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Municipal Notice No: 135/2025

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

**BITOU MUNICIPALITY (WC047)
 NOTICE NUMBER: 135/2025**

Property description/ Grondbeskrywing/ Inkcazo yepropati	Type of Application/Aansoek/ Uhlobo lweSicelo
Portion 9 of the Farm 421	<ul style="list-style-type: none"> A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a “tourist facility” to allow for a ‘restaurant’ and ‘gift shop’. A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a “tourist facility” to allow for a ‘recreational facility’ (Zorb Ball). A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 to allow for 2x additional dwelling units. Permanent Departures in terms of Section 15(2)(b) of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) for the relaxation of: <ul style="list-style-type: none"> ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 30.5\text{m}^2$); ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 97.9\text{m}^2$); ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$); ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$); ✓ The eastern lateral building line from 30m to 22.3m to allow the proposed additional dwelling ($\pm 87.4\text{m}^2$); ✓ The eastern lateral building line from 30m to 11.1m to allow the proposed farm manager house ($\pm 199.3\text{m}^2$); and ✓ The western lateral building line from 30m to 11.1m to allow the existing main dwelling ($\pm 217.7\text{m}^2$).
Gedeelte 9 van die plaas 421	<ul style="list-style-type: none"> 'n Toestemmingsgebruik ingevolge Artikel 15(2)(o) van die Bitou Munisipaliteit: Verordening op Munisipale Grondgebruikbeplanning (2015) op Gedeelte 9 van die Plaas No 421 vir 'n "toeristefasiliteit" om voorsiening te maak vir 'n 'restaurant' en 'geskenkwinkel'. 'n Toestemmingsgebruik ingevolge Artikel 15(2)(o) van die Bitou Munisipaliteit: Verordening op Munisipale Grondgebruikbeplanning (2015) op Gedeelte 9 van die Plaas No 421 vir 'n "toeristefasiliteit" om voorsiening te maak vir 'n 'ontspanningsfasiliteit' (Zorb Ball). 'n Toestemmingsgebruik ingevolge Artikel 15(2)(o) van die Bitou Munisipaliteit: Verordening op Munisipale Grondgebruikbeplanning (2015) op Gedeelte 9 van die Plaas No 421 om voorsiening te maak vir 2x addisionele wooneenhede. Permanente Afwykings ingevolge Artikel 15(2)(b) van die Bitou Munisipaliteit: Verordening op Munisipale Grondgebruikbeplanning (2015) vir die verslapping van: <ul style="list-style-type: none"> ✓ Die oostelike laterale boulyn van 30 m tot 20,6 m om voorsiening te maak vir die as-gebooue landbouwerkers se akkommodasie ($\pm 30,5\text{ m}^2$); ✓ Die oostelike laterale boulyn van 30 m tot 20,6 m om voorsiening te maak vir die as-gebooue landbouwerkers se akkommodasie ($\pm 97,9\text{ m}^2$); ✓ Die oostelike laterale boulyn van 30 m tot 20,6 m om voorsiening te maak vir die as-gebooue stoorkamer ($\pm 5,3\text{ m}^2$); ✓ Die oostelike laterale boulyn van 30 m tot 20,6 m om voorsiening te maak vir die as-gebooue stoorkamer ($\pm 5,3\text{ m}^2$); ✓ Die oostelike laterale boulyn van 30 m tot 22,3 m om die voorgestelde addisionele woning ($\pm 87,4\text{ m}^2$) moontlik te maak; ✓ Die oostelike laterale boulyn van 30 m tot 11,1 m om die voorgestelde plaasbestuurderhuis ($\pm 199,3\text{ m}^2$) moontlik te maak; En ✓ Die westelike laterale boulyn van 30 m tot 11,1 m om die bestaande hoofwoning ($\pm 217,7\text{ m}^2$) moontlik te maak.

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 mazisiwe okanye zithunyelwe nge-imeyile apha townplanning@plett.gov.za zingadlulanga iintsuku ezingama-30 ukususela kumhla wokupapashwa kwesi saziso, kwaye mazibandakanye igama neenkcukacha zoqhagamshelwano zaloo mntu uchaphazelekayo.

Mr. Mbulelo Memani
MUNICIPAL MANAGER
 Bitou Local Municipality

Customer Care: 0800 212 797 (Toll-Free)

Emergency Services: 044 533 5000

www.bitou.gov.za - communications@plett.gov.za



Enquiries
Olwethu Yonke

Contact details
044 501 3317

E-mail
townplanning@plett.gov.za

Our ref: 18/9/421

07 April 2025

Sir/Madam

PROPOSED CONSENT USE AND PERMANENT DEPARTURE FOR PORTION 9 OF THE FARM 421, BITOU MUNICIPALITY

Applicant: Marike Vreken Urban & Environmental Planners

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:

- A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a “tourist facility” to allow for a ‘restaurant’ and ‘gift shop’.
- A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a “tourist facility” to allow for a ‘recreational facility’ (Zorb Ball).
- A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 to allow for 2x additional dwelling units.
- Permanent Departures in terms of Section 15(2)(b) of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) for the relaxation of:
 - ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 30.5\text{m}^2$);
 - ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 97.9\text{m}^2$);
 - ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
 - ✓ The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
 - ✓ The eastern lateral building line from 30m to 22.3m to allow the proposed additional dwelling ($\pm 87.4\text{m}^2$);
 - ✓ The eastern lateral building line from 30m to 11.1m to allow the proposed farm manager house ($\pm 199.3\text{m}^2$); and
 - ✓ The western lateral building line from 30m to 11.1m to allow the existing main dwelling ($\pm 217.7\text{m}^2$).

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

DRAFT

PORTION 9 OF THE FARM NO 421

APPLICATION FOR:

CONSENT USE & PERMANENT DEPARTURE



CLIENT: FARMACRES 13 (PROPRIETARY) LIMITED
PREPARED BY: MARIKE VREKEN URBAN & ENVIRONMENTAL PLANNERS



DECEMBER 2024

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- ANNEXURE B.** Power of Attorney & Company Resolution dated 27 August 2024
- ANNEXURE C.** Application Form dated 13 December 2024
- ANNEXURE D.** Title Deed (T83187/2002)
- ANNEXURE E.** SG Diagram No. 6518/58
- ANNEXURE F.** Email from Building Control dated 13 November 2024

(III) PLANS

- PLAN 1.** Locality Plan
- PLAN 2.** Site Development Plan
- PLAN 3.** Land Use Plan

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SECTION A :

BACKGROUND

1. BACKGROUND

Portion 9 of the Farm No 421 is currently zoned "Agricultural Zone I", in terms of the Bitou Zoning Scheme by-Law (2023), and is 21.4133 Ha in extent. The property is located along the N2 Highway in Harkerville between Plettenberg Bay and Knysna.



FIGURE 1: PORTION 9 OF THE FARM NO 421

The property currently is mostly vacant and has a few existing structures which include a dwelling house, a few outbuildings, storage, worker's accommodation and areas where foundations are found due to the fires in 2017.

The landowners wish to apply for a tourist facility to allow for a new tourist attraction on the subject property known as "Zorb Ball or Zorbing". Due to the slopes and topography of the property, an earmarked area has been identified which is suitable for the proposed tourist attraction on the farm. The owners also wish to include a restaurant and reception area for the people visiting the farm, also would include a gift shop/farm shop.

The owners also wish to construct a new building on the existing foundation of the previously burnt building. This will include agricultural worker's accommodation as well as a farm manager's house. The owners want to maintain the agricultural function of the property by continuing with

agricultural practices such as nut farming, vegetable gardens and the upkeep of the forest areas on the farm.

There are existing structures on the property that are located within the prescribed northern lateral building line. These structures were already existing structures when the property was bought by the current owner and there are not any approved building plans on record. All the structures located within the prescribed building lines of the property must be legalised.

A completed pre-application form was sent to Bitou Municipality's Town Planning Department via email dated 18 September 2024. Bitou Municipality confirmed that there are no "red flags" or special requirements for this application and that a formal Pre-Application Consultation meeting is not necessary. (Refer to **ANNEXURE A**).

To allow the existing structure on the property and the proposed land uses, an application must be made for a permanent departure in terms of Section 15(2)(b) and a consent use in terms of Section 15(2)(m).

2. THE APPLICATION

Marika Vreken Urban and Environmental Planners have been appointed by **FARMACRES 13(PROPRIETARY) LIMITED** (refer to **ANNEXURE B** *Power of Attorney* & Company Resolution and **ANNEXURE C**: *Application Form*) to prepare and submit the required application documentation for:

- (i) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for a 'restaurant' and 'gift shop'.
- (ii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for a 'recreational facility' (Zorb Ball).
- (iii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 to allow for 2x additional dwelling units.
- (iv) Permanent Departures in terms of Section 15(2)(b) of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) for the relaxation of:
 - [a] The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 30.5\text{m}^2$);
 - [b] The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 97.9\text{m}^2$);
 - [c] The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);

- [d] The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
- [e] The eastern lateral building line from 30m to 22.3m to allow the proposed additional dwelling ($\pm 87.4\text{m}^2$);
- [f] The eastern lateral building line from 30m to 11.1m to allow the proposed farm manager house ($\pm 199.3\text{m}^2$); and
- [g] The western lateral building line from 30m to 11.1m to allow the existing main dwelling ($\pm 217.7\text{m}^2$).

3. PROPERTY DESCRIPTION, SIZE & OWNERSHIP

A copy of the Title Deed (T83187/2002) that includes the information outlined below is contained in **ANNEXURE D**. A copy of the SG Diagram (SG No. 6518/58) of the property is included in **ANNEXURE E**.

Title Deed Number: T83187/2002

Title Deed Description: Portion 9 (a portion of portion 3) of Farm 421, in the Municipality of Plettenberg Bay, Division of Knysna, in the Province of the Western Cape.

Property Owner Farmacres 13 (Proprietary) Limited

Title Deed Restrictions: *... "Condition C(b): Not more than one dwelling house, together with such outbuildings are ordinarily required to be used in connection therewith, shall be erected on the land except with the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read conjunction with Act No. 44 of 1948.*

Condition C(c) The land shall be used for residential and agricultural purposes only and no store or place of business or industry whatsoever may be opened or conducted on the land without the written approval of the National Transport Commission as Controlling Authority as defined in Act 21 no. 21 of 1940, read in conjunction with Act no. 44 of 1948.

Condition(d): No building or any structure whatsoever shall be erected within a distance of 94.46 metres from the centre line of the national road, without the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948"...

This is not conditions that restricts any development, but the approval from the National Roads Authority will have to be acquired.

PORTION 9 OF THE FARM NO. 421: CONSENT USE & PERMANENT DEPARTURE

Bonds: None

Property Size: 24.4133 (Twenty-one comma four one three three) ha

Servitudes: There are no servitudes registered over the application area.

SECTION B : DEVELOPMENT PROPOSAL

4. DEVELOPMENT SPECIFICATIONS

4.1. Proposed Development

(*Plan 2: Site Development Plan*)

The landowners wish to apply for a tourist facility to allow for a new tourist attraction on the subject property known as "Zorb Ball or Zorbing". Due to the slopes and topography of the property, an area has been identified which is suitable for the proposed tourist attraction on the farm. The owners also wish to include a restaurant and reception area for the people visiting the farm, also would include a gift shop.

The owners also wish to construct a new building on the existing foundation of the previously burnt building. This will include agricultural worker's accommodation as well as a farm manager's house. The owners want to maintain the agricultural function of the property by continuing with agricultural practices such as nut farming, vegetable gardens, etc.

The figure below illustrates the proposed Site Development Plan (SDP):



FIGURE 2: SITE DEVELOPMENT PLAN

4.1.1. Restaurant & Gift Shop

The owner envisages to construct a restaurant as part of the tourist facility. This will allow the tourist to grab a quick snack in between the tourist activities. The restaurant

will have a footprint of $\pm 270\text{m}^2$ and will cater for ± 40 people. It merely accommodates the people / tourists that partake in the "Zorbing" activity.

A small section of the restaurant will be used as a gift. This will allow the owners to sell some local produce from their farm and possibly from the surrounding farmers (for example: chutneys, arts and crafts, tourism merchandise, etc). The shop will cover $\pm 30\text{m}^2$ of the building.

The restaurant will be able to accommodate ± 40 people which is merely to accommodate the amount of people that will part take in the recreational attraction (Zorb Ball). The seating will be outside (open seating) and the owner will make provision for seating inside the building if it should rain. The restaurant will operate during the hours from 07h30 – 17h30 in winter and from 07h30 -19h00 in summer (subject to change).

4.1.2. Recreational Facility (Zorbing Ball)

The owners want to obtain the land use rights for a recreational facility to allow for an adventurist tourist experience known as Zorb Ball. Zorbing is the sport of rolling down a hill inside a giant inflatable ball. Zorb balls are designed to be durable and withstand rough terrain. It will be a great tourist attraction in the areas of Harkerville and Plettenberg Bay. The area proposed for this tourist attraction is on a steep hill that has already been disturbed.

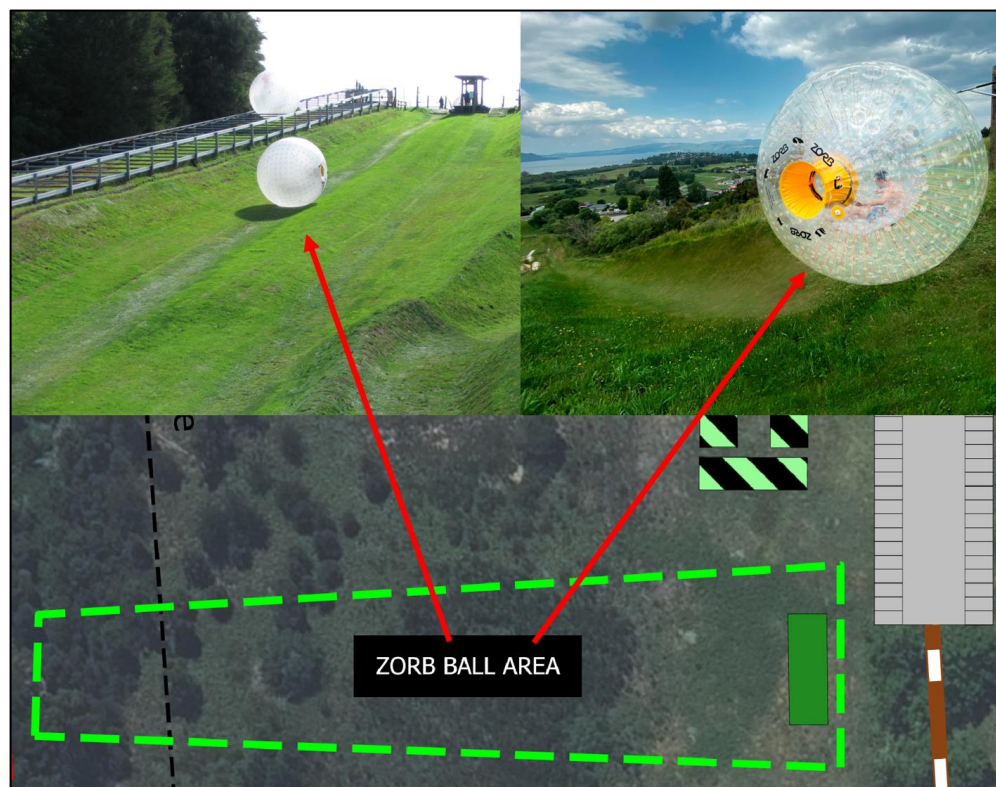


FIGURE 3: PROPOSED RECREATIONAL FACILITY

4.1.3. Additional Dwelling Unit

There is currently 1x existing dwelling unit on the subject property that comply with the development parameters of the Bitou Zoning Scheme Bylaw (2023). The owners envisage constructing a new additional dwelling unit where one of the buildings previously burnt in the 2017 fires. The foundation (disturbed footprint) of $\pm 87\text{m}^2$ is located within the prescribed building line of the property. The owners want to legalise the existing additional dwelling unit ($\pm 65\text{m}^2$) and construct an additional on the existing footprint of the foundation that is located on the property. The existing additional dwelling unit has a footprint of $\pm 100\text{m}^2$ and the proposed additional dwelling will have an extent of $\pm 87\text{m}^2$.

