELOPMENT OF THE PROPERTY OVER TIME**

Although this application applies to the new (irregular) and proposed buildings and land uses, the consideration of this application in isolation without contemplating the long-term planning for the property, will be undesirable and probably damaging to attaining an objective evaluation of the development proposal.

To develop a picture of the long-term development and use of the property, a **Master Plan** was prepared to guide future development. This plan may be adjusted from time to time to adapt with changing circumstances. A previous version of the **Master Plan** was exposed to the municipality during pre-application interactions and the further refinement thereof to its present state, was encouraged.

What follows is a discussion of the envisaged long-term development of the property as reflected in the latest version of the **Master Plan** as well as the phasing of the implementation.

The following documents should be referred to during the reading of this section:

- **Annexure E1:** Building plan – Approved
- **Annexure E2:** Building Plan – Proposed
- **Annexure E3:** SDP
- **Annexure G:** Land Use
- **Annexure H0:** Master Plan – Conceptual framework v2
- **Annexure H1:** Master Plan v2
- **Annexure H2:** Master Plan – Phasing v2

6.1. **Tebelo Village - The development concept**

The vision of the landowner is to develop and use the subject property to attain the economic upliftment of the disadvantaged communities of the area. This will be achieved by means of skills development, vocational education and practical training by involving the students/trainees with the activities on the farm.

The landowners are young and upcoming business owners/professionals who raised funds for the start of the first phase of the development. However, to develop the full property on a sustainable basis, it must be approached as a commercial scheme, hence the need to reserve land for commercial activities.

To achieve economic upliftment, the educational activities will be subsidised by, among others, the revenue generated from the sale of agricultural products and food produced on the farm as well as other economic activities such as the leasing and sale of land and/or floor space for business, industrial and storage activities. Thus, although there will be economic activities, such as the said retailing from the farm shop, it will strictly serve the purpose of preparing students to become economic active members of society.

These activities are

The subject matter of the training/education activities will be aligned with the agricultural and commercial character of the Bitou area. For the purposes of commercial agriculture, the focus will be on the following aspects of farming:

- Production.
- Processing.
- Maintenance.
- Nature conservation.
- Management.
- Marketing.
- Sales.
- Customer care.
- Computer and information technology literacy.

Depending on the suitability of the soils and climate, the production activities will focus on one or more of the following:

- Fruit, including grapes (for wine making and table use), figs, olives, nuts, etc.
- Vegetables.
- Horticultural species.
- Grains.
- Live stock.

Non-agricultural commercial activities will manifest in the form of land developed for businesses, service and light industries, miniature warehousing (storage), etc. like those listed in Annexures E1 and E3 of the SDF.

6.2. Towards a Master Plan for the development of the property

Planned land uses

The table below shows the conceptual land use budget expressed in broad terms.

LAND USE	%
Urban	±50%
Non-urban	±40%
Roads	±10%
TOTAL	100.00%

Spatial structure

A plan showing the **conceptual framework** for the **Master Plan** is attached as **Annexure H0**.

The design of the future spatial structure of the proposed long-term development has been influenced by considerations such as:

- The planned mix of land uses.
- The relative importance of education and agriculture.
- Physical factors such as the topography, hydrology, biodiversity, etc.
- The benefits of exposure to the Road N2.
- Development policies and guidelines from all tiers of government.
- The layout and future use of land of the planned Kwanokuthula Extension 5.
- The integration with the road network planned for the abovementioned township.
- The need for a controlled transition from urban to rural land uses.

6.3. The Master Plan

The Master Plan is contained in **Annexure H1** and has the following features:

- The road network is designed with the access road linking to Kwanokuthula as central form-giving element.
- Commercial agricultural land uses, marked ②, ③ and ④ are grouped in the west to form a buffer resisting urban crawl from the east.

- Land earmarked for non-agricultural commercial activities, marked ①, ⑦, ⑧ and ⑨, are placed along the eastern boundary to enable the continuation of the land use pattern planned for Kwanokuthula Extension 5.
- Existing buildings (the farmstead and the farm shop), are accommodated at their present positions. (Compare **Annexures E3 and H1**)
- The land at the northern end of the property, marked ① and ②, will be used for purposes which will benefit from exposure to the passing traffic on Road N2. They include the farm shop training facility and future horticulture (or similar), activities. It is important to note these activities will not depend on direct access to Road N2 and that the current situation is a temporary measure.
- Along the eastern boundary, but to the north, is an area, marked ⑨, reserved for the establishment of small storage units to be leased to the public.
- Activities in the south (south of the powerline servitude marked ⑥), might possibly be restricted by the presence of sensitive natural flora and will require further investigation. For the interim it is earmarked for a future Private Open Space.

The table below quantifies the areas earmarked for the planned land uses. The figures should not be seen as final, but it will serve well to understand how the challenges of integration with the surrounding land uses were approached.

#	LAND USE	SIZE (ha)	%
②	Agriculture (horticulture)	1.0760	4.1%
③	Agriculture (Manager housing, storerooms and related)	1.8080	7.0%
④	Agriculture (vineyards, orchards, cultivation)	9.4647	36.4%
⑤	Agriculture (Powerline servitude)	0.6462	2.5%
⑥	Agriculture (later Private Open Space)	2.5163	9.7%
Agricultural land uses		15.5112	59.7%
①	Place of Instruction	1.9006	7.3%
⑦	Residential	2.8714	11.1%
⑧	Industrial (Service industries)	2.1335	8.2%
⑨	Industrial (Small storage units)	1.9152	7.4%
	Internal roads	1.6464	6.3%
Non-agricultural land uses		10.4671	40.3%
	TOTAL	25.9783	100%

6.4. Implementation

❖ Planning horizon

Opposing governmental spatial planning policies and/or framework plans that have prescribed or chosen planning horizons of three, five or more years, land development by the private sector is difficult to be pegged to pre-determined time frames.

The development company/landowner does not have a long history of success with upliftment projects such as this one, on the contrary, it is their very first project of this nature and extent. For this reason, it is even more difficult to commit to a timeframe for the implementation of the entire scheme.

Depending on the success of **Phase I** (the development proposed with this application), the following phases can be triggered sooner or later. All considerations regarded, it would, however, be fair to estimate that the full development can be completed within ± 10 years.

❖ Phasing of implementation

Refer to **Annexure H2 (Master Plan – Phasing)** for an illustration of the position of the phases.

The table below serves to illustrate how the land use profile of the entire development will gradually change over time. It is important to note that, although a large percentage of surface area is categorised as agricultural in the early phases, it will remain a non-utilized area currently infested with alien vegetation. As the property will be developed to its full potential over time, the percentage of categorised agricultural land will diminish but, in reality, the amount of cultivated land will increase.

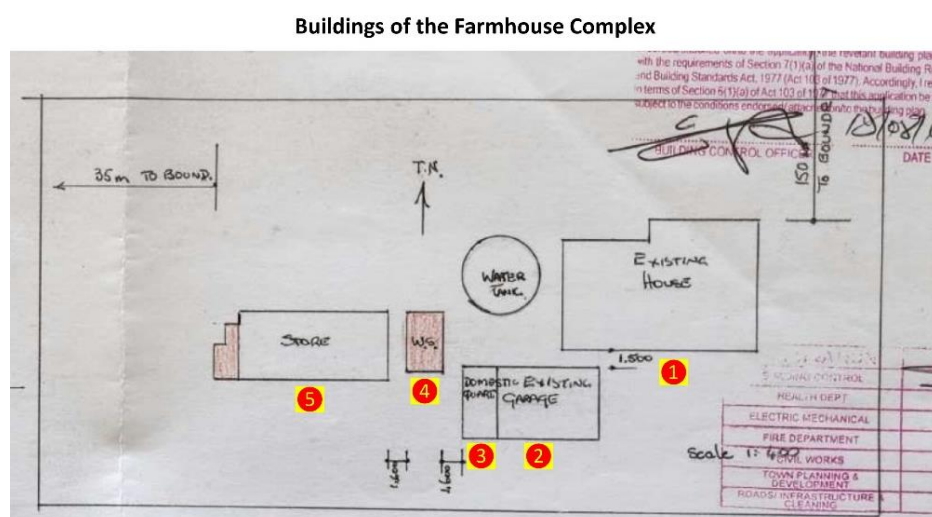
#	LAND USE	SIZE (ha)	%	NOW	PHASE 1	PHASE 2
①	Place of Instruction	1.9006	7.3%		✓	
②	Agriculture (horticulture)	1.0760	4.1%		✓	✓
③	Agriculture (Manager housing, storerooms and	1.8080	7.0%	✓	✓	✓
④	Agriculture (vineyards, orchards, cultivation)	9.4647	36.4%	✓	✓	✓
⑤	Agriculture (Powerline servitude)	0.6462	2.5%	✓	✓	✓
⑥	Agriculture (later Private Open Space)	2.5163	9.7%	✓	✓	✓
⑦	Residential	2.8714	11.1%			✓
⑧	Industrial (SDF Annexure E1 service industries)	2.1335	8.2%			✓
⑨	Industrial (Small storage units)	1.9152	7.4%			✓
	Internal roads	1.6464	6.3%		✓	✓

6.5. The existing development

The existing approved development of the property consists of a farmhouse complex with the elements analysed below. The only available approved building plan for buildings in this complex is attached as **Annexure E1**. Their positions on the farm are reflected on the SDP (**Annexure E3**).

The existing Farmhouse Complex, consists of the following elements:

- ① The main dwelling.
- ② A motor garage converted into a two-bedroom dwelling.
- ③ A storeroom with bathroom suitable for a domestic worker's quarters.
- ④ A tool shed.
- ⑤ A store that is replaced by a second dwelling.



(Note: The irregular new **farm shop** is referred to in the next section where **Phase I** of the proposed development is discussed.)

6.6. Proposed development – Phase I (this application)

Phase I of the proposed development will entail the following processes and activities:

- The procurement of the prescribed approvals to establish an education complex on the site, marked ① on **Annexure H1**, as well as the completion of construction and the use of the new building found on the northeastern end of the property.
- The addition of a Tech Hub-building and putting it into operation.
- Obtaining approval for the replacement of existing outbuildings at the farmstead by an **additional dwelling** and an accommodation unit for an agricultural worker for the use of family members and a farm manager.
- The operation of the “farm shop” as a training facility on a permanent basis.
- The procurement of permits and approvals prescribed by virtue of legislation related to the environment.
- The planning of the removal of alien species of flora and the implementation of the program of actions.

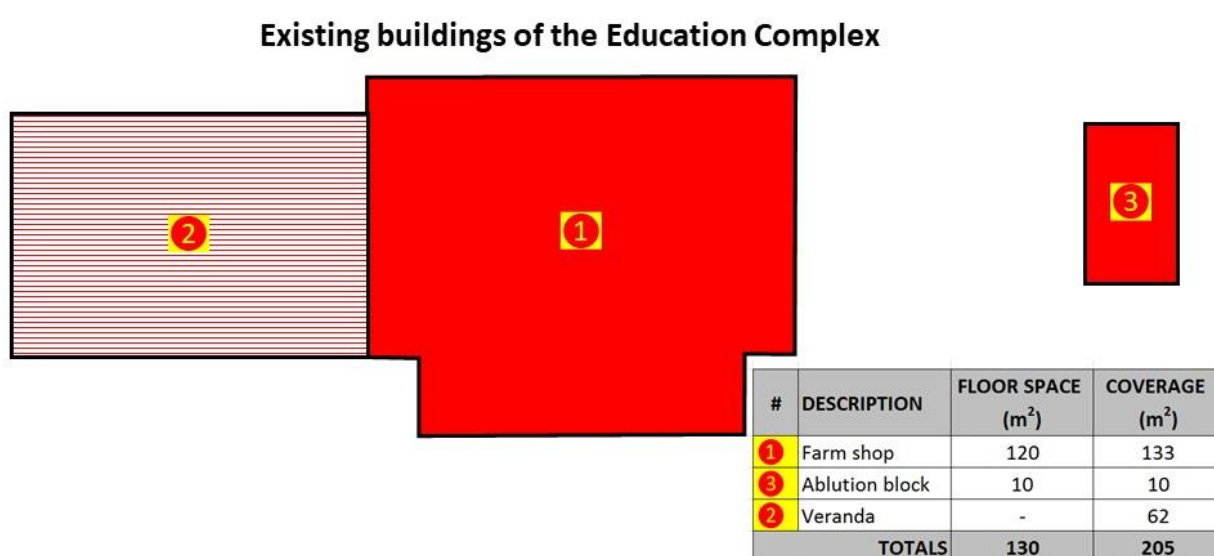
- The establishment of the first vineyards and/or orchards required for the long-term agricultural activities.
- The establishment of infrastructure (water supply, internal roads, electricity, sewage, fences and gates, etc) for the approved land uses.
- The further planning and management required for the implementation of the following phases.

The shape and size of the site to be used for as the Education complex, (marked ① on **Annexure H1**), is a function of the land use pattern proposed by the **Master Plan**. Due to the discussed methods of financing, the development of this area will start in **Phase I** but completion will happen over time. However, it was decided to obtain the required land use rights for block ① to avoid a situation where the growth of the education-facilities will be subjected to repeated land use applications.

❖ Site Development Plan

The existing and planned site development is shown on **Annexure E3**. During this phase the first buildings of the Education complex will be regularised, construction and site works will be completed, and the building will be put in operation.

The first existing buildings and structures of the Education complex consists of the elements graphically analysed below:



The next step in the development of the Education complex, will occur after obtaining the land use rights applied for. It will consist of adding a Tech hub-building of approximately 120 m² at the position showed in **Annexure E3**.

❖ The Agricultural activities

Agricultural activities will start on a small scale but will increase over time. In view of the time required to bring the farm to its full potential, the initial work related to infrastructure has already commenced. Below follows a summary of planned operations:

- Cultivation of land: According to the planning the first 2 ha will be cultivated in the coming 12 months. This period might also be used to erect the first tunnels to produce fresh produce.
- Establishment of crops: The first long term crop to be established will most probably be grapevines. The establishment of nut and berry orchards may also be considered during **Phase I** depending on the results of soil analyses and market demands.
- Establishment of infrastructure: During **Phase I** the focus will be to establish reliable basic infrastructure such as weatherproof paths, water supply systems, greenhouse tunnels, homestead fencing, security systems, etc. No fenced camps will be required as the production of livestock is not planned for at this stage.
- Alien species: A significant investment will be made in the eradicating of the alien species which infested the property due to decades of neglect. At first the focus will be in and around the two activity nodes as well as the area earmarked for the establishment of the first crops. This task will,

however, continue during the latter development phases until all unwanted flora have been eradicated.

- Staff: At this stage only one person render services as a permanent farm worker. The planning is to grow the agricultural work force to ± 5 permanent members and supplement it on demand with seasonal workers. The parents of the landowner moved to the farm and reside in the proposed additional dwelling unit. The father is a qualified engineer with experience in precision farming and will become the de facto farm manager.

❖ The proposed **Place of Instruction**

- Envisaged activities: The training of staff and students will be related to the activities of (a) the “farm shop” (baking, preparing and serving of food; cleaning, stock control, financial transactions, etc.), as well as (b) the **agricultural** activities on the farm. For the development of skills related to the “farm shop”, most of the training will occur during the active hours of the shop. **Agricultural** skills development that cannot be conducted in the field, will be presented at the buildings of the Education complex as openings are available. After approval of this application, a **Tech Hub** will be established at the position shown on **Annexure E3** and the activities there will be focused on the teaching computer-related skills.
- Traffic: Due to the socio-economic profile of learners, they will be transported by minibuses and small school buses. The limited space available for training will result in only a few trips in and out during the times when courses are presented.

❖ The operation of the proposed “farm shop”

- Education: The “farm shop” will form an integral component of the Education complex and will be ancillary and subservient to the main activity, namely a **Place of Instruction**.
- Retail: The farm shop will be used for the selling of food such as bread, pies, and meals which will be baked/cooked on site. Ancillary products to be sold will include fresh produce from the farm as well as refreshments such as coffee, cold drinks, etc.
- Business hours: Depending on training and commercial demands, the planned hours of business will be 7 am to 7 pm on weekdays and 8 am to 8 pm on weekends.
- Staff: The number of employees will grow over time and will vary with seasons. There will be a core of permanent workers supported by temporary workers (ie. waiters), the number of which will be determined by demand. The permanent workers will assist with the training of the learners. It is envisaged that the business will require a maximum of ± 5 workers in the beginning. This work force can grow to ± 20 . The staff will be from the disadvantaged areas of Bitou; they will preferably have a Grade 12 certificate; and will be between 18 and 45 years of age.
- Visitors: The business will be viable if ± 50 patrons are received each day.
- Parking: Sufficient parking is available on the grounds. Staff will mostly be transported with minibuses or arrive by foot from Kwanokuthula and surrounds.

❖ The provision of engineering services

The planning for the provision of essential services is as follows:

- Water (domestic): Borehole and water tanks.
- Water (irrigation): From the dam which is filled from the borehole.
- Sewage: Conservancy tanks.
- Electricity: Eskom.

❖ Access to public roads

Currently the farm gains access to public roads by means of the existing access to Road N2. This access road will have to remain in place until the alternative access is built on the southern side of the municipality's Waste Transfer Station. Refer to the **Master Plan (Annexure H1)** for the position of this access point.

During the mentioned pre-application meeting of 14 May 2024, this access was discussed with the officials, and they agreed with the proposal. On 20 May 2024, the Chief Town Planner forwarded the latest layout plan of Kwanokuthula Extension 5, attached as **Annexure L**, showing the incorporation of the link road.

Reasons why the existing access to Road N2 can be allowed as an interim measure:

- According to the municipal town planners, the construction of Kwanokuthula Extension 5 should commence within the next year, and when it is done, there will be a link road available to avoid direct access to the N2.
- Until this link road is available, the use of the subject property will not attract large numbers of visitors.
- The proposed training facility focusses on the previously disadvantaged communities who walk to the site through Kwanokuthula or are transported by small school busses or taxis.
- At maximum capacity the training centre will generate a maximum of 12 trips per day consisting of two arrivals and two departures for 2 to 3 teaching sessions per day.
- The sight distances were analysed as demonstrated on **Annexure J1** and **Annexure J2**. It is safe to assume that in both directions, oncoming traffic can be seen from at least 850 m away from the point of access of the subject property.

If the standards of the CSIR's Guidelines for Human Settlement Planning and Design (Volume 2, Chapter 7), are applied as standard, the parameters for the (a) stopping sight distance on level roads (115 m) as well as (b) the intersection sight distance for turning manoeuvres (< 600 m at the worst), are complied with, with lots of room to spare.

Considering that the speed limit is 80 km/h for the relevant sections of Road N2, these distances should be adequate to ensure safe movements.

6.7. Long term development – Phase II

- ❖ The **Master Plan – Annexure H1** read with **Annexure H2**

After a vehicular access through the neighbouring Kwanokuthula has been established, the access to the N2 can be eliminated and the next development phase can commence.

During **Phase II** the consolidation of development in the northern section of the property will be attempted. It will entail the establishment and commencement of horticultural facilities in tunnels and otherwise, as well as the enlargement of vocational training facilities and growing of the number of students.

This will be followed by concentrating on the southeastern quadrant of the property where an urban interface with neighbouring Kwanokuthula will be established. Provisionally, the development area earmarked for this will be taken up by residential and industrial land uses. The latter may include storage facilities for the public and small units where embryo-service industries and the like can find secure space. It is foreseen that students of the enterprise will, among others, be future tenants/owners of these spaces.

