



Mr. Mbulelo Memani
Municipal Manager
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Bitou Local Municipality
Private Bag X1002
PLETTENBERG BAY, 6600
Municipal Notice No: 12/2025

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

**BITOU MUNICIPALITY (WC047)
NOTICE NUMBER: 12/2025**

Property description/ Grondbeskrywing/ Inkcazo yepropati	Type of Application/Aansoek/ Uhlobo lweSicelo
Erf 1745, Plettenberg Bay	<ul style="list-style-type: none">• The Consent Use in terms of Section 15(2)(o) of the Bitou By-law on Municipal Land Use Planning 2015, to permit a second dwelling unit on the property, a smaller detached dwelling on the southern-most portion of the property, with a storeroom.• The removal of a restrictive title conditions in terms of Section 15(2)(f) of the Bitou By-law on Municipal Land Use Planning 2015, for the removal of Conditions H.4(b). H.4.(d), I.1 and I.2.
Erf 1745, Plettenbergbaai	<ul style="list-style-type: none">• Die Toestemmingsgebruik ingevolge Artikel 15(2)(o) van die Bitou-verordening op munisipale grondgebruikbeplanning 2015, om 'n tweede wooneenheid op die eiendom toe te laat, 'n kleiner losstaande woning op die mees suidelike gedeelte van die eiendom, met 'n stoorkamer.• Die opheffing van 'n beperkende titelvoorwaardes ingevolge artikel 15(2)(f) van die Bitou-verordening op munisipale grondgebruikbeplanning 2015, vir die opheffing van voorwaardes H.4(b). H.4. (d), I.1 en I.2.
Isiza 1745, Plettenberg Bay	<ul style="list-style-type: none">• Ukusetyenziswa kwemvume ngokweCandelo 15 (2) (o) lomthetho weBhitou malunga noCwanciso lokuSetyenziswa koMhlaba kaMasipala ngo-2015, ukuvumela iyunithi yesibini yokuhlala kwipropathi, indawo yokuhlala encinci eyahlukileyo kwinxalenye esemazantsi yepropathi, enegumbi lokugcina.• Ukususwa kwemiqathango yesihloko esithintelayo ngokweCandelo 15 (2) (f) lomthetho weBitou on Municipal Land Use Planning 2015, ukususwa kweMiqathango H.4(b). H.4. (d), I.1 kunye ne-I.2.

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

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

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

Mr. Mbulelo Memani
MUNICIPAL MANAGER
Bitou Local Municipality



Enquiries
Olwethu Yonke

Contact details
044 501 3317

E-mail
townplanning@plett.gov.za

Our ref: 18/1745/PB

16 January 2025

Sir/Madam

PROPOSED CONSENT AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS FOR ERF 1745, PLETTENBERG BAY, BITOU MUNICIPALITY

Applicant: Shaun McMillan Professional Land Surveyor

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

- The Consent Use in terms of Section 15(2)(o) of the Bitou By-law on Municipal Land Use Planning 2015, to permit a second dwelling unit on the property, a smaller detached dwelling on the southern-most portion of the property, with a storeroom.
- The removal of a restrictive title conditions in terms of Section 15(2)(f) of the Bitou By-law on Municipal Land Use Planning 2015, for the removal of Conditions H.4(b), H.4.(d), I.1 and I.2.

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

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

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

Regards
Chris Schliemann
Manager: Land Use and Environmental Management

ERF 1745 **PLETTENBERG BAY**

**SITUATE IN
BITOU MUNICIPALITY
KNYSNA ADMINISTRATIVE DISTRICT
WESTERN CAPE PROVINCE**

MOTIVATION FOR:

LAND DEVELOPMENT APPLICATION:

- i) CONSENT FOR SECOND DWELLING IN EXCESS OF 60m²**
- ii) REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE**

In terms of:

**BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW (2015) IN TERMS
OF SECTIONS 15(2)(o) and 15(2)(f)**

Purpose: To procure Bitou Municipality Consent for a second dwelling unit larger than 60m² and remove restrictive conditions of title for Erf 1745 Plettenberg Bay.

December 2024



SHAUN Mc MILLAN
PROFESSIONAL LAND SURVEYOR

TEL : 044 533 3072	8 GREENPOINT AVENUE
FAX : 086 589 1938	P O BOX 1871
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A INTRODUCTION

1. Appointment and Brief

A Resolution by Alfred Edward Stephenson, the owner of Erf 1745 Plettenberg Bay appoints S J McMillan Land Surveyors to apply to the Bitou Municipality for the following:

- Consent Use for a second dwelling of larger than 60m² (70m²) on Erf 1745.
- the removal of Restrictive Conditions as per the Title Deed.

Application is made to the Bitou Municipality in terms of 15(2)(o) and 15(2)(f) of the Bitou Municipality: Land Use Planning By-Law (2015).

The Special Power of Attorney is attached as Annexure A.

2. Ownership and Extent

Erf 1745 Plettenberg Bay is registered in the name of Alfred Edward Stephenson and is held by virtue of Title Deed No. T82710/1995 (Annexure B).

Erf 1745 Plettenberg Bay measures 1,089 square metres in extent as per the General Plan No. 1294LD (Annexure C) and the Title Deed.

3. The Application

Application is made to the Bitou Municipality in terms of Section 15(2)(o) and 15(2)(f) of the Bitou Municipality: Land Use Planning By-Law (2015) for the Bitou Municipal Consent for a second dwelling on Erf 1745 Plettenberg Bay measuring in extent larger than 60m² (70m²).

Attached as Annexure D is the Site Development Plan showing the proposed second dwelling measuring 70m².

The Consent Use will permit a second dwelling unit on the property, a smaller detached dwelling on the southern-most portion of the property, with a storeroom.

There are restrictive conditions in the Title Deed for the property that prevent the proposed development and application is made to remove the conditions.

B LOCALITY AND STATUS OF THE LAND

1. Locality

Erf 1745 Plettenberg Bay is located on the southern side of Sanganer Avenue, to the east of the intersection with Pachena Point Road, with access to Longships Drive via Jument Drive or Fowley Rocks Avenue. The street address is 9 Sanganer Avenue, Plettenberg Bay.