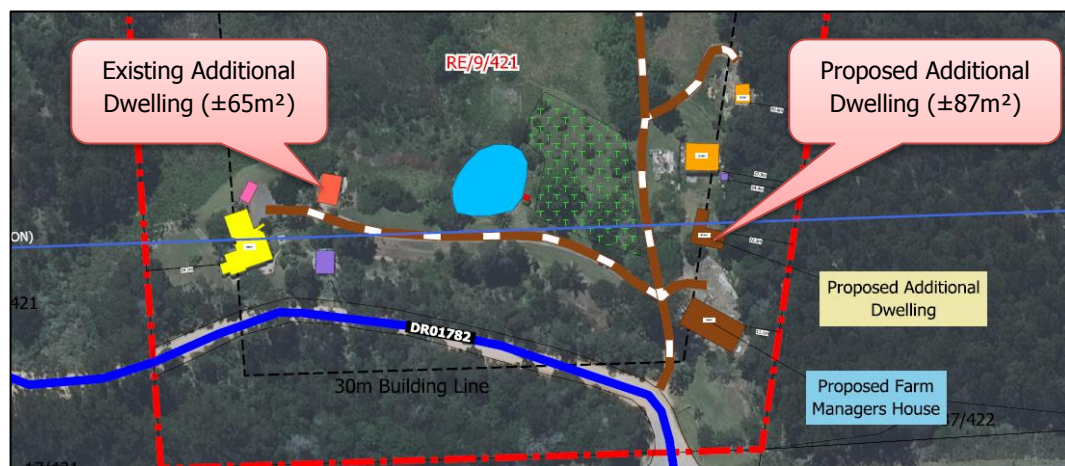


FIGURE 4: EXTRACT - SDP

4.1.4. Access

Vehicular access to the application area is currently obtained along the southern property boundary, via the DR01782, which is a consolidated access road providing access to a number of farms north of the application area. This divisional road connects directly with the N2 Highway to the south.

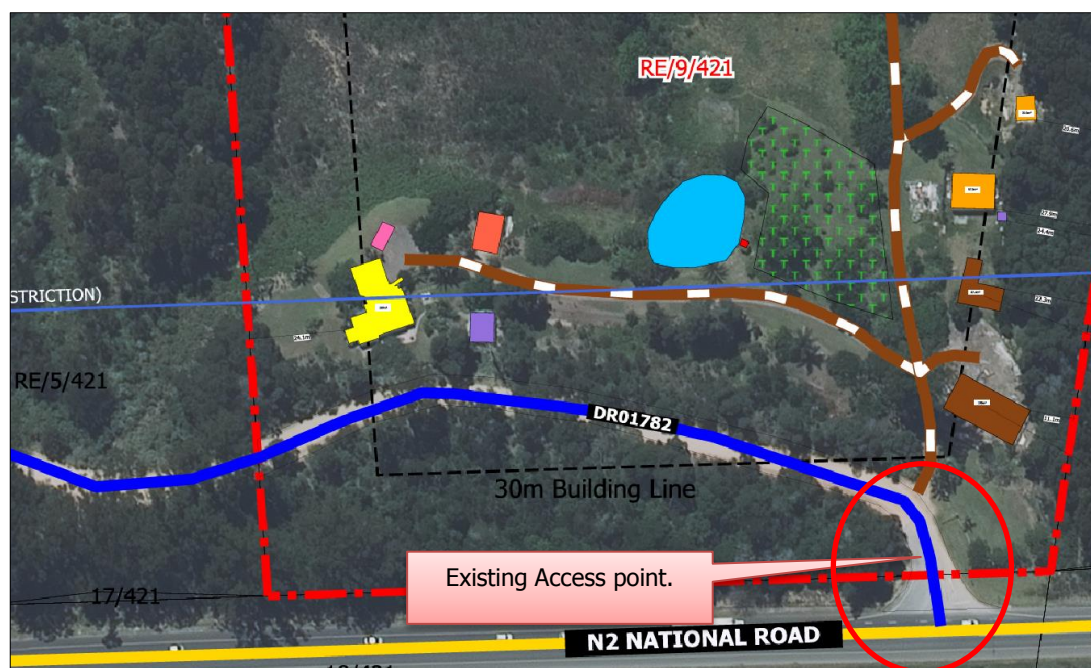


FIGURE 5: ACCESS

4.1.5. Parking

In terms of the Bitou Zoning Scheme By-Law (2023), the following parking requirements are stipulated for the following land uses:

LAND USE	CAPACITY	MINIMUM REQUIREMENTS	PARKING REQUIRED	Provision	Compliance
Tourist Facilities (Restaurant & Gift shop)	±40 people	4x bays per 100 m ² GLA	restaurant & shop = 270m ² 11x Parking bays	15X Parking Bays	Comply
Recreational Facility	Ancillary with the restaurant	No minimum requirement in the Zoning Scheme	No minimum requirement in the Zoning Scheme	19x Parking Bays	Comply
Total Parking Bays			10x Parking Bays	34X Combined Parking Bays	Comply

The Site Development Plan shows that 34x parking bays can easily be provided on the application area. Hence, ample parking is provided for the proposed land uses.

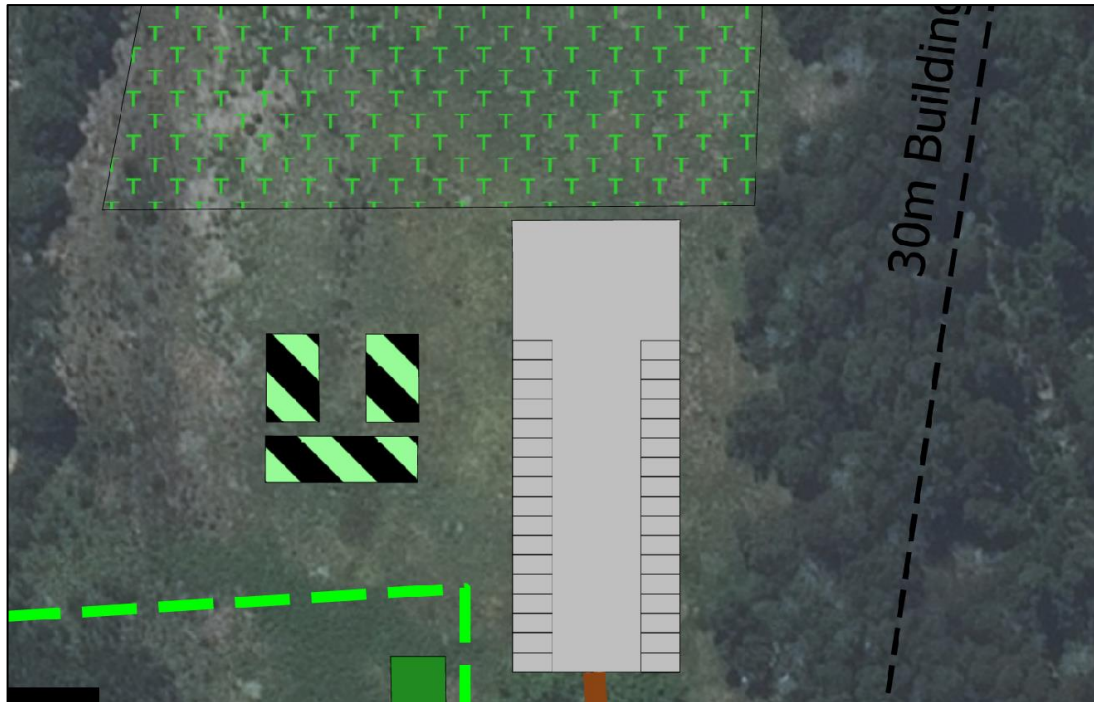


FIGURE 6: EXTRACT – SDP (PARKING)

5. STATUTORY APPLICATIONS

The following land development applications are lodged in terms of the Bitou Municipality Bylaw on Municipal Land Use Planning (2015) to achieve the desired outcome.

5.1. Consent Use

Portion 9 of the Farm No 421 is zoned "Agricultural Zone I" in terms of the Bitou Zoning Scheme Bylaw (2023). The proposed rights for a tourist facility are allowed as a consent use on a property zoned "Agricultural Zone I". Includes the following:

"tourist facilities" means amenities for tourists or visitors and—
 (a) shall inter alia include lecture rooms, restaurants, gift shops, restrooms, and recreational facilities; but
 (b) does not include an off-road trail, wellness centre or accommodation facilities for tourists or holiday makers.

A 'Restaurant' and 'recreational facilities' are permitted under a tourist facility and include the following:

"restaurant" means a commercial establishment where meals and refreshments are prepared and/or served to paying customers primarily for consumption on the property, and may include licensed provision of alcoholic beverages for consumption on the property, and the sale of food for consumption off the property (take-aways).

The proposed rights for additional dwellings are allowed as a consent use on a property zoned "Agricultural Zone I". Includes the following:

"additional dwelling unit" is a dwelling unit that may be erected on an agricultural land unit with the consent of the Municipality, in addition to a primary dwelling house or agricultural worker accommodation for bona fide agricultural workers, or both, provided that—

(a) additional dwelling units can be allowed at the following ratio:

Area of land unit (in ha)	No of unit/s
< 10	1
≥ 10 < 20	2
≥ 20 < 30	3
≥ 30 < 40	4
≥ 40	5

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

To allow for the proposed land uses on Portion 9 of the farm 421 the following applications are lodged:

- (i) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2023) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for a 'restaurant'.
- (ii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2023) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for 'recreational facilities'.
- (iii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2023) on Portion 9 of the Farm No 421 to allow for 2x additional dwelling units.

5.2. Permanent Departure

The Bitou Zoning Scheme Bylaw (2023) prescribed the following building line parameters for an "Agriculture Zone I" property: *Area of land unit (in ha) ≥ 4 is subject to a 30m building line. There are existing structures / buildings located within the prescribed building lines. There are existing foundations of buildings that burned in the 2017 fires located within the building, which the owners want to reconstruct.*

Application is therefore made in terms of Section 15(2)(b) of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015), for a permanent departure to allow for the relaxation of:

- The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural worker's accommodation ($\pm 30.5\text{m}^2$);
- The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural worker's accommodation ($\pm 97.9\text{m}^2$);

- The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
- The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
- The eastern lateral building line from 30m to 22.3m to allow the proposed additional dwelling ($\pm 87.4\text{m}^2$);
- The eastern lateral building line from 30m to 11.1m to allow the proposed farm manager house ($\pm 199.3\text{m}^2$); and
- The western lateral building line from 30m to 11.1m to allow the existing main dwelling ($\pm 217.7\text{m}^2$);

5.3. Bitou Municipality Zoning Scheme By-law (2023).

The Bitou Municipality Zoning Scheme By-Law (2023) sets out certain development parameters for 'Agriculture Zone I' that need to be adhered to:

DEVELOPMENT PARAMETERS		COMPLIANCE
Primary Use: Agriculture	Agriculture	Comply
	Tourist Facilities (restaurant, gift shop & recreational facility)	Consent Use
	Additional Dwelling Units	Consent Use
Building lines	Street Building Line (southern) 30m	Comply
	Side Building Line (eastern)	Departure 2x workers accommodation 1x storeroom 1x additional dwelling unit (proposed) 1x farm manager's house (proposed)
	Side Building Line (western)	Departure 1x Main Dwelling
	Rear Building Line (northern)	Comply

DEVELOPMENT PARAMETERS		COMPLIANCE
Height	(i) The height of a dwelling house may not exceed 8,5 metres. (ii) Agricultural buildings other than dwelling houses may not exceed a height of 15 metres (iii) Earth banks and retaining structures that are in the opinion of the Municipality associated with bona fide agricultural activities are exempt from the general provisions in this regard in this By-law.	All building is <8.5m in height Comply
Restaurant	Development parameters applicable to the primary use	Comply
Recreational Facility (Zorb Ball)	No development parameters in the Zoning Scheme Bylaw for the intended use	Comply
Gift shop	No development parameters in the Zoning Scheme Bylaw for the intended use	Comply
Additional Dwelling	<ul style="list-style-type: none"> - a dwelling permanently occupied by a person engaged in bona fide agricultural activities on the land unit is not regarded as an additional dwelling unit; - the total floor space of an additional dwelling unit including the floor space in all ancillary buildings to the additional dwelling, shall be as permitted by the Municipality; - an additional dwelling unit that is a separate structure to a dwelling house may not exceed a height of 6,5 metres and shall be designed in harmony with the main dwelling unit; - an additional dwelling unit that is contained within the same building as a dwelling house must be designed so that the building appears to be a single dwelling house; provided that both units may have a ground floor, or one unit may be on the ground floor and the other unit above; - the existence of an additional dwelling unit may not in itself be enough reason for the Municipality to grant an application in terms of the Planning By-law to subdivide the land unit containing the dwelling units; and - The Municipality must be satisfied that services required for the additional unit are available. 	Comply

DEVELOPMENT PARAMETERS		COMPLIANCE
Parking	Restaurant: 4x parking bays per 100m ² GLA Gift shop: 4x parking bays per 100m ² GLA Recreational Facility: No parking parameters in the Zoning Scheme Bylaw for the intended use	34x on-site parking bays provided. There is more than sufficient space for additional parking if necessary. Comply
Site Access and Exit	Combined entrance and exit ways: Minimum width: 5m Maximum width: 8m	7m combined entrance Comply

6. SERVICES INFRASTRUCTURE

The application area currently uses solar panels and self-sustainable methods such as rainwater harvesting, boreholes, solar energy and septic tanks to ensure there is sufficient basic infrastructure on the site and is not connected to any municipal services. The primary use on the property is for agriculture and there are existing dams and irrigation structures existing the property that is sufficient for the agricultural practises on the property. The restaurant will make minimal use of the existing infrastructure services (water, electricity, sewerage) on the property. The proposed development will not have any impact whatsoever on the existing services infrastructure capacity of Bitou Municipality.