7. PUBLIC PARTICIPATION

Due to a previous oversight by the municipality which caused a massive delay, it is planned to ask permission to conduct the public participation process on their behalf. The Chief Town Planner already indicated that the municipality is empowered and willing to support such a request.

8. SPATIAL PLANNING GUIDELINES

Land development, however small or large, should be measured and tested against the guiding policy frameworks applicable in the area of concern. What follows is an analysis of this case in terms of policies and guidelines from all spheres of government.

8.1. Spatial Planning guidelines at National level

SPLUMA Development Principles (Section 7 of Act 16 of 2013)

- ❖ **Spatial Sustainability and Efficiency**

Although the development applied for now is of a limited scale, it can be regarded as in support of the development principles of Spatial Sustainability and Efficiency in that:

- ▶ The spatial positioning of the proposed medium to long term land uses, (as reflected in the accompanying **Master Plan – Annexure H1**), indicates a sensitivity in relation to the compatibility of future activities. There also is a variety of land uses proposed which will eventually ensure that the residents of that portion of the Kwanokuthula precinct will be presented with a choice of residential, educational, commercial and production opportunities at their doorstep. This will not only enable the area to function as a semi-independent hub, but it will also support it growing into a sought-after area where the land market will function effectively and in an equitable manner.
- ▶ Although it is on the border and outside of the Urban Edge as defined by the SDF, the medium to long term development of the property (as shown on the accompanying **Master Plan**), represents development in support of economic development of the neighbouring Kwanokuthula precinct and its residents. It is also designed in such manner that it will be able to resist urban sprawl further to the west as it proposes an arrangement of land uses that will establish a controlled transition from urban to rural.
- ▶ It will contribute to the optimized use of existing resources and infrastructure because, in the medium to long term it will link with the road and essential services established (and to be established) in neighbouring Kwanokuthula.

❖ **Spatial Justice**

When considering the long-term development of the entire property as reflected in the accompanying **Master Plan**, Spatial Justice at local level will be impacted positively. This is because the development will bring Vocational Education and Training, economic as well as housing opportunities to the doorstep of the largest cluster of disadvantaged people of the entire Bitou area.

Considering the amount of land use applications administered by the municipalities of the Eden District, the long-term development of this property will be quite unique in this regard and should for this reason be considered favourably.

❖ **Spatial Resilience**

The principle of Spatial Resilience refers to the flexibility of, among others, Land Use Management systems to protect vulnerable communities against economic and/or environmental shocks.

Since the proposed development of the property is designed to address needs of the vulnerable communities of Bitou, it is important to establish if the development will be beneficial:

- ▶ The last known environmental shock that occurred in Bitou (and can happen again), was the bush fires that raged through much of the Garden Route in 2017. Ever since, the maintenance and fire prevention measures occurring on the subject property have not improved. The proposed development must, however, turn this situation around to achieve success. This will not only be in support of broad society but specifically beneficial to physical development close to the property. In this case, it will be future developments of Kwanokuthula that might be threatened if the landowner cannot find the financial means to improve the management of the land. Seen from this perspective, the proposals should thus be regarded as favourable.
- ▶ Worldwide, the Covid-19 pandemic caused the most severe economic shocks and suffering among the ranks of economically vulnerable communities. To make them more resilient, any reasonable plan to uplift and empower such communities should thus receive support. It is proposed that this development will represent an important private-sector contribution to the improvement of the long-term livelihood of the vulnerable communities of Bitou.

❖ **Good Administration**

The principle of Good Administration places an onus on the spheres of government to perform efficiently and consequently protects broad society and, in this case, the applicant and affected members of the relevant area. The only contribution the applicant can make in respect of the principle of Good Administration, is to co-operate and ensure that the municipality has the necessary information, fees, documentation, etc. to enable them to expedite the procedures thereby complying with this principle. To our opinion this duty has been and will be fulfilled.

8.2. Spatial Planning guidelines at Provincial level

8.2.1. The Western Cape Provincial SDF

The Land Use Planning Principles as specified in Section 59 of the Western Cape Land Use Planning, Act 3 of 2014 [LUPA], are similar to the Development Principles of SPLUMA and applies mutatis mutandis.

The following spatial goals are defined in the Western Cape Provincial SDF:

“To address the spatial challenges identified the PSDF takes the Western Cape on a path towards:

- i. more inclusivity, productivity, competitiveness and opportunities in urban and rural space-economies;
- ii. better protection of spatial assets (e.g. cultural and scenic landscapes) and strengthened resilience of natural and built environments; and
- iii. improved effectiveness in the governance of urban and rural areas.”

Working towards a new approach and steered by the abovementioned spatial goals, the Western Cape Provincial SDF provides the following key transitions.

PSDF THEME	FROM	TO
RESOURCES	Mainly curative interventions	More preventative interventions
	Resource consumption living	Sustainable living technologies
	Reactive protection of natural, scenic and agricultural resources	Proactive management of resources as social, economic and environmental assets
SPACE ECONOMY	Fragmented planning and management of economic infrastructure	Spatially aligned infrastructure planning, prioritisation and investment
	Limited economic opportunities	Variety of livelihood and income opportunities
	Unbalanced rural and urban space economies	Balanced rural and urban space economies built around green and information technologies
SETTLEMENT	Suburban approaches to settlement	Urban approaches to settlement
	Emphasis on ‘greenfields’ development and low density sprawl	Emphasis on ‘brownfields’ development
	Low density sprawl	Increased densities in appropriate locations aligned with resources and space-economy
	Segregated land use activities	Integration of complementary land uses
	Car dependent neighbourhoods and private mobility focus	Public transport orientation and walkable neighbourhoods
	Poor quality public spaces	High quality public spaces
	Fragmented, isolated and inefficient community facilities	Integrated, clustered and well located community facilities
	Focus on private property rights and developer led growth	Balancing private and public property rights and increased public direction on growth
	Exclusionary land markets and top-down delivery	Inclusionary land markets and partnerships with beneficiaries in delivery
	Limited tenure options and standardised housing types	Diverse options and wider range of housing typologies
	Delivering finished houses through large contracts and public finance and with standard levels of service	Progressive housing improvements and incremental development through public, private and community finance with differentiated levels of service

Evaluating the proposals contained in this application against the listed key transition items, it is clear that non will be opposed while many will be strongly supported.

Introducing the Spatial Framework, the Western Cape Provincial SDF defines the following spatial planning themes:

“In fulfilment of the mandate ascribed to it in SPLUMA and to take forward the Province’s spatial development agenda, this chapter sets out the policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. The policy framework covers Provincial spatial planning’s three interrelated themes (see Diagram 8), namely:

1. Sustainable use of the Western Cape’s spatial assets (3.1),
2. Opening-up opportunities in the Provincial space-economy (3.2), and
3. Developing integrated and sustainable settlements (3.3).

Each of these spatial themes contributes to the achievement of the Western Cape’s strategic objectives (see Table 9). For each theme key challenges as distilled from the Provincial spatial profile (separately documented in PSDF Annexure 1) and their spatial implications are noted and Provincial policies for dealing with them are presented.”

The Spatial Policy Framework flowing from this thematic approach, can be condensed by heading, as shown below:

PROVINCIAL SPATIAL POLICIES

THEME	POLICY		COMPLIANCE OF PROPOSAL
RESOURCES	R1	Protect biodiversity and ecosystem services	No negative effect
	R2	Safeguard inland and coastal water resources and manage the sustainable use of water	No negative effect
	R3	Safeguard the Western Cape’s agricultural and mineral resources, and manage their sustainable use	No negative effect
	R4	Recycle and recover waste, deliver clean sources of energy to urban consumers, shift from private to public transport, and adapt to and mitigate against climate change	No negative effect
	R5	Safeguard cultural and scenic assets	No negative effect
SPACE ECONOMY	E1	Use regional infrastructure investment to leverage economic growth	No negative effect
	E2	Diversify and strengthen the rural economy	No negative effect
	E3	Revitalise and strengthen urban space-economies as engine of growth	No negative effect
SETTLEMENT	S1	Protect, manage and enhance sense of place, cultural and scenic landscapes	No negative effect
	S2	Improve inter and intra-regional accessibility	No negative effect
	S3	Promote compact, mixed use and integrated settlements	No negative effect
	S4	Balance and coordinate the delivery of facilities and social services	No negative effect
	S5	Promote sustainable, integrated and inclusive housing in formal and informal markets	No negative effect

8.2.2. The Western Cape Land Use Planning Rural Areas Guide of 2019 (LUPRAG)

When considering the land use rights of rural properties in the province, LUPRAG should be consulted. Although the guidelines are not mandatory, binding or enforced, it provides a framework to give more clarity when land use and land development applications are motivated, evaluated, and decided on.

What follows is a concise evaluation of compliance according to the relevant subject matter of LUPRAG.

❖ CHAPTER 2: THE RURAL CONTEXT

The Rural Vision of LUPRAG comprises the following elements:

- The sustainable development of its rural areas.
- The conservation of their biological diversity.
- The functionality of ecosystems.
- The protection of agricultural productive land.
- The safeguarding of rural heritage and culture.

- ▶ It is the opinion that all elements of the existing and proposed development and activities on this property are in support of this vision and will even lead to the improvement of the condition of the rural landscape.

❖ **CHAPTER 4: SPATIAL PLANNING CATEGORIES (SPC)**

This subject is discussed in paragraph 8.2.3 below.

❖ **CHAPTER 5: SUSTAINABLE FARMING**

The introduction to this chapter of the Provincial Guidelines reads as follows:

“Cultivable soils and mineral resources are non-renewable assets, that are important underpinnings of the Western Cape economy. As agricultural output is the foundation of the Western Cape’s rural economy (see Map 4) and an important input to the urban economy, safeguarding the Province’s agricultural resources, and productively using them without compromising biodiversity, heritage and scenic resources, remains a key challenge. There is limited suitable land available for extension of the Province’s agricultural footprint, and water availability limits the use of cultivable soils. ...”

As guide to ensure sustainable farming, the policy focusses on:

- Sustainable land management; and
- Norms for the subdivision of agricultural land.
 - ▶ From the perspective of agricultural activities, the currently dormant farmland will be gradually transformed into a productive unit. As explained throughout this memorandum, agricultural activities will form the backbone of the future use of this property.
 - ▶ As a result of the planned agricultural activities the management of rainwater will be essential.
 - ▶ The planned farming activities will also include the management and conservation of natural flora and the eradication of alien species.
 - ▶ The subdivision of the farm will eventually become a consideration as explained before and demonstrated in the **Master Plan (Annexures H1 and H2)**.

❖ **CHAPTER 6: MANAGING RURAL LAND USE CHANGE**

The principles underpinning LUPRAG are based on the Provincial SDF which, in its turn, is influenced by SPLUMA. In this case, all these principles are adhered as far as they are applicable to a property in this locality.

- ▶ The use of this property is and will be aligned with the guidelines for development in rural areas.

❖ **CHAPTER 8: AGRICULTURE**

For agriculture, the guideline is summarised as follows by LUPRAG:

“As the foundation of the Western Cape’s rural economy, the WCG approach to Agriculture is to: promote consolidation of farming landscapes and prevent their fragmentation; provide for land and agrarian reform; improve the economic viability of farming by facilitating diversification of agricultural production; promote enterprise opportunities within the food system and promote sustainable farming practices.”

LUPRAG then provides guidance for implementation to which this development conforms, where applicable.

- ▶ The entire development, as discussed and demonstrated in the **Master Plan**, will be centered around agriculture and the development of related skills of the surrounding disadvantaged communities.

❖ **CHAPTER 10: RURAL ACCOMMODATION**

According to LUPRAG, accommodation in the rural areas should cater for tourist accommodation and agri worker housing.

- ▶ In this case the landowners do not desire to become involved in the accommodation for the tourism industry.
- ▶ Facilities for agri worker accommodation will be provided and multiplied in correlation with the growth of agricultural activities.

All the other guidelines will be complied with where applicable.

8.2.3. The Western Cape Biodiversity Spatial Plan Handbook, 2017 [WCBSP]

❖ Biodiversity Spatial Plan Map Categories

As shown on **Annexure K**, the property is affected by only one biodiversity category, namely **Other Natural Areas (ONAs)** which is defined as follows:

“Areas that have not been identified as a priority in the current biodiversity spatial plan but retain most of their natural character and perform a range of biodiversity and ecological infrastructure functions. Although they have not been prioritised for meeting biodiversity targets, they are still an important part of the natural ecosystem.

ONAs should be managed or utilised in a manner that minimises habitat and species loss and ensures ecosystem functionality through strategic landscape planning. These ‘other natural areas’ offer considerable flexibility in terms of management objectives and permissible land uses, but some authorisation may still be required for high impact land uses.”

❖ Land use guidelines for Terrestrial Other Natural Areas

The WCBSP contains guidelines for land use in all the biodiversity categories. The overall purpose of these land use guidelines is *“to promote the effective management of biodiversity as required in Section 41(a) of the NEM:BA and in terms of the NEMA.”*

The guidelines provide advice *“on which land uses and activities are most compatible with maintaining the ecological integrity of CBAs and ESAs, and other parts of the landscape, based on the Desired Management Objectives for the land, and the anticipated impact of each land use activity on biodiversity patterns and ecological processes.”*

The focus of these land use guidelines is *“on identifying land uses that are compatible with maintaining and achieving biodiversity targets”* and should be used in conjunction with any other sector-specific guidelines such as Municipal Land Use Management Schemes and other planning tools.

General guidelines for Other Natural Areas [ONAs], p.78

“Minimise habitat and species loss and ensure ecosystem functionality through strategic landscape planning. Offers flexibility in permissible land uses, but some authorisation may still be required for high-impact land uses.

Specific guidelines for ONAs, pp.75 and 78

ONAs “are not required to meet biodiversity targets, and are therefore not identified as a priority in the WCBSP. They do, however, retain much of their natural character. The biodiversity in these non-priority landscapes may still be of value and contribute to maintenance of viable species populations and natural ecosystem functioning and ONAs may provide essential ecological infrastructure and ecosystem services.”

In the table on p.78 the WCBSP provides the following specific guidelines:

- *“These areas have the greatest flexibility in terms of management objectives and permissible land uses.*
- *Where possible, avoid modifying any remaining natural habitat by locating land uses, including cultivation and plantations, in already-modified areas.*
- *Authorisation may be required for high-impact land uses (such as intensive industry or urban development) and standard application of EIA regulations and other planning procedures is required.”*

Note: These areas may still contain species of conservation concern but either have not yet been surveyed, or the data was not available for incorporation into the WCBSP. The presence or absence of species of conservation concern should always be established through site visits before proceeding with a land use change. Recommendations of an appropriately qualified specialist must be followed in this regard.

Permissible land uses for ONAs, p.75

“ONAs offer the greatest flexibility in terms of management objectives and permissible land uses, and are generally recommended as the sites for higher-impact land uses. However, because ONAs may still have significant ecological, aesthetic and social value, they should not be regarded as unnecessary or areas where ‘anything goes.’ Planners are still required to give due consideration to assessing environmental factors, socio-economic efficiency, aesthetics and impacts on the sense-of-place in making decisions about the location of land uses in these areas. Environmental authorisation may still be required for high-impact land uses in terms of the listed activities in the EIA regulations, and other relevant legislation.”

❖ Spatial Planning Categories [SPCs], p.111

“Spatial Planning Categories are delineated in the landscape into Core 1, Core 2, Buffer 1 and Buffer 2, as per the Western Cape Provincial SDF (2014). They represent the level of importance of biodiversity attached thereto and

include land use recommendations based on the principles of bioregional planning (see above). They are intended to manage activities in the four main physiographic components of the Western Cape.”

According to Table 4.4 on p.111 of the WCBSP, the **ONA** biodiversity category consists of two SPCs, namely **Buffer 1** and **Buffer 2**.

Whether this property is classified as a **Buffer 1** or **Buffer 2** SPC could not be established, hence the interim classification conducted as discussed after the table.

This matter was discussed with Ms Adél Sanchez and Ms Anje Taljaard of the Bitou Municipality on 10 July 2023. The conclusion was that there is no specific indication as to which SPC is applicable in this case. The general advice was that, if necessary, certainty can be attained by the evaluation of the subject property by a suitably qualified environmental practitioner.

Interim assessment of the SPC-classification of subject property

A subjective desktop assessment of the site has been conducted to establish in which one of the two SPCs this property most probably falls. For this purpose, the **delineation guidelines** of LUPRAG (pages 23, 24 and 26), as shown in the table below have been employed together with the data contained in the WCBSP Atlas replicated in **Annexure K**.

The conclusion that has been reached is that **most of the subject property can most probably be deemed as falling in the Buffer 2 SPC category**.

SPC	DELINEATION GUIDELINES	REMARKS
Buffer 1	1. All land designated as large intact portions/remnants of natural or near-natural vegetation not designated as CBA or ESA, especially in proximity/adjacent to CBAs and/or ESA including: – rivers and wetlands (together with their buffers), – vulnerable and least threatened vegetation types, – significant water yield areas, and – significant groundwater recharge and discharge areas.	The area south of the powerline servitude may be deemed as near natural vegetation in the proximity of CBA and/or ESA classified land.
	2. Corridors (river, vegetation and habitat) necessary to promote and sustain ecological processes.	No corridors present.
	3. Coastline outside the urban edge, together with coastal processes to be included. The coastal management/set-back line must follow the landward boundary of the long-term risk projections. Where necessary, a separate line can be drawn around existing development and development rights within the risk zone in order to protect the development rights within a ‘development island’.	Far from the coast.
Buffer 2	1. All other natural areas that are located in an agricultural matrix, including existing extensive agricultural areas.	In or near an agricultural matrix.
	2. Development design (e.g. accommodation) to maintain and enhance the dominance of the agricultural landscape, continuation of green spaces, riverine corridors, and dominant landscape features (e.g. ridge lines).	Dominated by under-utilised land with agricultural potential.

8.3. Spatial Planning guidelines at District level

8.3.1. The Eden District Spatial Development Framework, 2017

The Eden District SDF, which inter alia covers the area of jurisdiction of the Bitou Local Municipality, provides guidance regarding the spatial development of the area of the Eden District Municipality.

The following spatial policies and guidelines were identified, and the proposed development is evaluated against each to test compliance.

