



Mr. Mbulelo Memani
Municipal Manager
Tel – 044 501 3000
Bitou Local Municipality
Private Bag X1002
PLETTENBERG BAY, 6600
Municipal Notice No: 152/2025

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

**BITOU MUNICIPALITY (WC047)
NOTICE NUMBER: 152/2025**

Property description/ Grondbeskrywing/ Inkcazo yepropati	Type of Application/Aansoek/ Uhlobo lweSicelo
Erf 10827, Plettenberg Bay	<ul style="list-style-type: none">Application is being made in terms of Section 15(2)(d) of the Bitou Municipality Land Use Planning By-Law for the subdivision of Erf 10827 Plettenberg Bay into three portions, namely, Portion A of +/- 836m², Portion B of +/- 592m² and Remainder of +/- 389m² as shown on the proposed subdivision plan (Annexure E).
Erf 10827, Plettenbergbaai	<ul style="list-style-type: none">Aansoek word ingevolge Artikel 15(2)(d) van die Bitou Munisipaliteit se Grondgebruikbeplanningsverordening gedoen vir die onderverdeling van Erf 10827 Plettenbergbaai in drie gedeeltes, naamlik Gedeelte A van +/- 836m², Gedeelte B van +/- 592m² en Restant van +/- 389m² soos aangedui op die voorgestelde onderverdelingsplan (Bylae E).
Isiza 10827, Plettenberg Bay	<ul style="list-style-type: none">Isicelo senziwa ngokweCandelo le-15(2)(d) loMthetho kaMasipala waseBitou woCwangciso loCwangciso loMhlaba wokwahlulwa kwe-Erf 10827 Plettenberg Bay ibe ngamacandelo amathathu, angala, iCandelo A le-+/- 836m², iCandelo B le-+/- 592m² kunye nentsalela ye-+/- 389m² njengoko kubonisiwe kwisicwangciso sokwahlula esicetywayo (IsiHlomelo E).

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 zqhagamshelwano 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: 18/10827/PB

14 April 2025

Sir/Madam

PROPOSED SUBDIVISION FOR ERF 10827, PLETTENBERG BAY, BITOU MUNICIPALITY

Applicant: Beacon Survey

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:

1. Application is being made in terms of Section 15(2)(d) of the Bitou Municipality Land Use Planning By-Law for the subdivision of Erf 10827 Plettenberg Bay into three portions, namely, Portion A of +/- 836m², Portion B of +/- 592m² and Remainder of +/- 389m² as shown on the proposed subdivision plan (Annexure E).

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

MOTIVATION REPORT

**ERF 10827 PLETTENBERG BAY
BITOU MUNICIPALITY**

PROPOSED SUBDIVISION

DECEMBER 2024

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1. INTRODUCTION

1.1 Erf 10827 Plettenberg Bay is situated on the south of Whale Rock Gardens Estate up against the cliff. See Locality Plan Annexure C.

1.2 The property is 1817 square metres in extent (See Title Deed Annexure A).

1.3 The property has a zoning permitting three dwellings on the property.

1.4 A site development plan showing three dwellings on the property has been approved by the Municipality.

1.5 The Whale Rock Gardens Homeowners Association has approved the proposed subdivision of the property.

1.6 The purpose of this application is to allow for the subdivision and separate registration of the three approved dwellings.

2. APPLICATION

2.1 Application is being made in terms of Section 15(2)(d) of the Bitou Municipality Land Use Planning By-Law for the subdivision of Erf 10827 Plettenberg Bay into three portions, namely, Portion A of +/- 836 Sq. m, Portion B of +/- 592 Sq. m and Remainder of +/- 389 Sq. m as shown on the proposed subdivision plan (Annexure E).

3. TITLE DEED

- 3.1 The title deed is attached as Annexure A.
- 3.2 There are no conditions in the title deed which prohibit or restrict the proposed subdivision.
- 3.3 On the original layout (G-P 3607/2002) of Whale Rock Gardens (WRG) Erf 9352 was zoned for a dwelling house and Erf 9353 was zoned for a guest house.
- 3.4 On the amended layout (G-P 5954/2008) the above two erven were shown as one erf n.l. Erf 10776.
- 3.5 The above erf was extended by the addition of Erf 10740 to create Erf 10827 Plettenberg Bay.

4. THE DECISION-MAKING CRITERIA

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

5. BACKGROUND AND THE PROPOSAL

5.1 Application is made for the subdivision of Erf 10827 Plettenberg Bay to allow for the separate registration of the three approved dwellings on the property.

5.2 The three dwellings have been approved by the Municipality and the Homeowners Association.

5.3 Each of the three subdivisions will pay a separate H.O.A. levy.

5.4 Each of the three subdivisions will have separate services connections and will pay separate rates to the Municipality.

6. APPLICATION TO THE WHALE ROCK GARDENS H.O.A.

6.1 Application for the subdivision has been made to the Whale Rock Gardens Homeowners Association.

6.2 The H.O.A. has supported the proposed subdivision See Annexure G.

6.3 The H.O.A. has supported the proposal on condition that the three new subdivisions will each have separate services connections.

6.4 The H.O.A. has supported the proposal on condition that the three new subdivisions will each pay separate H.O.A. levies.

7. MOTIVATION : SUBDIVISION

7.1 The proposed subdivision has been approved by the Whale Rock Gardens H.O.A.

7.2 The developments on Portion B and the Proposed Remainder were constructed by the two difference owners in accordance with approved building plans and also in accordance with the approved Site Development Plan.

7.3 Erf 10827 Plettenberg Bay comprises one single residential erf (Erf 9352) and a guest house erf (Erf 9353). Now Erf 10827 has an approved Site Development Plan with three dwellings.

7.4 The services for the three dwellings (two have been constructed) on Erf 10827 Plettenberg Bay are available with no additional infrastructure construction required.

7.5 The three erven, (Portion A, Portion B and the Proposed Remainder) have sizes that compare well with the single residential erven surrounding the property.

7.6 The H.O.A. as well as the Municipality have confirmed in writing that the three dwellings, subdivided into three erven, are what is preferred for the site.

7.7 The desirability of the three dwellings does not require motivation because the site development plan showing the three dwellings has been approved.

7.8 The desirability of the subdivision is moot because the H.O.A. has approved the subdivision and the Municipality will benefit by increasing the rates base by two units without any additional services being required. The desirability of the subdivision is further established because the sizes of the three new portions compare well with the sizes of the stands in Whale Rock Gardens.

7.9 There is no question of any negative effects on the neighbours or anybody else because of the above.

7.10 There is also no precedent being set because of the unique circumstances. (SDP approved, Subdivision approved by H.O.A. & services available.