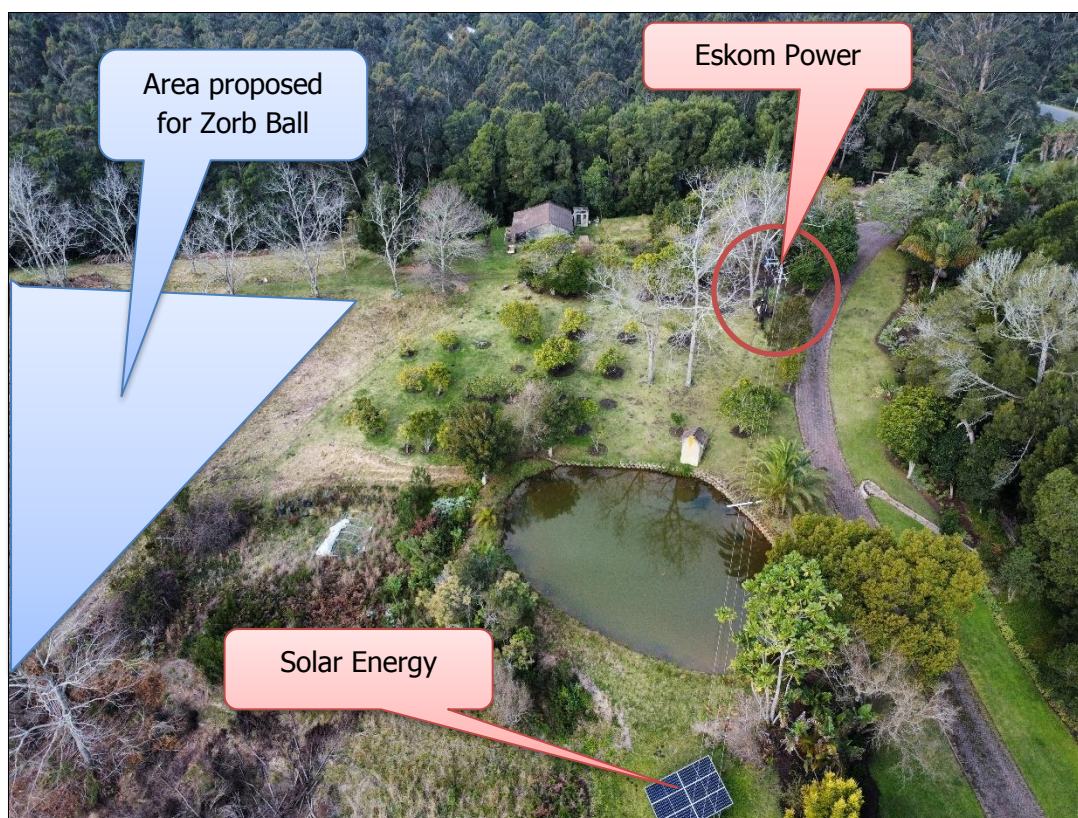
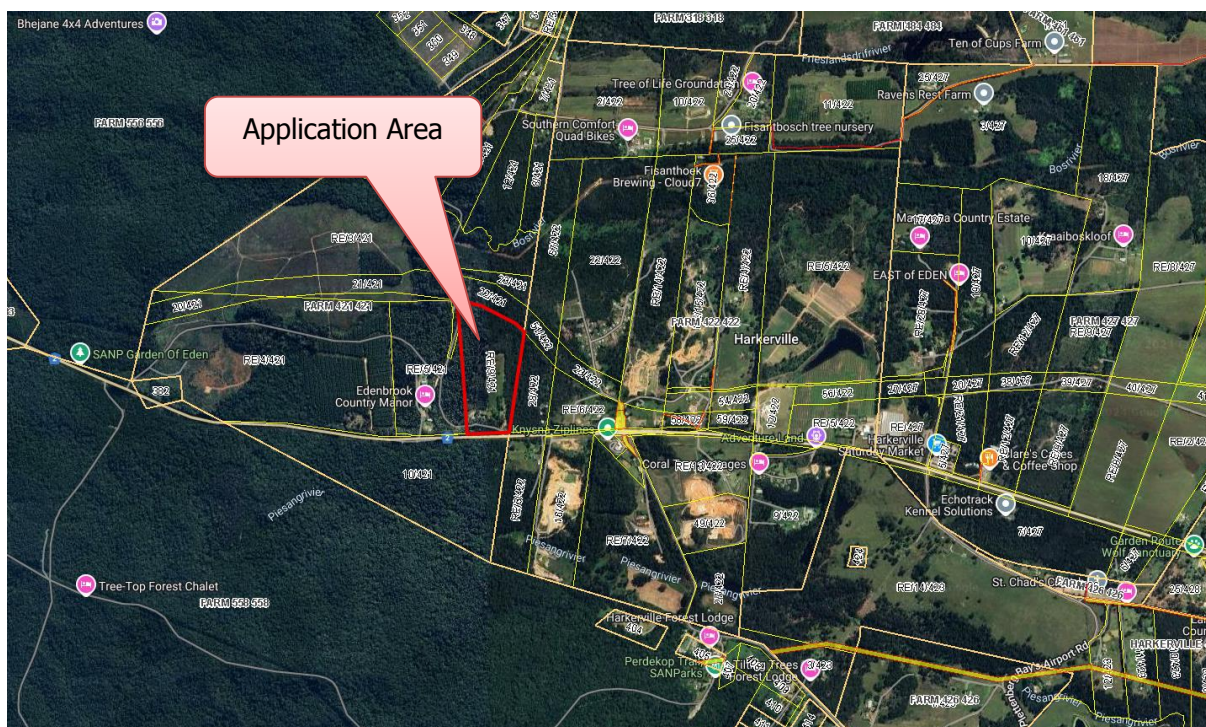


FIGURE 7: EXISTING INFRASTRUCTURE SERVICES

SECTION C :**CONTEXTUAL INFORMANTS****7. LOCALITY***(Plan 1: Locality Plan)*

The property is located along the N2 between Plettenberg Bay and Knysna in Harkerville. The application area is situated directly north of N2 Nation Road and obtains access via a Divisional road (DR01782) directly from the N2. The application is approximately ±580m west of the Harkerville Sasol Garage and directly east of Edenbrook Country Manor.

The GPS coordinates for the centre of the properties are 34° 2'11.47"S and 23°13'10.25"E.

**FIGURE 8: LOCALITY****8. CURRENT LAND USE & ZONING****8.1. Land Use**

Currently, the property is being used for agricultural purposes (nut plantation and grazing). There is an existing main dwelling on the property with a number of different buildings / structures including the following:

- 1x main building
- 2x foundations (burnt in the 2017 fires)
- 2x agricultural worker's accommodations

- 2x storerooms
- 1x additional dwelling unit.
- 1x carport



FIGURE 9: EXISTING BUILDINGS / STRUCTURES ON THE APPLICATION AREA

8.2. Zoning

Portion 9 of Farm 421 is currently zoned as "Agricultural Zone I" in terms of the Bitou Zoning Scheme By-Law (2023).



FIGURE 10: ZONING MAP

9. CHARACTER OF THE AREA

The property is situated outside the urban edge of Bitou Municipality. The surrounding land uses are predominantly rural, with a mixture of small-scale agricultural businesses and a number of tourism-related activities south and east of the application area for example: Knysna Ziplines, Adventure Land, Harkerville Farmers Market and Garden Route Wolf Sanctuary.

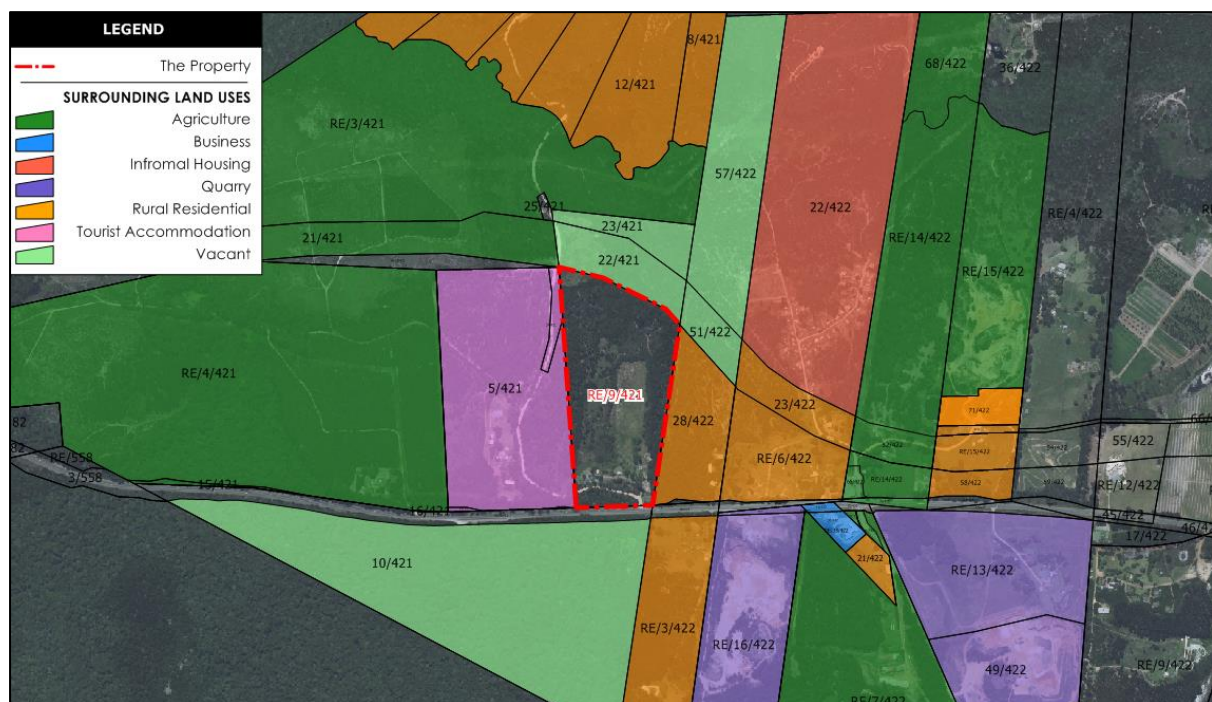


FIGURE 11: LAND USE OF THE AREA

There are also a few accommodation establishments in the surrounding area such as; Edenbrook Country Manor, Southern Comfort, Tree of Life Groundation, Coral Tree Cottage and East of Eden.

The Harkerville Sasol garage is located southeast of the application area, directly south of the N2 highway. The Harkerville Saturday Market and Adventure Land is located within 3km east of the application area. Further along the N2, other various tourist destinations are found such as Garden Route Wolf Sanctuary, Knysna Elephant Park and Luka Vinyard. Thus, it is evident that the proposed development will be in line with the existing Agri-tourist-related land uses of the area and will not negatively impact the character of the surrounding area.

10. EXISTING POLICY FRAMEWORKS

10.1. Western Cape Provincial SDF (2014)

The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as a strategic spatial planning tool that “communicates the provinces spatial planning agenda”.

The PSDF sets out a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. Each of the three spatial themes contributes to the achievement of the Western Capes strategic objectives. These policies are categorised into three themes, namely:

- **Resources:** Sustainable use of spatial assets and resources
- **Space Economy:** Opening up opportunities in the Space Economy
- **Settlement:** Developing Integrated and sustainable settlements..

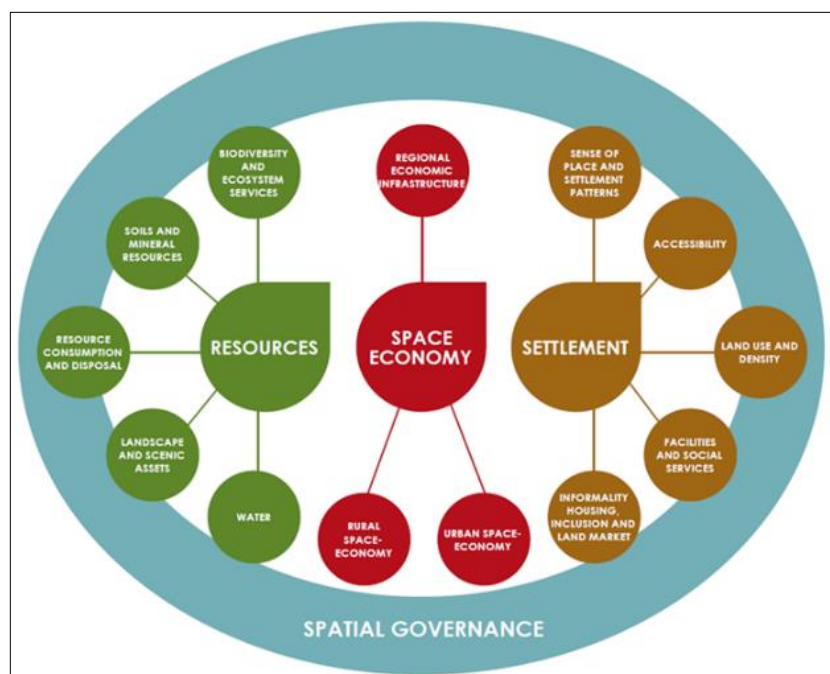


FIGURE 12: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

The Western Cape Provincial SDF was approved in 2014 by the Western Cape parliament and serves as a strategic spatial planning tool that "*communicates the province spatial planning agenda*".

The proposed development compliments the SDF spatial goals that aim to take the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy;
- (ii) More inclusive development in the urban areas;
- (iii) Strengthening resilience and sustainable development

However, it is important to note some of the key policies laid down by the Western Cape PSDF have a bearing on this application.