1. ECONOMY & ENVIRONMENT		
SPATIAL POLICY	GUIDELINE	COMPLIANCE OF PROPOSAL
Policy 1.1. Establish, manage and market the Garden Route and Klein Karoo as two unique sub-regions of Eden	Guideline 1.1.1. Contain development and manage rural areas through appropriate application of SPCs	No negative effect
	Guideline 1.1.2. Protect and conserve Eden District’s important terrestrial, aquatic and marine habitats	No negative effect

1. ECONOMY & ENVIRONMENT		
SPATIAL POLICY	GUIDELINE	COMPLIANCE OF PROPOSAL
Policy 1.2. Protect the district cultural landscape and heritage resources	Guideline 1.2.3. Identify and protect scenic and cultural landscapes in Eden District	No negative effect
Policy 1.3. Grow an inclusive agricultural economy	Guideline 1.3.4. Support an inclusive and accessible agricultural value chain	In support
Policy 1.4. Facilitate inclusive and equitable, managed public access to the coastline and estuaries	Guideline 1.4.5. Support inclusive and equitable, managed public access to the coastline and estuaries	No negative effect
Policy 1.5. Manage development along the coastline in a sustainable and precautionary manner	Guideline 1.5.6. Coastal management	No negative effect
Policy 1.6. Manage and mitigate flood risk	Guideline 1.6.7. Flood risk mitigation	No negative effect
Policy 1.7. Mitigate fire risks and impacts on disaster management	Guideline 1.7.8. Implement veld fire management zones	The status quo will be improved
	Guideline 1.7.9. Alien Vegetation Management	The status quo will be improved
Policy 1.8. Manage regional infrastructure implementation and maintenance		No negative effect

2. ACCESS		
POLICY	GUIDELINE	COMPLIANCE OF PROPOSAL
Policy 2.1. Rationalise the regional access network	Guideline 2.1.1. Review need, appropriate location and impacts of the N2 bypass	In the long term a large area situated next to the N2 will be developed without a negative impact on the N2 as an existing, well-constructed access to the N2, will be used.
	Guideline 2.1.2. Upgrade the R62 to accommodate regional tour buses and freight traffic	No negative effect
	Guideline 2.1.3. Improve freight, tourism and emergency management connectivity	No negative effect
	Guideline 2.1.4. Revitalise railway infrastructure, improving national / multiregional access	No negative effect
Policy 2.2. Prioritise access infrastructure and services to support the identified role and hierarchy of towns within the regional space economy	Guideline 2.2.5. Cluster social facilities to optimise equitable access and spatial efficiency	In support
	Guideline 2.2.6. Locate regional facilities at the most accessible points in regional nodes	No negative effect
Policy 2.3. Contain settlement footprints and land use mix to promote walkability in towns		In support
Policy 2.4. Promote a balanced approach to mobility and access at the regional and local level	Guideline 2.4.7. Promote transit oriented development (TOD)	No negative effect
	Guideline 2.4.8. Ensure complete streets where regional routes go through towns	No negative effect

3. GROWTH MANAGEMENT		
POLICY	GUIDELINE	COMPLIANCE OF PROPOSAL
Policy 3.1. Direct and encourage growth to match capacity, resources and opportunity in relation to the regional socio-economic hierarchy of cities and towns	Guideline 3.1.1. Align growth with infrastructure and fiscal capacity	In support
	Guideline 3.1.2. Roles of regional service centres	No negative effect
	Guideline 3.1.3. Role and investment focus of specialised coastal centres	No negative effect
	Guideline 3.1.4. Development approach to rural settlements	No negative effect
Policy 3.2. Contain settlement sprawl	Guideline 3.2.5. Urban edge guidelines	The proposed small change of the urban edge is more realistic because urban sprawl will be controlled by vested commercial interests.
	Guideline 3.2.6. Manage development in rural and agricultural landscapes	In support
Policy 3.3. Optimise existing infrastructure capacity and economic opportunity by directing mixed use, higher density development to areas of opportunity	Guideline 3.3.7. Promote compact development	In support
	Guideline 3.3.8. Prioritise inclusive mixed used development over peripheral mono-functional development	In support
	Guideline 3.3.9. Ensure the development of strong resilient towns and places	In support
Policy 3.4. Rationalise and cluster regional facilities for sustainable provision and operations	Guideline 3.4.10. Cluster regional social facilities to enhance accessibility	No negative effect
Policy 3.5. Optimise existing social facilities through rationalisation and strategic infill	Guideline 3.5.11. Cede surplus land to the authority responsible for housing delivery	No negative effect
	Guideline 3.5.12. Develop multifunctional facilities	In support

8.3.2. The Outeniqua Sensitive Coastal Areas Extension Regulations, 1998

The property falls outside the demarcated area as shown on applicable map of the regulations and is thus not listed.

8.4. Spatial Planning guidelines at Local level

For the purposes of this application, the guidance on spatial development provided by the Bitou IDP of 2024/2025 as well as the Bitou SDF of 2022 will be analysed.

8.4.1. The Bitou Integrated Development Plan 2024/2025 [IDP]

On p.144 of the 2022 SDF the role of the IDP is described as follows:

It is important to note that the BLM SDF forms part of the Integrated Development Plan of the Municipality ... and that it does not represent a parallel process thereto.

❖ The Integrated Development Plan (IDP) and its Key Performance Areas p.25

According to the 2022 SDF:

"The initial thrust of the municipality was to address the disjuncture in service delivery, inequality, unemployment and economic participation caused by the apartheid system which benefited a certain racial group at the neglect or exploitation of other."

"The municipality recognises the importance of building partnerships with communities and stakeholders for sustainably delivering services in the next five years."

*"This will be done in accordance with the Key Performance Areas and Strategic Objectives noted in **Table 4**. The IDP emphasizes the strong link between the IDP and SDF. It states that the SDF should seek to influence the restructuring of urban and rural settlement patterns throughout the municipal area. It should also*

identify key areas for the purpose of focusing both public and private investment (spatial targeting). The aim is to identify projects in these areas which will have a high impact and high visibility within the area, and which will benefit the entire community.”

KEY PERFORMANCE AREAS	OBJECTIVES
KPA 1: Strategic planning for transformation	Objective 1.1 Spatially integrate areas separated by apartheid; Promote access for poor to work, recreational and commercial opportunities.
KPA 2: Economic development	Objective 2.1 Grow the local economy, create jobs, empower previously disadvantaged, and transform ownership patterns. Objective 2.2. Economic development of the local economy.
KPA3: Community and social development	Objective 3.1 Eradicate poverty and uplift previously disadvantaged communities, promote social cohesion.
KPA 4: Infrastructure development	Objective 4.1 Provision of basic services.
KPA 5: Institutional development	Objective 5.1 Build a capable, corruption-free administration that is able to deliver on its developmental mandate.
KPA 6: Financial sustainability	Objective 6.1 Manage expenditure prudently, grow revenue base and build long-term financial sustainability to invest in social and economic development.
KPA 7: Public participation	Objective 7.1 An active and engaged citizenry, able to engage with and shape the municipality’s programme.

The proposed development will be perfectly aligned and in support of KPAs 1, 2 and 3. Regarding Objective 4.1, an indirect contribution will be secured because the development will be partially off-grid and will thereby release the municipality from some of the duties to provide basic services.

8.4.2. The Bitou Spatial Development Framework of 2022

❖ SDF Objectives

The following SDF objectives have relevance to the development of the subject property:

- Addressing inefficient, impoverished and scattered land use patterns where the poor is generally located far away from places of socio economic opportunities;
- Indicating the desired and intended pattern of land use development in the urban and rural parts of the municipality, including the delineation of areas in which development in general or development of a particular type would not be appropriate;
- Managing the conflicting demand between agriculture, forestry, urban expansion and biodiversity conservation areas;
- Providing mechanisms for the establishment of a functional relationship between urban and rural areas both spatially and economically;
- Identifying priority investment areas in urban and rural parts of the municipality;
- Focusing on defining the economic footprint of the municipality and formulating strategies on how this can be enhanced in a sustainable manner;
- Channel public and private investment into priority areas and align the capital investment programmes of the municipality and different government departments into these areas in pursuit of the five SPLUMA principles.

❖ Salient Features and Development Projections

The following salient features and development projections were important considerations when the proposed project was planned:

- The Bitou LM population growth rate (3.8%) and household growth rate (5.8%) are significantly higher than that of any of the surrounding municipalities which could pose serious future challenges in terms of service delivery and job creation.
- Although the matric pass rate in the Bitou LM has been improving consistently over the past few years, very few of these learners continue with tertiary education/skills development. (Only 6.8% of the population have tertiary qualifications).
- The Bitou LM unemployment rate is very high (27.9%) compared to the Garden Route District average of 18.7%.
- Approximately 64.1% of households earn less than R3 500 per month. This poverty is mainly concentrated in Kranshoek, New Horizons, Bossiesgif, Kwanokuthula, Green Valley and Kurland.

- The Bitou LM has a relatively small economy, contributing only 7.4% of the Garden Route District's economy, compared to it representing 8,6% of employment opportunities and 9,7% of the district Municipality's population.
- The Bitou LM forms part of Oudtshoorn-Garden Route area and the municipal area is specifically earmarked for the promotion of Tourism, Agriculture and Public Service.
- The 38 000 ha of agricultural land pose opportunities to create jobs and sustainable livelihoods focusing on the following commodities: essential oils, winter grains, lucerne, dairy farming, floriculture (Fynbos and Honeybush), fruit (macadamia nuts and berries), olives and wine grapes.
- The housing demand stands at approximately 8 238 units which need to be addressed at appropriate densities on well-located land and with due consideration to the establishment of economic activities in these areas.
- The projected additional population up to 2025 is about 17 968 people, representing 7 755 additional households.
- When adding the current housing backlog of 8 238 units (households) to the 7 755 additional households, then approximately 548 ha of land would be required for urbanisation purposes up to 2025.

The above average population growth rate together with high unemployment, insufficient economic growth and housing shortages is a toxic mix of conditions that should be fought against to ensure the long-term prosperity of the district and its people. Expecting government projects and programs to come to the rescue is unrealistic, and therefore should all efforts of the private sector to address housing and employment shortages as well as economic growth, be welcomed. Over and above making a desired contribution in this regard, this project will also contribute to advance tourism and the agricultural sector by presenting much needed vocational training to people in need.

❖ Spatial proposals

The overarching long term Spatial Development Vision for the Bitou territory is:

"To become the Garden Route's sustainable tourism hub for the benefit of all."

The SDF states that, to work towards achieving this vision, the municipality should concentrate on 6 tasks of which the following have bearing on the proposed development:

- *"Ensure that every effort is made to broaden access to economic opportunities spinning off this wealthy core market, e.g. tour guides, guest houses, street markets and public transport interchanges integrated into shopping centres, township retail which is designed as tourism attractions easily accessible to external passing traffic;*
- *Agriculture, although a minor economic sector in the Bitou economy remains important as a creator of low skilled jobs and the limited amount of arable land means that protection and better use of this resource should occupy a high priority."*

If the overarching long-term Spatial Development Vision of Bitou is to become the Garden Route's sustainable tourism hub, then the proposed development fits the glove perfectly. Other than being a small tourist attraction, this development will ensure the broadening of economic opportunities, the development of tourism-related skills as well as providing jobs and skills development related to agriculture.

Objectives and Primary Actions

The Bitou Spatial Development Framework is based on 6 Development Objectives, each with a series of Priority Actions (see p.88 onwards). The following Priority actions apply to the proposed development:

Table 1

OBJECTIVES AND ACTIONS	COMPLIANCE
Environmental Management	
Objective 1: Facilitate the protection and sustainable management of the natural environmental resources.	
Action 1.1: Contain development and manage rural areas through appropriate application of Spatial Planning Categories (SPCs).	Refer to paragraph 8.2.3 and compare with the Master Plan Annexures H0 to H3 to establish how the property is proposed to be used in line with the Buffer 2 SPC guidelines.
Action 1.5: Manage and mitigate flood and fire risks.	Thanks to the topography of the property, the risk of floods is minimal. According to the Cape Farm Mapper datasets, the property is situated in an area where there is a high risk of veld fires. Before the property was purchased by the current owners, it stood vacant and unmaintained. The invasion of alien species was not controlled, and no effort was made to prevent the spreading of fires. With the owners

Table 1

OBJECTIVES AND ACTIONS	COMPLIANCE
	now residing on the property and attending to the long-term development thereof, applying measures to prevent veld fires is high on their list of priorities.
<i>Action 1.6: Implement alien vegetation management mechanisms.</i>	One of the top priorities of the landowners is to eradicate alien species of flora.
<p style="text-align: center;">Settlement Hierarchy</p> <p>Objective 2: Direct and align growth to capacity, resources and opportunity in relation to a regional settlement hierarchy.</p>	
<i>Action 2.1: Prioritise development and investment in accordance with the Bitou LM settlement hierarchy.</i>	The position of the subject property is in support of the objective that human settlement and economic activities be consolidated around several strategically located settlements/nodal points within the municipality as depicted on Figure 55.2. Although not within the municipality's only 1 st Order Node (Plettenberg Bay), it is in an "around" position whereby further sprawl to the west can be contained.
<i>Action 2.2: Contain settlement sprawl by means of an urban edge as growth management instrument.</i>	<p>The proposed development will be abutting onto but outside the urban edge. As it is designed to gain access through Kwanokuthula, it will eventually form part of this neighbourhood. The development will also consist of an urban element abutting onto and compatible with the planning of Kwanokuthula Extension 5 as well as an agricultural component to the west. This combination creates a well-designed and controlled transition from urban to rural which will be much more effective and practical than a "line in the sand".</p> <p>Since the SDF specifies that <u>the urban edge is to be viewed as a conceptual, indicative measure (growth management tool) aimed at illustrating a concept, rather than an exact line with a statutory status</u>, this development proposal can be deemed as reasonable.</p>
<i>Action 2.3: Manage development in rural and agricultural landscapes.</i>	The proposed development will be in line with the guidelines provided in Western Cape Province Land Use Planning Guidelines: Rural Areas (2019) as analysed in paragraph 8.2.2 above.
<p style="text-align: center;">Movement Network</p> <p>Objective 3: Optimise regional connectivity and mobility as well as local access and accessibility via a comprehensive movement network.</p>	
<i>Action 3.1: Capitalise on the economic opportunities posed by the N2 coastal corridor.</i>	<p>Not capitalizing on the economic opportunities presented by the N2 coastal corridor will be a wasted opportunity. Many property owners along this corridor have established good businesses serving the locals and visiting tourists. This not only contributed to the growth of the economy and job creation but also the establishment of the unique character of the area.</p> <p>The problem with businesses along the N2, is traffic safety as this is a national road carrying relatively large traffic volumes at speeds above 60 km/h. Once the proposed N2 bypass is in place, it would, however, lead to the "downscaling of the function of the existing road, opening up more opportunities for the functional integration of the communities of Kwanokuthula, New Horizons, Qolweni, Bossiesgif and Plettenberg Bay". Although the proposed development will have the benefit of being exposed to "passing trade" of the N2 thereby capitalizing on the economic opportunities, <u>it is designed to obtain indirect access to the N2 from when the link through Kwanokuthula Extension 5 is available.</u></p>
<p style="text-align: center;">Sustainable Human Settlements</p> <p>Objective 4: Facilitate the establishment of sustainable human settlements in all identified nodes.</p>	
<i>Action 4.1: Actively promote development aligned to Smart Growth Principles in all settlements.</i>	<p>The following Smart Growth Principles will apply in this development:</p> <ul style="list-style-type: none"> ✓ A mix of different kinds of land uses. ✓ It will assist the compaction of the Kwanokuthula neighbourhood by providing a commercially funded buffer to urban sprawl. ✓ It will support a variety of transportation choices, especially non-motorised transport opportunities that are safe. ✓ It will add to the variety of housing opportunities available in the precinct. ✓ It will encourage growth in existing communities through infrastructure upgrade, urban renewal, new amenities and densification. ✓ It will preserve open spaces, natural beauty, and environmentally sensitive areas. ✓ It will protect and enhance agricultural lands and secure these as a productive land base for food security, employment, etc. ✓ It is planned to utilise smarter and cheaper infrastructure and green buildings and promote renewable and sustainable technologies. ✓ It will foster a unique neighbourhood identity building on the unique and diverse characteristics of each community.
<i>Action 4.2: Identify strategically located land as priority housing development areas.</i>	The proposed development will be in support of the Strategic Development Area of Kwanokuthula and will contribute to accommodate future residential development.

Table 1

OBJECTIVES AND ACTIONS	COMPLIANCE
<i>Action 4.3 Promote the development of a diverse range of housing typologies offering multiple choices in terms of affordability, density and tenure options.</i>	The planned future residential component of the proposed development will be focussed at providing housing facilities for students and staff. It will not be developed at low densities and will most probably consist of rental units.
Economic Development and Job Creation Objective 6: Identify and optimally utilise economic development opportunities in a sustainable manner.	
<i>Action 6.1: Implement programmes aimed at promoting economic upscaling of emerging entrepreneurs as part of the 'Township Economy'.</i>	Many of the second category business opportunities listed in Annexure E1 of the SDF can be accommodated on the property. The development will also provide excellent opportunities for the empowerment and upscaling of the informal sector.
<i>Action 6.2: Align tertiary education and skills development programmes to priority economic sectors.</i>	Although the presence of existing training facilities elsewhere in Bitou is observed, the planning is to present vocational education and training by involving the students in agricultural and related activities on the farm where the emphasis will be on real time experience gained during daily activities.
<i>Action 6.4: Facilitate limited light industrial and commercial development at designated strategic locations.</i>	The planning is to address this need during Phase III of the development.
<i>Action 6.5: Promote agriculture focusing on priority commodities in four functional areas.</i>	Where the property is currently largely dormant, the business plan of the landowner envisages that approximately 40% of the area will in future be used for agricultural activities.
<i>Action 6.6: Utilise precision farming to minimise the impact of agriculture on natural resources.</i>	It is the vision to make use of precision farming techniques and for this purpose the farm manager, who is a qualified engineer and who has been involved with precision farming, is perfect for the job.
<i>Action 6.7: Support emerging farmers to become part of the mainstream economy.</i>	This is one of the primary goals of the scheme and will be achieved by providing vocational training and opportunities to get practical training.
<i>Action 6.8: Promote a comprehensive range of tourism activities based on the key characteristics of the identified functional tourism areas.</i>	Although not planned as a tourism industry, this development can contribute by serving those who are interested to educate themselves to become involved in tourism.

❖ Strategic Development Areas

According to Figure 56.3 of the SDF (See **Annexure F** for an extract), and Table 33 of the SDF, the subject property is directly adjacent to SDA1 (Kwanokuthula West) where IRDP¹ and UISP² housing should be developed. The SDF also provides the following guidelines on p.117:

The area around the existing waste transfer station is earmarked for future industrial use which would include activities associated with waste processing and recycling. This industrial area can be expanded further to the west in future ...

And:

It is recommended that the possibility be investigated that the capacity of the South Cape College as a tertiary institution be expanded in order to provide more opportunities for post school skills development especially in the tourism and agriculture sectors.

It is important to reiterate that although the property falls just outside of the urban edge, the development proposals were invented with focus on the physical, economic and social integration with the Kwanokuthula precinct, and therefore the SDF's view of the urban edge is important, ie. "... the urban edge is to be viewed as a conceptual, indicative measure (growth management tool) aimed at illustrating a concept, rather than an exact line with a statutory status".

As also suggested in the SDF and quoted above, industrial expansion to the west can be achieved and "more opportunities for post school skills development, especially in the tourism and agricultural sectors", will be achieved.

¹ Integrated Residential Development Programme

² Upgrading of Informal Settlements Programme

9. **OTHER LEGISLATION**

The National Environmental Act (Act 107 of 1998)

None of the activities listed in NEMA will be triggered by the proposed development nor is the subject property situated within the boundaries of a recognised Critical Biodiversity Area or a listed Threatened Ecosystem. However, the envisaged long-term development of the entire farm portion may have to be weighed against the NEMA guidelines and criteria. It is proposed that this be conducted when application is later made for the subsequent development phases.

The Building Standards Act (Act 103 of 1977)

Although an application for the approval of a building plans can only follow the successful completion of this application, it is appropriate to anticipate if such plans may be rejected by virtue of Section 7 of the Building Standards Act based on one or more of the following criteria:

- The building will probably or in fact disfigure the area in which it will be erected.
- The building will probably or in fact be unsightly or objectionable.
- The building will probably or in fact derogate the value of adjoining or neighbouring properties.
- The building will probably or in fact be dangerous to life or property.

It is proposed that none of these disqualifiers will apply.

10. **MOTIVATION**

10.1. Spatial Planning Policies and Guidelines

The Development Principles of SPLUMA

As discussed in par. 8, it is clear that the approval of this application will not formalise a development that can be deemed as in disagreement with the aims of SPLUMA as well as the other relevant Spatial Planning policies and guidelines.