7.11 The property is situated on the southern side of the Whale Rock Gardens Estate. Because of this situation there will be no effect on the views or amenity of any of the owners in the estate. Accordingly the H.O.A. has given written support of the subdivision.

8. RELEVANT POLICY AND LEGISLATIVE FRAMEWORKS

8.1 Annexure F is the approval of the Site Development Plan by the Bitou Municipality letter dated 8 October 2018 reference 18/10827/PB with stamped plan dated 2/10/2018.

8.2 Two dwellings (centre and eastern side) have been constructed on the property with approved building plans.

8.3 The implication of the above is that the zoning which permits three separate dwellings has been confirmed.

8.4 As the development has been approved and confirmed and as the property is situated within the urban edge the proposal is consistent with the Bitou Municipality Spatial Development Framework (2022).

8.5 The proposal does not have any regional implication because of its small scale and its situation within the existing urban fabric. It is thus consistent with the Eden District Municipality SDF as well as the Provincial SDF.

8.6 Also as the property is mostly developed in accordance with an approved SDP and as the proposed subdivision has been approved by the Whale Rock Gardens H.O.A. the proposal of subdivision of the three dwellings has been proved to be not only consistent with the applicable legislative frameworks by also has the support of the neighbours.

9. APPLICATION OF PRINCIPLES

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

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

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

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

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

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

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

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

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

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

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

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

9.6.1.6 The proposal aligns with and complies with the principle of spatial sustainability insofar as it relates to the property's location within the urban edge. Furthermore the current proposal will not trigger any activities in terms of the environmental legislation.

9.6.2 The principle of efficiency insofar as it relates to :

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

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

10. IMPACT ON NEIGHBOURS

10.1 The proposed subdivision will not result in any development that is not already permissible within the current zoning of the property.

10.2 The proposed subdivision has already been approved by the Whale Rock Gardens Homeowners Association.

10.3 The approval of the subdivision will allow for the registration of the three dwellings in the owners' names. This will allow the separate rating of the three dwellings by the Municipality and also will allow the H.O.A. to charge three separate levies.

10.4 The H.O.A. (i.e. the neighbours) will thus benefit by receiving two additional levies and the Municipality will also benefit by receiving two additional rateable erven.

10.5 It is for the above reasons that the proposed subdivision will not have any adverse negative impact on any neighbour in particular or the area in general.

BEACON SURVEY
DECEMBER 2024



to be the best together

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

LAND USE PLANNING APPLICATION FORM

BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW

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

PART A: APPLICANT DETAILS

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

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

Name of registered owner(s)	BAIA FORMOSA TRADING LS CC		
E-mail	gloughranmostert@gmail.com		
Tel		Cell 0823234365	

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

Property Description (Erf No / Farm No):	10827		
Physical/ Street Address (if available)	Whale Rock Gardens Estate.		
Town	PLETTENBERG BAY		
Current Zoning	General Residential.	Land Use	Residential.

Extent	1817 m ² / ha		
Applicable Zoning Scheme	Piellenberg Bay Zoning Scheme Section 7		
	LUPO Scheme Regulations : Section 8		
Are there existing buildings?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	
Title Deed number and date	T 10945/2020		

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

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

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

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

PART D: PRE-APPLICATION CONSULTATION

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

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 (2) OF THE BITOU MUNICIPALITY : LAND USE PLANNING BY-LAW (tick applicable application/s)

Tick	Section	Type of application
<input type="checkbox"/>	2(a)	a rezoning of land;
<input type="checkbox"/>	2(b)	a permanent departure from the development parameters of the zoning scheme;
<input type="checkbox"/>	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;
<input 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 type="checkbox"/>	2(e)	a consolidation of land that is not exempted in terms of section 24;
<input type="checkbox"/>	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;

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

APPLICATION AND NOTICE FEES (please note the following)

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

PART F: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING

APPLICATION [section 15(2)(a) to (s) of the Bitou Municipality Land Use Planning By- Law]

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

Primary Documentation

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

Supporting Information & Documentation (if applicable)

Y	N <input checked="" type="checkbox"/>	Land use plan / Zoning plan
Y	N <input checked="" type="checkbox"/>	Consolidation plan
Y <input checked="" type="checkbox"/>	N	Proposed subdivision plan
Y <input checked="" type="checkbox"/>	N <input checked="" type="checkbox"/>	Proof of agreement or permission for required servitude
Y <input checked="" type="checkbox"/>	N	Copy of any previous land development approvals (i.e. Rezoning , consent use departures)

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

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

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

PART H: SUBMISSION OF APPLICATION

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

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

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

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

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

SECTION I: DECLARATION

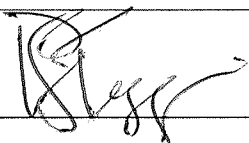
I hereby confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. That this submission includes all necessary land use planning applications required, by Bitou Municipality: Land Use Planning By-Law to enable the development proposed in terms of the Bitou Municipality: Land Use Planning Bylaw (2015) as amended.
6. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services may be payable by the owner as a result of the proposed development.
7. I am aware that by lodging an application, the information in the application and obtained during the process, may be made available to the public.

SUBMISSION REQUIREMENTS

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



Date:

12/01/2025

Full name:

PHILIP GEORGE TEGGIN

Professional capacity:

LAND SURVEYOR
PLS 1118

Beacon Survey

Professional Land Surveyors
and Sectional Title Practitioners

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

e-mail: beaconsurvey@mweb.co.za

13 January 2025

Ref: P10827BM-1

The Municipal Manager
Bitou Municipality

Att: Ms A. Sanchez Asensio

By AFLA Portal

PROPOSED SUBDIVISION - ERF 10827 PLETTENBERG BAY

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

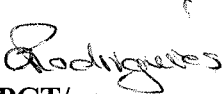
- 1) Motivation Report with Annexures.
- 2) Application form in terms of the Planning By-Law.

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

Yours faithfully

Beacon Survey

Per:



PGT/cr

HDRS ATTORNEYS INC
Suite 27 Mellville's Centre
Plettenberg Bay
6600

Prepared by me

T. de Vos
CONVEYANCER
TRINKA SARIE DE VOS

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 1 092 500 ⁰⁰	R. 1146 ⁰⁰
Reason for exemption	Category Exemption.....	Exemption i to. Sec/Reg..... Act/Proc.....