POLICY E2: DIVERSIFY AND STRENGTHEN THE RURAL ECONOMY	DEVELOPMENT'S RESPONSE
4. Compatible and sustainable rural activities (i.e. activities that are appropriate in a rural context, generate positive socioeconomic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate) and of an appropriate scale and form can be accommodated outside the urban edge (except in bona fide wilderness areas).	<i>The proposed aims to Protect the rural 'sense of place' and all the proposed structures and existing structures are situated outside of any sensitive biodiverse areas. The development proposal is in line with the applicable spatial policies and the character of the surrounding area.</i>
POLICY S1: PROTECT, MANAGE AND ENHANCE SENSE OF PLACE, CULTURAL AND SCENIC LANDSCAPES	DEVELOPMENT'S RESPONSE
3. Respond to and enhance an economically, socially and spatially meaningful settlement hierarchy that takes into account the role, character and location of settlements in relation to one another while preserving the structural hierarchy of towns, villages, hamlets and farmsteads in relation to historical settlement patterns.	<i>The proposed development aims to Protect the rural 'sense of place'. There are earmarked areas on the property for agricultural activities such as grazing and cultivation. The scenic and rural assets of the area will remain the same.</i>
S3: PROMOTE COMPACT, MIXED-USE AND INTEGRATED SETTLEMENTS	DEVELOPMENT'S RESPONSE
1. Target existing economic nodes (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) as levers for the regeneration and revitalisation of settlements.	<i>The application area is an agriculture-zoned property. The proposal will contribute to the rural economy of Plettenberg Bay by promoting eco-tourism in a rural context. The proposal will intensify the land uses of the property, contributing to a more integrated town as a whole.</i>

Planning Implication:

The proposed tourist facilities will not compromise the rural agricultural landscape, by preserving the sense of place, and not deviating from the existing character of the area. The proposed development attracts new economic activities within a rural economy contributing to a functional and urban integrated living environment that is strategically aligned with the

surrounding land uses of the area. The proposal will not negatively impact the spatial structure of the area and complies with strategic objectives as set out by the Western Cape Spatial Development Framework.

10.2. Western Cape Land Use Planning: Rural Areas Guidelines (2019)

The Western Cape Land Use Planning: Rural Areas Guideline was approved by the Provincial Minister on 3 March 2019 and forms part of the roll-out of the PSDF; the objectives Rural Areas Guideline are to:

- To promote sustainable development in appropriate rural locations throughout the Western Cape and ensure that the poor share in the growth of the rural economy.
- Safeguard priority biodiversity areas and the functionality of the Province's life-supporting ecological infrastructure and ecosystem services (i.e. environmental goods and services).
- To maintain the integrity, authenticity, and accessibility of the Western Cape's significant farming, ecological, cultural and scenic rural landscapes, and natural resources.
- To assist Western Cape municipalities to plan and manage their rural areas more effectively and to inform the principles of their zoning schemes and spatial development frameworks in a proactive manner.
- Provide clarity to all role players and partners (public and private) on the type of development that is appropriate beyond the current built-up areas, suitable locations where it could take place, and the desirable form and scale of such development.
- Be viewed as a gender mainstreaming tool which will move the Western Cape further along the trajectory towards the achievement of equality, particularly the youth and gender equality imperatives in rural land use planning

GUIDELINES FOR RESPECTIVE LAND USES

Development in rural areas should not:

- have a significant negative impact on biodiversity, ecological system services or the coastal environment;
- lead to the loss or alienation of agricultural land or has a cumulative impact thereupon;
- compromise existing or potential farming activities;
- compromise the current and future possible use of mineral resources;
- be inconsistent with the cultural and scenic landscape within which it is situated;
- lead to inefficient service delivery or unjustifiable extensions to the municipality's reticulation networks;

- impose real costs or risks to the municipality delivering on their mandate; and
- infringe on the authenticity of the rural landscape.

The Western Cape Government approach to managing development pressures for the rural land uses placed under the following categories:



FIGURE 13: WCG RURAL LAND USE CATEGORIES

The proposed land uses would be categorised as:

- **Agriculture**
- **Tourist & Recreational Facilities**
- **Rural Business**

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

The objectives for this category as per the guidelines are:

- Protect agriculture as primary land use in the rural landscape.
- Restrict the fragmentation of agricultural landscapes and promote consolidation, except small-scale farming enterprises for land reform purpose.
- Protect, maintain and enhance viable agricultural units and encourage sustainable farming practices.
- Provide for small-scale farming and facilitate land and agrarian reform.

- Improve the economic viability of farms through the intensification and diversification of agricultural production and improve enterprise opportunities within the food system.
- Improved food resource management (availability of food/food security) and an inclusive food economy (assistance to access to food).
- Sustainable land management is to be tested and monitored
- Encourage the economic viability of agricultural enterprises through the introduction of non-agricultural land uses including tourist accommodation and facilities and additional dwelling units

Tourist & Recreation Facilities: Towards diversifying the Western Cape's rural economic base into the tourism and recreation sectors and developing these sectors on a sustainable and equitable basis – the WC G approach to tourism and recreational facilities in rural areas is to facilitate appropriate investment in these sectors across the rural landscape.

The objectives for this category as per the guidelines are:

- To diversify the Western Cape's rural economic base into the tourism and recreation sectors, and develop these sectors on a sustainable and equitable basis.
- To offer a range of appropriate nature, cultural and Agri-based rural tourism facilities, and recreational opportunities across the rural landscape (e.g. animal sanctuary, paintball, shooting ranges, and conference facilities).
- To provide citizens access to resources, the coast and the rural landscape.

Rural Business: Towards strengthening the rural economy, the WCG approach to businesses in rural areas is to facilitate the development of businesses serving the needs of rural communities and tourists, as well as agricultural production, in suitable locations throughout the landscape.

- To facilitate the development of rural businesses serving the needs of local communities, rural tourists and agricultural production.
- To provide guidance on suitable locations for appropriate development along main tourism routes.

Planning Implication:

The Rural Areas Guidelines are guidelines to maintain the unique character of rural areas and to guide spatial planning and land use management in rural areas. The proposed development is in line and consistent with the objectives for each category mentioned above and the guidelines for implementation have been taken into consideration for this proposal.

10.3. Eden Spatial Development Framework (2017)

The Eden District Spatial Development Framework was approved in 2017 and aims to establish a strong strategic direction and vision, towards increasing levels of detail in the

spatial recommendations that are directive rather than prescriptive. In addition, providing guidance to local municipalities in the District regarding future spatial planning, strategic decision-making, and regional integration.

This vision and strategic direction identify the four key drivers of spatial change within the District. These drivers are defined in terms of spatial legacies, current challenges, future risks, and prospects. The four drivers of change around which this SDF are framed are:

Strategy 1: The economy is the environment; a strategy founded on the principle that a sustainable economy in Eden District is an economy that is positioned for growth.

Strategy 2: Regional accessibility for inclusive growth; a strategy that is based on the notion that improved regional accessibility is essential to achieving inclusive growth.

Strategy 3: Coordinated growth management for financial sustainability; a strategy informed by the realities of global fiscal austerity and the need for responsible growth management that does more with less to secure future social and economic resilience.

Strategy 4: Planning, budgeting and managing as one government, this strategy highlights that real intergovernmental cooperation is essential to achieving the spatial transformation goals of SPLUMA and the three spatial strategies above.

These strategies lie at the heart of this SDF, and the problem statement, spatial concept, spatial proposals and implementation are organised around these directives. According to the Eden SDF, Knysna is categorised as a Specialised Coastal Centre: "...Urban centres with a special function (often tourism-related), as well as a role in terms of servicing the surrounding areas and containing a mix of economic activities and services...". The function or role of Knysna within the Eden District is a 'Tourism, holiday, services and timber industry'.

Planning Implication:

The Spatial document emphasises sustainable development and protecting the environment which is the economy of the unique Eden area. This spatial document emphasises the district's natural beauty which is made up of diverse wilderness and agricultural landscapes, estuaries and lagoons, mountain backdrops and coastal settings, including the verdant landscapes of the coastal belt. Sustainable development and protecting the environment which is the economy of the Eden District should be the key.

The proposal is not directly linked to any of the Spatial Policy Statements & Guidelines, but it is important to note that the proposal is not in conflict with any of the strategies listed above and will not in any way have a negative impact on the environment.

10.4. Bitou Municipality Spatial Development Framework (2021)

The latest Bitou Spatial Development Framework (SDF) was approved by the Bitou Municipal Council on 31 March 2022 (Council Resolution C/6/16/03/22).

The Bitou Municipality's Spatial Development Framework serves as a regulatory framework for spatial development within the local municipality. The SDF is the primary spatial tool for guiding development within the municipal area. The SDF echoes the principles laid down by

the provincial SDF including densification, the importance of compact settlements and walkability and the promotion of a mixture of uses in close proximity to one another. The purpose of the Bitou SDF report is to provide relevant background information regarding the biophysical, economic and social context of Bitou Municipality. The SDF's Vision of Bitou Municipality is:

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

The figure below shows an extract of the Bitou Municipal SDF for this area, and the figure shows the application area as being included inside the urban edge of Plettenberg Bay.

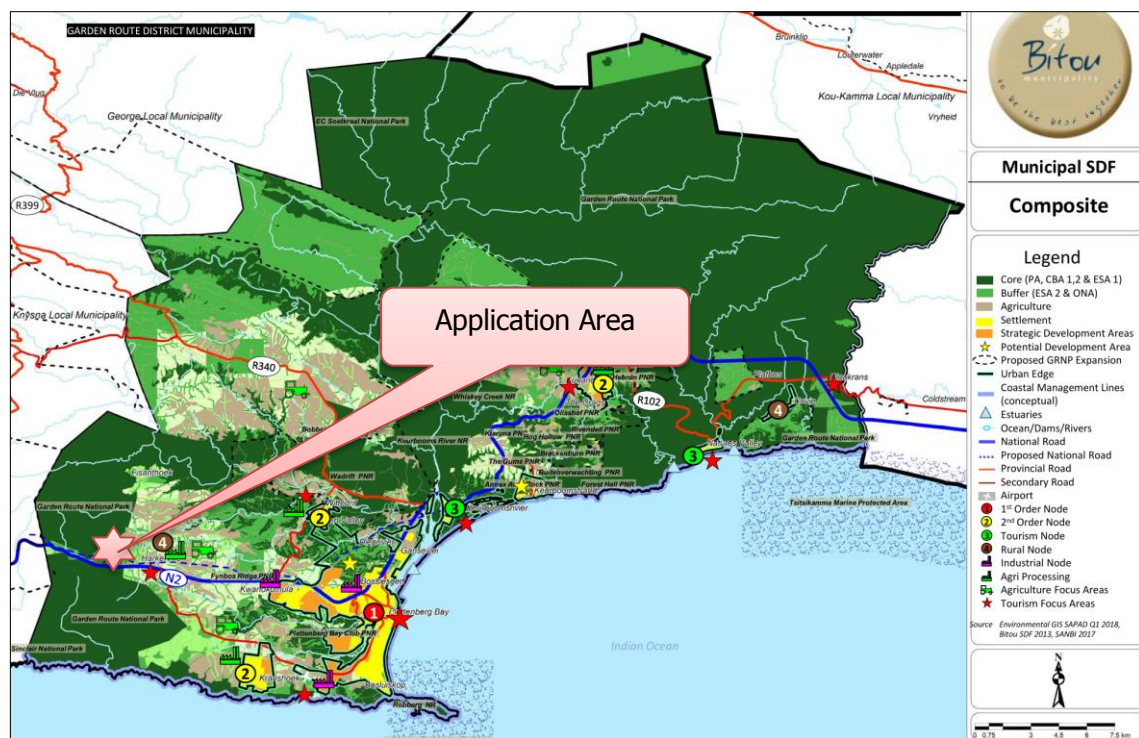


FIGURE 14: EXTRACT - BITOU SDF (2021)

According to the Bitou SDF, the broader Harkerville area around route N2 is renowned for the extensive network of cycling trails, the Garden of Eden to the west thereof, as well as a number of tourist attractions located along the route (restaurants, accommodation, periodic fresh produce markets etc.). With reference to the Eden SDF (2017), the spatial framework points out that Agri-processing has been identified as a strong potential growth area in the province and is supported by the national initiative to create Agri-parks and Agri-tourism.

Furthermore, the SDF states that *"the Rural Nodes (Covie and Forest View/Harkerville) have very small populations which would normally be served by way of periodic community services like a mobile clinic or library and sometimes a mobile police unit. Economic activity in a Rural Node will mostly be focused on the basic natural resources available within the area e.g. agriculture, forestry, tourism etc"*. The SDF emphasises that the N2-Harkerville precinct has a similar range of tourist and recreational facilities as Kurland-The Craggs-Redford. The area of Harkerville is identified as a tourist focus area.

Planning Implication:

The site is located outside the urban edge of Bitou. The surrounding landscape is characterised by rural residential, small-scale farming and a number of tourist-related activities in the surrounding area. The proposal will contribute to the support of the rural economy and agri-tourism industry. The owners envision fully utilising the property whilst being consistent with the existing character of the area. Therefore, the proposed development is consistent with the Bitou SDF.

10.5. Bitou Municipality: Integrated Development Plan (2022-2027)

The IDP is a municipal planning instrument that drives the process to address the socioeconomic challenges as well as the service delivery and infrastructure backlogs experienced by communities in the municipality's area of jurisdiction.

The Bitou Council opted to adopt a new five-year IDP for the period 2022 – 2027. According to this IDP, the municipality strongly felt that the Covid-19 crisis and the worsening negative economic climate have affected so many Bitou residents, and the current vision is even more fitting as the municipality weathers the storm. The goal of come out on the other side with the best possible outcome TOGETHER.

VISION 2030

"To be the best together"

The council adopted a new set of Strategic Objectives (SO) in response to the challenges presented by the -19 pandemic as well as the worsening economic climate and to help realize the objectives of the district economic development, provincial strategic goals and national development plan which eventually will contribute to the global sustainable development goals. These strategic objectives aim to streamline municipal planning and resource use for effective and efficient service delivery. The council decided on the following strategic objectives for 2022-2027:

SO1: Provide Excellent Service Delivery to the residents of Bitou Municipality.

SO2: Re-establish, grow and expand tourism within the municipality.

SO3: Put relevant control measures in place to ensure efficiency and excellence.

SO4: Provide basic service delivery to informal settlements and the poor.

SO5: Facilitate growth, jobs and empowerment of the people of Bitou.

SO6: To ensure the safety of residents and visitors of Bitou Municipality.

SO7: To build institutional and financial sustainability.

Planning Implication:

Apart from being located in WARD 7; the proposed consent uses and departures are a small-scale development, thus much of the strategic goals and objectives of the IDP are not relevant to the proposal. The proposed land development will not directly contribute to any

of the ward-based issues / priorities but is important to note that the proposal does not contradict any of them or the desired outcome for this ward.

The proposed development will contribute to the economic expenditure in the area, create employment and continue to provide new and additional economic growth prospects. The proposed development will not deviate from the existing rural character of the area.

SECTION D :**MOTIVATION****11. ASSESSMENT OF APPLICATIONS****11.1. Spatial Planning and Land Use Management Act, 2013 (16 of 2013)**

Section 42 of SPLUMA prescribes certain aspects that have to be taken into consideration when deciding on an application. These are:

- (1) Development principles set out in Chapter 2 of SPLUMA
- (2) Protect and promote the sustainable use of agricultural land
- (3) National and provincial government policies the municipal spatial development framework; and take into account—
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

11.2. Bitou Municipality: By-Law on Municipal Land Use Planning (2015)

The Bitou Municipality By-law on Municipal Land Use Planning (2015) as promulgated by G.N 7467 dated 12 August 2015 states in Section 65 the general criteria necessary for considering an application by the municipality.