The Western Cape Provincial SDF, the Western Cape Land Use Planning Rural Areas Guide of 2019 and the Eden District Spatial Development Framework, 2017

Each of the above spatial planning policies and guidelines have been analysed above and it was established that the proposed development will be in support without any possible point of conflict. Furthermore, the long-term result of the proposal will contribute disproportionately well to the goals and objectives identified in these plans.

The Bitou Spatial Development Framework of 2022

As above, the long-term development proposal will be completely in support of the Bitou's SDF. More important is the expected positive contribution to the well-being of Bitou's communities and economy this development can bring.

The only issue today, is the access to the N2 which, based on analysed sight distances, will not be unbearable in the short term and for which a workable and desirable long-term solution is available and has the support of the municipal planners.

10.2. The need for skills and economic development as well as work and housing opportunities

According to all policy guidelines, from the highest to the bottom tiers of government, there is a dire need for **economic development** and **housing provision** in the entire country – a dilemma which the Bitou municipality did not escape. Encouraging **economic development** from the government's side is not easy, as we have seen over the past few decades where the growth of country's economic well-being disappointed.

The Bitou area, just as most of the Eden area, is known for its strong orientation towards **tourism**. Although depending disproportionately too much on this subsector of the economy can be dangerous (as we have seen during the Covid-19 pandemic), **tourism** must be kept alive and growing to ensure continuous **economic growth**.

Bitou's geographical isolation is a double-edged sword which attracts tourists but also cause economic suffering: Outside holiday seasons many of the villages and towns of Bitou are partially deserted making life difficult for ordinary businesses and industries. On the contrary, during holidays it is a stampede when

some businesses cannot cope. For a holiday-town this might be normal, but it remains undesirable. Ideally this situation should change to ensure a more even intensity of activities throughout the year. This, however, will be difficult to achieve by institutional intervention only – the free market must contribute vastly to make it happen.

Although statistics describing the latest trends are not available yet, observations and town-talk indicate a promising swing towards normalisation since the beginning of the Covid-19 pandemic. Desperate measures taken worldwide during the pandemic to keep businesses afloat taught many people that they can survive just as well away from the metropolitan areas. In South Africa the consequence of this new trend is the so-called semigration to areas such as Bitou.

So, what does this mean and how does it apply to this application? It is too early to answer these questions with empirical data in hand, but nothing prevents us from taking educated guesses.

Firstly, it is foreseen that, as holiday homes are keeping on being taken up by inflowing permanent residents, housing in the advantaged areas will now also become scarce (and possibly ridiculously expensive). Secondly, as more people establish in Bitou on a permanent basis, the businesses will start doing better during off-seasons and the economy of the area will improve. This form of normalisation is good and desirable.

In the light of these new trends (and for many other reasons), it is incumbent on the municipality to proactively encourage residential densification, the growth of economic opportunities, the development of its human resources, etc. Even if the pandemic does not bring about the predicted changes or the semigration slows down, the responsibility to address these issues cannot be escaped from.

10.3. Interests of the neighbours

It is not foreseen that any neighbour will be negatively influenced by the proposed development. Their opinions will, however, be tested during the compulsory Public Participation Process.

10.4. Precedents

There are many precedents of farm shops and additional dwellings on farms in Bitou as well as on farms abutting onto the N2.

As far as the combination of land uses and the proposed future development of this farm is concerned, precedents will be hard to find. This, however, should not be considered as negative since the proposal has to be groundbreaking to achieve the objectives of this development dedicated to the upliftment of the community at a locality that is ideal for the establishment of a transition zone between urban and rural.

10.5. Impact on engineering services

No municipal engineering or other services will be affected by the short-term development proposal contained in this application. However, in the long term when the urban component is going to be established, services will become an issue and will have to be dealt with.

10.6. Impact on fire prevention

The proposed land uses will not cause a fire hazard, on the contrary, all efforts are now made to reduce the risk of fires.

10.7. Impact on roads and traffic

The impact on roads has been discussed. It is important to note that long-term access to the N2 is not sought but only used because of the absence of a link through Kwanokuthula. In this regard it is known that the responsible functionaries, already considered the situation and gave their support to make the establishment of the proposed new access possible.

10.8. Desirability

Viewed from all perspectives, the proposed development can be deemed as desirable because the approval of the application:

- will not lead to conditions that may be harmful to property owners in the direct vicinity or in the town;
- will not cause any of the rights of landowners to be affected in any manner;

- will not damage the amenity of the area in any manner;
- will not represent a real or potential threat to the health of the inhabitants or their neighbours;
- will not compromise safety, especially fire prevention and firefighting;
- will not affect any existing or future engineering services;
- will formalise an attractive development with no negative visual impact;
- will not impact nature; and
- will contribute to the desired efficient use of land.

11. CONCLUSION

- The proposed development, short and long term, is perfectly aligned with spatial planning policies, guidelines and decision-making criteria.
- Not only is it aligned, but also will it provide a significant private sector contribution to the upliftment of Bitou's disadvantaged communities – one of the most important underlying goals of these policy documents.
- Although public support has not yet been demonstrated, it is the opinion that the filing of reasonable objections by the neighbours is highly unlikely.
- Although the property is not placed in an environmentally sensitive area, the proposed development as well as the combination of land uses proposed, will ensure that improvement of the environmental quality can be achieved by the eventual eradication of unwanted vegetation, the improved control of bush fire risks, and the use of a large portion of this dormant property for agriculture.
- Finally, it is the opinion that the approval of this application will contribute significantly to the welfare of the town and its people.

A.C. BURGER Pr. Planner
Reg. no. A/767/1994

Special Power of Attorney

I, **Jaco van den Heever**, with ID number 820730 5042 08 0, the duly authorised director of **Sand Dollar Investment Properties (Pty) Ltd** Registration number: **2021/517495/07** being the registered owner of owner of **Portion 10 of the farm Holt Hill 434** situated in the area of jurisdiction of the Bitou Local Municipality, do hereby nominate, constitute and appoint Armand Camille Burger Professional Planner with registration number A/767/1994 of ValGIS Technologies CC as well as its authorised agents and/or employees with power of substitution to be our lawful representatives to:

- a. Prepare and submit and application to seek for the approval of land use rights as prescribed by the relevant legislation to allow a portion of the said property being used for:
 - (i) A Place of Instruction including an Education complex consisting of various ancillary and related facilities and land uses; and
 - (ii) An additional dwelling unit,on the understanding that such application may include requests for permanent and/or temporary departures from the development control parameters of the Bitou Zoning Scheme By-law of 2023; and
- b. Prepare a Master Plan for the long-term development of the property to be negotiated with the municipality and included with the application; and
- c. Generally to do whatever may be necessary or desirable to obtain approval for the proposed development.

Signed at Plettenberg Bay on this **21st** day of June 2024.



JACO VAN DEN HEEVER

in the presence of the undersigned witnesses:



Witness 1



Witness 2

**Certificate issued by the Commissioner of Companies & Intellectual
Property Commission on Wednesday, April 7, 2021 at 13:49**



Disclosure Certificate: Companies and Close Corporations

Registration Number: 2021 / 517495 / 07
Enterprise Name: SAND DOLLAR INVESTMENT PROPERTIES

ENTERPRISE INFORMATION

Registration Number 2021 / 517495 / 07
Enterprise Name SAND DOLLAR INVESTMENT PROPERTIES
Enterprise Shortened Name
Enterprise Translated Name
Registration Date 06/04/2021
Business Start Date 06/04/2021
Enterprise Type Private Company
Enterprise Status In Business
Financial Year End February
Number of Members 1
Description of Principal Business BUSINESS ACTIVITIES NOT RESTRICTED.

Addresses	<u>POSTAL ADDRESS</u>	<u>ADDRESS OF REGISTERED OFFICE</u>
	SAND DOLLAR DESIGN 1 PEGASUS BUILDING	1 PEGASUS BUILDING
	MENLYN MAINE	MENLYN MAINE
	PRETORIA	PRETORIA
	GAUTENG	GAUTENG
	0081	0081

DETAILS OF AUDITOR / ACCOUNTING OFFICER

Name
Membership/Practice No
Profession
Postal Address

Telephone Number
Fax Number
Email Address
Cell Number
Appointment Date



**Certificate issued by the Commissioner of Companies & Intellectual
Property Commission on Wednesday, April 7, 2021 at 13:49**

Disclosure Certificate: Companies and Close Corporations

Registration Number: 2021 / 517495 / 07

Enterprise Name: SAND DOLLAR INVESTMENT PROPERTIES



ACTIVE MEMBERS

Surname and First Names	Type	ID Number / Date of Birth	Contrib. (R)	Interest (%)	Appoint. Date	Address
VAN DEN HEEVER, ELLENORE DORETTE	Director	8105270133084	0.00	0.00	06/04/2021	Postal: 32 SOUTHERN RIGHT DRIVE, WHALE ROCK HEIGHTS, PLETTENBERG BAY, WESTERN Residential: 32 SOUTHERN RIGHT DRIVE, WHALE ROCK HEIGHTS, PLETTENBERG BAY, WESTERN
VAN DEN HEEVER, JACO	Director	8207305042080	0.00	0.00	06/04/2021	Postal: 32 SOUTHERN RIGHT DRIVE, WHALE ROCK HEIGHTS, PLETTENBERG BAY, WESTERN Residential: 32 SOUTHERN RIGHT DRIVE, WHALE ROCK HEIGHTS, PLETTENBERG BAY, WESTERN
VAN DEN HEEVER, JACO	Incorporator	8207305042080	0.00	0.00	06/04/2021	Postal: 32 SOUTHERN RIGHT DRIVE, WHALE ROCK HEIGHTS, PLETTENBERG BAY, WESTERN Residential: 32 SOUTHERN RIGHT DRIVE, WHALE ROCK HEIGHTS, PLETTENBERG BAY, WESTERN

Physical Address

the dti Campus - Block F
77 Meintjies Street
Sunnyside 0001

Postal Address: Companies

P O Box 429
Pretoria
0001

Docex: 256

Web: www.cipc.co.za

Contact Centre: 086 100 2472 (CIPC)

Contact Centre (International): +27 12 394 9500



**Resolution of the Directors of Sand Dollar Investment Properties (Pty) Ltd Registration
number: 2021/517495/07 hereinafter called "The Company"**

TO WHOM IT MAY CONCERN

MINUTES OF A MEETING OF DIRECTORS OF THE COMPANY HELD ON 20 JUNE 2023:

AUTHORISATION OF DIRECTOR TO MAKE DECISIONS

From this day forward, unless recalled by a later resolution taken by all the directors of The Company, the following director is fully authorized to make all decisions pertaining to the application for additional land use rights in respect of Portion 10 of the farm Holt Hill 343, Bitou, being a property owned by The Company:

PARTICULARS OF AUTHORISED DIRECTOR	
Full names and surname:	Jaco van den Heever
ID/Passport number:	820730 5042 08 0
Email address:	jaco@sanddollar design.co.za
Telephone/Mobile phone number:	072 824 4888

Certified a true extract of the minutes of the meeting



SECRETARY

SAND DOLLAR PROPERTY INVESTMENTS

229

H T De Villiers Attorneys
55 Sonnenblom Street
Stellenridge
Bellville
7530

Prepared by me

CONVEYANCER
JANINE FOUCHE (60411)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 3 100 000.00	R. 1778.00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg..... Act/Proc.....

VERBOD MORTGAGED	
VIR FOR R. 2 320 000.00	
B 000025694 / 2021	 REGISTRAR
14 SEP 2021	

T 000045218 / 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JANINE FOUCHE (60411)

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

JOHN ROBERT DUDLEY
Identity Number 480702 5018 080
Unmarried

which said Power of Attorney was signed at PLETTENBERG BAY on 26TH JULY 2021.

DATA / VERIFY
28-09-2021
VUYELWA LAMANI

DATA / CAPTURE
23-09-2021
JENNY VAN WAT
Lexis® Convey 18.0.2.9

And the appearer declared that his/her said principal had, on 4 May 2021, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

SAND DOLLAR INVESTMENT PROPERTIES PROPRIETARY LIMITED
Registration Number 2021/517495/07

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

REMAINING EXTENT PORTION 10 (A PORTION OF PORTION 1) OF THE
FARM HOLT HILL NO. 434
IN THE BITOU MUNICIPALITY
DIVISION OF KNYSNA
PROVINCE OF THE WESTERN CAPE

IN EXTENT 25,9784 (TWENTY-FIVE COMMA NINE SEVEN EIGHT FOUR)
Hectares

FIRST TRANSFERRED by Deed of Partition Transfer No. T2001/1953 with
Diagram no. 10871/48 annexed thereto and held by Deed of Transfer Number
T59484/2008

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. 4867 dated 21st May 1902.
- B. **SUBJECT FURTHER** by virtue of Notarial Deed No. K232/1976S to a servitude of electric power transmission in favour of the Electricity Supply Commission as will appear from the endorsement dated 17th March 1976 on Deed of Partition Transfer No. 2001/1953.

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

JOHN ROBERT DUDLEY, Unmarried

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

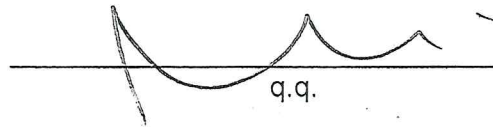
SAND DOLLAR INVESTMENT PROPERTIES PROPRIETARY LIMITED
Registration Number 2021/517495/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R3 100 000,00 (THREE MILLION ONE HUNDRED THOUSAND RAND) .

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

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

14 SEP 2021


q.q.

In my presence


REGISTRAR OF DEEDS

BITOU MUNICIPALITY

It is hereby confirmed that I have considered and accepted the recommendations of the Building Control Officer. In accordance with the provisions of the Building Control Act, the application for the erection of a building is hereby approved in terms of Section 7(1)(a) of Act 107 of 1977, subject to compliance with the conditions as recommended by the Building Control Officer.

2016/8/23
DATE

HEAD: STRATEGIC SERVICES

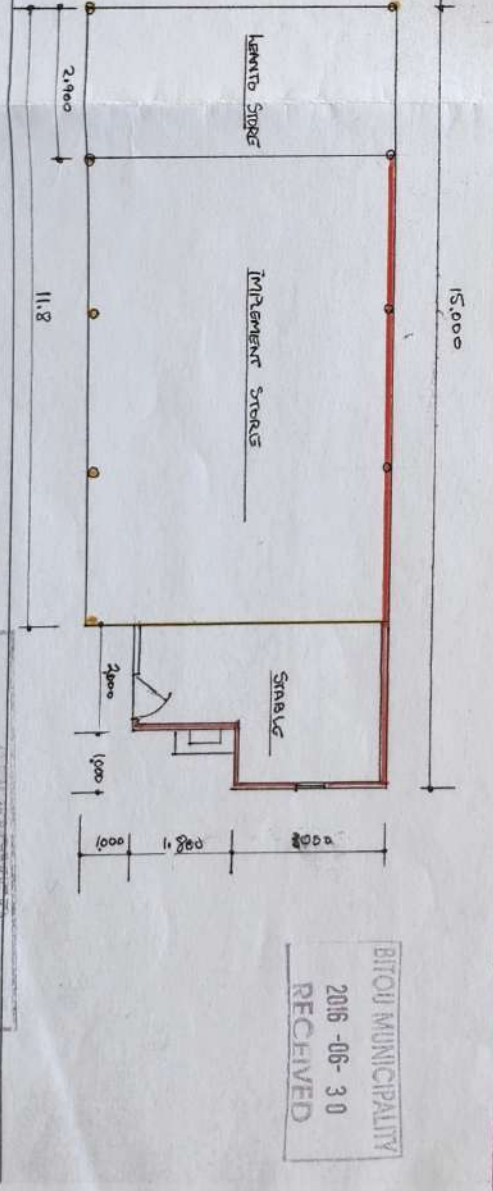
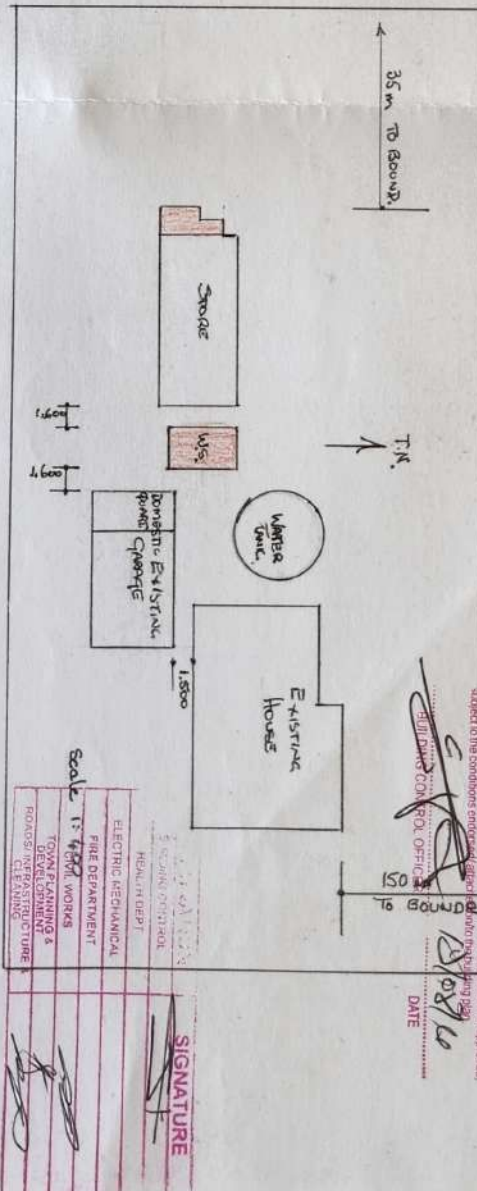
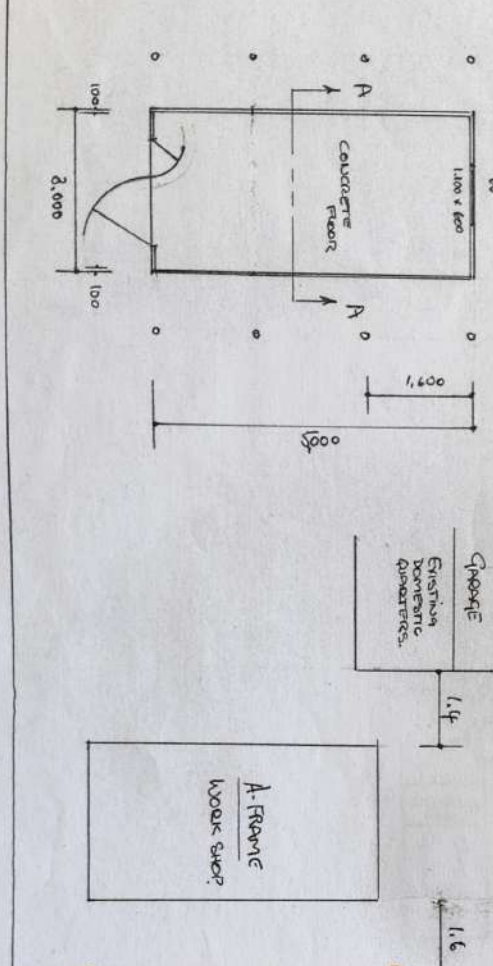
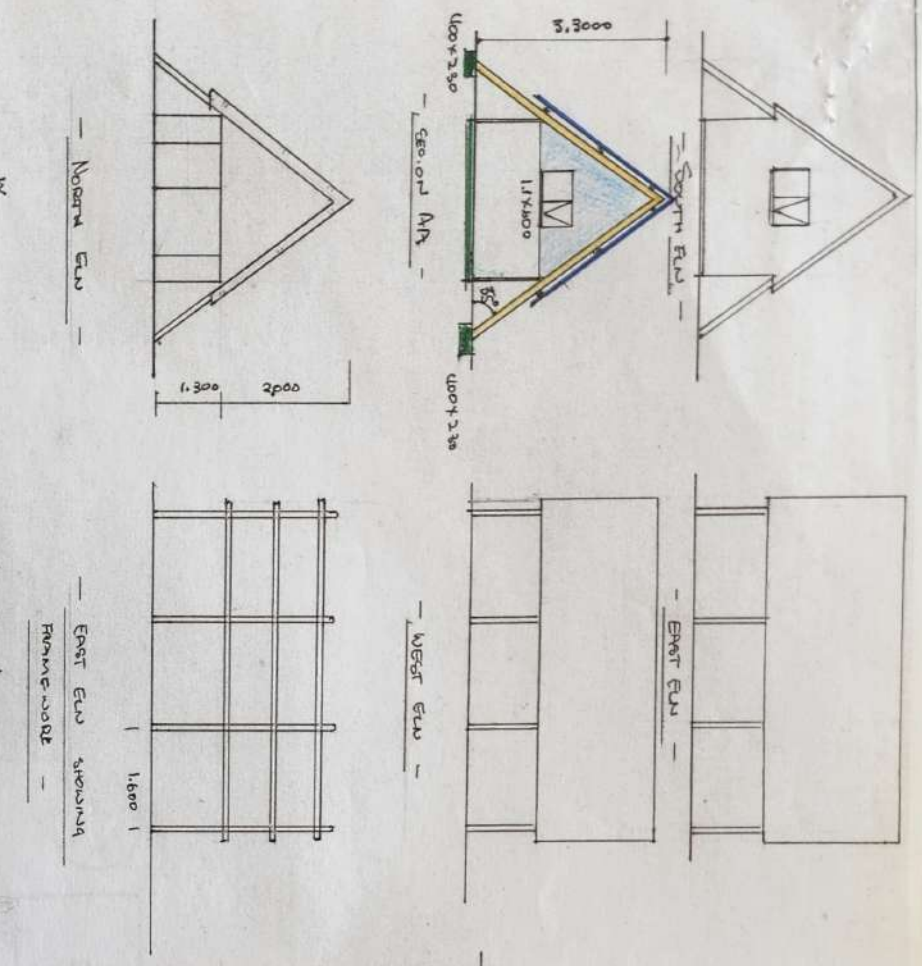
Cor. 180m ON 75x50 PAVEMENT ON
130 CARPARK PAVES @ 1.6m concrete
into 400x230 FORMINGS
GARAGE DOOR AND SINKING TOP OF
COR. 180m AND WOOD.
STEEL WINDOWS 11x1.600 SINKING CEILING
ROOF PITCH 5°
WALLS OF BIG 6 ASBESTOS AND COR. 180m

