Dear Sir

PROPOSED CONSENT USE ON ERF 2133 PLETtenberg Bay, BITOU MUNICIPALITY

The Manager: Land use management made the following decision under delegated authority on 26 August 2021. That approval be granted in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:

1. Permanent consent use for:
   a. Farm stall,
   b. Farm store,
   c. Nursery,
   d. services trade and
   e. Tourist Facilities.

The proposal consists of the Playground for children, movable Coffee shop container with a stretch tent and temporary timber structure from where the nursery shop will operate with a cash register and pay point. The actual plants will be located as indicated on the Site Development Plan submitted by Structuretec reference SDP2133 dated 2020/06/17

Conditions in terms of Section 66 of the Bitou Municipality: Land Use Planning Bylaw (2015)

1. 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;
2. Formal Building plans to be submitted to Council, in terms of Section 4 of the National Building Regulations and Building Standard Act (Act no. 103 of 1977), as amended.
3. The consent use contemplated in section 19(1) will lapse after 5 years from the date that the approval comes into operation if, within that period
   a. The consent use is not utilised in accordance with the approval; or
   b. The conditions of approval have not been met:
   c. The approval by the municipality of a building plan envisaged for the utilisation for the approved consent use.
4. The traffic flow coming from both directions has to be maintained.
5. The proposed intersection is supported, however it has to be improved to prevent possible queuing from the traffic travelling from East to West direction and a right turn lane has to be introduced.
6. An approach entrance lane turning to left has to be extended to suit the current as-built layout.
7. The actual design should meet the minimum design requirements of the Municipal Engineering Department) and Provincial design standards.
8. The submitted Site Development Plan would have an impact in existing stormwater layout, therefore the stormwater design must be incorporated with the proposed design.
9. The design works must be submitted to either Western Cape Government: Roads or Bitou Municipality (Engineering Dep.) prior to any construction works.
10. The client is advised to have an overflowing parking area should the demand for parking exceeds the proposed layout.
11. An amended SDP which will indicate management of stormware and parking and overspill parking must be submitted for approval.
12. All Municipal services are to be provided to the satisfaction of the Engineering Department. A conservancy tank or connection to the municipal sewer system must be used for disposal of sewerage.

**Reasons for decision**

- The proposed consent uses are in accordance to the Section 8 Zoning Scheme.
- It will promote employment to the locals.
- It is a compatible land use for that area and will not negatively affect the character of the area.

**Appeals**

1. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
2. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of this emailed letter.
3. 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.
4. 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.
5. 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 notification of the appeal.
7. 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 of this emailed letter.

Chris Schliemann
Manager: Land Use Management