05-07

T 000010945 / 2020

DEED OF TRANSFER

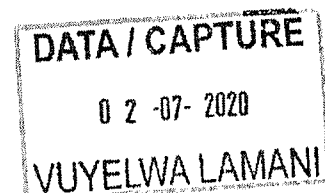
BE IT HEREBY MADE KNOWN THAT

DRISKE OLIVIER

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

DULANA VENTURES PROPRIETARY LIMITED
Registration Number 2005/008915/07

which said Power of Attorney was signed at PLETTENBERG BAY
on 20 FEBRUARY 2020



And the appearer declared that his/her said principal had, on 16 January 2020, 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:

BAIA FORMOSA TRADING 45 CC
Registration Number 2010/102177/23

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

ERF 10827 PLETTENBERG BAY
IN THE BITOU MUNICIPALITY, DIVISION OF KNYSNA
PROVINCE OF THE WESTERN CAPE

IN EXTENT 1817 (ONE THOUSAND EIGHT HUNDRED AND SEVENTEEN)
Square metres

FIRST REGISTERED by Certificate of Consolidated Title Number
T19965/2009 with Diagram S.G. Number 5933/2008 relating thereto and held
by Deed of Transfer Number T57907/2018.

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T10170/1926.
- B. SUBJECT FURTHER to or ENTITLED to the conditions mentioned in Deed of Transfer Number T277/1911 and T282/1911 which conditions relate to:
- (i) the use of certain water furrow through which water from the Piesang River is conveyed
 - (ii) Roads
 - (iii) Use of the fountain on Lot G
 - (iv) Use of the Krantz Kop fountain
 - (v) Use of the water from the Piesang River.
- C. ENTITLED by virtue of Notarial Deed of Servitude Number K750/1996 to a servitude right of way 6 metres wide parallel to and for the full length of the line D.a. on Diagram 8363/1970 annexed to Deed of Transfer Number T35111/1976 with additional rights to Portion 67 (portion of Portion 57) of the farm Brakkloof Number 443 held by Deed of Transfer T14689/1989. As contained in the endorsement dated 2 September in Deed of Transfer Number T36740/1984.
- D. SUBJECT FURTHER to the following condition contained in Certificate of Consolidated Title Number T19965/2009 imposed by the Developer at the instance of the Bitou Municipality in favour of Whale Rock Gardens Home Owners Association as a condition in terms of Section 42(1) of Ordinance 15 of 1985, namely:-

That the property shall not be transferred without the written consent of the Whale Rock Gardens Home Owners Association, of which the within transferee and the Transferee's successors in title to this property automatically shall become and remain a member.



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

DULANA VENTURES PROPRIETARY LIMITED
Registration Number 2005/008915/07

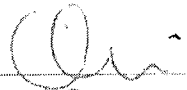
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

BAIA FORMOSA TRADING 45 CC
Registration Number 2010/102177/23

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 R1 092 500,00 (ONE MILLION NINETY TWO THOUSAND FIVE HUNDRED 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 25 MAR 2020



a.g.

In my presence



REGISTRAR OF DEEDS

BAYA FORMOSA TRADING 45 C.C.

RESOLUTION

Resolution passed at the meeting of the Shareholders / Partners / Trustees / Members held in PLETTENBERG BAY on the 28 day of AUGUST 2023.

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

DESCRIPTION OF PROPERTY:

ERF 10827 PLETTENBERG BAY

NATURE OF APPLICATION:

PROPOSED SUBDIVISION

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

[Signature] (GEORGINA LOUGHRAN-MOSTERT)
R. Loug (BASWITHA ERNA LOUGHRAN)
 ()
 ()
 ()
 ()

SPECIAL POWER OF ATTORNEY

I, the undersigned,

.....GEORGINA LOUGHRAN-MOSTERT.....

duly authorised, do hereby nominate, constitute and appoint **PHILIP GEORGE TEGGIN** of the firm **BEACON SURVEY**, Land surveyors, with power of substitution to be my lawful agent, in my name, place and stead to make application, as described below, to the relevant authorities and to sign all application forms, documents and other papers as may be required in such application.

DESCRIPTION OF PROPERTY:

ERF 10827 PLETTENBERG BAY

NATURE OF APPLICATION:

PROPOSED SUBDIVISION

SIGNED ATPLETTENBERG BAY.....

THIS28..... DAY OFAUGUST.....2023.

..........
OWNER/AUTHORISED AGENT

WITNESSES

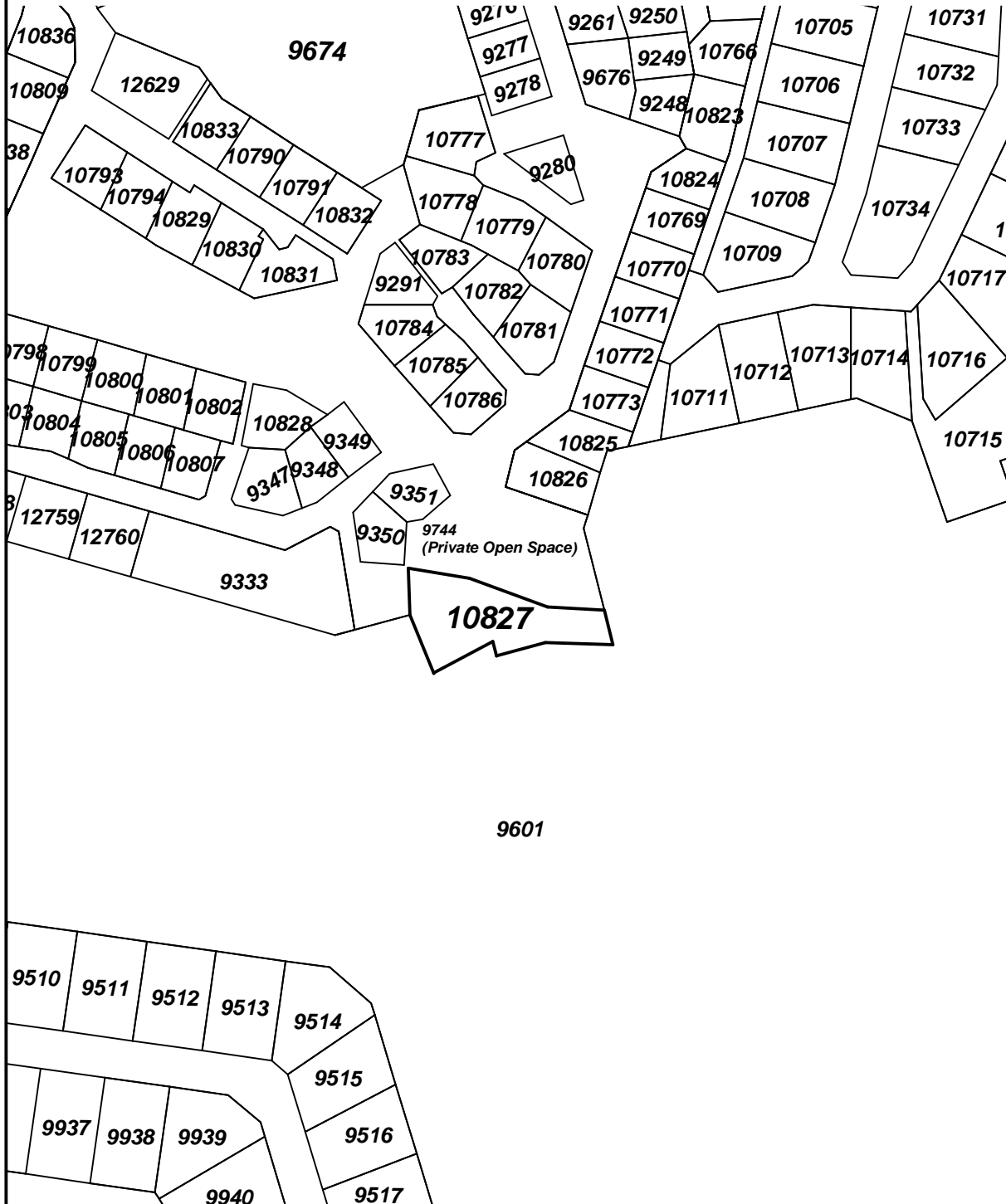
1.R. Loug.....