BITOU MUNICIPALITY

I hereby confirmed that I have examined the application for the erection of a building, and that I am satisfied that, subject to compliance with the conditions indicated/attached onto the application, the relevant building plans comply with the requirements of Section 7(1)(a) of the National Building Regulations and Building Standards Act, 1977 (Act 107 of 1977). Accordingly, I recommend in terms of Section 6(1)(a) of Act 107 of 1977 that this application be approved, subject to the conditions indicated/attached onto the application.

13/08/16
DATE

150m TO BOUND
10m TO BOUND



Existing A-FRAME STORE ON PDE. 10
OF 434 HARTILL KUPKANA FOR
JR DUNDEY

Subject to the following:

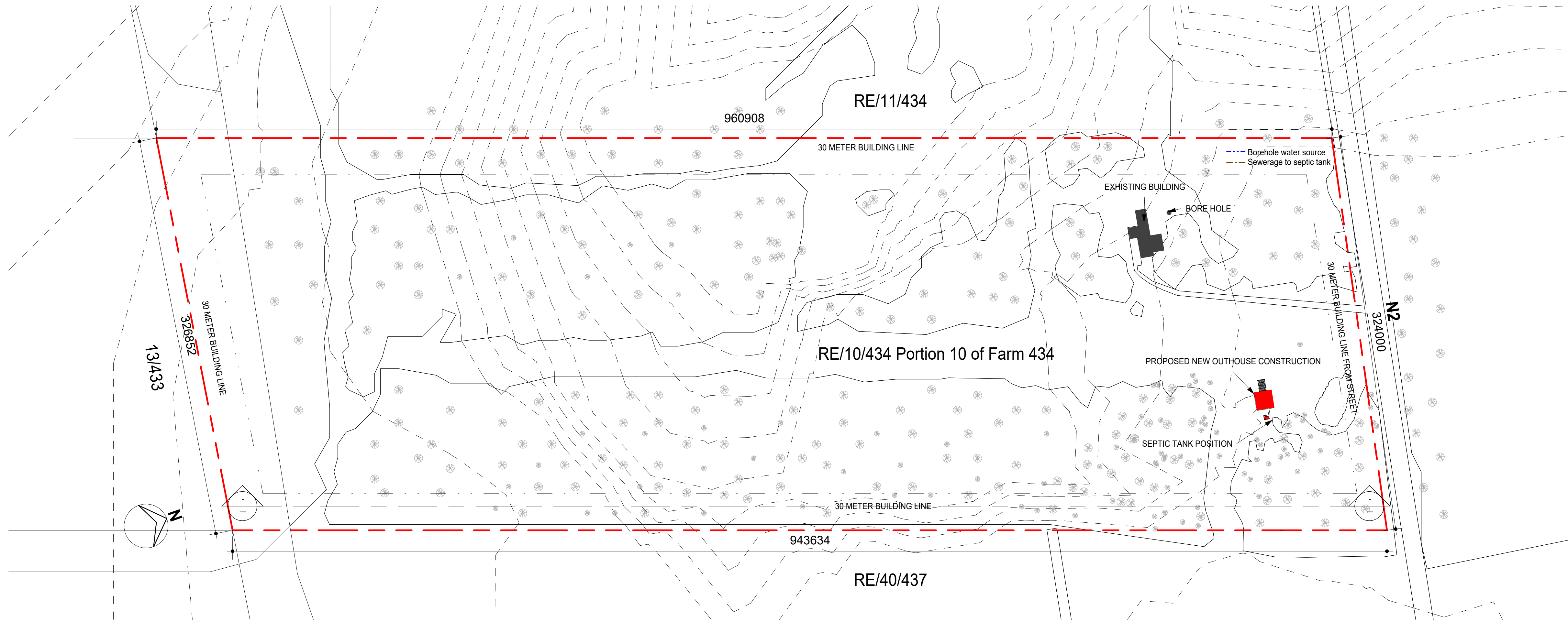
NHBRC Registered Builder
NHBRC Enrollment Certificate

In terms of Act No. 36 of 1993 Housing Consumer Protection Measures Act

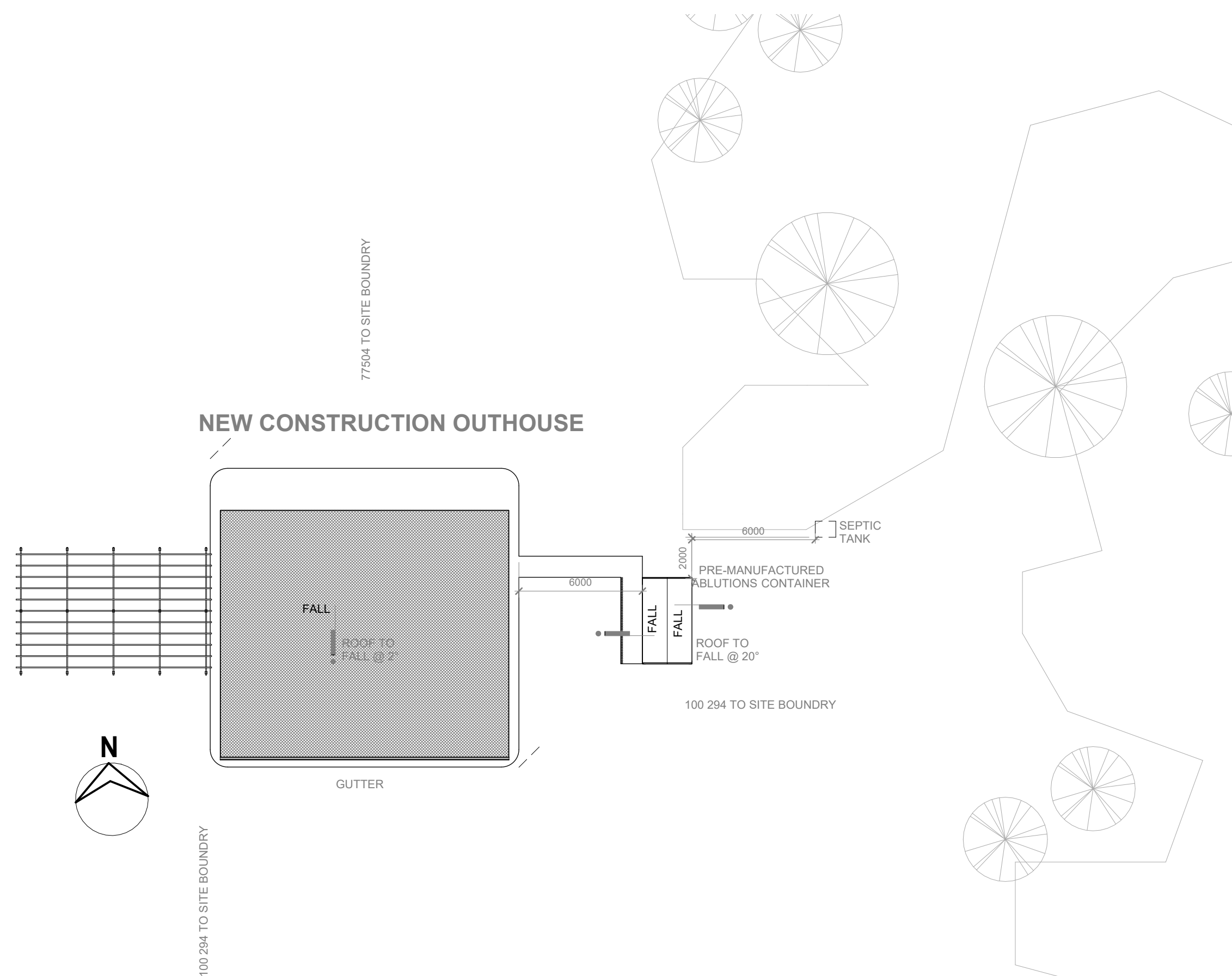
KEITH LUKU
SAAP 571020

BITOU MUNICIPALITY

2016-06-30
RECEIVED



1 Site Plan
Scale 1 : 2000



2 Site
Scale 1 : 200

PROPERTY DESCRIPTION

ERF: Portion 10 Farm 434
ERF AREA: 305 533 m²
ADDRESS: Holt Hill N2 Harkerville
TOWN: Plettenberg Bay
MUNICIPALITY: Bitou
ZONING: Agricultural 1

DEVELOPMENT CONTOL MEASURES

GROUND FLOOR:
Main Building 89m²
Ablutions 10m²
BUILDING FOOTPRINT: 115m²
TOTAL GROUND: 99m²
BULK CALCULATION: 383m²

FAR: 0.00125
COVERAGE: 0.09%

GENERAL NOTES

ALL WORKS TO COMPLY WITH SANS 10400
OR BY RATIONAL APPROVED DESIGN
TO COMPLY WITH FOLLOWING GUIDELINES

B: Structural Design SANS 10400-B, Structural design
C: Dimensions SANS 10400-C, Dimensions
D: Public Safety SANS 10400-D, Public safety
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G: Excavations SANS 10400-G, Excavations
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Q: Non-water-borne Means of Sanitary Disposal
SANS 10400-Q, Non-water-borne means of sanitary disposal
R: Stormwater Disposal SANS 10400-R, Stormwater disposal
S: Facilities for Persons with Disabilities SANS 10400-S, Facilities for persons with disabilities
T: Fire Protection SANS 10400-T, Fire protection
V: Space Heating SANS 10400-V, Space heating
W: Fire Installation SANS 10400-W, Fire installation

Revision	Date	Drawn	Description
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tel: 011 706 5391 Cell Phone: 082 350 5353
www.lapalaka.com
103 5th Ave Melville
P.O. Box 639 Cramerville Bryanston 2060

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client
SAND DOLLAR INVESTMENT PROPERTIES

project
FARM MANAGERS OFFICE AND FARM STORE

stand number
Portion 10, Farm 434 Holt Hill, N2, Plettenberg Bay

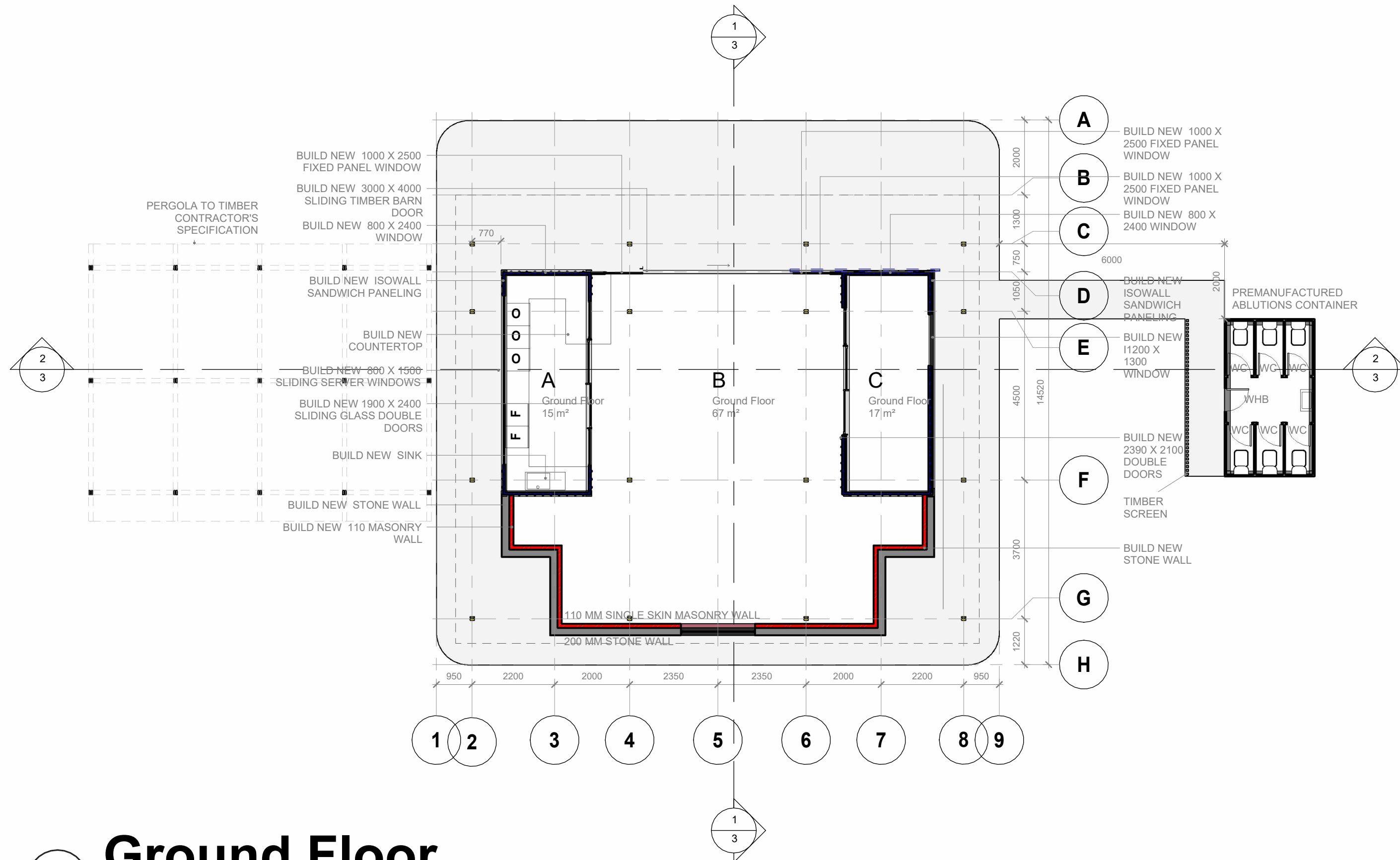
engineer Deon Botes
Reg No: 200370068
signature

Architect Gerrit Pieterse
Reg No: PrArch46163384
signature

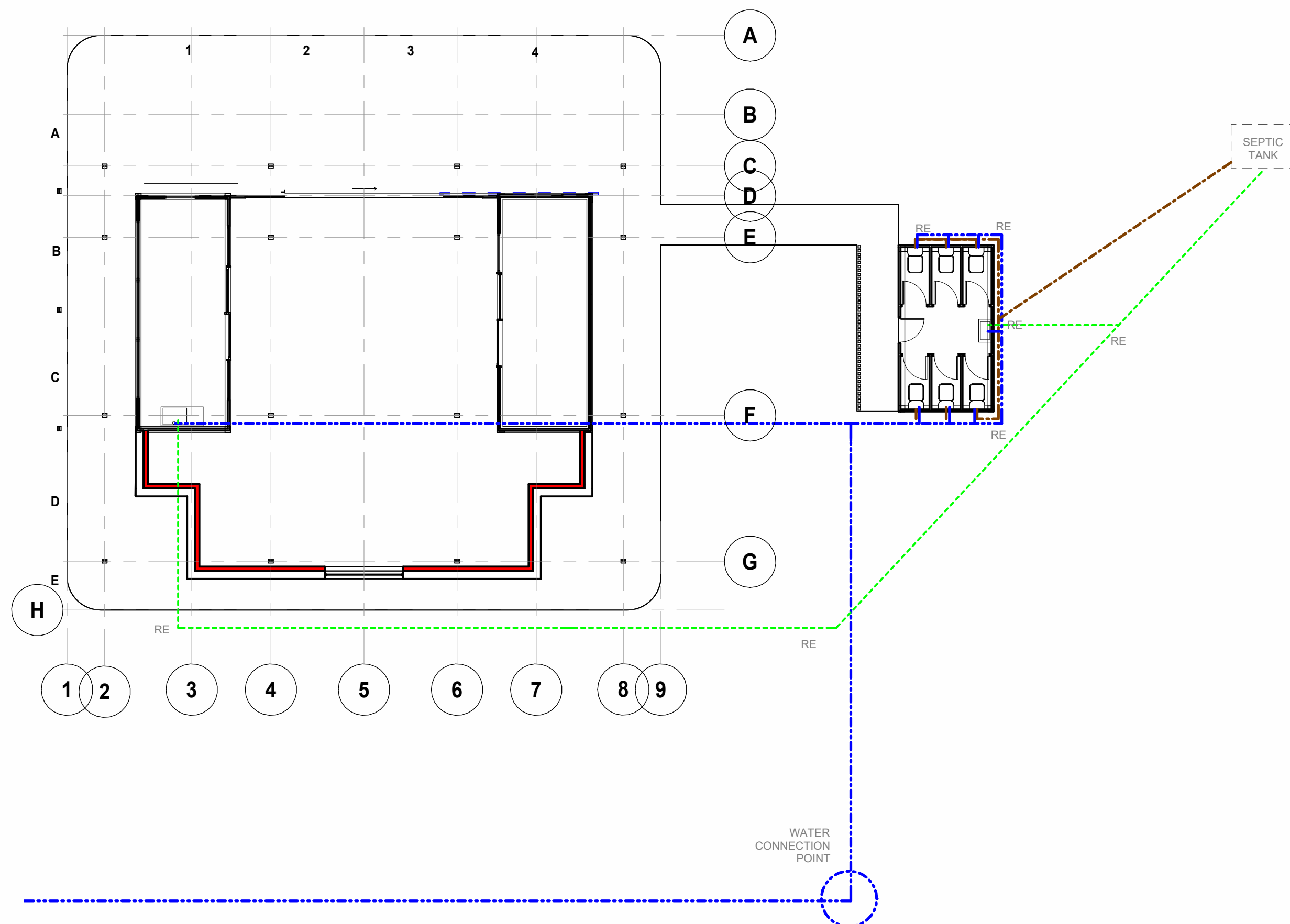
drawing description
Site

job number	drawing number
0000	1
drawn	Gerrit Pieterse
scale	Refer to drawings
date	20 June 2022