It must be noted that the application has not undergone the notice phase of the application process and that the information below is the necessary information required by the municipality to process the application. The following criteria must be considered when evaluating the desirability of this land development application:

CRITERIA	REFERENCE IN REPORT
The impact of the proposed land development on municipal engineering services .	Par.6
The integrated development plan , including the municipal spatial development framework.	Par.10.5
The applicable local spatial development frameworks adopted by the Municipality.	Par.10.4
The applicable structure plans .	n/a
The applicable policies of the Municipality that guide decision-making .	Par.11.2

CRITERIA	REFERENCE IN REPORT
The provincial spatial development framework .	Par.10.1
where applicable, a regional spatial development framework contemplated in section 18 of the Act and a provincial regional spatial development framework.	Par.10.3
The policies, principles and the planning and development norms and criteria set by the national and provincial government;	Par.11.1
The matters referred to in Section 42 of the Act; Principles referred to in Chapter VI (6) of the Western Cape Land Use Planning Act ; and	Par.21
applicable provisions of the zoning scheme	Par.5.3
any restrictive condition applicable to the land concerned	n/a

12. CONSISTENCY WITH SPATIAL PLANNING POLICIES

As described in **Par.10** of this report, the proposal is consistent with the relevant spatial planning policies. The proposal will allow the implementation of future planned development in the area.

13. CONSISTENCY WITH THE CHARACTER OF THE SURROUNDING AREA

The property is situated outside the urban edge of Bitou Municipality. The surrounding land uses are predominantly rural, with a mixture of residential, small-scale agricultural, business, service trades and tourism-related activities. The intersection off the N2 Road which provides access to the surrounding developments in the area can be regarded as a prominent rural node and features a combination of different land uses.

The area has retained its mainly rural character despite having diversified land uses. The proposed uses would be in line with this predominant rural character as it would complement the quiet slow-paced nature of the area and be consistent with the existing tourist facilities and tourist accommodation establishments in the area. Given the application area's unique locality, the development is ideal to be situated where it is, therefore, be concluded that the proposed development will be consistent with the surrounding area.

14. EXISTING RIGHTS

The proposed development will not impact negatively on the rights of the surrounding property owners and will not disturb or negatively influence the character of the area. The development proposal will contribute to the existing agricultural / Agri-tourism status of this area and will complement its surrounding neighbours. The proposed development will have no impact on any landowners existing land use rights currently enjoyed. There will be no undue noise or disturbance and there will be no impact on the privacy of the surrounding property owners.

15. PARKING

According to the Bitou Zoning Scheme Bylaw (2023), the following parking parameters apply to different land uses:

LAND USE	CAPACITY	MINIMUM REQUIREMENTS	PARKING REQUIRED	Provision	Compliance
Tourist Facilities (Restaurant & Gift shop)	±40 people	4x bays per 100 m ² GLA	Restaurant & shop = 270m ² 11x Parking bays	15X Parking Bays	<i>Comply</i>
Recreational Facility	Ancillary with the restaurant	No minimum requirement in the Zoning Scheme	No minimum requirement in the Zoning Scheme	19x Parking Bays	<i>Comply</i>
Total Parking Bays			10x Parking Bays	34X Combined Parking Bays	<i>Comply</i>

For this development proposal, it is suggested to make the primary point of access and egress directly via the DR01782. The minimum width for combined entrance and exit way as per Section 41 (4) of the Bitou Municipality Zoning Scheme By-law (2023) may not be less than 5 metres wide and more than 8m wide. The existing combined entrance and exit way will be ±7m wide.

16. AGRI-TOURISM

The Bitou Municipality's pristine natural base which includes, eco-tourism, agricultural activities, and forestry is a big contributor to its local economy. The application area is uniquely situated along the N2 which allows tourists and residents of the surrounding area to enjoy a day away on the farm with some adventures and fun. This allows tourists and travellers to be adventures in nature, within a rural context.

The rural economy accentuates the continued importance of the rural areas for, agriculture farming, and tourism. This necessitates the need to retain these extensive rural areas for agricultural activities, and the potential to strengthen this with eco-tourism-related economic activities. The proposed development to allow for tourist facilities, a restaurant and a recreational facility (zorbing) on the application area and will contribute to the Agri-tourism industry, whilst keeping the aesthetic feel of the existing rural character of the area.

17. POSITIVE ECONOMIC IMPACT

The tourism sector is one of the major economic drivers for the Harkerville area within Bitou Municipality. The SDF emphasises Agri-tourism in rural farming communities and identifies the area of Harkerville as an important Agri-tourism destination outlining existing tourist facilities such as Knysna Ziplines, Adventure Land, Harkerville Farmers Market, Garden Route Wolf Sanctuary. The proposed development can have a positive economic and social impact on the following:

Diversification of income: Farms traditionally rely on agricultural activities for income. By adding tourist facilities, the landowners can diversify their revenue streams, reducing reliance on unpredictable agricultural markets and seasons. The landowners will be able to intensify the land

uses on their property which will allow for injection of the capital expenditure in the rural economy. Agricultural income is often subject to seasonal fluctuations. Tourist facilities can provide a more stable income stream throughout the year, reducing the impact of seasonal variability on the farm's finances.

Job Creation: Establishing restaurants and tourist-related attractions requires staff for operations, including chefs, waiters, event planners, and maintenance personnel. This creates employment opportunities for local residents, thereby reducing unemployment rates in rural areas.

Promotion of local products: Restaurants on farms often serve dishes made from locally sourced ingredients, including produce and meats from the farm itself. This promotes local agricultural products and encourages visitors to support the region's farmers. The proposed Delhi will allow the surrounding landowners to process and sell their products locally.

Tourism Growth: adding amenities like restaurants and recreational facilities can attract more tourists to rural areas, boosting local tourism. Increased tourism leads to higher spending on accommodation, dining, and other local businesses, stimulating the local economy.

Therefore, the proposed development will have a positive impact on the local socio-economy and will be in line with the character of the surrounding area.

18. ACCESSIBILITY

Within an urban environment, nodes form the logical points at which to focus on economic and social investment. Nodes generally develop at major intersections, consisting of mixed or higher-intensity land uses. Activity streets link these nodes and are therefore intended to provide communities with convenient access to economic activities, recreation and basic services.

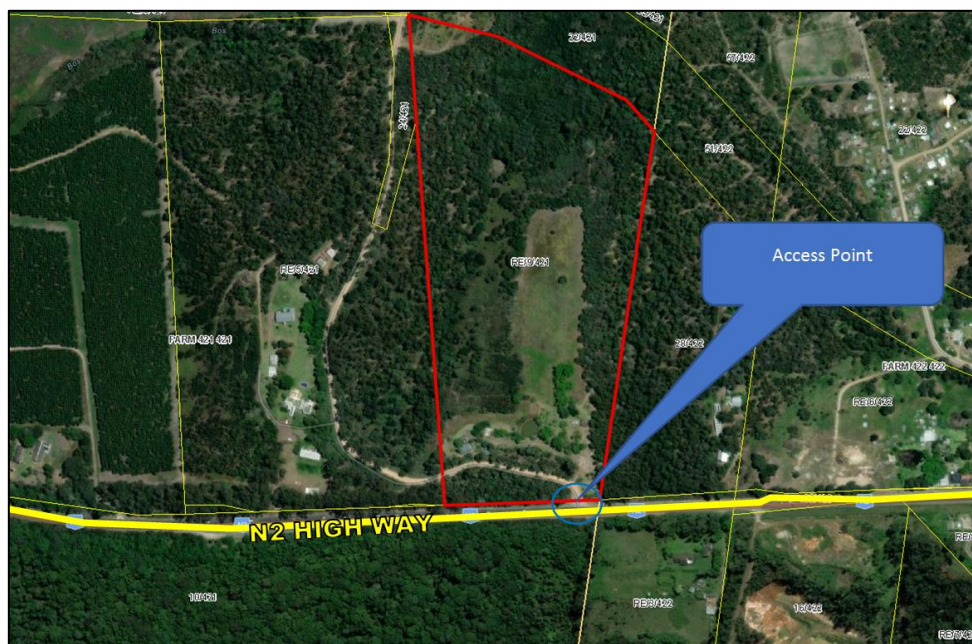


FIGURE 15: ACCESSIBILITY

The application is situated along the N2 Highway, between Plettenberg Bay and Knysna. The farm is located in the Harkerville area, which is widely known for its Agri-tourism and there are different tourist facilities and tourist accommodations within the vicinity of the area. There are a few tourist facilities in proximity to the application area that enjoy access directly via the N2 National Road for example, Knysna Ziplines, Adventure Land, Harkerville Farmers Market and Garden Route Wolf Sanctuary.

Access to the property is obtained via the DR01782 (Divisional Road) which intersects directly with the N2. According to the records of the Western Cape Road Authority, this is a divisional road (DR01782) and is used as a consolidated access road providing access to various rural residential properties.

19. REASON FOR PERMANENT DEPARTURE

The Bitou Zoning Scheme Bylaw (2023) prescribed the following building line parameters for an "Agriculture Zone I" property: *"land area with an extent of >4ha is subject to a 30 metres building line on all common boundaries"*. There are existing structures on the property that encroach the prescribed building lines and these structures were already existing when the owner bought the property. There aren't any records on file at Bitou Municipality for the existing structure (Refer to **ANNEXURE F**: email from Building Control). Therefore, the reason for the permanent departures is to legalise these structures as they are ancillary to the agricultural use of the property.

There are 2 existing foundations of buildings that were burnt during the 2017 fires. The owners wish to reconstruct new buildings on the existing footprint of this foundation. This includes 1x additional dwelling and 1x farm manager's house, which are located within the eastern lateral building line of the property.

Currently, there are various farming activities on the farm including vegetable gardens, small plantations (nut trees) and general upkeep of the forest area on the farm. The landowners currently provide safe and adequate permanent accommodation for the farm workers on the property. Having the farm manager and workers on-site ensures quick responses to emergencies or issues such as irrigation system failures, bush fires or equipment breakdowns. Reduced commute times mean workers can start their tasks earlier and maintain a steady workflow. The agricultural worker's accommodation is already existing and the owners wish to legalise these structures to ensure compliance with the Knysna Zoning Scheme Bylaw.

Development Parameters	Proposed Development
Street Building Line (southern) 30m	Comply
Side Building Line (eastern) 30m	Departure 2x workers accommodation 1x storeroom 1x additional dwelling unit (proposed) 1x farm manager's house (proposed)
Side Building Line (western) 30m	Departure 1x Main Dwelling
Rear Building Line (northern) 30m	Comply

20. DESIRABILITY

The concept of “desirability” in the land use planning context may be defined as the degree of acceptability of a proposed development on land units concerned. This section expresses the desirability of the proposed departure, taken in conjunction with the development principles and criteria set out through the statutory planning framework, as well as the degree to which this proposal may be considered within the context of broader public interest. It is our view that the initial investigation into the desirability of the proposal reveals no obvious negative impacts.

The proposed application is considered desirable as it is not in conflict with spatial development policies. Furthermore, the approval of the application will not have a negative impact on the character of the area as well as the surrounding neighbours. The proposed consent uses will optimise and utilise the existing structures on the property. The recreational facility and restaurant will allow the landowners to incorporate a tourist facility within its primary rights which could contribute to the Agri-tourism sector of the surrounding area. Therefore, the proposed development can be considered desirable and consistent with the immediate surrounding character of the area.

21. WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)

The purpose of this provincial legislation is to consolidate legislation in the Province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions; to make provision for provincial spatial development frameworks; to provide for minimum standards for, and the efficient coordination of, spatial development frameworks; to provide for minimum norms and standards for effective municipal development management; to regulate provincial development management; to regulate the effect of land development on agriculture; to provide for land use planning principles; to repeal certain old-order laws, and to provide for matters incidental thereto.

Section 59 of this Act prescribes the Land Use Planning Principles that apply to all land development in the Province. These are summarised in the tables below. The tables below aim to summarise how the proposed development on Portion 9 of the Farm complies with these principles.

21.1. Spatial Justice

Criteria	Compliance	Planning Implication
Past spatial and other development imbalances must be redressed through improved access to and use of land.	N/A	This policy is not applicable to the application area.

Criteria	Compliance	Planning Implication
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.	<i>N/A</i>	This policy is not applicable to the application area.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	<i>N/A</i>	This policy is not applicable to the application area.
Land use management systems should include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas and informal settlements.	Applicable to Bitou Municipality	This policy is not applicable to the application area
Land development procedures must include provisions that accommodate access to, and facilitation of, the security of tenure and the incremental upgrading of informal areas.	Applicable to Bitou Municipality	This policy is not applicable to the application area.
A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application.	Applicable to Bitou Municipality	The municipality should process this application within the prescribed guidelines of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015)
The right of owners to develop land in accordance with current use rights should be recognised.	Comply	<ul style="list-style-type: none"> The property will remain agriculture, and a consent use is applied for, in accordance with current land use rights.

21.2. Spatial Sustainability

Criteria	Compliance	Planning Implication
Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Comply	<ul style="list-style-type: none"> The proposal will not require any financial input from any government institution.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Comply	<ul style="list-style-type: none"> The farm was used for grass plantations in the past, and all the proposed structures are situated within disturbed areas. The land is not suitable for intense agriculture and the proposal will make use of the unique landscape for the proposed tourist facility. The majority of the farm is forest and the landowners intend to keep the existing agriculture potential of the farm.
Uphold consistency of land use measures in accordance with environmental management instruments.	Comply	<ul style="list-style-type: none"> The proposal does not trigger any listed activities that require environmental authorisation in terms of the National Environmental Management Act (1998).
Promote and stimulate the effective and equitable functioning of land markets.	Comply	<ul style="list-style-type: none"> The proposal will not devalue any of the surrounding properties. The proposal is consistent with the rural and Agri-tourism character of the surrounding area.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Comply	<ul style="list-style-type: none"> The proposal will not require any financial input from any government institution. The proposed development does not require the provision of infrastructure and social services.
Promote land development in locations that are sustainable and limit urban sprawl; and result in communities that are viable.	Comply	<ul style="list-style-type: none"> The application area is located in a rural area (± 15km outside of Bitou CBD). This development will not limit nor contribute to urban sprawl.
Result in communities that are viable.	Comply	<ul style="list-style-type: none"> The proposal will not detract from the existing rural character of the area.
Strive to ensure that the basic needs of all citizens are met in an affordable way.	Not Applicable	This principle is not applicable to the applicant or this development.
The sustained protection of the environment should be ensured.	Comply	<ul style="list-style-type: none"> In line with all environmental policy documents and legislation. The proposed development is not impacting any sensitive environmental area or critical biodiversity area (CBA)

21.3. Spatial Efficiency

Criteria	Compliance	Planning Implication
Land development optimises the use of existing resources and infrastructure.	Comply	<ul style="list-style-type: none"> The proposed consent uses will optimise and utilise the existing structures on the property. The touch farm will allow the landowners the incorporate a tourist facility within its primary rights which contribute to the Agri-tourism of the surrounding area.
Integrated cities and towns should be developed.	Not Applicable	This policy is applicable to township developments, new urban developments and development within the urban area.
Policy, administrative practice and legislation should promote speedy land development.	Not Applicable	The municipality should process this application within the prescribed time frames of the Bitou Municipality By-law on Municipal Land Use Planning (2015).