A Locality Plan is attached as Annexure E illustrating the location of the property.

2. Existing and Surrounding Zoning and Land Use Characteristics

Erf 1745 Plettenberg Bay is zoned “Single Residential Zone” and is developed with a residential dwelling unit.

Attached as Annexure F is an Aerial Cadastral Plan showing the use of the property and the surrounding area (photography dated 2011).

The surrounding properties are zoned Single Residential and are developed with dwelling units.

The property on Pachena Point Road adjacent to Longships Drive is developed with a higher density residential development called Pachena Place with more than 20 apartment or duplex style dwelling units.

Longships Drive, located to the west of the property, is a main road in Plettenberg Bay.

3. Access

Access to the property is off Sanganer Avenue.

4. Services

All services are supplied by Bitou Municipality.

5. Title Deed Restrictions

There are restrictive conditions in the Title Deed pertaining to the proposed second dwelling unit and requires an application in terms of Section 15(2)(f) of the Bitou Municipality: Land Use Planning By-Law (2015). A copy of the Title Deed is attached hereto (Refer Annexure B).

Application is made in terms of Section 15(2)(f) for the removal of Conditions H.4.(b), H.4.(d), I.1 and I.2. The conditions are restrictive as follows:

- | | | |
|---------|---|---|
| H.4.(b) | - | prohibits a second dwelling unit. |
| H.4.(d) | - | restricts the height of an outbuilding to not exceed 3,05 metres in height. |
| I.1. | - | refers to building material. |
| I.2. | - | refers to flat roofs (architectural features) and roofing material. |

C THE APPLICATION

The Controlling Authority is the Bitou Municipality.

A Land Development Application is directed to the Bitou Municipality in terms of the Land Use Planning By-Law (2015) and the application is for:

1. Consent Use:

- Application is made to the Bitou Municipality in terms of Section 15(2)(o) of the Bitou Municipality: Land Use Planning By-Law (2015) for a second dwelling larger than 60m².

The application proposes the following:

- A second dwelling unit measuring 70m².

The Consent Use will result in Bitou Municipal permission for two separate dwelling units on the property which are detached. The second dwelling unit consisting of two bedrooms, remaining in a Single Residential Zone. A storage room to be developed at ground level and the two-bedroom second dwelling unit above the storeroom (refer to Annexure D). This to cater for the natural slope of the site down towards Erf 1734.

The dwelling units will share the same entrance to the property off Sanganer Avenue. The garage and motor court faces onto Sanganer Avenue. Additional parking to be provided for the second dwelling unit with a pedestrian access through the garden.

2. Pre-Application Meeting and Consent from Neighbours:

Adel Sanchez Asensio of the Bitou Municipality was advised of the intent of the application by email on 6 November 2024 to which she replied confirming that this be regarded as a Pre-Application Meeting.

The surrounding neighbours have all consented to the second dwelling unit, except the owner of Erf 1734 and their consents or comments are attached as Annexure G. The surrounding properties include:

1. Erf 1733 Plettenberg Bay – directly adjacent to the south-west on Jument Drive.
2. Erf 1734 Plettenberg Bay – directly adjacent to the south on Jument Drive.
3. Erf 1744 Plettenberg Bay – directly adjoining to the west on Sanganer Avenue.
4. Erf 1746 Plettenberg Bay – directly adjoining to the east on Sanganer Avenue.
5. Erf 1816 Plettenberg Bay – directly opposite to the north on Sanganer Avenue.

Refer to Annexure E, the abovementioned erven are indicated on the Locality Plan.

The neighbour on Erf 1734 is concerned that the sewage system will not be able to handle the additional dwelling unit. The Bitou Municipality have investigated the situation and found that the sewer line is not affected. The existing system is able to accommodate the second dwelling unit and does not impact Erf 1734 (response from E Oosthuizen of Engineering Services: Bitou Municipality – attached in Annexure H).

It is understood in discussion with Adel that the Bitou Municipality will engage and solicit comment from the landowners.

3. Restrictions in Title:

Application is made in terms of Section 15(2)(f) for the removal of Conditions H.4.(b), H.4.(d), I.1. and I.2. A copy of the Title Deed is attached hereto (Refer Annexure B).

Condition H.4.(b) reads as follows:

“(b) It shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith.”

Condition H.4.(d) reads as follows:

“(d) no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 4.73 metres to the street line which forms a boundary of this erf nor within 3.15 metres of the rear or 1.57 metres of the lateral boundary common to any adjoining erf, provided that with consent of the local authority, an outbuilding not exceeding 3.05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf;”

Condition I.1. reads as follows:

"1. Plans and specifications of all buildings and all additions or alterations to be erected on an erf shall be submitted to and approved by the Transferor before the commencement of building operations. Such buildings and any additions or alterations shall be constructed of stone, brick or similar material approved by the Transferor. Roofs of all buildings to be erected on an erf shall except with the permission in writing of the Transferor, be constructed of either thatch, tiles, shingles or slate. Provided, however, that from such time as the said Township shall fall under the jurisdiction of a Local Authority, the Transferor shall have the right, with the permission of such Local Authority, to delegate to such Authority exercise of the discretions and rights herein vested in the Transferor.”

Condition I.2. reads as follows:

2. The erection of flat, lean-to or monopitch roofs or of flat or corrugated iron or asbestos fencing is prohibited. No wood and/or iron buildings of any description shall be erected on the erf. The main buildings which shall be a complete building and not one partly erected and intended for completion at a later date, shall be erected simultaneously with or before the erection of outbuildings.”

The Title Deed amendment, suspension or relaxation is under the jurisdiction of the controlling authority, The Bitou Municipality.

The Plettenberg Bay Development Corporation (Pty) Ltd – The Company have also imposed conditions in the Title Deed to control the nature of development in Plettenberg Bay.

D. HISTORIC VIEW ON TITLE DEED RESTRICTIONS

A Historic Account and authors view of the Title Deed Restrictions is detailed below:

The Restrictive Conditions in Title are archaic belonging to another era. The Restrictive Conditions imposed in Title by the then Developer are ‘old’ and do not cater for modern times. The General Plan of the Township was surveyed in the 1950’s and Title provided shortly thereafter.

