



**Enquiries**

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Via email: [Lundi@planningspace.co.za](mailto:Lundi@planningspace.co.za)

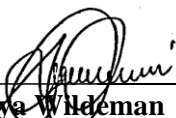
For Attention: Lundikazi Khuphiso,

**PROPOSED SUBDIVISION AND REMOVAL OF RESTRICTIVE CONDITIONS FOR ERF 792, PLETTENBERG BAY**

1. The Acting Director: Planning and Development made the following decision on 12/07/2024:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
  - 2.1. Removal of Condition C(4)(a) of the Title Deed TD 034172/22.
  - 2.2. Subdivision of Erf 792 into two portions: Portion A (500m<sup>2</sup>) and a Remainder (565m<sup>2</sup>)
3. 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 of the Proposed Subdivision Plan by Planning Space Town and Regional Planners, DRAWING NR: SUB-792-PLETT, dated 24 August 2023 and shall not be construed as authority to depart from any other legal prescriptions or requirements from council.*
  - ii. *That services (water and sewage) be provided to the satisfaction of the Head: Municipal Services & Infrastructure Development.*
  - iii. *The owner is responsible for all the services connection cost for the new property. Augmentation levies for the new erf will be applicable.*
  - iv. *The use of the premises be limited to residential purposes and ancillary uses as permitted by the Bitou Zoning Scheme Bylaw 2023.*
  - v. *The development parameters of Residential Zone I in terms of the Bitou Zoning Scheme Bylaw shall apply to Remainder and Ptn A.*
  - vi. *That the subdivision of PTN A be transferred to a deed of Title prior to building Plan submission.*
  - vii. *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).*
4. Reasons for the above decision are as follows:
  - a) There are no objections received from any interested or affected parties, both internal and external.
  - b) The amendment of Restrictive Title Conditions will have no negative impact on the rights enjoyed by other property owners.
  - c) The proposal is consistent with the relevant spatial planning legislation.
  - d) The proposal is consistent with the Bitou SDF 2022.
  - e) The proposal is considered as soft densification and will not detract from the existing character of the area.

- f) The proposed subdivision constitutes suitable incremental densification of underutilized serviced land within the urban edge.
  - g) The proposed application adheres to the building principles contained in SPLUMA.
  - h) The Use and Zoning is consistent with the character of the neighbourhood area.
  - i) One additional unit levy will contribute to service network upgrades in the future.
- 5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
  - 6. 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.
  - 7. 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.
  - 8. 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.
  - 9. 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.
  - 10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
  - 11. 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**

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Tanya Wildeman

**Acting Director: Planning and Development**