21.4. Spatial Resilience

Criteria	Compliance	Planning Implication
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks	Comply	<ul style="list-style-type: none"> The proposal is in line with the various spatial plans and policies, as motivated in the report. The proposed application complies with the requirements of the Bitou Municipality By-Law on Municipal Land Use Planning (2015).

21.5. Good Administration

Criteria	Compliance	Planning Implication
All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.	Applicable to Bitou Municipality	<p>This principle has no direct bearing on the application; however, the Bitou Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</p> <p>What is however important is that all decision making is aligned with sound policies based on nation, provincial and local development policies.</p>
All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.		
The requirements of any law relating to land development and land use are met timeously.		
The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.		
Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.		

22. CONCLUSION

In light of this motivation, and the information contained within the foregoing report, it is clear that:

- (i) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for a 'restaurant'.
- (ii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for 'recreational facilities'.
- (iii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 to allow for 2x additional dwelling units.
- (iv) Permanent Departures in terms of Section 15(2)(b) of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) for the relaxation of:
 - [a] The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural worker's accommodation ($\pm 30.5\text{m}^2$);
 - [b] The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural worker's accommodation ($\pm 97.9\text{m}^2$);
 - [c] The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
 - [d] The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
 - [e] The eastern lateral building line from 30m to 22.3m to allow the proposed additional dwelling ($\pm 87.4\text{m}^2$);
 - [f] The eastern lateral building line from 30m to 11.1m to allow the proposed farm manager house ($\pm 199.3\text{m}^2$);
 - [g] The western lateral building line from 30m to 11.1m to allow the existing dwelling main dwelling ($\pm 217.7\text{m}^2$);

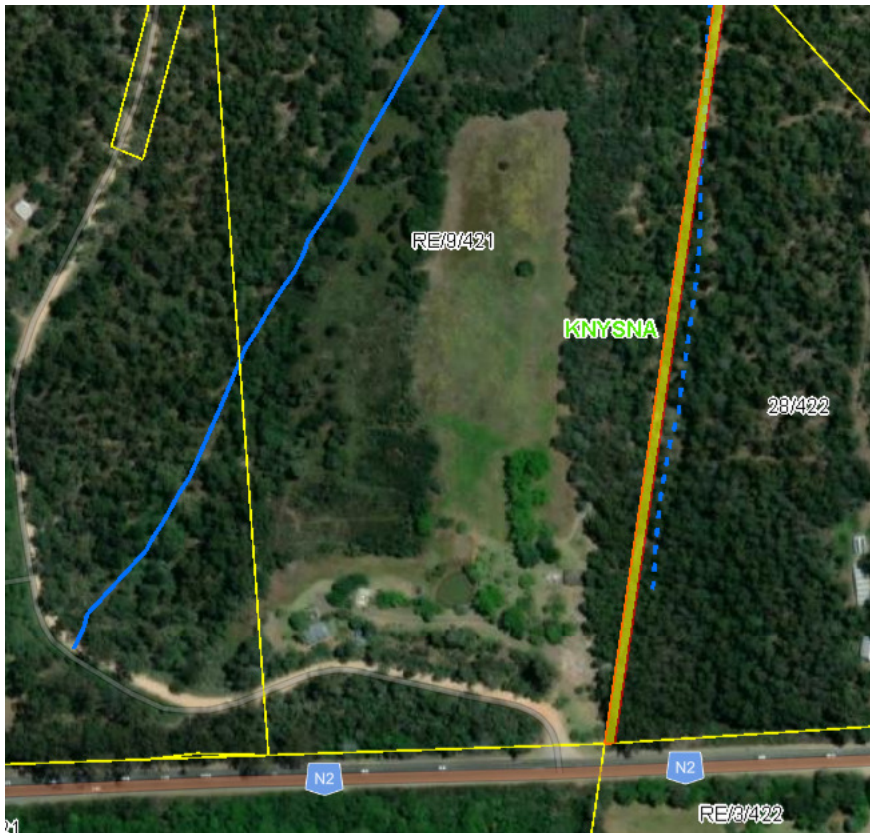
Meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Bitou Land Use Planning Bylaw, is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by Bitou Municipality.

Marika Vreken Urban and Environmental Planners
December 2024

From: Anjé Minne <aminne@plett.gov.za>
Sent: 19 September 2024 09:19 AM
To: ruben@vreken.co.za
Cc: Chris Schliemann; Adel Sanchez Asensio
Subject: FW: Pr2456 - Portion 9 of the Farm 421 - Pre-Application
Attachments: DRAFT SDP PLAN - Ptn 9 Farm 421.pdf; Pr2456 - Pre Application Form.pdf

Dear Ruben,

Thank you for the proposal. From a desktop analysis please be aware of a drainage line and watercourse that run along the eastern and western borders of the property. Please see below:



The zorb ball “runway” seems to end at the watercourse on the western boundary. All physical activities in this particular area (vegetation clearance and earthworks) should be done sensitively. Cognisance should be given to NEMA and its potential applicability depending on what will be done in that specific area (platforms, roads etc?). Please also check that vegetation transformation of 1 hectare is not triggered in the application.

Regards,

Anjé Minne

Environmental Management Officer | Town Planning | Planning & Development | Bitou Municipality
Mobile: 072 229 6640 | Work: 044 501 3318 | Email: aminne@plett.gov.za | Website: www.bitou.gov.za

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transmission, or the taking of any action in reliance thereon or pursuant thereto, is strictly prohibited. Therefore, Bitou Municipality will not be held liable for any damage caused by this message.

From: ruben@vreken.co.za <ruben@vreken.co.za>

Sent: Wednesday, September 18, 2024 11:11

To: Marius Buskes <mbuskes@plett.gov.za>; Adel Sanchez Asensio <aasensio@plett.gov.za>; Marcel Minne <MMinne@plett.gov.za>

Cc: 'Bianca Lotz' <info@vreken.co.za>

Subject: Pr2456 - Portion 9 of the Farm 421 - Pre-Application

Good day

Kindly see attached pre-application submission on the above-mentioned property.

Please let me know if you require any additional information to assess the pre-application.

Kind Regards

Ruben van Schalkwyk

 <p>Stads & Omgewingsbeplanners</p>	<p>Ruben Van Schalkwyk C/9817/2023 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)79 098 8091</p>
---	--

From: Adel Sanchez Asensio <aasensio@plett.gov.za>
Sent: 19 September 2024 09:04 AM
To: ruben@vreaken.co.za
Cc: Chris Schliemann; Anjé Minne
Subject: FW: Pr2456 - Portion 9 of the Farm 421 - Pre-Application
Attachments: Pr2456 - Pre Application Form.pdf; DRAFT SDP PLAN - Ptn 9 Farm 421.pdf; Locality Aerial.pdf; TitleDeed.PDF

Dear Ruben,

What is farmed on the property at present that requires worker accommodation? And how will this be extended to require even more worker accommodation (as per your application)?

Regards,

Adel Sanchez Asensio

Town Planner | Town Planning | Planning & Development | Bitou Municipality
Mobile: 072 516 3446 | Work: 044 501 3321 | Email: aasensio@plett.gov.za | Website: www.bitou.gov.za

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From: ruben@vreaken.co.za <ruben@vreaken.co.za>
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To: Marius Buskes <mbuskes@plett.gov.za>; Adel Sanchez Asensio <aasensio@plett.gov.za>; Marcel Minne <MMinne@plett.gov.za>
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Subject: Pr2456 - Portion 9 of the Farm 421 - Pre-Application

Good day

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Please let me know if you require any additional information to assess the pre-application.

Kind Regards
Ruben van Schalkwyk



Marike Vreken
Urban & Environmental Planners

Stads & Omgewingsbeplanners

Ruben Van Schalkwyk
C/9817/2023
Marike Vreken Town Planners CC
PO Box 2180, Knysna, 6570
tel. +27 (0)44 382 0420
fax. +27 (0)86 459 2987
cell. +27 (0)79 098 8091

FARMACRES 13 (PROPRIETARY) LIMITED

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

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in **PLETTENBERG BAY** on the **27** day of **AUGUST 2024**.

Resolved that Ockert Fourie in his capacity as Director, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to 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 in his/ her 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:

PORTION 9 (A PORTION OF PORTION 3) OF THE FARM NO 421

NATURE OF APPLICATION:

CONSENT USE & PERMANENT DEPARTURE

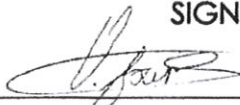

SIGNATURE OF DIRECTORS:

NAME:

OJ FOURIE

E FOURIE

SIGNATURE:



Companies and Intellectual
Property Commission

a member of the **dtic** group

COR39: Director Amendments

Registration Number: **2001/015639/07**
Enterprise Name: **FARMACRES 13 (PTY) LTD**

Date: **21/05/2024**
Our Reference: **60001716293**
Customer Name: **MAGDALENE BURLAND**
Email Address: **RECEPTION@MPK.CX**

RE: Amendment to Company Information

Registration Number: **2001/015639/07**
Enterprise Name: **FARMACRES 13 (PTY) LTD**

We have received a COR39 (Notice of change of company directors) from you dated **21/05/2024**

The following change was effected to Director:

DIRECTOR OCKERT JOHANNES FOURIE, NEW APPOINTMENT

DIRECTOR ANDRIES ADRIAAN FOURIE CHANGES,

- STATUS ACTIVE TO RESIGNED
- TITLE N/A TO MR
- GENDER FROM N/A TO MALE
- DISABILITY FROM N/A TO NOT DISABLED
- DEMOGRAPHIC FROM N/A TO WHITE
- PHYS STREET HAREKERVILLE TO 6 FISH EAGLE DRIVE
- PHYS SUBURB KNYSNA TO BELVIDERE HIGHTS
- PHYS CITY NO ADDRESS TO KNYSNA
- POST STREET POSTNET SUITE 77 TO 6 FISH EAGLE DRIVE

DIRECTOR ELIZMA FOURIE, NEW APPOINTMENT

Yours truly

CIPC Commissioner

Physical Address
the dti Campus - Block F
77 Meintjies Street
Sunnyside 0001

Postal Address: Companies
P O Box 429
Pretoria
0001

Docex: 256
Web: www.cipc.co.za
Contact Centre: 086 100 2472(CIPC)
Contact Cetre (International): +27 12 394 9573



2001/015639/07



60001716293

1 of 3



COR39: Director Amendments

Registration Number: **2001/015639/07**
Enterprise Name: **FARMACRES 13 (PTY) LTD**

ENTERPRISE DETAILS

Registration Number: **2001 / 015639 / 07**
Enterprise Name: **FARMACRES 13 (PTY) LTD**
Registration Date: **19/07/2001**
Business Start Date: **19/07/2001**
Enterprise Type: **PRIVATE COMPANY**
Enterprise Status: **IN BUSINESS**
Financial Year End: **FEBRUARY**

Main Business/Main Object:

Tax Number: **9218279140**

Address:

POSTAL ADDRESS
P O BOX 479
KNYSNA

WESTERN CAPE
6570

ADDRESS OF REGISTERED OFFICE
6 FISH EAGLE DRIVE
BELVIDERE HIGHTS
KNYSNA
WESTERN CAPE
6571

Location of Company Records: **6 FISH EAGLE DRIVE
BELVIDERE HIGHTS
KNYSNA
WESTERN CAPE
6571**

Physical Address
the dti Campus - Block F
77 Meintjies Street
Sunnyside 0001

Postal Address: Companies
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Docex: 256
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2001/015639/07



60001716293



Companies and Intellectual
Property Commission

a member of the **dtic** group

COR39: Director Amendments

Registration Number: **2001/015639/07**

Enterprise Name: **FARMACRES 13 (PTY) LTD**

ACTIVE DIRECTORS/MEMBERS

Full Name	Director Type	ID Number/ Passport Number	Appointment Date	Address
FOURIE ELIZMA	DIRECTOR	9807150353083	13/05/2024	Postal Address: DUNBLANE ESTATE,ELPITCHA 21,KEMPTON PARK,GAUTENG,1623 Residential Address: DUNBLANE ESTATE,ELPITCHA 21,KEMPTON PARK,GAUTENG,1623
FOURIE OCKERT JOHANNES	DIRECTOR	9606245254086	15/02/2024	Postal Address: FARM ACRES,HARKERVILLE, PLETTENBERG BAY,WESTERN CAPE,6600 Residential Address: FARM ACRES,HARKERVILLE, PLETTENBERG BAY,WESTERN CAPE,6600

Physical Address
the dti Campus - Block F
77 Meintjies Street
Sunnyside 0001

Postal Address: Companies
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Pretoria
0001

Docex: 256
Web: www.cipc.co.za
Contact Centre: 086 100 2472(CIPC)
Contact Centre (International): +27 12 394 9573



2001/015639/07



60001716293

3 of 3

SPECIAL POWER OF ATTORNEY

I/We _____ OCKERT FOURIE _____

_____ the undersigned,

do hereby nominate, constitute and appoint
THE AUTHORISED AGENTS OF MARIKE VREKEN TOWN & REGIONAL PLANNERS CC and duly
authorised employees of Marike Vreken Town Planners CC
with power of Substitution to be *my/our lawful representatives in *my/our application for:

CONSENT USE & PERMANENT DEPARTURE

on

PORTION 9 (A PORTION OF PORTION 3) OF THE FARM NO 421

In addition to apply for such amendments of any zoning schemes / structure plans / Removal of Title Deed Restrictions as may be deemed necessary and to make other necessary application and further to represent *me/us at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application, by virtue of those present and whatever our said representative have to date done herein.

Signed at PLETTENBERG BAY on this 27 day of AUGUST 2024

SIGNED: _____

SIGNED: _____

In the presence of the undersigned witnesses:

AS WITNESSES:

1. _____

2. _____



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)	MARIKE				
Surname	VREKEN				
South African Council for Planners (SACPLAN) registration number (if applicable)	A/1101/1999				
Company name (if applicable)	MARIKE VREKEN TOWN PLANNERS CC				
Postal Address	PO BOX 2180				
	KNYSNA	Postal Code	6570		
Email	info@vreken.co.za				
Tel	044 382 0420	Fax		Cell	082 927 5310

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

Registered owner(s)	Farmacres 13 (Proprietary) Limited				
Physical address					Postal code
E-mail					
Tel		Fax		Cell	

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

Portion 9 (a portion of portion 3) of Farm 421, in the Municipality of Plettenberg Bay, Division of Knysna, in the Province of the Western Cape.