At the time there was no Zoning Scheme Regulations pertinent and applicable to a Municipal area of jurisdiction and the only way to instil Building Control and Land Use compliance was by way of Conditions imposed in Title.

Hence, many Title Deeds of this era have irrelevant and superfluous conditions, whereas in the current era Land Use Planning policy is administered by the local authority, with an appropriate and modern Zoning Scheme Regulations regulating amongst others; building control.

The Zoning Scheme Regulations govern land use and rights associated to the type of zoning (Single Residential, Business, Light Industrial Zones, etc.). Planning policies evolve and allowance for relaxation of building lines, coverage and height are aspects governed by modern Town Planning Regulatory Schemes.

E. MOTIVATION

The property will remain for residential purposes and it is the intention of this application that an additional residential dwelling unit of larger than 60m² (70m²) be approved on the property for residential purposes in line with the residential character of the area.

The Applicant wishes to develop a cottage on their property in addition to their main dwelling unit.

The purpose of the cottage is to provide for additional living space.

The entrance to the property is off Sanganer Avenue and provides access to the garages on the property. The access off Sanganer Avenue will be shared by the cottage, as well as the garden.

The cottage is to be developed on the southwestern most portion of the property which is currently used for garden purposes. The property contains several trees and most of the trees will be retained.

The proposed development is minimal in size and is only one storey in height, except for the storeroom located beneath to cater for the natural slope of the land and will not have a negative impact on the surrounding residential properties.

The proposed second dwelling will have the most impact on the southern and western side of the property and adjacent to Erven 1734 and 1744. The owner of Erf 1744 has consented to the proposed development and provided their consent in Annexure G.

The Application for a second dwelling unit is motivated from a Land Development objective, as follows:

(i) The Bitou Municipal: Zoning Scheme By-Law

The Bitou Municipal: Zoning Scheme By-Law was adopted in 2023 and promotes the principle of a second dwelling.

In terms of Schedule 1: Use Zones Tables, Single Residential I (SRZI), the Zoning is as follows;

“The objective of this zone is to provide for residential development where the predominant type of accommodation is a dwelling house for a single family where each dwelling has its own land unit, and adequate outdoor space. Limited employment and additional accommodation opportunities are possible as primary or consent uses, provided that the dominant use of the property remains residential, and impacts of employment and additional accommodation uses do not adversely affect the quality and character of the surrounding residential environment.”

The application proposes only a residential use of the property with additional accommodation on the property which does not adversely affect the quality and character of the surrounding residential environment but rather an improvement to the existing structures on the property.

In terms of Schedule 2: Land Use Descriptions and Development Parameters:

“a “dwelling house” means a building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling house and may, inter alia include:

- (b) a second dwelling or additional dwelling with a floor area which does not exceed 60 m²; provided that application for consent use must be submitted if the second dwelling or additional dwelling is larger than 60 m²”.

The applicant intends to develop an additional dwelling of 70m² adjacent to and detached from the main dwelling unit.

(ii) Bitou Municipality Spatial Development Framework (SDF), 2021

The property is included in the Bitou Municipality Spatial Development Framework, 2021.

The SDF is the regulatory framework for spatial development within the Bitou Municipal area. The SDF encompasses the principles of the Western Cape Provincial SDF, 2014, and includes densification, compact settlements and the promotion of mixed land uses, which is the purpose of this application.

Erf 1745 Plettenberg Bay is not located in a Strategic Development Area.

The application to develop an additional dwelling unit on the property is, however, in keeping with several policies of the SDF. In terms of the Bitou SDF, Smart Growth Principles have been adopted and include:

- Facilitation of the establishment of sustainable human settlements in all identified nodes.
- The efficient use of resources, land and infrastructure.
- Promotion of compact, mixed land uses.
- The development of a diverse range of housing types.
- The availability of a variety of tenure alternatives for permanent and holiday accommodation.
- Encourage development within the urban edge.
- Facilitate the establishment of sustainable human settlements in all identified settlement areas.
- Encourage residential development in highly accessible areas and along main routes, like Longships Drive.
- Creation of well designed, compact neighbourhoods.
- Creation of a variety of housing opportunities.
- Encourage growth in existing communities and densification.

(iii) Land Use Planning By-Law, 2015

The following principles as contained in the Guidelines in terms of Section 15 of the Bitou Municipality: Land Use Planning By-Law, 2015 and compiled by the Directorate, Planning and Development (with reference to the objectives and principles contained in Chapter V1 of the Land Use Planning Act, 2014) are met;

Principle of Spatial Justice:

As per the internet “**Spatial justice** involves “the fair and equitable distribution in space of socially valued resources and opportunities to use them (Soja 2009). The space we live in can have negative as well as positive consequences on everything we do.”

The Consent Use Application as proposed does not change the existing residential use of the property and the zoning will remain the same. One additional residential dwelling unit is created.

Principle of Spatial Sustainability:

“**Spatial sustainability** focuses on the geometric and configurationally ordering of space in the city. It raises the possibility that the generic **spatial** form of the self-organised city in and of itself contribute to **sustainability**.”

The applicant promotes a more sustainable use of the area without changing the character of the area.

Principle of Efficiency:

“The **efficiency principle** is an economic tenet stating that any action achieves the greatest benefit to society when the marginal benefits from the allocation of resources are equivalent to its marginal social cost.”

The proposed Consent Use Application proposes a more efficient use of the property without any social cost.

The adjoining neighbours have consented to the application.

Principle of Spatial Resilience:

“The **spatial resilience principle** highlights the importance of creating sustainable livelihoods and the ability to avoid and handle unexpected incidents or shocks.”

No unexpected incidents or shocks are proposed. A sustainable livelihood is proposed in creating properties that are manageable.

(iv) Spatial Planning Land Use Management Act, 2013

The following matters are met in Section 42 of the Spatial Planning Land Use Management Act, 2013:

1. No significant changes are proposed on the property as the residential character will be maintained, and as a result the public interest is not affected and no negative impact will be made on engineering services, social infrastructure, community facilities and open space requirements.
2. The proposed Consent Use Application will not have an impact on the natural environment. The natural environment will be retained and preserved, as the new residential property will be residential in character.
3. The existing access to both the main house and second dwelling unit is via an existing urban road, Eagle Avenue, off Longships Drive in Plettenberg Street.