2.

LOCALITY PLAN
ERF 10827 PLETTENBERG BAY
situate in BITOU MUNICIPALITY
Administrative District of Knysna
Province of the Western Cape



SCALE 1:2500



Notes:

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

Beacon Survey

Professional Land Surveyors
 and Sectional Title Practitioners

103 Longships Drive P.O.Box 350 Plettenberg Bay

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

e-mail: beaconsurvey@mweb.co.za

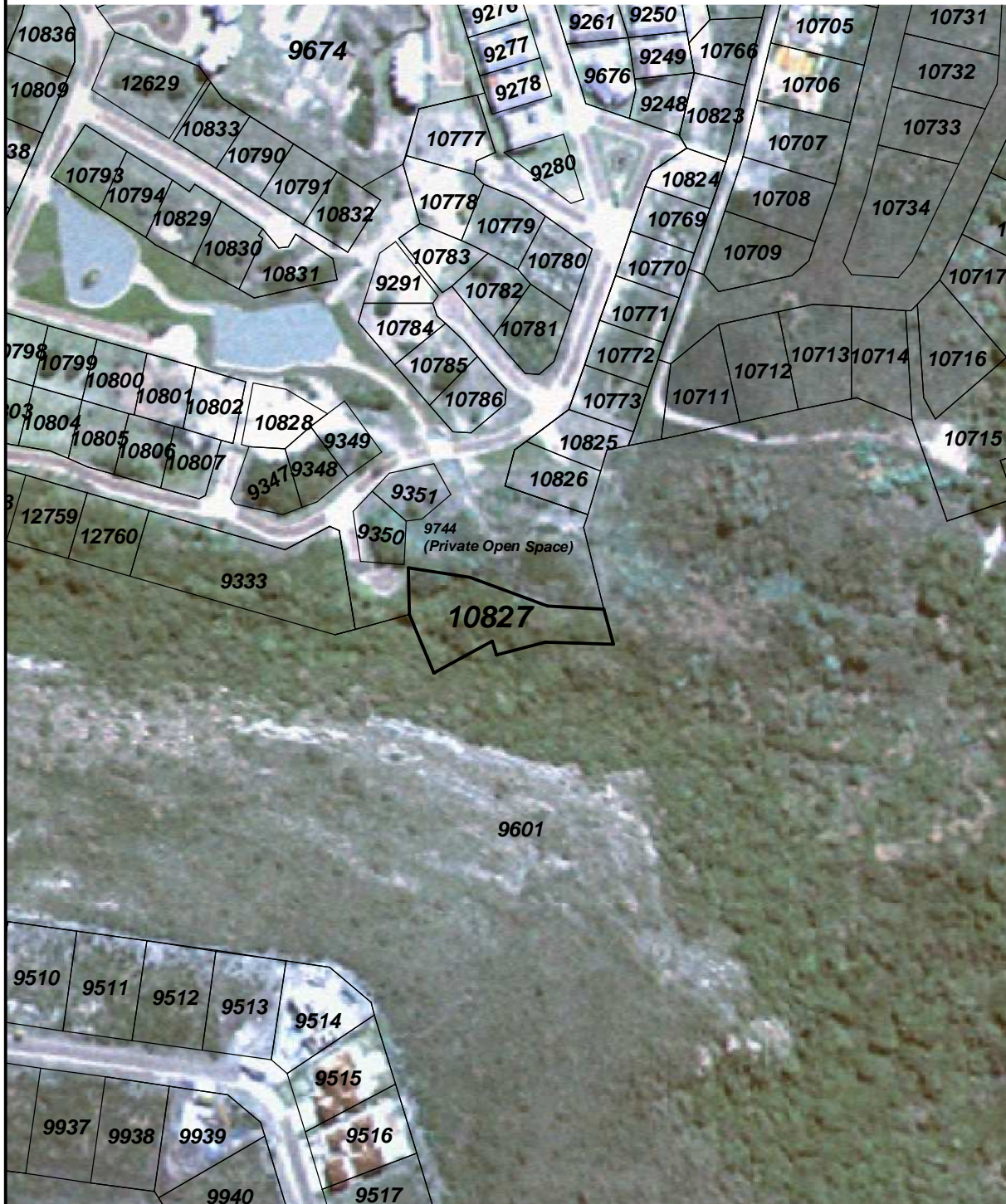
Date: May 2023

PLAN NO. P10827/LOC

**AERIAL PHOTOGRAPHY PLAN
ERF 10827 PLETTENBERG BAY
situate in BITOU MUNICIPALITY
Administrative District of Knysna
Province of the Western Cape**



SCALE 1:2500



Notes:

