



Enquiries

Mzwanele Saphuka

Contact details

044 501 3470

E-mail

msaphuka@plett.gov.za

File ref: 18/322/Fisanthoek

01 November 2023

Email: richard@davles.co.za


Dear Sir,

PROPOSED PERMANENT DEPARTURE BUILDING LINE RELAXATION: FARM 322, DIVISION OF KNYSNA, BITOU MUNICIPALITY

1. The Acting Director: Planning and Development made the following decision on 01/11/2023:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
3. A Permanent Departure for the relaxation of the northern and southern building line from 30m to 0m
4. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015):
 - i. *That the approval applies only to the application under consideration and specifically to the SDP drafted by Andrew Mitchel and shall not be construed as authority to depart from any other legal prescriptions or requirements from council.*
 - ii. *The use of the premises be limited to agricultural purposes and ancillary uses as permitted by the Bitou Zoning Scheme Bylaw 2023.*
 - iii. *Formal Building plans to be submitted to Council, in terms of Section 4 of the National Building Regulation and Building Standard Act 1977 (Act 103 of 1977).*
5. Reasons for the above decision are as follows:
 - a) There's no negative impact that this proposal will bring to the character of the area.
 - b) Neighbours will not be affected, they are still able to enjoy their rights.
 - c) There is no additional upgrade from the Municipality that is required.
 - d) There were no objections received against the proposal.
 - e) The approval legalizes only the existing buildings that exceed the 30m building line.
6. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
7. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days this letter was emailed or sent to the electronic address.

8. The attached appeal form must be completed and should be directed to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of notification of this decision together with proof of payment of the appeal fee.
9. If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
10. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of registration of this letter.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval, if no appeals were received within 21 days this letter was emailed or sent to the electronic address.

Yours faithfully



Chris Schiemann
Acting Director: Planning and Development