(v) Urban Edge

The property is located inside the Urban Edge as indicated on the Bitou Municipality: Urban Edge Line.

F. DESIRABILITY

The proposed second dwelling unit of larger than 60m² (70m²) is desirable in that the residential character of the property and the area is maintained and no major change is made to the existing landscape and land use.

The development of an additional dwelling unit is desirable in that no major change to the existing landscape and land use is proposed.

The property is situated in Robberg Extension 5 suburb, an established residential area, identified for residential use and encouraged for densification, as per the Council's policy.

The removal of restrictions in the Title Deed will permit the development of a second dwelling unit for residential purposes.

The application fulfils several principles of the Spatial Development Framework and from a Land Development perspective is motivated as follows:

- (i) The Consent Use Application promotes densification without having any impact on the surrounding area.
- (ii) The urban residential nature of the property is to be retained and no changes are proposed in terms of this application.
- (iii) As no changes are proposed to the property, the proposed Consent Use Application will not impact on existing services.
- (iv) The semi-detached second dwelling will make use of existing infrastructure and services.
- (v) The applicant wishes to optimise the residential use of the property making use of the vacant part of the property.
- (vi) Access to both the main house and second dwelling unit will be off Eagle Avenue and the existing access.
- (vii) No Rezoning is involved and the Single Residential zone currently in place is to be retained.
- (viii) Neighbour's Consents are granted, in particular Erf 2632, immediately adjacent to the second dwelling.
- (ix) Building lines are adhered to in accordance with approved Building Plans.

G. CONCLUSION

The land use proposed is in keeping with the Bitou Municipality's policy of encouraging second dwellings as per the new Scheme, The Bitou Municipal: Zoning Scheme By-Law, 2023.

The residential quality and character of the neighbourhood is retained.

The Land Development Application for Consent for a second dwelling supports Council's Policy on densification.

Safe and sufficient access to a motor court and garage is in existence from Sanganer Avenue.

To summarise, the following:

1. Consent for a Second Dwelling unit in excess of 60m² (70m²).
2. Title Deed removal of restrictive conditions; namely number of dwelling units, height, building materials and to permit flat roofs and roofing material of choice.

In view of the above considerations, it is therefore submitted that the proposed Consent Use for a second dwelling larger than 60m² (70m²) and that the Removal of restrictions be considered favourably by the Bitou Municipality, and Consent be granted.



S.J. McMILLAN
P.L.S. 0910

DECEMBER 2024


SPECIAL POWER OF ATTORNEY

I, **ALFRED EDWARD STEPHENSON**, the undersigned, do hereby appoint **SHAUN McMILLAN**, a PROFESSIONAL LAND SURVEYOR to:

- (1) To apply to the Bitou Municipality in terms of Sections 15(2)(o) and 15(2)(f) of the Bitou Municipality: Land Use Planning By-Law, for the following:
 - Bitou Municipal Consent for a second dwelling on Erf 1745 Plettenberg Bay measuring larger than 60m².
 - A removal of restrictive conditions in Title in respect of additional dwelling units and roof style and building materials on Erf 1745 Plettenberg Bay.
- (2) To do all things necessary to achieve the above.

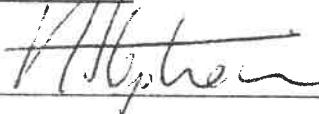
Duly SIGNED AND DATED at Plettenberg Bay

On this 27th day of November 2024 2024



ALFRED EDWARD STEPHENSON

AS WITNESSES:

1. 

Name: NEAL STEPHENSON

2. 

Name: STEPHANUS

FORM
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REGISTRAR/REGISTRAR

r 82710-95

DEED OF TRANSFER

BY VIRTUE OF A POWER OF ATTORNEY

Prepared by me

Conveyancer

ARTLETT D P

KNOW ALL MEN WHOM IT MAY CONCERN

THAT **DAVID PATRICK ARTLETT**

appeared before me, Registrar of Deeds at **CAPE TOWN** he being duly authorised thereto by a Power of Attorney, executed at **JOHANNESBURG** on the 18 day of **SEPTEMBER 1995**, by

CECIL CHARLOTTE WEAVIND

Identity No. 400803 0038 003

Married out of community of property

which power, witnessed in accordance with law, was exhibited to me on this day.

And the Appearer declared that his said Principal had truly and legally sold on the 28 June 1995 and that He in his capacity as Attorney aforesaid did by these presents, cede and transfer, in full and free property to and on behalf of

M

ALFRED EDWARD STEPHENSON
Identity No. 490430 5021 00 7
Married out of community of property

His heirs, Executors, Administrators or Assigns

ERF 1745 PLETTENBERG BAY
in the Area of the Greater Plettenberg Bay Transitional
Local Council, Division of Knysna, Western Cape Province;

IN EXTENT: 1 089 (ONE THOUSAND AND EIGHTY NINE)
square metres;

FIRST TRANSFERRED by Deed of Transfer No. T.25766/1967 with
Diagram No. 3370/67 relating thereto and held by Deed of Transfer
No. T.25767/1967.

(i) AS REGARDS the figure marked xyde on the said Diagram -

- A. SUBJECT to the conditions referred to in Deed of Transfer No. 1964/1915.
- B. SUBJECT FURTHER in terms of Deed of Grant dated 20 January 1818 (George Quitrents Vol. 2 No. 22) to all such duties and regulations as were already or may thereafter be imposed regarding lands held on similar tenure, which includes the reservation in favour of the State of the rights to mines of Gold, Silver and precious stones mentioned in Section 4 of Sir John Cradock's Proclamation of 6 August 1813.

J

C. FURTHER with the benefit of the terms of the Notarial Deed of Servitude dated 8 March 1947 No. 191 annexed to Deed of Transfer No. 10843 dated 30 September 1939, a reference whereto dated 4 June 1947, is endorsed thereon, reading as follows :-

"By Not. Deed No. 191 dd 8/3/1947 the property viz. "Portion 72, the Sanctuary" held by Certificate of Amended Title on Consolidation No. 9880 dd 4.6.1947 is made subject to conditions relating to persons who may own or occupy the property held thereby prohibiting business and trade or hotel-keeping thereon, nature of buildings thereon and regulating sanitation and matters of public health in favour of the withinmentioned pties and certain other pties subject to conditions as will more fully appear on reference to said Not. Deed Vide copy annexed hereto."