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

Beacon Survey

Professional Land Surveyors
and Sectional Title Practitioners

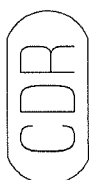
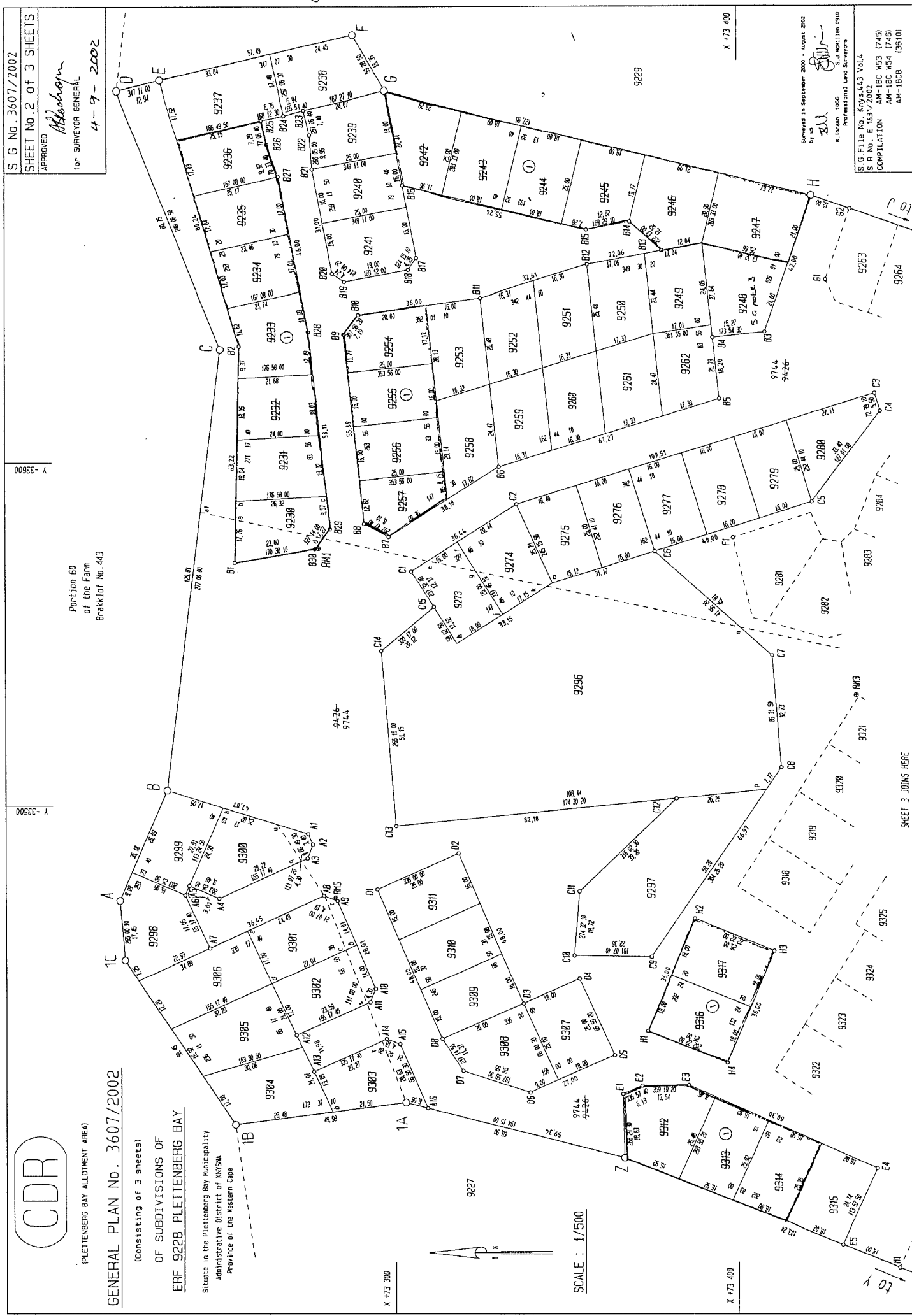
103 Longships Drive P.O.Box 350 Plettenberg Bay

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

e-mail: beaconsurvey@mw eb.co.za

Date: May 2023

PLAN NO. P10827/LOCIM



(PLETTENBERG BAY ALLOTMENT AREA)

GENERAL PLAN NO. 3607/2002

(Consisting of 3 sheets)

OF SUBDIVISIONS OF

ERF 9228 PLETTENBERG BAY

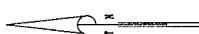
Situate in the Plettenberg Bay Municipality
Administrative District of NYSMA
Province of the Western Cape

Y - 33600

Portion 60
of the Farm
Brakklor No. 443

S G NO. 3607/2002
SHEET NO. 2 OF 3 SHEETS
APPROVED
for SURVEYOR GENERAL
4-9-2002

X +73 300



SCALE : 1/500

X +73 400

Surveyed in September 2000 - August 2002
by J. van der Merwe
K. Theron 1966
Professional Land Surveyors

S.G. File No. 3607/2002
S.P. No. E 1631/2002
COMPILATION
AM-18C M53 (745)
AM-18C M54 (746)
AM-18C (3610)