Physical Address	The property is located along the N2 between Plettenberg Bay and Knysna in Harkerville.				
GPS Coordinates	34° 2'11.47"S and 23°13'10.25"E.	Town/City	PLETTENBERG BAY		
Current Zoning	Agriculture Zone I	Extent	24.4133ha	Are there existing buildings?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Applicable Zoning Scheme	Bitou Zoning Scheme Bylaw 2023	<input checked="" type="checkbox"/> X	LUPO Scheme Regulations: Section 8		
Current Land Use	Agriculture				
Title Deed number and date	T	T83187/2002			
Any restrictive conditions?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	If Yes, list condition(s)	N/A		

Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies)	N/A
Have you informed the Bondholder of the application?	Y	N		
Any existing unauthorized buildings and/or land use 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

Has there been any pre-application consultation?	Y	N			
Official's name	Adel Sanchez	Reference Number	n/a	Date of consultation	18-09-2024

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 (2) OF THE BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW AND APPLICATION FEES PAYABLE

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.

Will you want to advertise upon Municipal Consent?	Yes							
APPLICATION FEES ** (please note the following)								
* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.								
** The applicant is liable for the cost of publishing and serving notice of an application.								
*** Relevant fees will be determined by Council, and an invoice will be sent to the applicant accordingly.								
PART F: DETAILS OF PROPOSAL								
Complete description of proposed development / intent of application:								
REFER TO MOTIVATION REPORT								
PART G: 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 have been submitted.								
Required minimum documentation required in terms of section 38(1) of said legislation								
Y	N/A	Written motivation		Y	N/A	S.G. diagram / General plan extract		
Y	N/A	Locality plan		Y	N/A	Site development plan or conceptual layout plan		
Y	N/A	Proposed subdivision plan		Y	N/A	Proof of agreement or permission for required servitude		
Y	N/A	Conveyancer's certificate		Y	N/A	Minutes of pre-application consultation meeting (if applicable)		
Supporting information and documentation:								
Y	N	N/A	Consolidation plan		Y	N	N/A	Land use plan / Zoning plan
Y	N	N/A	Street name and numbering plan		Y	N	N/A	1:50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Landscaping (if applicable)		Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Abutting owner's comment		Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) /		Y	N	N/A	

			Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)				
Y	N	N/A	Copy of any previous approval	Y	N	N/A	Proof of failure of Home owner's association
Y	N	N/A	Proof of lawful use right	Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	N/A	Required number of documentation copies (<u>2 Hard Copies, 8 CD's, additional digital copies could be required</u>)	Y	N	N/A	Civil Services Report Electrical Services Report

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

Y	N	National Heritage Resources Act, 1999 (Act 25 of 1999)		Y	N	Specific Environmental Management Act(s) (SEMA)
Y	N	National Environmental Management Act, 1998 (Act 107 of 1998)				(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National
Y	N	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)				Environmental Management: Air Quality Act, 2004 (Act 39 of 2004),
Y	N	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)				National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental
Y	N	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations				Management: Waste Act, 2008 (Act 59 of 2008),
Y	N	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			Y	N
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				Other (specify)
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.				

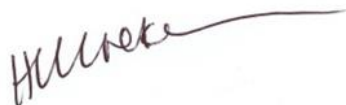
SECTION I: DECLARATION

I hereby wish to 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 herein.
6. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the applicant as a result of the proposed development.

Applicant's signature:



Date:

13-12-2024

Full name:

Marike Vreken

Professional capacity:

Professional Town Planner

SACPLAN registration number:

A/1101/1999

FOR OFFICE USE ONLY

Date received:

Received by:

Municipal Stamp

Municipal Stamp

ANNEXURES

The following Annexures are attached for the applicant's information.

Please do not submit these Annexures with the application form.

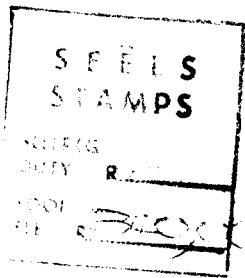
Annexure A: Minimum requirements matrix

Annexure B: Land use planning application submission and protocol

Annexure C: Land use planning application workflow

215
J M B GILLAN

Prepared by me
Conveyancer
J M B GILLAN



0831877200

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN

THAT ~~JOAN MACMILLAN BEECH GILLAN~~ NAJMUNESSA BAWA appeared before me, Registrar of Deeds, at Cape Town, she the said Appearer being duly authorised thereto by a Power of Attorney dated at Crystal Park on the 9th day of July 2002 granted to him by:

DON GERALD MAUGHAN
Identity number 530913 5044 08 9
Unmarried

R

AND the said Appearer declared that the said Transferor had truly and legally sold the hereinafter described property to the hereinafter mentioned Transferees on the 12th day of February 2002 and that he in his capacity aforesaid did by these presents cede and transfer in full and free property to and on behalf of:

FARMACRES 13 (PROPRIETARY) LIMITED
Registration Number 2001/015639/07

s Administrators, or Assigns:

PORTION 9 (A PORTION OF PORTION 3) OF THE FARM 421, in the Municipality of Plettenberg Bay, Division of Knysna, in the PROVINCE OF THE WESTERN CAPE.

IN EXTENT: 21,4133 (TWENTY ONE COMMA FOUR ONE THREE THREE) Hectares;

FIRST TRANSFERRED by Deed of Partition Transfer No. T9462/1959 with Diagram No.6518/58 relating thereto and held by Deed of Transfer No T 66778/2000.

A. SUBJECT to the condition referred to in Deed of Transfer dated 15th June 1887, No. 159;

B. ENTITLED to the benefit of the servitude referred to in the endorsement dated 14th January 1942 on Deed of Transfer dated 4th April 1927, No.3050, which endorsement reads as follows:-

“Para 1. Registration of Servitude.

By Transfer No.167 dated 14.1.1942 the owner and his successors in title of the property thereby conveyed shall erect and maintain in perpetuity a fence on boundary of land thereby conveyed and property held hereunder in para 1 as will more fully appear on reference to said transfer.”

C. SUBJECT FURTHER to the following conditions contained in the said Deed of Partition Transfer No. T9462/1959, imposed in terms of Sections 11(3) and (6) of Act No. 21 of 1940, as amended, namely:-

- “(a) The land may not be subdivided without the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
- (b) Not more than one dwellinghouse, together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected on the land except with the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
- (c) The land shall be used for residential and agricultural purposes only and no store or place of business or industry whatsoever may be opened or conducted on the land without the written approval of the National Transport Commission as Controlling Authority as defined in Act no.21 of 1940, read in conjunction with Act no. 44 of 1948.
- (d) No building or any structure whatsoever shall be erected within a distance of 94,46 metres from the centre line of the national road, without the written approval of the national Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.”

D. SUBJECT FURTHER to the following endorsement dated 25 March 1978 on the said Deed of Transfer No. T16884/1969, reading:-

“Endorsement in terms of Section 31(6) of Act 47 of 1937(as amended)

A portion of the herein mentioned property meas $\pm 4,03$ Ha has been expropriated by Republic of S.A. in terms of Sect.(8)(1)(a) of Act 54/71

Vide Notice of expropriation No. N10/3/1/064/88 dd 20.2.78 filed as exprop. Caveat EX 110/78 plan in duplicate filed herewith.”

E. SUBJECT FURTHER to the following endorsement dated 24 May 1978 on the said Deed of Transfer No. T16884/1969, reading:-
 “Endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended) A portion of the herein mentioned property measuring $\pm 2,12$ Ha has been expropriated by Rep. of South Africa in terms of Sect. (8)(1)(d) of National road Act of 1971 Vide Notice of expropriation No.N10/3/1/064/88 dd 11.5.78 filed as exprop. Caveat EX 351/78 plans in duplicate filed herewith.”

F. SUBJECT FURTHER to the terms of the endorsement dated 4 July 1985 on Deed of Transfer No.T21399/1980 which endorsement reads as follows:-

“Endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended)

A portion of the herein-mentioned property meas ± 213 m² has been expropriated by Prov.Admin of the Cape in terms of Sect.27 of the Roads Ord 19 of 1976

Vide Notice of expropriation No.R/017/2-11/53 dd 25.6.1985 filed as exprop. caveat EX 565/85 plans in duplicate filed herewith.”

Wherefore the Appearer, renouncing all the right and title the said

TRANSFEROR

heretofore has to the premises, did, in consequence, also acknowledge the said

TRANSFEROR

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

TRANSFEREES

Their Heirs, Executors, Administrators, or Assigns now are and henceforth shall be entitled thereto, conformably to local custom; the State, however, reserving its rights; and finally acknowledging that the Transferor have been paid the Purchase Price amounting the sum of:

THREE HUNDRED AND EIGHTY THOUSAND RAND (R380 000,00)

In witness whereof, I, the said Registrar, together with Appearer, q.q., have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

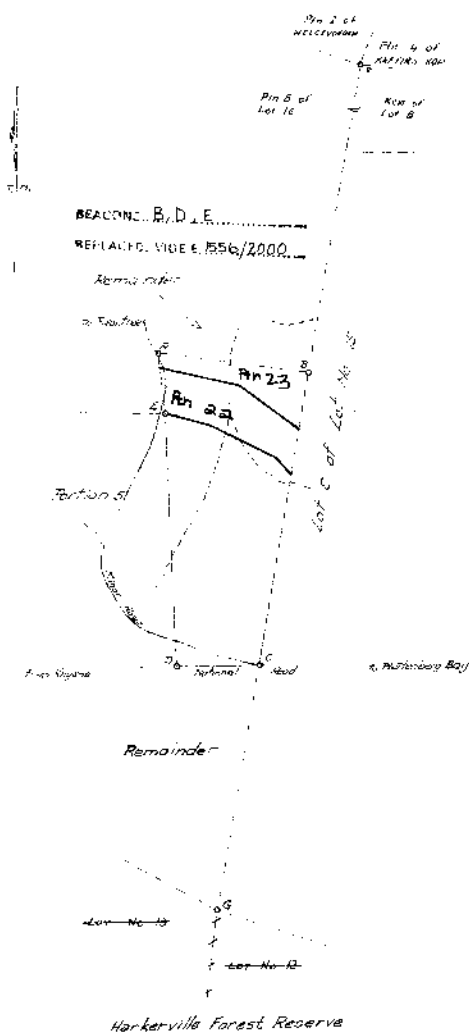
THUS done and executed, at the office of the Registrar of Deeds, at Cape

Town on this 2 day of April, 2002

q.q.

In my presence

Registrar of Deeds



SIDES	Cape Feet	ANGLES OF DIRECTION		SYSTEM 1° 23'	CO-ORDINATES
AJ	1194.1	276 12 10	A -	63910.6 +	63438.6
BC	2343.7	8 32 45	B -	65097.7 +	63567.6
CD	634.7	89 10 30	C -	64743.7 +	65390.3
DE	1996.0	175 55 00	D -	64114.3 +	65910.4
EA	434.3	172 42 00	E -	63972.2 +	63919.5
BF	3546.1	198 32 45	F -	65624.7 +	60060.9
GG	1955.0	8 32 45	G -	64459.2 +	67323.5

No. 6518/58

Approved

W. d. Barry
Surveyor-General.
20-11-1958

Description of Beacons

- A, B : : 1" pipe.
- C : : 3/4" iron peg.
- D : : Section iron std. proj. 6".
- E : : Planted stone proj. 2".
- F : : Planted stone proj. 4".
- G : : Large stone proj. 2 ft.

Portion 9 (a portion of Portion 3) of the farm
No. 121

KNYSNA

Scale 1 : 10,000

The figure A B C D E represents 25.0000 morgen of land being

PORTION 9 (a portion of PORTION 3) OF THE FARM
LOT NO. 16

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

Surveyed in July 1958 by me
(Nag. 1947 & Dec 1957)

R. d. Barry
Land Surveyor.

This diagram is annexed to
D/T 9462/1959

The original diagram is
No. 7209/47 annexed to
D/T 1948/29 6406

File No. 1-1-1
S.R. No. E. 1-1-1
AM-148

Registrar of deeds.

SURVEY RECORD					
SURVEY RECORD	DATE BY	TIME	LOCATION	INITIALS	REMARKS
5/10/2009	5/10/2009	10:22	4.0881 km	7/10/2009	7/10
5/10/2009	5/10/2009	10:23	2,5226 km	7/10/2009	7/10

ruben@vreaken.co.za

From: Denray McCallum <dmccallum@plett.gov.za>
Sent: 13 November 2024 10:16 AM
To: ruben@vreaken.co.za
Cc: 'Bianca Lotz'; Savannah Du Preez; Ricardo Rewane Pedro; lourens@vreaken.co.za
Subject: RE: Pr2456 - Portion 9 of the Farm 421 - File Investigation

Good Day Ruben

I could not locate the existing file.

Regards,

Denray McCallum

Principal Clerk | Planning & Building Control | Planning & Development | Bitou Municipality
Work: 044 501 3309 | Email: dmccallum@plett.gov.za | Website: www.bitou.gov.za
Physical Address: Office No. 50 & 51A, Melville's Corner, 3 Kloof Street, Plettenberg Bay, 6600, Western Cape, South Africa

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From: ruben@vreaken.co.za <ruben@vreaken.co.za>
Sent: Wednesday, November 13, 2024 10:14 AM
To: Denray McCallum <dmccallum@plett.gov.za>
Cc: 'Bianca Lotz' <info@vreaken.co.za>; Savannah Du Preez <sdupreez@plett.gov.za>; Ricardo Rewane Pedro <rpedro@plett.gov.za>; lourens@vreaken.co.za
Subject: RE: Pr2456 - Portion 9 of the Farm 421 - File Investigation

Good morning Denray

I kindly want to follow up if you managed to find to the file.

I have to go through to Plettenberg Bay tomorrow and would want to know if I can come conduct the file investigation?

Kind Regards
Ruben van Schalkwyk

 <p>Marike Vreken Urban & Environmental Planners</p>	<p>Ruben Van Schalkwyk C/9817/2023 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)79 098 8091</p>
--	---

From: Denray McCallum <dmccallum@plett.gov.za>

Sent: 05 November 2024 04:10 PM

To: ruben@vreken.co.za

Cc: 'Bianca Lotz' <info@vreken.co.za>; Savannah Du Preez <sdupreez@plett.gov.za>; Ricardo Rewane Pedro <rpedro@plett.gov.za>

Subject: RE: Pr2456 - Portion 9 of the Farm 421 - File Investigation

Good Day Ruben

Just to inform you that our office is still looking for the existing file, will get back to you once we have obtained the file.

Regards,

Denray McCallum

Principal Clerk | Planning & Building Control | Planning & Development | Bitou Municipality

Work: 044 501 3309 | Email: dmccallum@plett.gov.za | Website: www.bitou.gov.za

Physical Address: Office No. 50 & 51A, Melville's Corner, 3 Kloof Street, Plettenberg Bay, 6600, Western Cape, South Africa

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From: ruben@vreken.co.za <ruben@vreken.co.za>

Sent: Thursday, October 31, 2024 10:17 AM

To: Denray McCallum <dmccallum@plett.gov.za>

Cc: 'Bianca Lotz' <info@vreken.co.za>; Savannah Du Preez <sdupreez@plett.gov.za>; Ricardo Rewane Pedro <rpedro@plett.gov.za>

Subject: RE: Pr2456 - Portion 9 of the Farm 421 - File Investigation

Thank you Denray,

We only need to investigate the file at building control for the purposes of our application, but I will liaise with the Town planning Department if required.