(ii) AS REGARDS the figure marked abcyx on the said Diagram -

D. SUBJECT to the conditions referred to in Deed of Transfer No. 571/1925.


E. SUBJECT FURTHER in terms of Deed of Grant dated 20 January 1818 (George Quitrents Vol. 2 No. 22), to all such duties and regulations as were already or may thereafter be imposed regarding lands held on similar tenure, which includes the reservation in favour of the State of the rights to mines of Gold, Silver and precious stones mentioned in Section 4 of Sir John Cradock's Proclamation of 6 August 1813.

F. FURTHER SUBJECT to the special conditions contained in Deed of Transfer No. 244/1911, reading :-

"(b) All main roads and those roads marked on the original diagrams of the property shall be free and undisturbed except that:-

1. Each owner shall be at liberty to place a gate or gates convenient to the public where the roads cross the respective boundary lines.


4. The footpaths at present running from the southerly Homesteads of the property now subdivided to the Homesteads along the Pisang River shall be free only to school children and to the owners for the time being of the property now subdivided.

- (e) The water from the Pisang River may be used for irrigation in properly arranged turns by those proprietors of the property now subdivided who are able to use it, due regard being given to the rights of the owners of Lots "g" and "j"
- 

G. FURTHER with the benefit of the terms of the Notarial Deed of Servitude dated 8 March 1947, No. 191, annexed to Deed of Transfer No. 10843 dated 30 September 1939, a reference whereto dated 4 June 1947, is endorsed thereon, reading as set out in sub-paragraph (i) C above;

(iii) THE WHOLE of the property is -

H SUBJECT FURTHER to the following conditions contained in Deed of Transfer No. 25766/1967 imposed by the Administrator when approving the establishment of Plettenberg Bay Township Extension No. 5, under the provisions of Ordinance No. 33 of 1934 :-

1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Administration Notice No. 401 dated 17 October 1935, and in the memorandum which accompanied the said Regulations.
 2. The owner of this erf shall without compensation be obliged to allow electricity and water mains and the sewage and drainage including stormwater of any other erf or erven within or without this subdivision to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, conduit or other works pertaining thereto.
 3. The owner of this erf shall be obliged, without compensation, to receive the material or permit excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
- 

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

(a) it shall not be subdivided;

(b) it shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith;

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

(d) no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 4.72 metres to the street line which forms a boundary of this erf nor within 3.15 metres of the rear or 1.57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3.05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf;

(e) in the event of the provisions of a Town Planning Scheme being made applicable to this erf, which provisions are more restrictive than the provisions contained in the above, then the provisions of such scheme shall apply.

I. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No. T.25766/1967 imposed by Plettenberg Bay Estates Limited for the benefit of itself, its successors in title or assigns, as owners of the remainder of Plettenberg Bay Extension No. 5 Township, held by said Certificate of Amended Title on Consolidation No. 9101/1956, reading as follows:



1. Plans and specifications of all buildings and all additions or alterations to be erected on an erf shall be submitted to and approved by the Transferor before the commencement of building operations. Such buildings and any additions or alterations shall be constructed of stone, brick or other similar material approved by the Transferor. Roofs of all buildings to be erected on an erf shall, except with the permission in writing of the Transferor, be constructed of either thatch, tiles, shingles or slate. Provided, however, that from such time as the said Township shall fall under the jurisdiction of a Local Authority, the Transferor shall have the right, with the permission of such Local Authority, to delegate to such Authority exercise of the discretions and rights herein vested in the Transferor.
2. The erection of flat, lean-to or monopitch roofs or of flat or corrugated iron or asbestos fencing is prohibited. No wood and/or iron buildings of any description shall be erected on the erf. The main buildings which shall be a complete building and not one partly erected and intended for completion at a later date, shall be erected simultaneously with or before the erection of the outbuildings.
3. Any buildings or outbuildings and all additions or alterations thereto shall also comply with the conditions upon which the said proposed Township shall in due course be established and with the requirements of any local or other Authority.
4. The elevational treatment of all buildings shall conform to good architecture so as not to interfere with the amenities of the neighbourhood.
5. The owner shall not have the right, save and except to prepare the erf for building and/or garden purposes, to excavate and remove therefrom for purposes of gain any material without the written consent of the Transferor.
6.



7. The owner of this erf shall without compensation be obliged to allow the electricity, gas, water mains and the sewage and drainage, including stormwater of any other erf within or without this subdivision, to be conveyed across this erf if deemed necessary by the Local Authority and/or the Transferor and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, conduit or other works pertaining thereto.
8. Neither the owner nor any other person, shall have the right to erect or cause to be erected upon the erf any hoardings or signboards for advertising purposes.
9. No cattle kraals, pig-sties, cow-sheds, slaughter poles or slaughter houses shall be erected or carried on by any person whomsoever on this erf.
10. (1) In the foregoing conditions the following words shall have the meaning assigned to them, namely :-
- (a) "Transferor" shall mean Plettenberg Bay Estates Limited, its successors in title and assigns to Plettenberg Bay Extension No. 5, or the remainder thereof from time to time but shall exclude the owner of the erf.
- (b) "Owner" shall include the successors in title and assigns of the above Transferee.
- (2) The owner shall have no claim whatsoever against the Transferor on the ground that the Transferor has not enforced or insisted that effect be given to the foregoing conditions in respect of any erf sold by the Transferor.

