



10 Connor Street

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The Game changer of South Coast development

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## DEPARTMENT: DEVELOPMENT PLANNING SERVICES

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Our Ref: 36/2021

Your Ref: Rem of 680 Leisure Bay

19 August 2021  
Ms Chettle  
P O Box 174  
**Nottingham Road**  
3280

Dear Sir/Madam

### **REMAINDER OF 680 LEISURE BAY: PROPOSED RELAXATION OF BOTH THE BUILDING LINE AND SIDE SPACES**

Your application for the consent of the Municipality to relax: 7.62m building line along Dover Crescent and both side spaces to allow for a new dwelling house on the Remainder of Erf 680 Leisure Bay.

Duly authorised in terms of Schedule 2, Section 1.1(a) of the Ray Nkonyeni Municipal Planning and Land Use Management Bylaw, the Authorised Officer hereby resolves to approve your application for the relaxation of the building line from 7.62 meters to 5.00 meters (for the proposed pool house) and side spaces from 3.00 meters to 1.83 meters (for the proposed new dwelling house).

You have been exempted in terms of Section 3.4.4(7) of the Ray Nkonyeni Municipal Scheme from applying for Special Consent.

The approval is subject to the following conditions:

1. Prior to the commencement of any development related to the approval, plans of the proposed development shall be submitted to the Senior Manager Building Control and approved.
2. In terms of Section 3.4.4.(8) of the Scheme the approval of the relaxation only apply for the distance of the building line affected by the development proposed as indicated on the plan which accompanied the abovementioned application and will be valid only for as long as the building for which the approval is granted, exists.
3. Consent to any relaxation of the building line/s must be exercised within a period of 18 months from the date of approval, where after the consent will lapse. Any building work which is proceeded with after the above-mentioned 18 month period, will be illegal and necessary actions will be taken against the owner.

4. You are hereby advised that the granting of this authority shall not:

- (a) absolve the applicant from complying fully with any restrictive condition(s) of title or with the Council's bylaws.
- (b) bind the Council to issue or to authorise the issue of any licence, permit or further consent.

This approval shall not exempt the applicant from compliance with the provisions of any other applicable legislation

Yours faithfully



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**N SITHOLE (MS)**  
Pr.Pl n A/2410/2016  
**AUTHORISED OFFICER**  
**MANAGER TOWN PLANNING**



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Our Ref: 36/2021  
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19 August 2021  
Ms Chettle  
P O Box 174  
**Nottingham Road**  
3280

Dear Sir/Madam

### **ALTERATION OF RESTRICTIVE TITLE CONDITIONS IN TERMS OF DEED OF TRANSFER T34909/2017 – REMAINDER OF 680 LEISURE BAY**

Your application for consent to alter the omnibus servitudes from 3.05m to 1.83 meters of Deed of Transfer T34909/2017 relating to the Remainder of 680 Leisure Bays refers.

Please be advised that acting in terms of Section 54(3)(a) of the Ray Nkonyeni Municipal Planning and Land Use Management Bylaw, the Authorised Officer, duly authorized in terms of Schedule 2, Section 1.1 (f) of the Ray Nkonyeni Municipal Planning and Land Use Management Bylaw, hereby resolves **To Approve** the application (Application Number 36/2021) for amendment of restrictive title conditions B (b) and B (c) from deed of transfer T34909/2017 with regards to Remainder of Erf 680 Leisure Bay.

The amended conditions are to read as follows:-

**Condition B (b):** The owner of the lot shall without compensation be obliged to permit the erections laying and maintenance of electric wires and or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of **1.83 meters** from such boundary as well as reasonable access theretofore the purpose of maintenance, removal or extension.

**Condition B(c):** The owner of the lot shall, without compensation, be obliged to permit the construction and maintenance of sewers and drains over or under the lot along any boundary thereof other than a road frontage and within a distance of **1.83 meters** from such boundary, as well as reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the lot shall, without compensation, be obliged to allow the sewerage and drainage of any other lot be aggrieved by the unreasonable exercise of these rights he shall have the right to appeal to the Administrator whose decision shall be final.

1. THAT the owner's attention be drawn to:

- 1.1 Section 4 of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977) , stating that no person shall without the prior approval in writing of the local authority, erect any building in respect of which plans and specifications are to be drawn and submitted in terms of the said Act;
2. THAT it be noted that public consultation was not required for the application. The application was exempted from the public participation process i.e. newspaper advert due to exceptional circumstances;
3. THAT the onus is on the owner to endorse the final title deed accordingly.
4. THAT the effective date of the Authorised Officers' decision will be on the date of the approval.

Yours faithfully



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N SITHOLE (MS)  
Pr.Pin A/2410/2016  
**AUTHORISED OFFICER**  
**MANAGER TOWN PLANNING**