Dear Madam,

PROPOSED PERMANENT DEPARTURES (BUILDING LINE ENCROACHMENTS), PORTION 23 OF FARM 427, HARKERVILLE AREA

The Manager: Land Use Management made the following decision under delegated authority on 15 October 2021:

1. That in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 (the Planning By-law), the following be approved:
   1.1. Permanent departures from the development parameters of the Zoning Scheme, to allow the following:
       1.1.1. Departure from the western building line from 30m to approximately 28.6m for a portion of the main dwelling house;
       1.1.2. Departure from the western building line from 30m to approximately 7.4m for a water tower;
       1.1.3. Departure from the eastern building line from 30m to approximately 5.8m for an equipment store; and
       1.1.4. Departure from the eastern building line from 30m to approximately 14.8m for a timber store.
   The departures are to be generally consistent with drawing number 19.25.S5.1-1 by Tracey Mills-Brink dated 04/09/2019, and plans attached as Annexures 1 & 2.

2. The above approval is subject to the following conditions imposed in terms of Section 66 of the 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 ten (10) years from the date that the approval comes into operation, if building plans for the proposed encroachments have not been approved or any of the conditions in terms of this approval have not been complied with;
   2.3. If any Municipal services are found to traverse the affected portions of the property, such services will have to be relocated at the cost of the applicant to the satisfaction of the Municipality.

18 October 2021

Ms Tracey Mills
TMBA (Pty) Ltd
Postnet Suite 33, Private Bag X31
Knysna, 6570
tracey@traceymillsbrink.com/ 082 922 6775
3. **Appeals**

3.1. A person whose rights are affected by this decision 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 Sections 79 & 80 of the Planning By-law. 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.

3.2. If the applicant lodges an appeal, he/she must simultaneously serve notice of the appeal on any person who commented on the application concerned, and to 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.

3.3. This decision will only come into operation after expiry of the 21-day appeal period, if no appeals are received. This will be confirmed in writing.

3.4. If an appeal is lodged, the operation of the decision 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.

4. **Annexures**

4.1. Drawing number 19.25.S5.1-1 by Tracey Mills-Brink dated 04/09/2019

4.2. Annexure 1

4.3. Annexure 2

____________________________________________________________________
Marcel Minne                      Date
SPATIAL PLANNER

18 October 2021
Annexure 1
PTN 23/1/427 HARKERVILLE

- Boundary
- Electrified security fence around yard
- Water tower
- Garden tool storeroom
- Timber cover
- Only neighbouring residence
Annexure 2
PTN 23/1/427 HARKERVILLE

- **Boundary**
- **Electrified security fence around yard**
- Water tower
- Garden tool storeroom
- Timber cover
- Only neighbouring residence
- Direct line to nearest neighbouring residence