Dear Madam,

PERMANENT DEPARTURE: ERF 229 PLETTERNBERG BAY, BITOU MUNICIPALITY

1. The Manager: Land Use Management made the following decision on 17/09/2021:

2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
   a) A permanent departure in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning (2015) for the relaxation of the coverage for a Single Residential Zone from 50% to 54%;

3. That the following applications be refused in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:
   a) A permanent departure in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning (2015) for the relaxation of:
      i. The southern street building line from 4.5m to 0m, to allow for a portion of the newly proposed dwelling house
      ii. A 2m high boundary wall and a refuse room.

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):

The following condition shall be omitted in the approval letter dated 04 August 2020:
   i. That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
   ii. The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations;
   iii. The development shall be in accordance with the Site development Plan: Plan No: 151–0–A2.00 Rev 01 dated 03 August 2021 drawn by Malan Vorster Architectural Interior Design.
   iv. This approval does not absolve the applicant from compliance with the requirements of any other legislation related to land development.
5. Reasons for the above decision are as follows:
   a) The application was amended by the applicant. Therefore, the application for a building line departure to relax
      the 1) boundary wall for the service yard, 2) the height of the boundary wall and alterations and extension on the
      ground floor became superfluous.
   b) The garage encroaching the street building line is an existing approved structure endorsed by the Municipality
      during 2002.
   c) The unique circumstances related to the site justifies a relaxation of the coverage from 50% to 54%. This equates
      to 23.8m² of additional coverage from 297.5m² to 321.3m² (4%).
   d) The additional covered areas are predominantly on the western side of the property that is bordered by a public
      open space.
   e) The additional coverage will not materially affect the bulk appearance of the property.

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 the notification was served.

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

Ludolph Gericke
Director: Economic Development and Planning