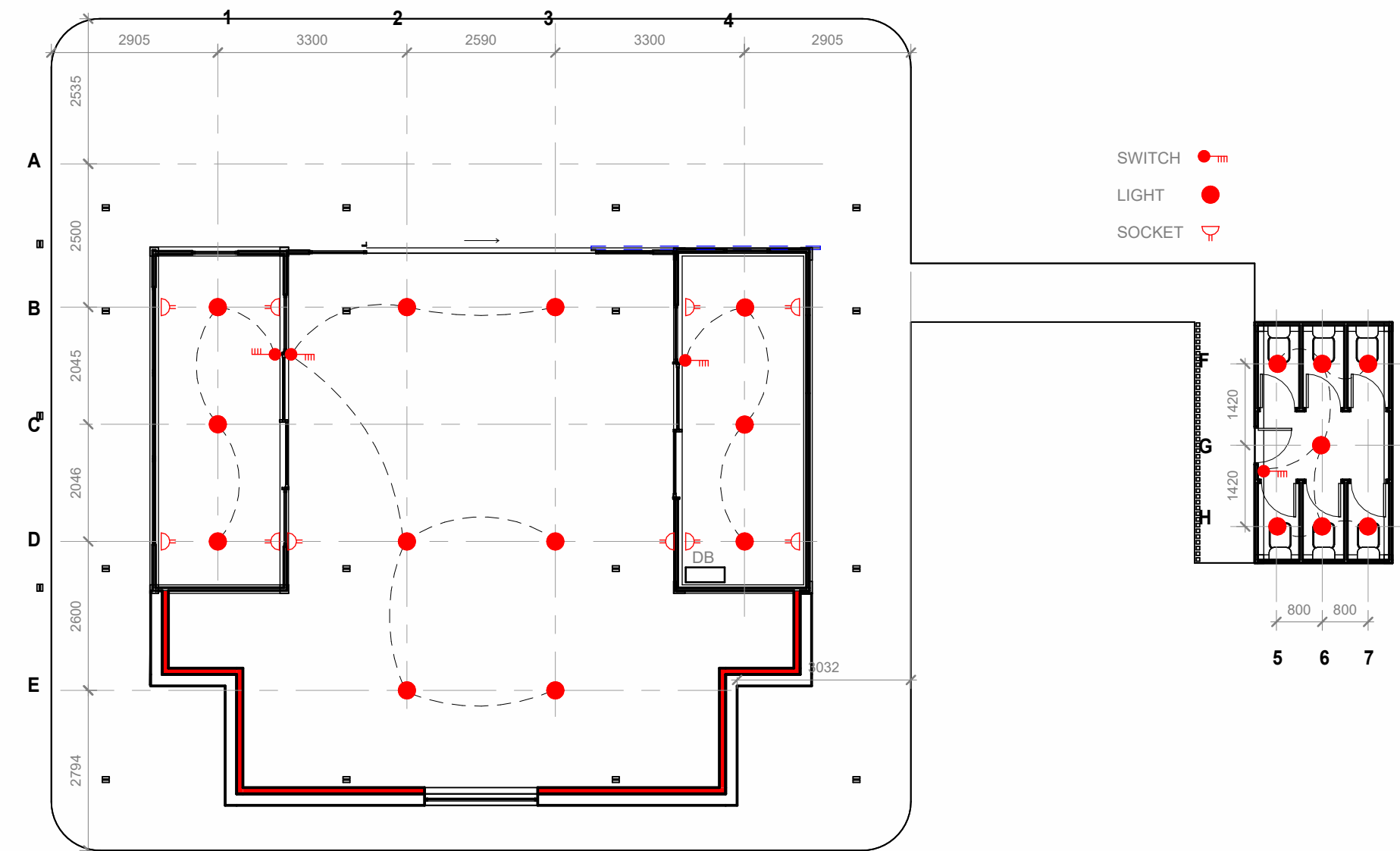
revision number	issued for
1	COUNCIL SUBMISSION



1 **Ground Floor**
Scale 1 : 100



4 **Plumbing Layout**
Scale 1 : 100



3 **Electrical Layout**
Scale 1 : 100

GENERAL NOTES

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Revision	Date	Drawn	Description
<p>tel: 011 706 5391 Cell Phone: 082 350 5353 www.lapalaka.com 103 5th Ave Melville P.O. Box 639 Cramerville Bryanston 2060</p>			

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client
SAND DOLLAR INVESTMENT PROPERTIES

project
FARM MANAGERS OFFICE AND FARM STORE

stand number
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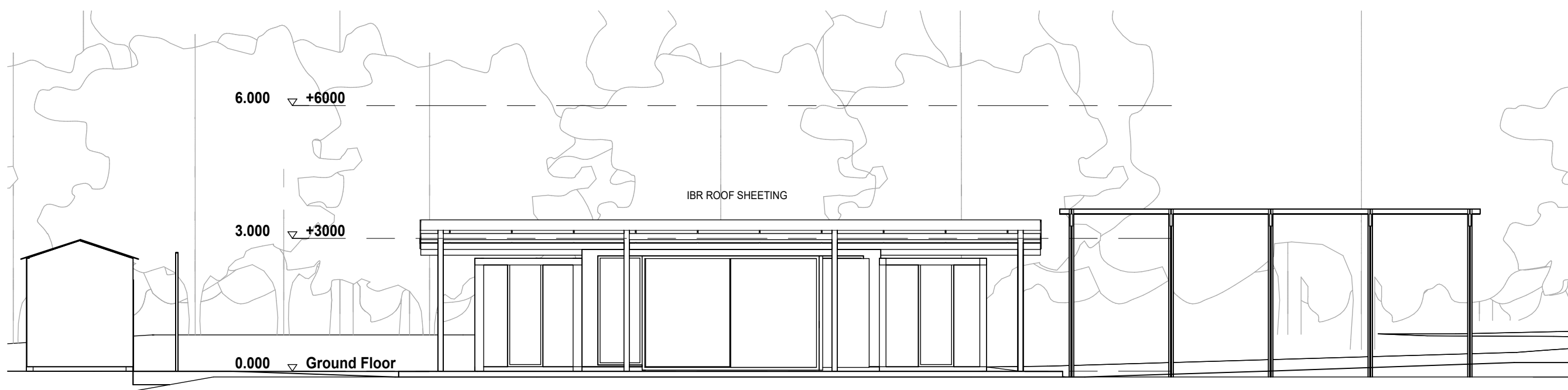
engineer
Reg No: 200370068
signature

Architect
Reg No: PrArch46163384
signature

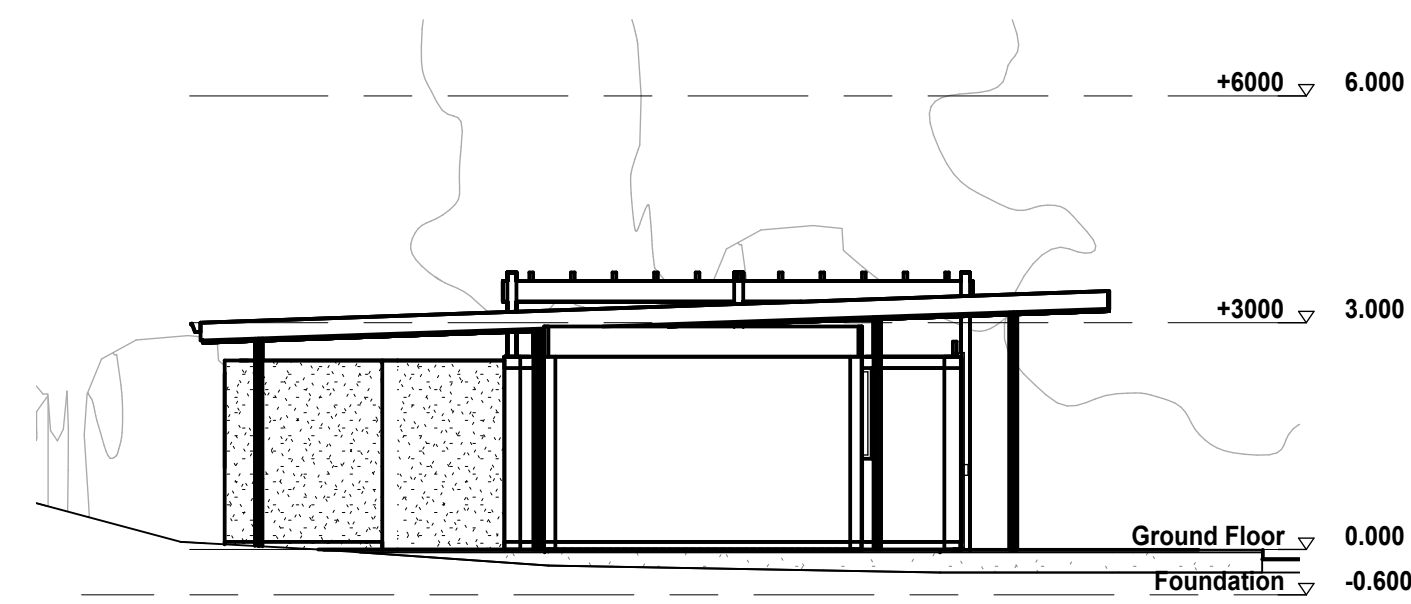
drawing description
Plans

job number	drawing number
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drawn	Gerrit Pieterse
scale	Refer to drawings
date	20 June 2022

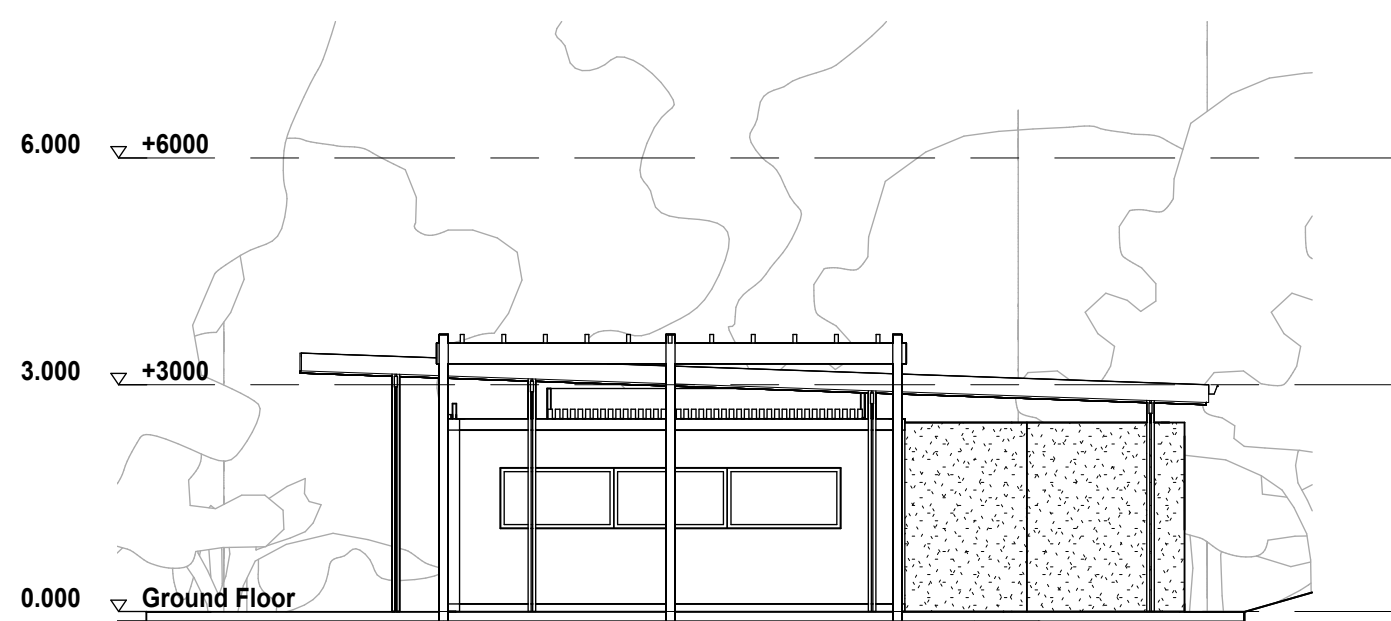
revision number	issued for
1	COUNCIL SUBMISSION



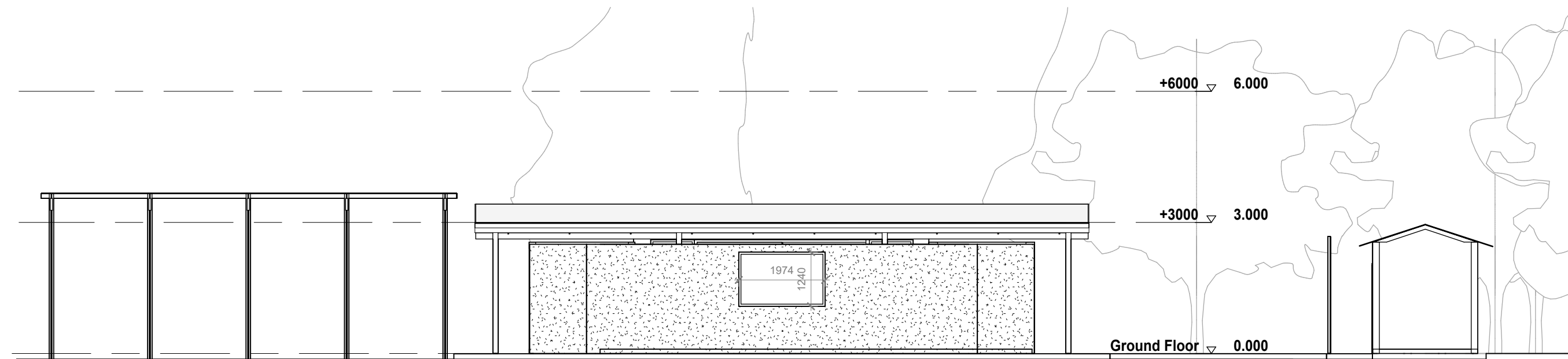
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Scale 1 : 100