SHEET 3 JOINS HERE

9523

Public Place

X+7

9744

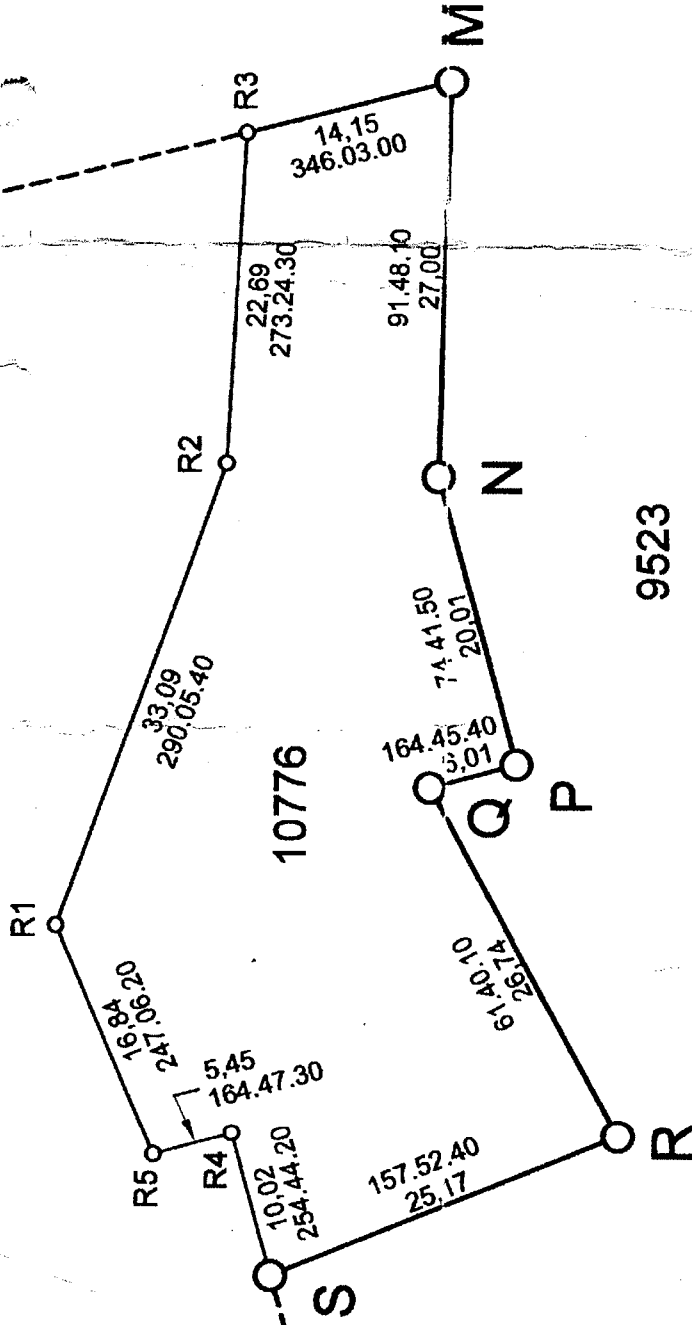
9350

10776

9523

Public Place

Y - 33 600



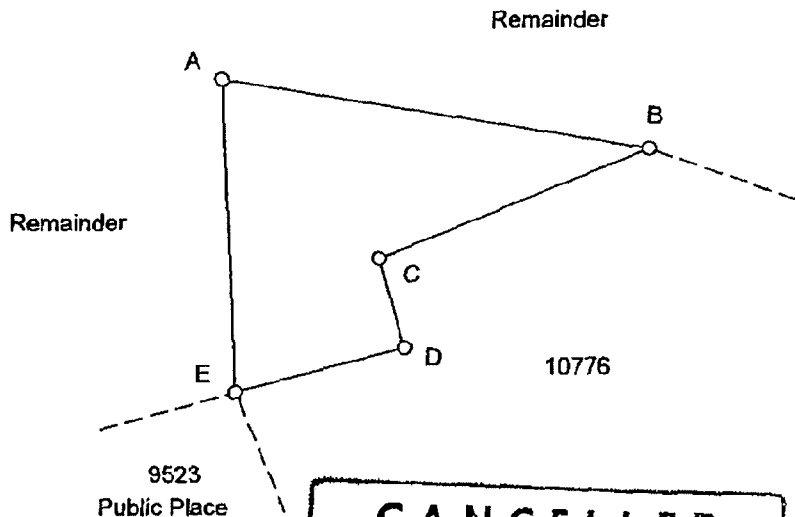
OFFICE COPY

S.J. McMillan
Professional Land Surveyor - Ref WRG

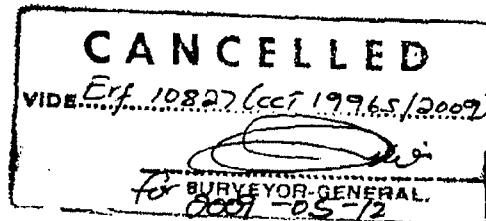
SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG 23° X		S.G. No. 5908/2008 APPROVED <i>S.J. McMillan</i> for Surveyor-General Date 2008.12.15
		Constants			
				+ 0,00 +3700000,00	
A B	24,78	279 35 40	A	-33550.16	+ 73586.95
B C	16,84	67 06 20	B	-33574.59	+ 73591.08
C D	5,45	344 47 30	C	-33559.08	+ 73597.63
D E	10,02	74 43 50	D	-33560.51	+ 73602.89
E A	18,59	177 53 10	E	-33550.84	+ 73605.53
(112)		KNYS 56	Δ	- 32280.94	+ 73866.88
(113)		KNYS 57	Δ	- 36858.07	+ 75311.70

Beacon Descriptions

A B E 12mm Iron peg
C D Not beaconed



SCALE 1:400



The figure A B C D E
represents 219 square metres of land, being

ERF 10740 (PORTION OF ERF 9744) PLETTENBERG BAY

Situate in the Bitou Municipality
Administrative District of Knysna
Province of Western Cape

Surveyed in July 2003 to August 2006
by me

S.J. McMillan
S.J. McMillan (PLS 0910)
Professional Land Surveyor

This diagram is annexed to
Deed of T 19964/2009
Number dated
l.f.o.

Registrar of Deeds

The original diagram
is S.G. No. 3282/2003
(filed as Plan 3282/2003)
annexed to
Deed of Transfer
No. 2004 - -969682.

File : Knys. 443 (Vol. 4)
SRE No. 2662/2008
Comp: AM-1BCB (3610)

General Plan No. 3607/2002
LPI C0390008

Erf 10740 Plettenberg Bay

FOR ENDORSEMENTS
SEE BACK OF DGM.

S

APPROVED SUBJECT TO SIMUL-
TANEOUS REGISTRATION OF
DIAGRAM 5933/2008
BEING Erf 10827

EXEMPT FROM PROVISIONS OF ACT
70 OF 1970
SECTION 1(c)

APPROVED IN TERMS OF SECT. 25
OF ORD. 15/1985
REF 18/8522/PB
DATE 2008-10-15

Components

1. The figure ABnmK represents Erf 10740 Plettenberg Bay,
vide S.G. Diagram No. 5908 /2008 annexed to D/T
2. The figure BCDEFGHJKmn represents Erf 10776 Plettenberg Bay,
vide Amending General Plan No. 5954 /2008

S.G. No.

5933/2008

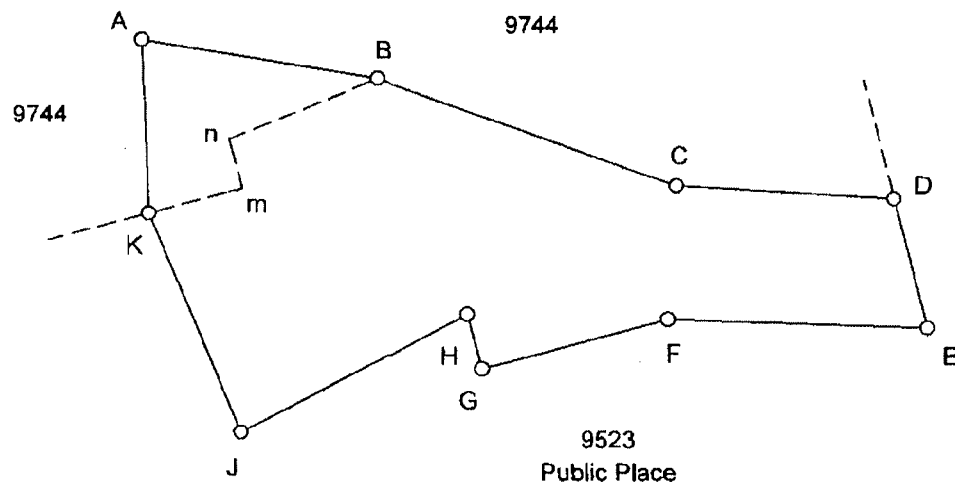
APPROVED

for

Surveyor-General

Date 2008.12.15

SCALE 1:750



The figure A B C D E F G H J K
represents 1817 square metres of land, being

ERF 10827 PLETTENBERG BAY (comprising the properties 1. and 2. above)