WHEREFORE the Appearer in his said Capacity, renouncing all the right and title the said TRANSFEROR

heretofore had to the premises, did, in consequence also acknowledge the said TRANSFEROR

as aforesaid to be entirely dispossessed of, and disentitled, to the same; and that by virtue of these presents the said

TRANSFeree

His Heirs, Executors, Administrators or Assigns, now and henceforth shall be entitled thereto conformably to local custom; State, however, reserving its rights; and finally acknowledging the said TRANSFEROR

to have been satisfactorily paid or secured the whole of the purchase money amounting to the sum of R230 000,00 (TWO HUNDRED AND THIRTY 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, in CAPE TOWN

on the

7

day of

November

in the year of our Lord, One Thousand Nine Hundred and NINETY FIVE (1995)

q.q

In my presence,

REGISTRAR OF DEEDS

ENDORSEMENTS - ENDORSEMENTS				
NO.	WYSING AMENDMENT	BVINGING ADDITION	MATINGING AUTHORITY	PARS DATUM DATE
1.	Religious of Erven 1881, 1882, 1883 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504,<			

[illegible]

FILE NO. S 1517/32
S.R. NO. E 26/56
COMP AM-IBC (3509) AM-IBA (2609)
AM-IBA / 254 (734) AM-IBAC (6195)
AM-IBC /V52-54 (740, 741, 742)
W 51-54 (743, 744, 745, 746)

COPIED BY: V. HERHOLDT
CHECKED BY: M. Murphy

ANNEXURE C

T.P.
GENERAL PLAN No. 1294LD.
OF

PLETTENBERG BAY EXTENSION NO. 5

Scale: 1/1000

SHEET 4 JOINS HERE

SHEET 5 JOINS HERE

SHEET 8 JOINS HERE



NOTE: All signs are 15.00 Copy Fee, unless otherwise stated.

The location of each sign represented on this plan are in accordance with Regulations and have been placed by us.

Signed: Jan. 1954-March 1955.

(500) R. F. Murphy, L. P. Edwards.

Land Surveyors.

COPY
AFSKRIF

CDR

S.G. No. 2659/1955
APPROVED
J.W. BEATTIE.
SURVEYOR-GENERAL
DATE 28-1-1958.

FILE NO. S 1517/32
S.R. NO. E 26/56
COMP. AM-IBC(2659), AM-BA(1950)
AM-BA(754), AM-BA(895)
AM-IBC(1952-54), AM-BA(743, 744, 745)
WB-54(743, 744, 745, 746)

COPYED BY: V. HERHOLDT
CHECKED BY: M. Murphy

S

AREAS

LOWER GROUND FLOOR	20m ²
GROUND FLOOR	180m ²
FIRST FLOOR	22m ²
COVERED PATIO	63m ²
NEW COTTAGE	70m ²
ERF	1053m ²
COVERAGE	30%

ERF 1746

ERF 1733

ERF 1734

PROPOSED COTTAGE

ERF 1745

ERF 1744

EXISTING DWELLING

PARKING 3

PARKING 2

PARKING 1

DRIVEWAY

SANGANER ROAD



chris de villiers

esacp reg: to333

TEL: 0827895088
EMAIL: define@mweb.co.za
ADDRESS: P.O. BOX 1370
PLETTENBERG BAY
6600

OWNER / PROJECT	HOUSE STEPHENSON	ERF	1745
TITLE	1745 SITE DEVELOPMENT PLAN	OWNER'S SIGNATURE	
DATE	OCT 2024 REV O	DRAWING No	STEPHENSON-02
		SHEET	A103 REV B

1

1745 SDP

1 : 100

12/10/2024 3:20:48 PM
OCT 2024 REV O
STEPHENSON
A102 REV B
HOUSE / PROJECT
HOUSE STEPHENSON
CHAMBERS SCHEMATIC
1745
CELL: 0607 960008
EMAIL: chris@stephson.co.uk
chris de villiers
stephson inc 1000

DATE
OCT 2024 REV O
DRAWING NO
STEPHENSON
SHEET
A102 REV B
TITLE
DETAIL DRAWINGS
CHAMBERS SCHEMATIC
1745
CELL: 0607 960008
EMAIL: chris@stephson.co.uk
chris de villiers
stephson inc 1000

DATE
OCT 2024 REV O
DRAWING NO
STEPHENSON
SHEET
A102 REV B
TITLE
DETAIL DRAWINGS
CHAMBERS SCHEMATIC
1745
CELL: 0607 960008
EMAIL: chris@stephson.co.uk
chris de villiers
stephson inc 1000