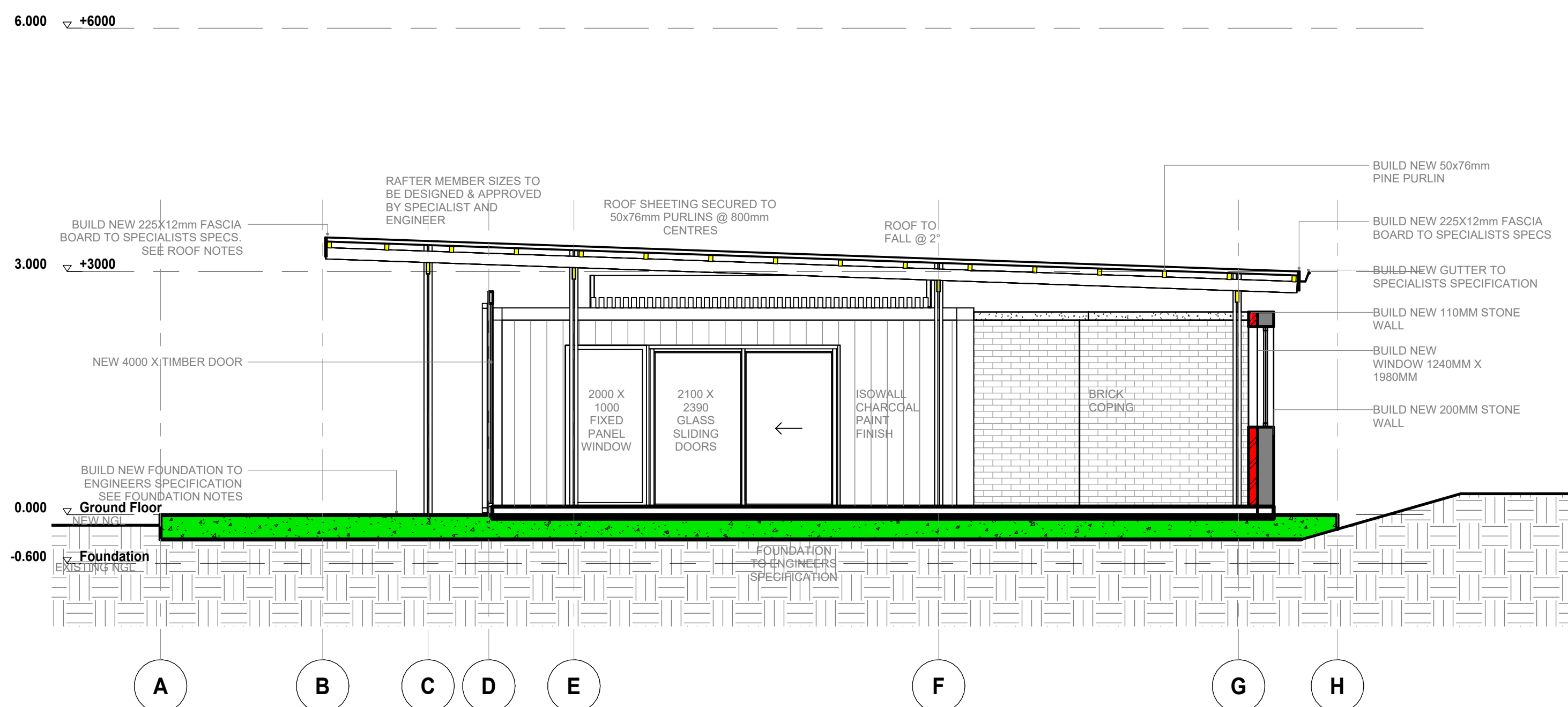
5 East1
Scale 1 : 100



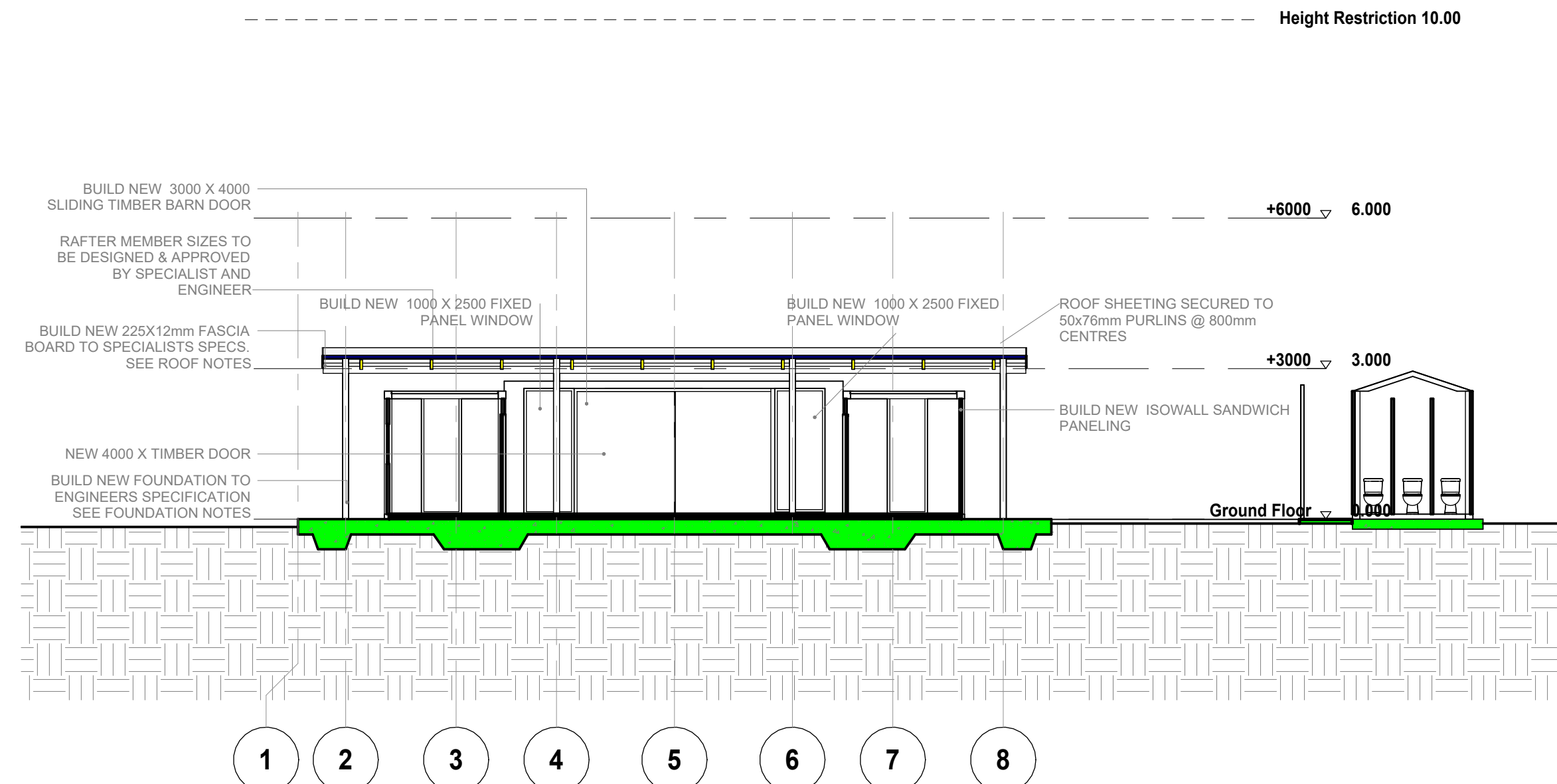
6 West1
Scale 1 : 100



4 South1
Scale 1 : 100



1 A-A
Scale 1 : 50



2 B-B
Scale 1 : 100

GENERAL NOTES

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SCALING
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client SAND DOLLAR INVESTMENT PROPERTIES	
signature	
project FARM MANAGERS OFFICE AND FARM STORE	
stand number Portion 10, Farm 434 Holt Hill, N2, Plettenberg Bay	
engineer Reg No: 200370068	Deon Botes
signature	
Architect Reg No: 200370068	Gerrit Pieterse
signature	

drawing description Sections	
job number 0000	drawing number 3
drawn scale date	Gerrit Pieterse Refer to drawings 20 June 2022
revision number 1	issued for COUNCIL SUBMISSION



Home Loans
Sales and Service Enablement

9 Lothbury Road
Auckland Park, 2092
Private Bag 72007
Cresta, 2118
South Africa

T 0860 111 007
Swift address: ABSAZAJJ
absa.co.za

05.10.2023

Private/Confidential

**SAND DOLLAR INVESTMENT PTY LTD
32 SOUTHERN RIGHT DRIVE
WHALE ROCK HEIGHTS
PLETTENBERG BAY
6600**

Dear Client/s

REQUEST RECEIVED FOR: SPECIAL CONSENT

Mortgage loan account number: 8090513510

Property description: ERF 434 KNYSNA RD

We refer to the above account and agree to the consent for proposed use and building plan approval with additional building of the abovementioned property .

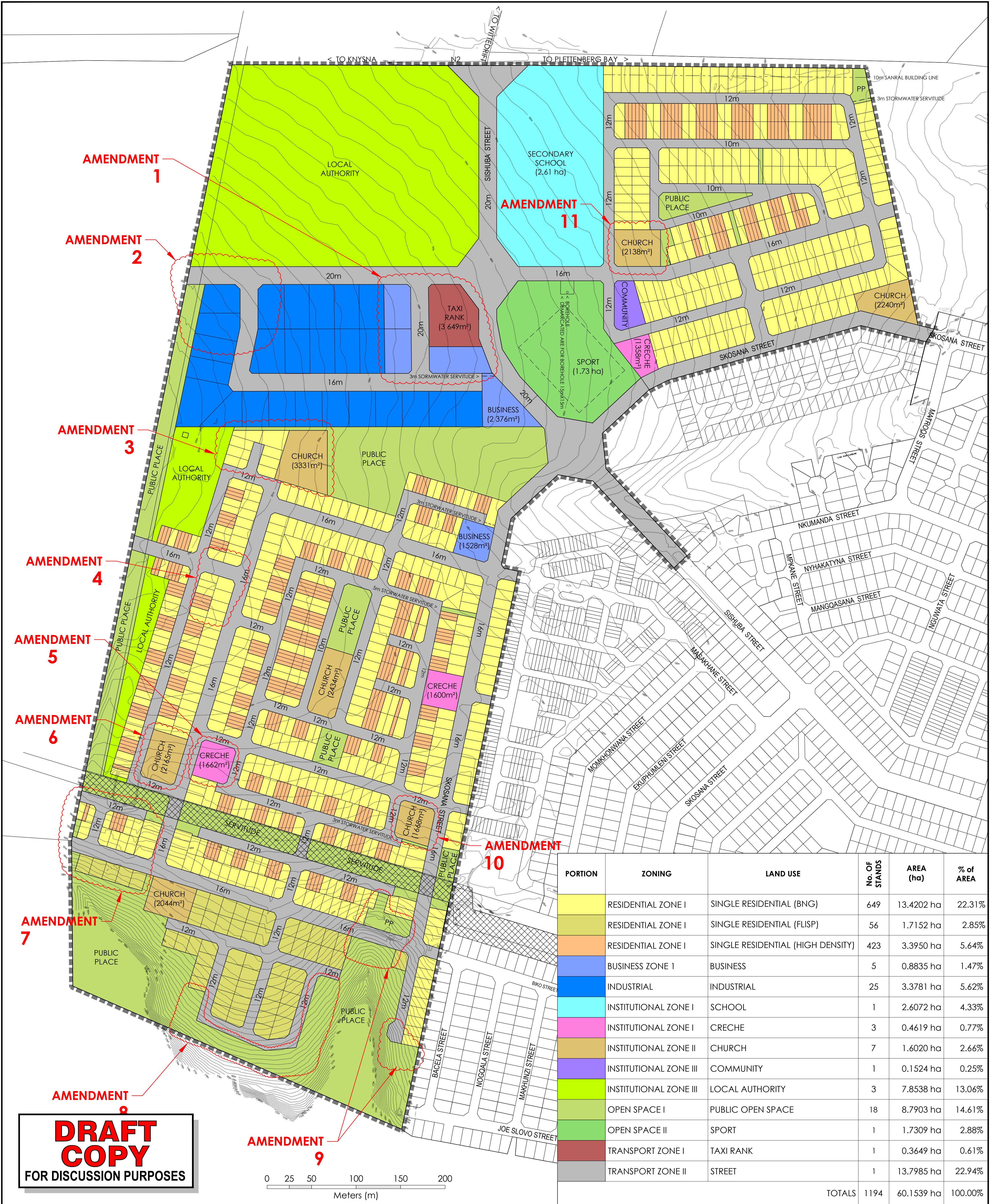
According to your mortgage loan agreement it is your responsibility to ensure that you have sufficient property insurance. If you are insured with Absa and need to update the insurance, kindly contact 0860 100 876 to amend accordingly as per the request.

Please note that this consent is valid for a year.

Yours faithfully

A handwritten signature in black ink, appearing to be "N. Nhamposse".

Property Control
Our ref: Sophy Nhamposse
Tel: 011 846 5488
Email: hlpc@absa.co.za



PORTION	ZONING	LAND USE	No. OF STANDS	AREA (ha)	% of AREA
	RESIDENTIAL ZONE I	SINGLE RESIDENTIAL (BNG)	649	13.4202 ha	22.31%
	RESIDENTIAL ZONE I	SINGLE RESIDENTIAL (FLISP)	56	1.7152 ha	2.85%
	RESIDENTIAL ZONE I	SINGLE RESIDENTIAL (HIGH DENSITY)	423	3.3950 ha	5.64%
	BUSINESS ZONE 1	BUSINESS	5	0.8835 ha	1.47%
	INDUSTRIAL	INDUSTRIAL	25	3.3781 ha	5.62%
	INSTITUTIONAL ZONE I	SCHOOL	1	2.6072 ha	4.33%
	INSTITUTIONAL ZONE I	CRECHE	3	0.4619 ha	0.77%
	INSTITUTIONAL ZONE II	CHURCH	7	1.6020 ha	2.66%
	INSTITUTIONAL ZONE III	COMMUNITY	1	0.1524 ha	0.25%
	INSTITUTIONAL ZONE III	LOCAL AUTHORITY	3	7.8538 ha	13.06%
	OPEN SPACE I	PUBLIC OPEN SPACE	18	8.7903 ha	14.61%
	OPEN SPACE II	SPORT	1	1.7309 ha	2.88%
	TRANSPORT ZONE I	TAXI RANK	1	0.3649 ha	0.61%
	TRANSPORT ZONE II	STREET	1	13.7985 ha	22.94%
TOTALS			1194	60.1539 ha	100.00%

PROJECT

KWANOKUTHULA

REM. OF FARM 437/40 & 437/14&15, PHASE 5

PLETTENBERG BAY

SPATIAL LAYOUT PLAN

GENERAL NOTES

1. ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY BY PROFESSIONAL LAND SURVEYORS.

2. ALL CADASTRAL DIMENSIONS TO BE CONFIRMED BY PROFESSIONAL LAND SURVEYOR PRIOR TO ANY DETAIL DESIGNS BEING CONSTRUCTED.

3. THIS PLAN COMPLIES WITH SECTION 8 ZONING SCHEME

CLIENT

G G AND G ENGINEERING

ORIGINAL LAYOUT PLAN SUPPLIED BY

DELplan Consulting

INDEMNITY

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DRAWING REF.

1 : 4000

1825E-LOR-A1-5

AMENDED BY:

URBAN DYNAMICS

TOWN & REGIONAL PLANNERS

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DESIGNED DELplan

DRAWN M.P.

DATE 2024-04-18

APPROVED

Tel: 041 374 3980

Email: info@udec.co.za

CONVEYANCER CERTIFICATE

A conveyancer certificate is not available for submission



Internet Banking
Standard Bank Centre
5 Simmonds Street, Johannesburg, 2001
P.O. Box 7725, Johannesburg, 2000
Telephone: 0860 123 000
International: +27 11 299 4701
Fax: +27 11 631 8550
Website: www.standardbank.co.za

Dear BITOU MUNICIPALITY

We confirm that the following payment has been made into your account from Jaco:

Reference number	2976624060
Listed company name	BITOU MUNICIPALITY
Bank name	STANDARD BANK
Listed company number	XXXXXXXX1634
Listed company branch number	00000714
Beneficiary reference	20170701904720
Amount	R9848.60
Payment date and time	2023-11-06 18h04

If you need more information or have any questions about this payment, please contact:

Jaco

Payments to Standard Bank accounts may take up to one business day to reflect.

Payments to other banks may take up to three business days.

Please check your account to confirm you have received this payment.

Yours sincerely,

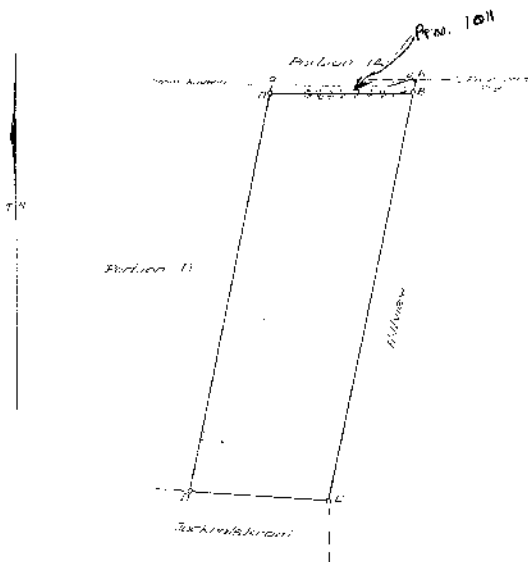
The Internet Banking Team

The Standard Bank of South Africa Limited (Reg. No. 1962/000738/06) Authorised financial services provider and registered credit provider (NCRCP15)

Directors: NMC Nyembezi (Chairman) L Fuzile* (Chief Executive) LL Bam PLH Cook A Daehnke* GJ Fraser-Moleketi Xueqing Guan2 GMB Kennealy Li Li2 JH Maree NNA Matyumza NMC Nyembezi ML Oduor-Otieno3 ANA Peterside CON4 SK Tshabalala*

Company Secretary: K Froneman - 2023/06/12

*Executive Director 1British 2Chinese 3Kenyan 4Nigerian



LINE	Course	Feet	ANGLE OF DIRECTION	COORDINATES
			α + β	y C. Pt. x
AB	976.0		269 45 50	A - 28832.2 + 69467.4
BC	2912.7		11 41 20	B - 23778.2 + 69465.4
CD	940.0		93 54 30	C - 28238.3 + 71217.8
DA	2738.4		191 11 50	D - 28270.5 + 71253.7
Aa	52.0		191 11 50	
Ba	82.5		191 41 20	

No.

Approved

Surveyor-General.

Description of Reasons

- A : : Planted stone proj. 9".
- B : : Planted stone proj. 7".
- C : : Planted stone proj. 2' 6".
- D : : Planted stone proj. 4".

Portion 10 (a portion of the farm)

(a portion of the farm) of the farm

Holt Hill No. 131

KNYSNA

750 0 750 1500 2250
Scale 1. 7500

The figure a middle of old road b middle of National Road c D.
represents 30-8709 morgen of land being

PORTION 10 (a portion of The Heath) OF THE FARM HOLT HILL

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

Surveyed in May 1943 by me

Amelie
Land Surveyor.

This diagram is annexed to

D/T. 2001/53

d.d. 23. 2. 53

The original diagram is

No. annexed to

D/T. 1657.6.252

File No. 516486

S.H. No. B. 1051/53

R.M. 18A
AM-18AC (6195)

Register of Deeds.

FOR ENDORSEMENTS
SEE BACK OF DGM

6/10/53

0 1/10/53

434/10

THE FOLLOWING RECORDS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMR.
2448 2007	5797 2007	PTN.101	4636 m ²	T33782/2016	70	25,77834

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E538/75	4447/75.			

GEREGISTREERDE WOON- EN POSADRES

1. Bewaar die bewys van u GREGISTREERDE WOON- EN POSADRES in hierdie sakkie.

2. Indien u van adres verander het, of indien besonderhede van u huidige adres, bv. straatnaam en/of -nommer, ens. verander het, moet die vorm KENNISGEWING VAN ADRESVERANDERING, wat in die sakkie agter in die identiteitsdokument is, gebruik word om die verandering aan te meld en moet dit ingedien word by of gepos word aan die naaste streek-distrikantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the proof of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this pocket.

2. If you have changed your address, or, if particulars of your present address, e.g. name of street and/or street number, etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the identity document must be used to report the change and it must be handed in at or posted to the nearest regional district office of the DEPARTMENT OF HOME AFFAIRS.

I.D.No. 820730 5042 08 0



S.A. BURGER/S.A. CITIZEN

VAN/SURNAME

VAN DEN HEEVER

VOORNAME/FORENAMES

JACO

GEBORTEDISTRIK OF-LAND/
DISTRICT OR COUNTRY OF BIRTH

SUID-AFRIKA

GEBORTEDATUM/
DATE OF BIRTH

1982-07-30

DATUM UITGEREIK
DATE ISSUED

1999-01-19

UITGEREIK OP GESAG VAN DIE
DIREKTEUR-GENERAAL
BINNELANDSE SAKE

ISSUED BY AUTHORITY OF THE
DIRECTOR GENERAL
HOME AFFAIRS



SOUTH AFRICAN POLICE SERVICE
PLETTENBERG BAY
2023-06-17
PLETTENBERGBAAI
SUID-AFRIKAANSE POLISIEDIENS

IK SERTIFISEER DAT HIERDIE DOKUMENT 'N WARE AFDRUK (AFSKRIF) IS VAN DIE OORSPRONKELIKE DOKUMENT WAT AAN MY VOD WAARNEMING VOORGELD IS. EK SERTIFISEER DIT VOORAL BY WAARNEMINGS, DAAR NIE 'N WYSIGING OF VERWYDERING OP DIE OORSKONKELIKE DOKUMENT AANGEBRING WORD.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT. I CERTIFY THIS PARTICULARLY IN CASES OF AUTHENTICATION, WHERE NO CHANGE WAS MADE TO THE ORIGINAL DOCUMENT.