Situate in the Bitou Municipality
Administrative District of Knysna
Province of Western Cape

Compiled in August 2006
by me

S.J. McMillan (PLS 0910)
Professional Land Surveyor

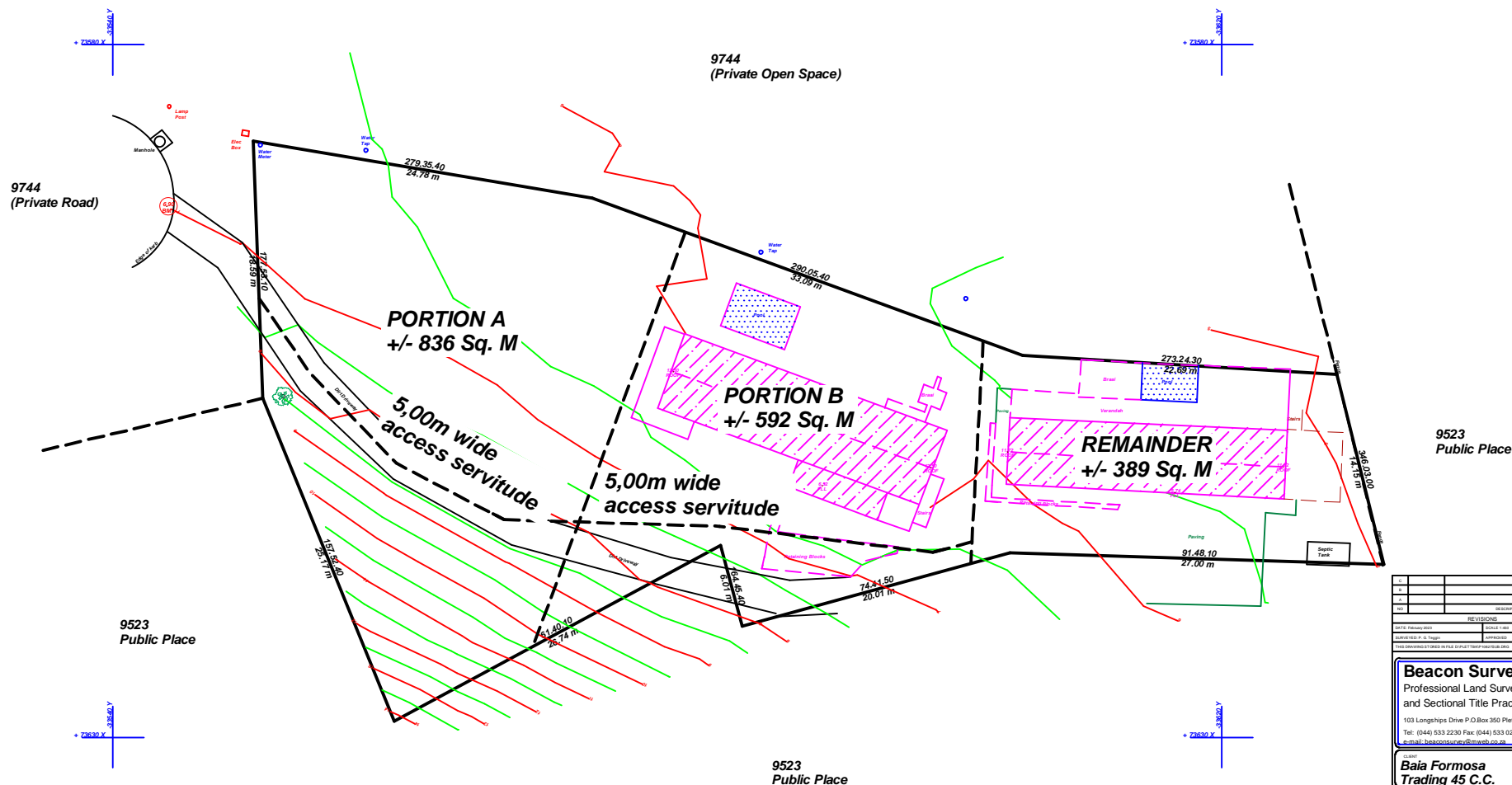
This diagram is annexed to
Deed of T 19965/2009
Number
dated
i.f.o.

Registrar of Deeds

The original diagrams
are as quoted above.

File: Knys. 443 (Vol.4)
SRE No. COMPILED
Comp: AM-1BCB (3610)
AM-1BC/W54 (746)
Amending GP No. 5954 / 2008
LP1 C0390008

Erf 10827 Plettenberg Bay



NOTES:
 1. HEIGHTS ARE ABOVE APPROXIMATE M.S.L.
 2. BENCHMARK - "BM" = 10M M IN PAVING, HEIGHT = 6.90M.

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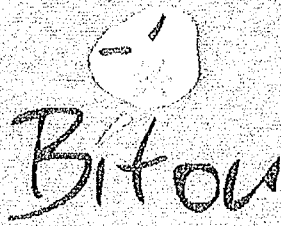
Beacon Survey
 Professional Land Surveyors
 and Sectional Title Practitioners
 103 Longships Drive P.O. Box 350 Plattenberg Bay
 Tel: (044) 533 2230 Fax: (044) 533 0264
 e-mail: beaconsurvey@web.co.za

Baia Formosa
 Trading 45 C.C.