ERF 1734

ERF 1733

ERF 1746

ERF 1745

ERF 1744

ERF 1743

ERF 1742

ERF 1741

ERF 1740

ERF 1739

ERF 1738

ERF 1737

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ERF 1477

ERF 1476

ERF 1475

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ERF 1473

ERF 1472

ERF 1471

ERF 1470

ERF 1469

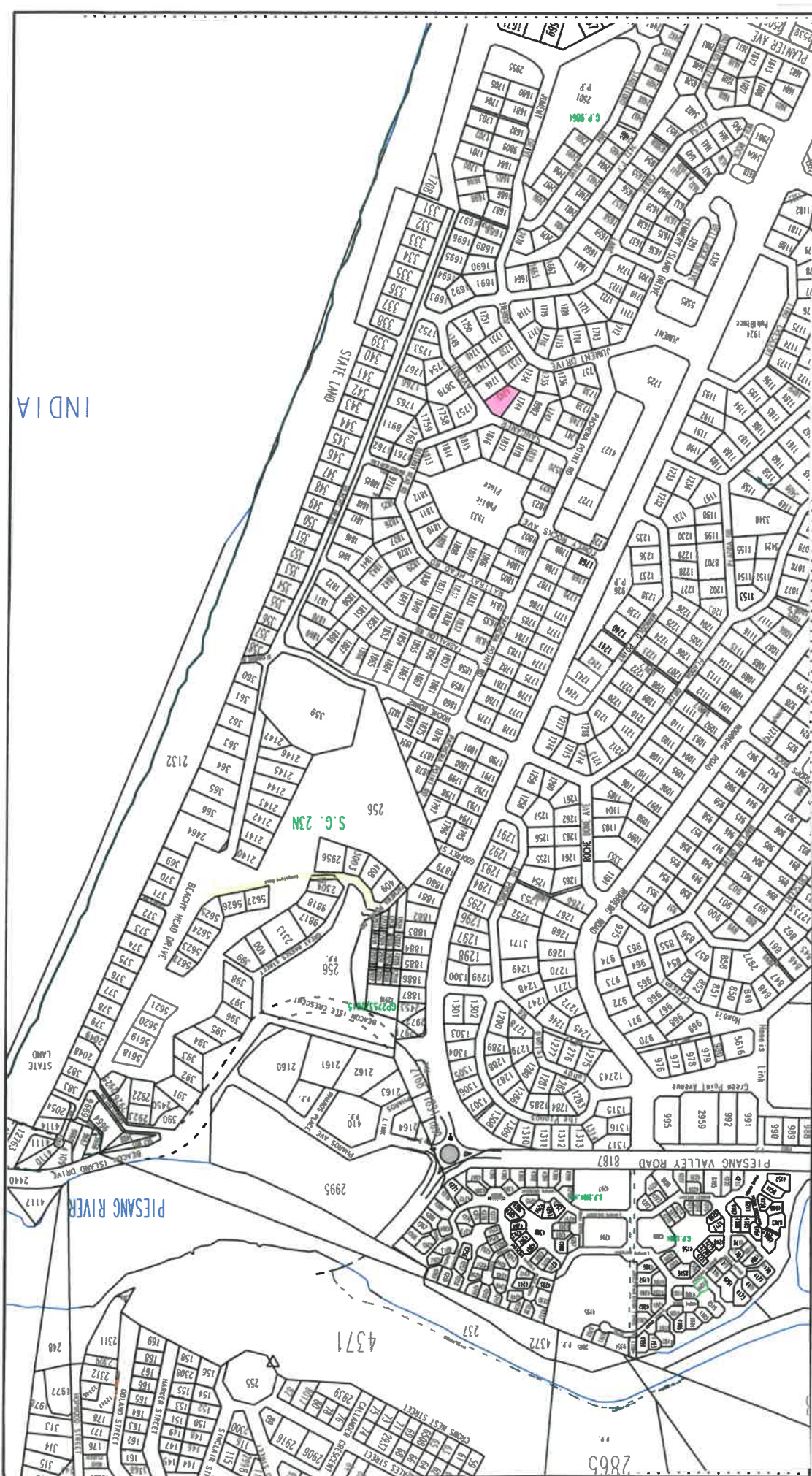
ERF 1468

ERF 1467

ERF 1466

ERF 1465

ERF 1464



LOCALITY PLAN

Erf 1745 PLETTENBERG BAY

1 : 7500

NOVEMBER 2024

situate

Bitou Municipality

Knysna Administrative District



SHAUN MC MILLAN
PROFESSIONAL LAND SURVEYOR

TEL : 044 553 3072
FAX : 086 588 1938
CELL : 082 569 7155
E-MAIL : shaun@msurveys.co.za

8 GREENPOINT AV
P O BOX 1871
PLETTENBERG BA
6600



SHAUN McMILLAN
PROFESSIONAL LAND SURVEYOR



Erf 1745 Plettenberg Bay

Although every effort is taken to ensure current and accurate information on this plan, no liability whatsoever will be accepted for erroneous data. Consult your Land Surveyor for confirmation of beacons and boundaries.

DATE	November 2024
SCALE	1:750
Photography	2011
situate in	Bitou Municipality
	Administrative District of Knysna
	Province of the Western Cape

ANNEXURE G

19 November 2024

To whom it may concern,

We, at Erf 1733 Plettenberg Bay, have no objection for the erection of a studio flat, per the plans on Erf 1745, Plettenberg Bay.

Signed at Bloemfontein on 19/11/2024

Elsa Top

NAME

Elsa Top

SIGNATURE

19 November 2024

To whom it may concern,

We, at Erf 1746 Plettenberg Bay, have no objection for the erection of a cottage, per the plans on Erf 1745, Plettenberg Bay.

Signed at Pretoria on 21 Nov 2024

H Kruger

NAME



SIGNATURE



Janelle Stephenson <genesis.sportstrading@gmail.com>

Erf 1745, Plettenberg Bay

Marilize Beyer (ZA) <Marilize.Beyer@absa.africa>

Mon, Nov 25, 2024 at 6:35 PM

To: Janelle Stephenson <genesis.sportstrading@gmail.com>

Cc: Steve Stephenson <steve.plettbay@gmail.com>, "hansvw@absamail.co.za" <hansvw@absamail.co.za>, "beyermarilize@gmail.com" <beyermarilize@gmail.com>

Good evening,

Our concern is the sewerage, how will this be dealt with. Currently the existing sewerage system can't cater for existing residence and should you build a cottage above our erven, it could have an impact.

Kindly advise.

Thanks

Marilize Beyer

0829004213

From: Janelle Stephenson <genesis.sportstrading@gmail.com>**Sent:** Tuesday, November 19, 2024 11:41 AM**To:** Marilize Beyer (ZA) <Marilize.Beyer@absa.africa>**Cc:** Steve Stephenson <steve.plettbay@gmail.com>**Subject:** Erf 1745, Plettenberg Bay

You don't often get email from genesis.sportstrading@gmail.com. Learn why this is important

External Message - Be cautious. If suspicious click the "Report Phishing" button.

Good day Mrs Beyer,

[Quoted text hidden]

[Quoted text hidden]

19 November 2024


To whom it may concern,

We, at Erf 1744 Plettenberg Bay, have no objection for the erection of a cottage, per the plans on Erf 1745, Plettenberg Bay.

Signed at Northcliff on 22 November 2024

Inamarie Greyson

NAME



SIGNATURE

12 December 2024

To whom it may concern,

We, at Erf 1757 Plettenberg Bay, have no objection for the erection of a studio flat, per the plans on Erf 1745, Plettenberg Bay.

Signed at Plettenberg Bay on 12 December 2024

Jonathan Hackner

NAME



SIGNATURE

19 November 2024

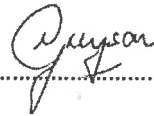
To whom it may concern,

We, at Erf 1816 Plettenberg Bay, have no objection for the erection of a cottage, per the plans on Erf 1745, Plettenberg Bay.

