Dear Madam,

PROPOSED SUBDIVISION OF ERF 2061 PLETTERNBERG BAY INTO PORTION A AND A REMAINDER, AND THE CONSOLIDATION OF PORTION A WITH ERF 419 PLETTERNBERG BAY (AMENDMENT OF COMMON BOUNDARY)

The Manager: Land Use Management made the following decision under delegated authority on 3 February 2021:

1. That the application be approved in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for;
   1.1. The subdivision of erf 2061 Plettenberg Bay into Portion A (approximately 494m²) and a Remainder (approximately 595m²), and the consolidation of Portion A with erf 419 Plettenberg Bay, to create a new erf of approximately 1189m² in extent, as per plan no. P419&2061/SUB1 dated March 2017.

2. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Planning By-law:
   2.1. This 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;
   2.2. This approval will lapse after a period of five (5) years from the date that this approval comes into operation if any of the conditions in terms of this approval are not complied with, with an option to extend the validity of this approval with up to an additional five (5) years upon application;
   2.3. In terms of Section 32 of the Bitou By-law on Municipal Land Use Planning 2015, an approved consolidation of land units lapses if the consolidation is not registered in terms of the Deeds Registries Act within the applicable period from the date that the approval comes into operation;
   2.4. Portion A may, after consolidation with erf 419, only be used for the construction of a swimming pool, family/ recreation room and the like;
   2.5. Condition 2.4. above to be inserted in the title deed of the consolidated erf in favour of the registered owner of erf 166 Plettenberg Bay, and registered in the Deeds Office;
   2.6. Any building erected on portion A may not exceed a height of 6.5 metres from the Natural Ground Level (the height of a one storey building);
   2.7. The applicant/ owner must submit a diagram to the Surveyor-General for approval, including proof to the satisfaction of the Surveyor General of the Municipality’s decision to approve the subdivision and
consolidation; the conditions of approval imposed in terms of section 66; and the approved subdivision and consolidation plan;

2.8. The applicant/owner is responsible for updating the applicable title deeds at the Deeds Office;

3. Reasons for decision
3.1. The approval will result in the amendment of a common boundary – no additional erven are created.
3.2. The approval will rectify existing building line encroachments.
3.3. The resulting property sizes will be consistent with the character of the surrounding area.
3.4. The concerns of interested and affected parties/neighbouring property owners have sufficiently been taken into account and addressed.
3.5. The application is considered to be consistent with the Bitou Municipal Spatial Development Framework 2017, as the application site falls within the approved urban edge, and no additional erven are created.
3.6. The approval would bring the size of erf 419 over the normal minimum erf size for General Residential units, which is 1000sqm.
3.7. The approval will not have any effect on Municipal services.
3.8. The approval will assist to enable Murray Cottage (and its historical significance) to be retained.

4. Appeals
4.1. A person whose rights are affected by this decision, including an applicant or interested/affected party, may appeal in writing to the Appeal Authority against such decision or any of the conditions of approval, within 21 days of the notification of this decision, in terms of Section 79 & 80 of the Bitou By-law on Municipal Land Use Planning 2015. Such appeal, with the grounds therefor, must be submitted in writing to the Municipal Manager: Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, and must comply with sections 79 & 80 of the Planning By-law in terms of procedure and requirements. The attached ‘Appeal Form’ must also be completed and accompany such a submission.
4.2. An applicant who lodges an appeal must simultaneously serve notice of the appeal on any person who commented on the application concerned, and any other person as the Municipality may determine. Such notice must be served in accordance with Section 35 of the Planning By-law, and must invite persons to comment on the appeal within 21 days of being notified of the appeal. The appellant must submit proof of service of the notice to the Municipal Manager within 14 days of the date of notification.
4.3. This approval will only come into operation after expiry of the 21-day appeal period, if no appeals are received. This will be confirmed in writing.
4.4. If an appeal is lodged, the operation of the approval of an application is suspended pending the decision of the Appeal Authority, except if an appeal is lodged only against conditions of approval, in which case the authorised employee who imposed the conditions may determine that the approval of the application is not suspended.

5. Annexures
Annexure A: PROPOSED SUBDIVISION AND CONSOLIDATION ERVEN 419 & 2061
PLETTENBERG BAY (PLAN NO. P419&2061/SUB1 dated MARCH 2017)

________________________
Marcel Minne        Date
SPATIAL PLANNER

5 February 2021
Date
PROPOSED SUBDIVISION AND CONSOLIDATION
ERVEN 419 & 2061 PLETTEMBERG BAY
situate in BITOU MUNICIPALITY
Administrative District of Knysna
Province of the Western Cape

SCALE 1:350

PTN. A
494 Sq. M

REM 2061
594 Sq. M

Notes:
1. Cadastral information from Surveyor-General’s GIS.
2. Dimensions and areas are approximate and subject to final survey.
3. Portion A to be consolidated with Erf 419.

Beacon Survey
Professional Land Surveyors
and Sectional Title Practitioners
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e-mail: beaconsurvey@mweb.co.za
Date: MARCH 2017
PLAN NO.P419&2061/SUB1