ERF 10827
PLETTENBERG BAY

PROPOSED
SUBDIVISION PLAN

P10827SUB-1



to be the best together

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

Enquiries	Contact details	Fax Number	E-mail
Adel Stander	044 501 3321	0864573270	astander@plett.gov.za

File ref: 18/10827/PB

8 October 2018

Whale Rock Gardens (Pty) Ltd
15446, Emerald Hill
PORT ELIZABETH
6011

Dear Sir

PROPOSED APPROVAL OF AMENDED SITE DEVELOPMENT PLAN, ERF 10827, WHALE ROCK GARDENS, PLETTENBERG BAY, BITOU MUNICIPALITY

The Senior Manager: Town Planning made the following decision on 02/10/2018:

That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:

1. The approval of the amended Site Development Plan (Plan Nr.10827 - SDP, dated September 2018, drawn by Marc Crocker).

Conditions in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015)

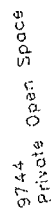
1. That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from council;

Reasons for decision:

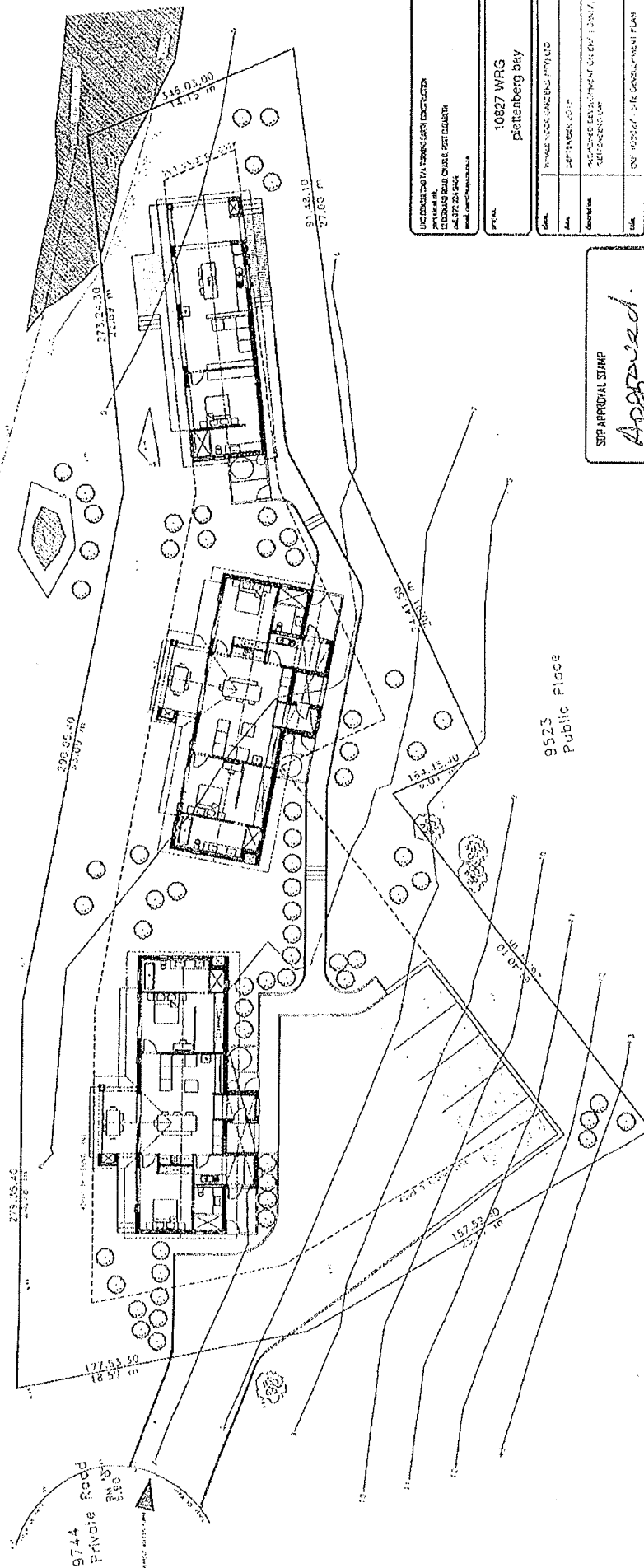
- The approval of the SDP give effect to a condition of approval issued with the approval of Whale Rock Gardens.
- No surrounding property owners will be affected.
- The emended plan involve a reduction in the number of units.

Yours faithfully

David Friedman
Director: Economic Development and Planning



9744 Open Space




UNIVERSITY OF CALIFORNIA, LOS ANGELES
GREEN AREA

WHALE POOD GARDENS

GENERAL RESIDENTIAL
ERF 10827

DRUGS IN ALBERTA

Approved:  2/10/2018
Manager: Planning

SIZE OF LOT: 1817 m²
 AREA OF PROPOSED DWELLINGS: 320 m²
 PROPOSED COVERAGE % : 18.16%
 COVERAGE PERMITTED % : 50%
 BUILDING LINES: STREET FRONTAGE - 4.5m
 BUILDING LINES: SIDE AND REAR - 4.5m
 HEIGHT OF BUILDING : UNDER 9m

1000 BROADWAY, 17th FLOOR, NEW YORK, N.Y. 10019
Tel: 212 675 1234
Fax: 212 675 1234

10827 WRG
Piettenberg bay

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1992

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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Turn Construction
TURNING EARTH
CONSTRUCTION

Mary Christopher Greider
SACAP REG. NO. - ST 1723

G

WHALE ROCK GARDENS HOMEOWNERS
ASSOCIATION

P.O. Box 1743, Plettenberg Bay, 6600
044-533-3008 (Ph) 044-533-3002 (Fx)

8th September, 2023

The Municipal Manager
Bitou Municipality
PLETTENBERG BAY
6600

Dear Sirs,

PROPOSED SUBDIVISION OF ERF 10827 PLETTENBERG BAY

We hereby confirm the following:

- 1) The Locality Plan, Diagram, Motivation Report and Proposed Subdivision Plan were circulated to all of our members.
- 2) The proposal was discussed at our recent Annual General Meeting.
- 3) No objections to the proposal were received from our members.
- 4) The proposed subdivision was supported at the AGM.

Yours faithfully,



J.R. GERHARD (MRS)
MANAGING AGENT – HOLIDAY PLETT

MOTIVATION REPORT

PROPOSED SUBDIVISION ERF 10827 PLETTENBERG BAY

1. THE PROPERTY

Erf 10827 Plettenberg Bay is 1817 square metres in extent.

The property originally comprised of Erven 10740 & 10776 Plettenberg Bay.

Erf 10827 Plettenberg Bay is zoned General Residential. The current land use is residential. The site development plan showing three dwellings has been approved.

2. PROPOSAL

The following application is being made:

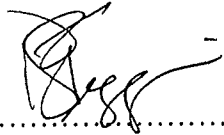
Subdivision of Erf 10827 Plettenberg Bay into Portion A of +/- 836, Portion B of +/- 592 and a Remainder of +/-389 square meters.

3. EFFECTS ON NEIGHBOURS

We submit that there will be no negative effect on the neighbours.

All three of the units will have separate services connections and will each pay a separate HOA levy.

The proposed subdivision will have a positive benefit for the HOA because of the two extra levies.

SIGNED:

P.G. TEGGIN

For Beacon Survey

DATED: May 2023