Signed at Northcliff on 19 November 2024

Inamarie Greyson

NAME



SIGNATURE

Info

From: Steve Stephenson <steve.plettbay@gmail.com>
Sent: Friday, December 13, 2024 11:42 AM
To: Info
Subject: Fwd: Sewer Jument area

----- Forwarded message -----

From: **Edward Charles Oosthuizen** <eoosthuizen@plett.gov.za>
Date: Thu, Dec 12, 2024 at 9:14 AM
Subject: Sewer Jument area
To: steve1.jireh@gmail.com <steve1.jireh@gmail.com>
Cc: steve.plettbay@gmail.com <steve.plettbay@gmail.com>

Good Day

I refer to your conversation with our Mr Dean Reilly

The sewer reticulation in the Jument area was designed by Professional Consulting Engineers and installed under their supervision during the late 70" early 80".

The sewer line consists of 150mm Dia which is more than adequate to handle the flow generated in the drainage area.

Tree roots and foreign debris which enters the system can results in blockages. Ingress of stormwater , in some cases being illegally connected to the sewer reticulation system , further aggravates the hydraulic overloading of the system.

Trust you find this in order.

Regards

Eddie Oosthuizen | Senior Manager | Water Services | Engineering Services |

Tel: (+27) 44 501 3382 | eoosthuizen@plett.gov.za | www.bitou.gov.za



municipaliteit umasipala municipality

to be the best together

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

LAND USE PLANNING APPLICATION FORM

BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW

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

PART A: APPLICANT DETAILS

First name(s)	Shaun John		
Surname	McMillan		
South African Council for Planners (SACPLAN) registration number (if applicable)	P.L.S 0910		
Company name (if applicable)	Shaun McMillan Land Surveyors		
Postal Address	P O Box 1871		
	Plettenberg Bay	Postal Code	6600
E-mail	info@sjmsurveys.co.za		
Tel	044 533 3072	Cell	082 569 7135

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

Name of registered owner(s)	Alfred Edward Stephenson		
E-mail	- <u>steve.plettbay@gmail.com</u>		
Tel	-	Cell	<u>082 375 1428</u>

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

Property Description (Erf No / Farm No):	1745		
Physical/ Street Address (if available)	9 Sanganer Avenue		
Town	Plettenberg Bay		
Current Zoning	Single Residential Zone	Land Use	Residential

Extent	1,089 m ² / ha		
Applicable Zoning Scheme	Bitou Municipal: Zoning Scheme By-Law 2023		✓
Are there existing buildings?	Y	N	
Title Deed number and date	T82710/1995		

Are there any restrictive conditions in the title deed that prohibit the proposed use/ development?		Y	N
If Yes, list such condition(s)	Conditions H.4.(b), H.4.(d), 1.1. and 1.2.		

Are the restrictive conditions in favour of a third party(ies)?		Y	N
If Yes, list the party(ies)	N/A		

Is the property bonded?		Y	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.	N/A		

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

PART D: PRE-APPLICATION CONSULTATION

Was a pre-application consultation held with the Municipality?	Y	N	If Yes, complete the information below and attach the minutes of the pre-application consultation.
Official's name	Adel Sanchez Asensio		Date of consultation 31 October 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
✓	2(a)	a rezoning of land;
✓	2(b)	a permanent departure from the development parameters of the zoning scheme;
✓	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;
✓	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;
✓	2(e)	a consolidation of land that is not exempted in terms of section 24;

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

APPLICATION AND NOTICE FEES *(please note the following)*

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

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

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

Primary Documentation

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

Supporting Information & Documentation (if applicable)

Y	N	Land use plan / Zoning plan
Y	N	Consolidation plan
Y	N	Proposed subdivision plan
Y	N	Proof of agreement or permission for required servitude

Y	N	Copy of any previous land development approvals (i.e. Rezoning , consent use departures)
Y	N	Abutting owner's consent
Y	N	Services Report or indication of all municipal services / registered servitudes
Y	N	Conveyancer's certificate
Y	N	Street name and numbering plan (Applicable to Subdivision Only)
Y	N	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Landscaping Plan(if applicable)
Y	N	Home Owners' Association consent
Y	N	Proof of failure of Home owner's association
Y	N	Other (Specify) Photographs, aerial cadastral plan, building plans

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

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

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 emailed to townplanning@plett.gov.za . (A mime cast link must be requested for files larger than 10MB).
Y	N	1 x Hard Copy submitted at Town Planning Office

Applicant's signature:



Date:

13 December 2024

Full name:

Shaun John McMillan

Professional capacity:

Professional Land Surveyor

P.L.S 0910

FOR OFFICE USE ONLY

Date received:

Received by:

Municipal Stamp

Municipal Stamp



8 Greenpoint Ave; P.O. Box 1871
Plettenberg Bay, 6600
Tel: +27 (0) 44 533 3072
Fax: +27 (0) 86 589 1938
Cell: +27 (0) 82 569 7135
info@sjmsurveys.co.za

SHAUN J. McMILLAN

PROFESSIONAL LAND SURVEYOR

13 December 2024

Town Planning Department
Bitou Municipality
PLETTENBERG BAY

Dear Sir

LAND DEVELOPMENT APPLICATION: CONSENT FOR A SECOND DWELLING UNIT LARGER THAN 60m² AND REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE:
APPLICATION IN TERMS OF SECTION 15(2)(o) AND 15(2)(f) OF THE BITOU MUNICIPALITY:
LAND USE PLANNING BY-LAW (2015):
ERF 1745: PLETTENBERG BAY: BITOU MUNICIPALITY

We hereby submit an Application in terms of Sections 15(2)(o) and 15(2)(f) of the Bitou Municipality: Land Use Planning By-Law (2015) for Bitou Municipal Consent for a second dwelling unit larger than 60m² on Erf 1745 Plettenberg Bay and to remove restrictive conditions of title. Enclosed please find the Motivational Report with the following plans and annexures:

- A. Special Power of Attorney.
- B. Copy of Title Deed T82710/1995.
- C. Extract of General Plan No. 1294LD.
- D. Site Development Plan, dated October 2024 and referenced A103 REV B.
- E. Locality Plan.
- F. Aerial Cadastral Plan.
- G. Consent and Comment from Adjoining Neighbours.
- H. Comment from E Oosthuizen of Engineering Services: Bitou Municipality

Kindly acknowledge receipt.

Yours faithfully,

S.J. McMILLAN
P.L.S. 0910

RECEIVED BY: _____

DATE: _____ 2024