[Signature]

MAGSNUMMER
FORCE NUMBER

7189167-6

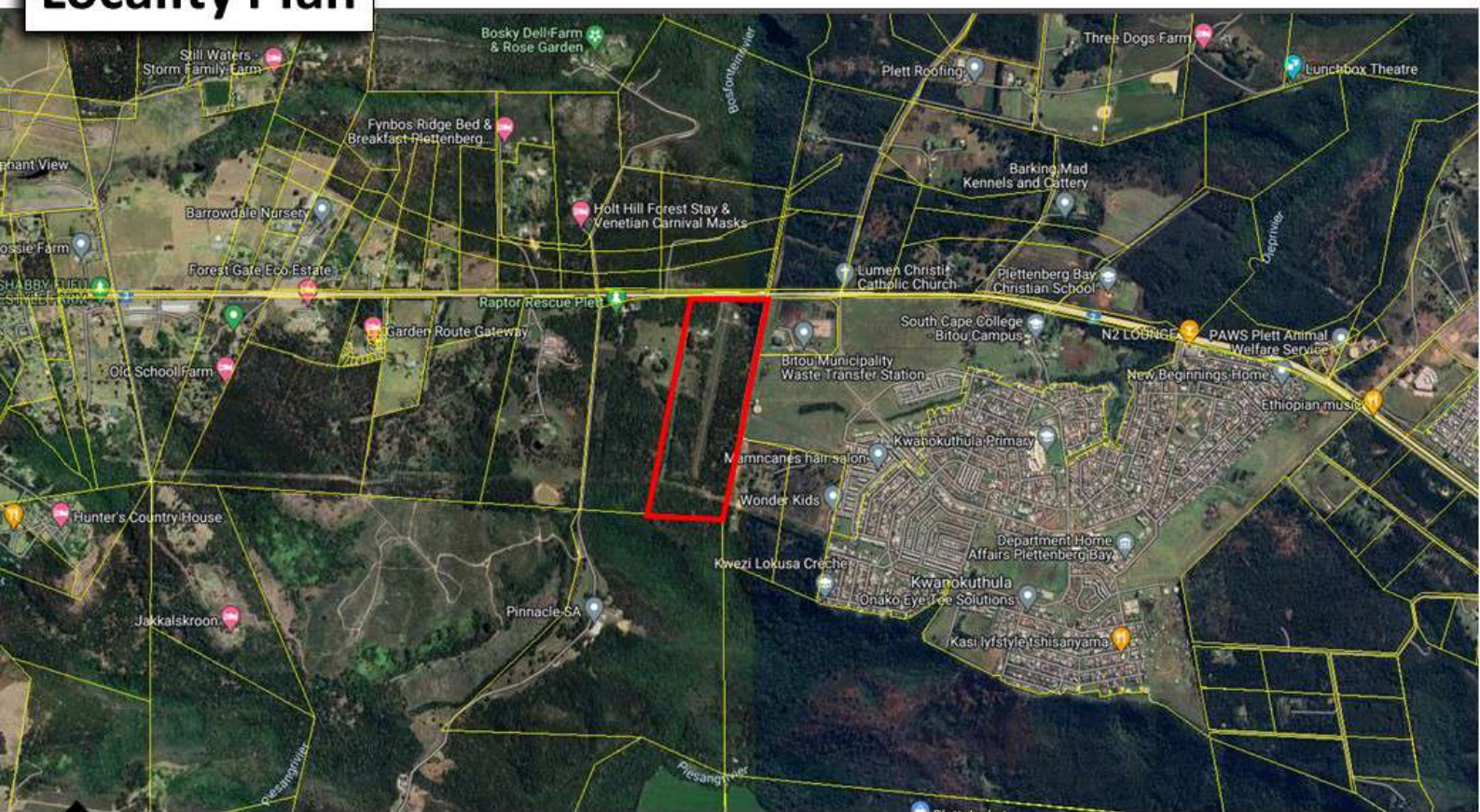
NAAM IN DRUKSKRIF
NAME IN PRINT

O Balen

RANG
RANK

Sgt

Locality Plan

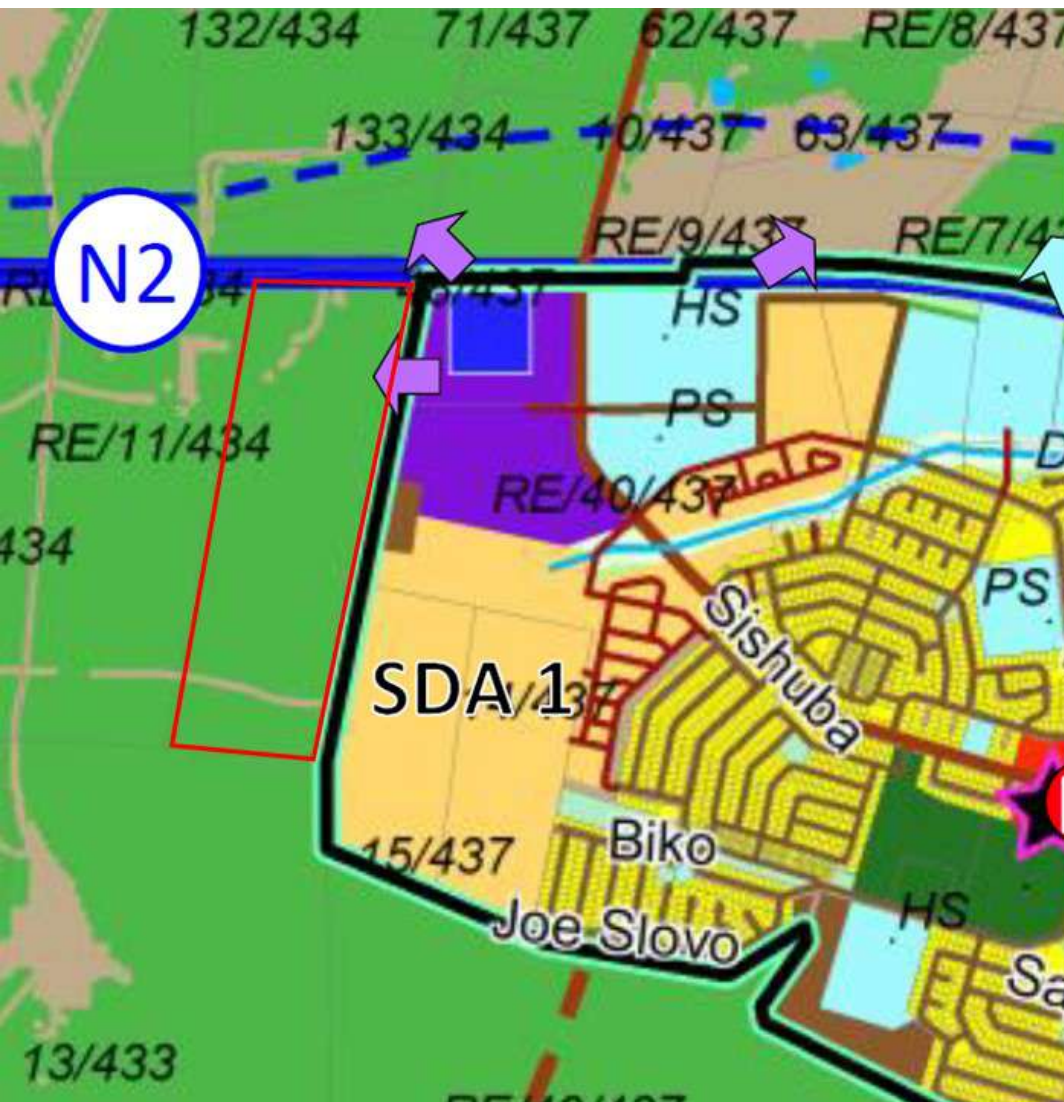


Annexure B

Site Development Plan



Annexure E3

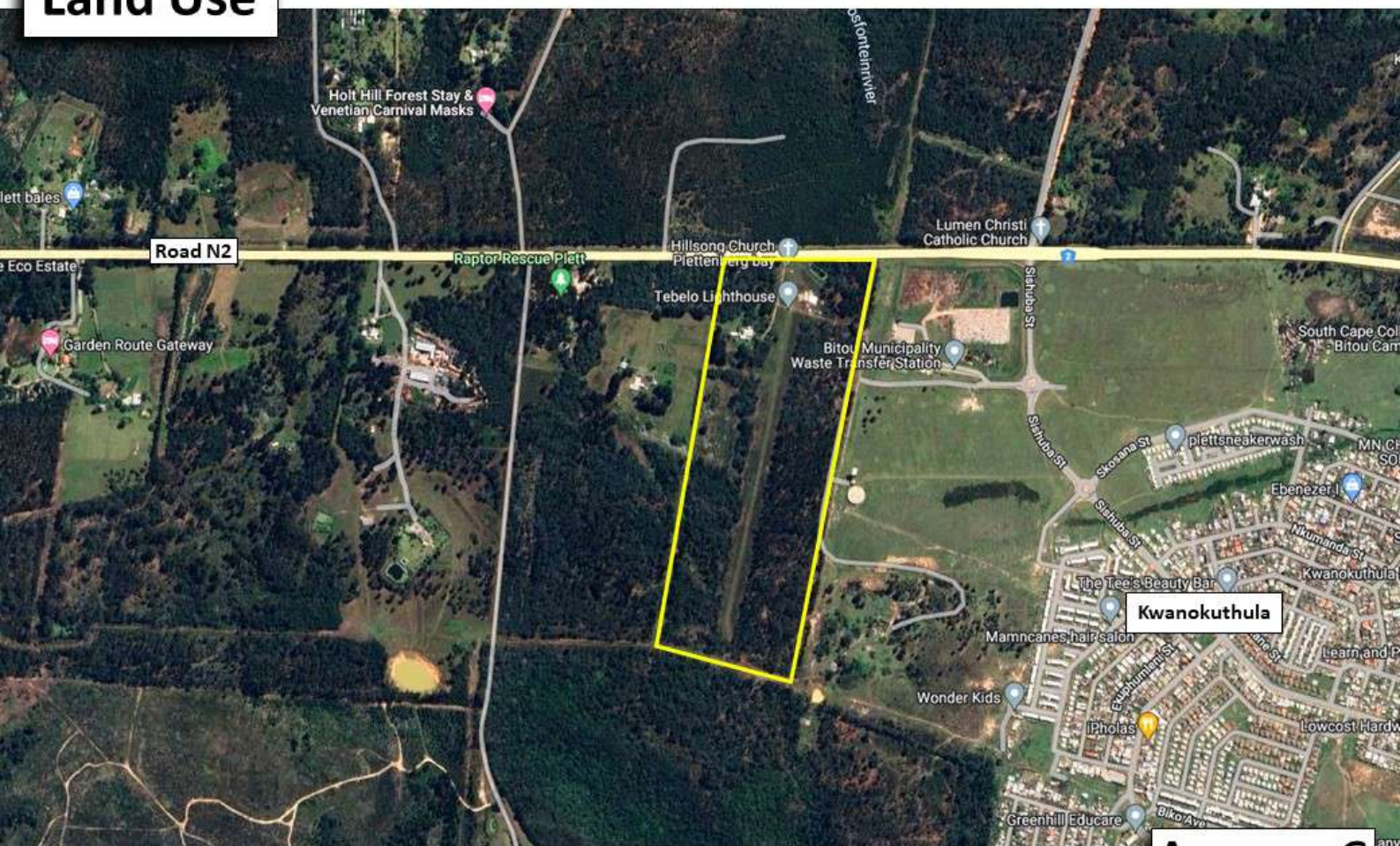


SDF (2022)

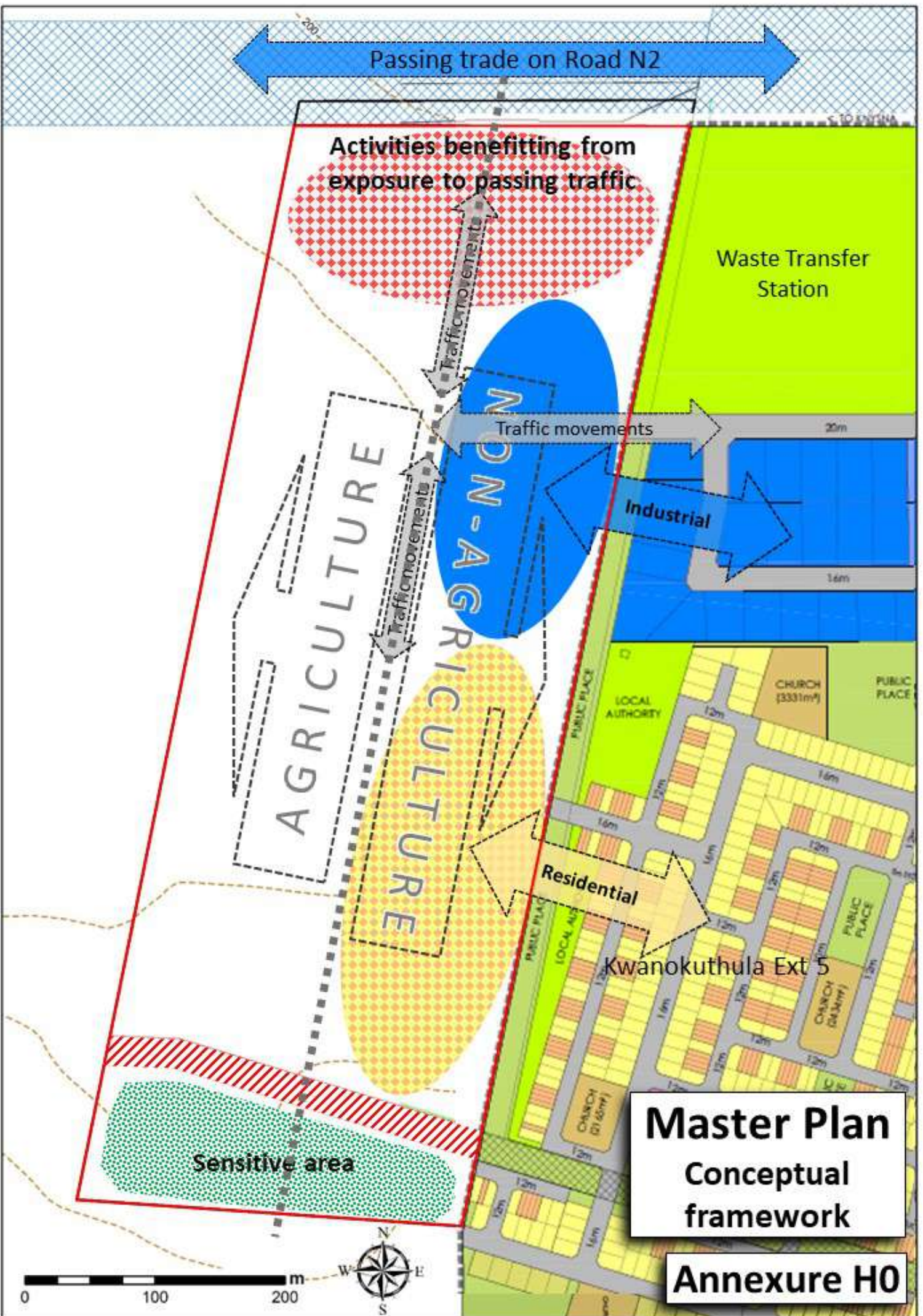
- Biodiversity Area (Core and Buffer)
- Open Space
- Agriculture
- Urban
- Strategic Development Areas
- ★ Potential Development Area
- Educational
- Municipal / Community Facility
- Business
- Industrial
- Sports and Recreation
- National Road
- Proposed N2 Bypass
- Provincial Road
- Secondary Road
- Strategic Links
- Priority Public Transport Network
- ★ Taxi Facility
- Waste Transfer Station
- Ⓜ Proposed Cemetery
- Urban Edge
- Restructuring Zones
- Dams / Rivers

Annexure F2

Land Use



Annexure G



Master Plan

Access to remain until link with Kwano is established.

Road N2

30 m building line

Waste Transfer Station

Future link

Kwanokuthula Ext 5

Future link

Powerline servitude

#	LAND USE	SIZE (ha)	%
2	Agriculture (horticulture)	1.0760	4.1%
3	Agriculture (Manager housing, storerooms and related)	1.8080	7.0%
4	Agriculture (vineyards, orchards, cultivation)	9.4647	36.4%
5	Agriculture (Powerline servitude)	0.6462	2.5%
6	Agriculture (later Private Open Space)	2.5163	9.7%
Agricultural land uses		15.5112	59.7%
1	Place of Instruction	1.9006	7.3%
7	Residential	2.8714	11.1%
8	Industrial (SDF Annexure E1 service industries)	2.1335	8.2%
9	Industrial (Small storage units)	1.9152	7.4%
	Internal roads	1.6464	6.3%
Non-agricultural land uses		10.4671	40.3%
TOTAL		25.9783	100%

Annexure H1

Annexure H2

Master Plan - Phasing

Now



Phase 1



Phase 2



N2 – Geometry and Access points

REF #	DESCRIPTION	TYPE
A	Subject property	Limited commercial
B	Forest Gate centre	Limited commercial
C	Farmstead & 20 subdivisions	Residential
D	Raptor Rescue & Furniture store	Limited commercial
E	Kwanokuthula western entrance	Residential
F	Wittedrift road	Residential
G	South Cape College	Educational
H	Plettenberg Bay Christian School	Educational
J	Kwanokuthula eastern entrance	Residential

Speed limit on displayed section of Road N2 = 80 km/h

Sight distance to west = ± 900 m

Sight distance to east = ± 1 000 m

LEGEND

- 20 m contours
- Access points
- ★ Subject property
- Residential area
- Limited commercial
- ▣ Educational
- Rural



0 100 200 300 400 500 600 700 800 900 1000 m

Kwanokuthula

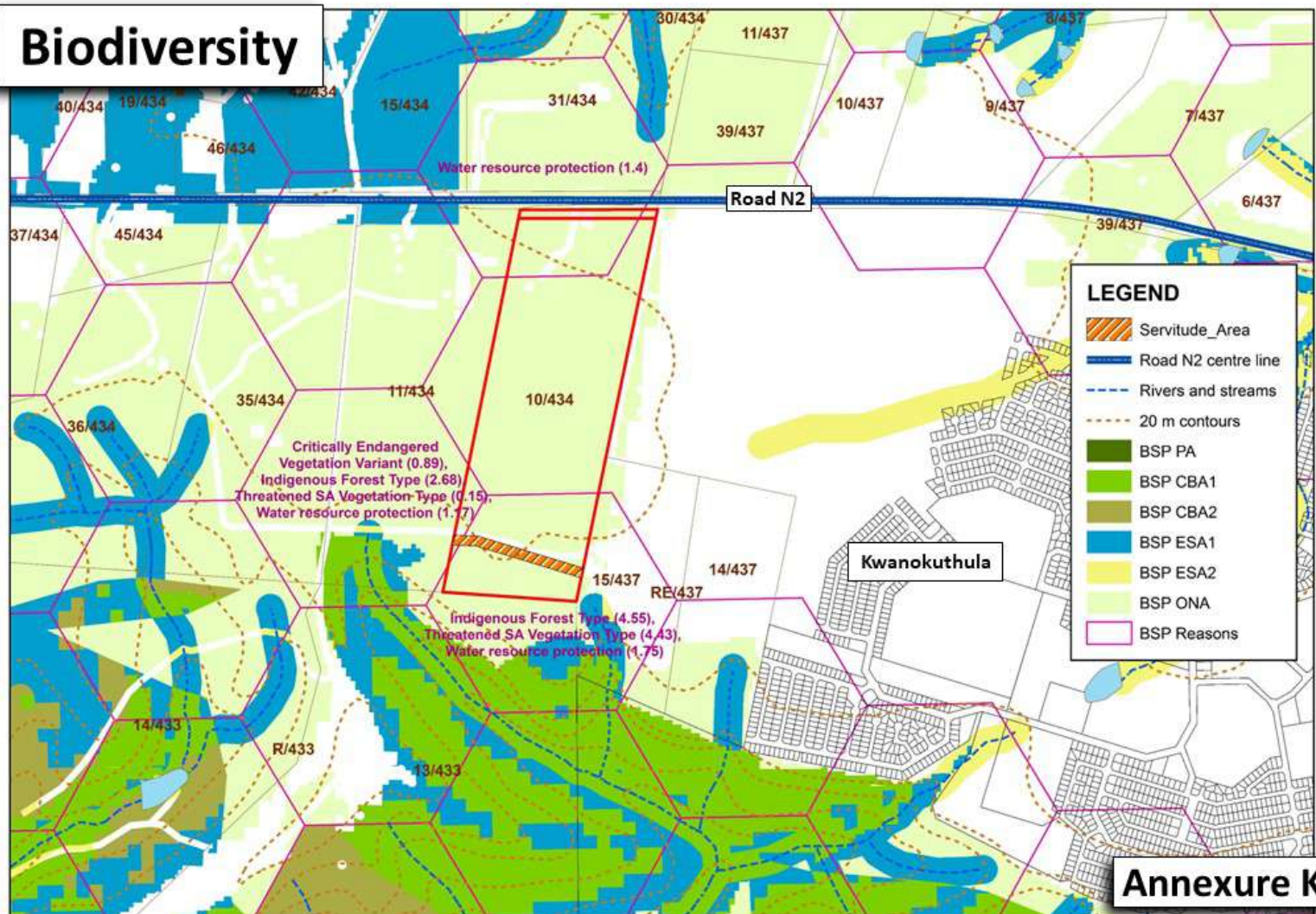
Annexure J1

Sight distances on Road N2 from access point



Annexure J2

Biodiversity



Annexure K