Kind Regards

Ruben van Schalkwyk

 <p>Urban & Environmental Planners</p>	<p>Ruben Van Schalkwyk C/9817/2023 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)79 098 8091</p>
---	---

From: Denray McCallum <dmccallum@plett.gov.za>
Sent: 31 October 2024 10:06 AM
To: ruben@vreken.co.za; Ricardo Rewane Pedro <rpedro@plett.gov.za>
Cc: 'Bianca Lotz' <info@vreken.co.za>; Savannah Du Preez <sdupreez@plett.gov.za>
Subject: RE: Pr2456 - Portion 9 of the Farm 421 - File Investigation

Good Day Ruben

We will revert back once we have obtained the existing building file.

If you requesting the record file for this property, you need to liaise with the Townplanning section.

Regards,

Denray McCallum

Principal Clerk | Planning & Building Control | Planning & Development | Bitou Municipality
Work: 044 501 3309 | Email: dmccallum@plett.gov.za | Website: www.bitou.gov.za
Physical Address: Office No. 50 & 51A, Melville's Corner, 3 Kloof Street, Plettenberg Bay, 6600, Western Cape, South Africa

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From: ruben@vreken.co.za <ruben@vreken.co.za>
Sent: Thursday, October 31, 2024 9:03 AM
To: Ricardo Rewane Pedro <rpedro@plett.gov.za>; Denray McCallum <dmccallum@plett.gov.za>
Cc: 'Bianca Lotz' <info@vreken.co.za>
Subject: Pr2456 - Portion 9 of the Farm 421 - File Investigation

Good day Denray/Ricardo

I trust you are well.

I kindly want to ask if could please send me the documents (Building plan approvals/submission, etc.) you have on file at building control for Portion 9 of the Farm No. 421 or arrange to conduct a file investigation of the subject property. We have been appointed by the landowner to submit a land use application.

I also want to know, is it necessary for a formal Paia application to investigate the property files?

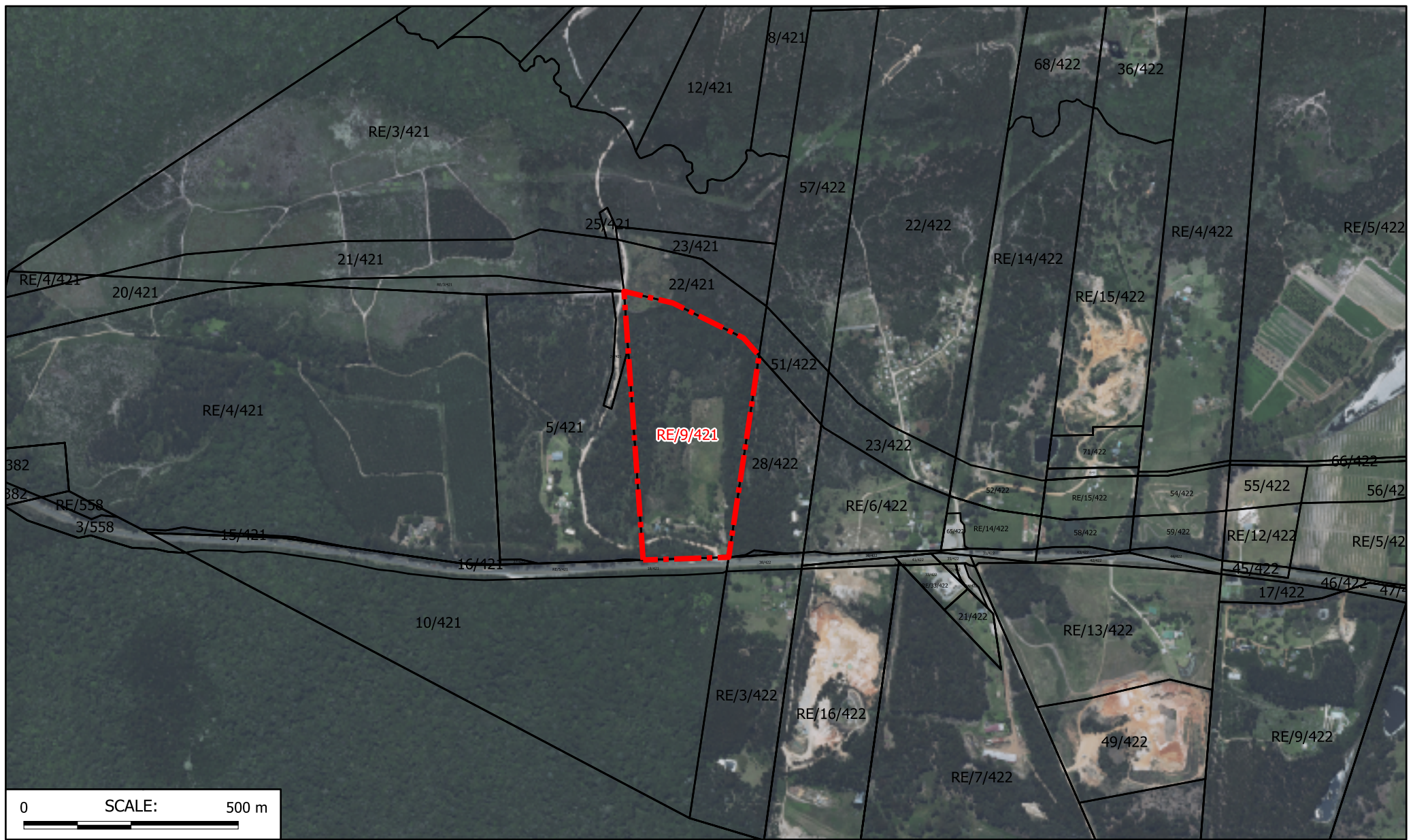
I hope that you can assist.

Kind Regards

Ruben van Schalkwyk

 <p>Marike Vreken Urban & Environmental Planners</p>	<p>Stads & Omgewingsbeplanners</p>	<p>Ruben Van Schalkwyk C/9817/2023 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)79 098 8091</p>
--	--	--

NOT APPLICABLE



0 SCALE: 500 m

**PORTION 9 OF THE
FARM NO 421**

LOCALITY PLAN



Stored: Y:\GIS\Appointed Projects\Pr2456 - Ptn 9 of the Farm No 421\Pr2456 - Ptn 9 of the Farm No 42

Projection: Transverse Mercator
Centre Lon: 23°13'11" E
Centre Lat: 34°02'04" S
Created: 2024/12/13
Scale: 1:12000
Plan: Pr2456/Land Use












21 Trotter Street, P.O. Box 2180
KNYSNA, 6570
☎ (044) 382 0420
📞 (086) 459 2987
✉ e-mail: info@vreken.co.za
🌐 web: www.vreken.co.za









LEGEND

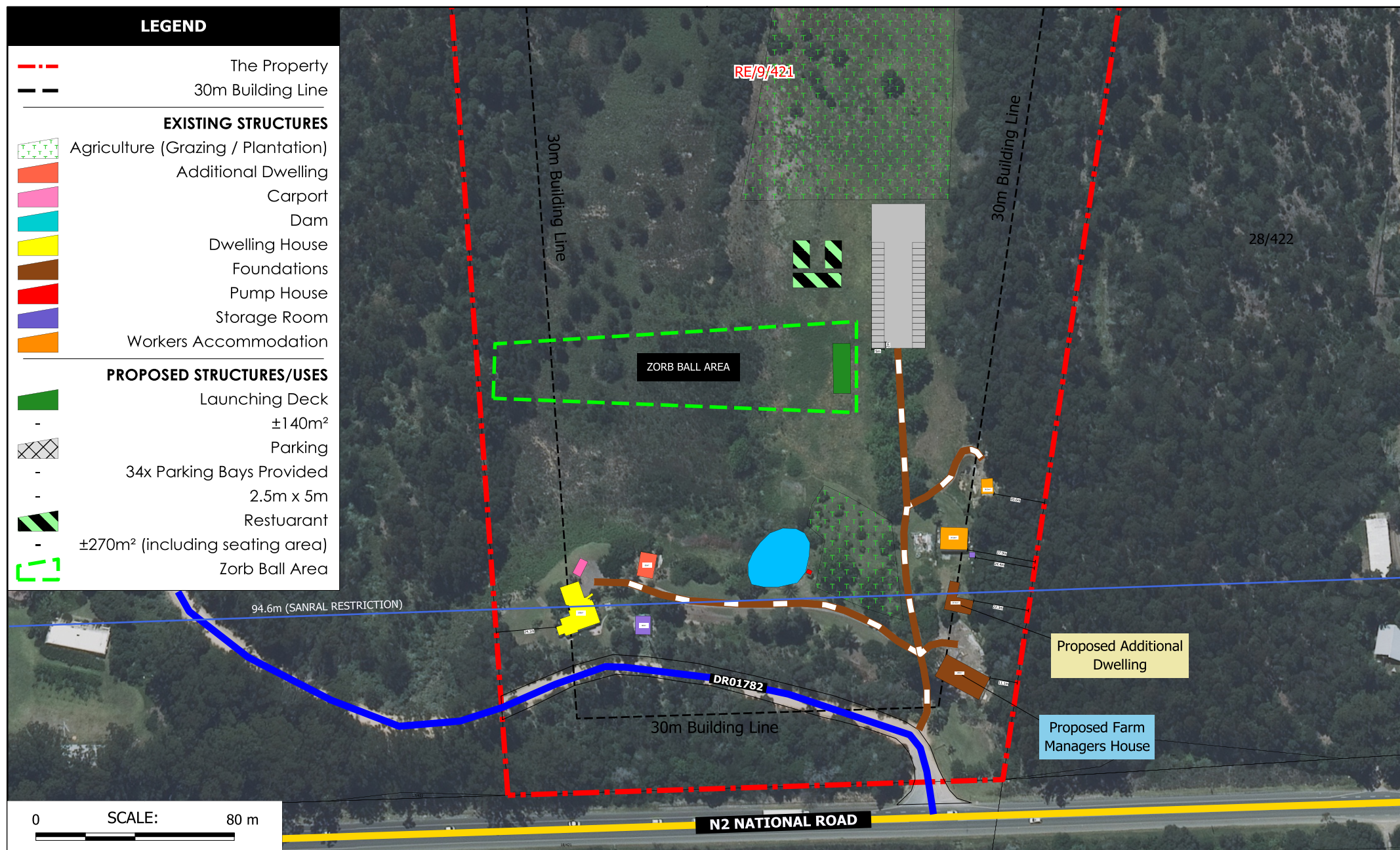
-  The Property
-  30m Building Line

EXISTING STRUCTURES

-  Agriculture (Grazing / Plantation)
-  Additional Dwelling
-  Carport
-  Dam
-  Dwelling House
-  Foundations
-  Pump House
-  Storage Room
-  Workers Accommodation

PROPOSED STRUCTURES/USES

-  Launching Deck
-  ±140m²
-  Parking
-  34x Parking Bays Provided
-  2.5m x 5m
-  Restaurant
-  ±270m² (including seating area)
-  Zorb Ball Area



**PORTION 9 OF THE
FARM NO. 421**

SDP PLAN



Projection: Transverse Mercator
Centre Lon: 23°13'08" E
Centre Lat: 34°02'10" S
Created: 2024/12/13
Scale: 1:2000
Plan: Pr2456/SDP01

Stored: Y:\GIS\Approved Projects\Pr2456 - Ptn 9 of the Farm No 421\Pr2456 - Ptn 9 of the Farm No 421.m



21 Trotter Street, P.O. Box 2180
KNYSNA, 6570
☎ (044) 382 0420
☎ (086) 459 2987
e-mail: info@vreken.co.za
web: www.vreken.co.za

LEGEND



The Property

SURROUNDING LAND USES



Agriculture



Business



Informal Housing



Quarry



Rural Residential



Tourist Accommodation



Vacant



**PORTION 9 OF THE
FARM NO 421**

LAND USE PLAN



Projection: Transverse Mercator
Centre Lon: 23°13'11" E
Centre Lat: 34°02'04" S
Created: 2024/12/13
Scale: 1:12000
Plan: Pr2456/Land Use

Stored: Y:\GIS\Approved Projects\Pr2456 - Ptn 9 of the Farm No 421\Pr2456 - Ptn 9 of the Farm No 42



21 Trotter Street, P.O. Box 2180
KNYSNA, 6570
☎ (044) 382 0420
☎ (086) 459 2987
✉ info@vrekco.co.za
web: www.vrekco.co.za

Our Ref: Pr2456b03

13 December 2024

Your Ref:

BY HAND

The Manager: Planning & Development
Bitou Municipality
Private Bag X1002
Plettenberg Bay
6600

FOR ATTENTION: MR. C SCHLIEMANN

Dear Sir,

PROPOSED CONSENT USE & PERMANENT DEPARTURE— PORTION 9 OF THE FARM NO 421

We were instructed by the owners of the above-mentioned property to apply for:

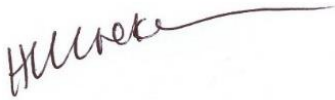
- i) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for a 'restaurant' and 'gift shop';
- ii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 for a "tourist facility" to allow for a 'recreational facility' (Zorb Ball).
- iii) A consent use in terms of Section 15(2)(o) from the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) on Portion 9 of the Farm No 421 to allow for 2x additional dwelling units;
- iv) Permanent Departures in terms of Section 15(2)(b) of the Bitou Municipality: By-Law on Municipal Land Use Planning (2015) for the relaxation of:
 - a) The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 30.5\text{m}^2$);
 - b) The eastern lateral building line from 30m to 20.6m to allow for the as-built agricultural workers' accommodation ($\pm 97.9\text{m}^2$);
 - c) The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
 - d) The eastern lateral building line from 30m to 20.6m to allow for the as-built storeroom ($\pm 5.3\text{m}^2$);
 - e) The eastern lateral building line from 30m to 22.3m to allow the proposed additional dwelling ($\pm 87.4\text{m}^2$);

- f) The eastern lateral building line from 30m to 11.1m to allow the proposed farm manager house ($\pm 199.3\text{m}^2$); and
- g) The western lateral building line from 30m to 11.1m to allow the existing main dwelling ($\pm 217.7\text{m}^2$).

We have uploaded the application on the AFLA Portal and await an invoice for the application fee, and will forward you proof of payment as soon as possible.

We trust the above is in order. Please do not hesitate to contact the writer if you require any additional information.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Marike Vreken', with a long, sweeping horizontal line extending to the right.

MARIKE VREKEN

Pr. Pln A/1101/1999 M SAPI 10233