



Enquiries

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File ref: 18/451/NV

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Dear madam,

REZONING: ERF 451 NATURES VALLEY, BITOU MUNICIPALITY

1. The Acting Director: Planning and Development made the following decision on 01/11/2023:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
 - a) Rezoning the Remainder of Erf 451 Natures Valley from Authority Zone to Residential Zone I in terms of Section 15(2)(a) of the Land Use Planning Bylaw, 2015 as amended, to allow for a dwelling house.
3. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015):
 - 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. *That municipal services be provided at the cost of the applicant to the satisfaction of the Municipality, and that a Services Agreement based on the provisional Services Report (as well as any other requirements of the Municipality), and that the payment of augmentation levies and capital contributions in accordance with the policy of the Municipality be stipulated in the Services Agreement (inclusive of performance of payment).*
 - iii. *That an OSCAER permit application be submitted for vegetation clearance and earthworks required for the construction of the dwelling house.*
 - iv. *The use of the premises be limited to residential purposes and ancillary uses as permitted by the Bitou Zoning Scheme Bylaw 2023.*
 - v. *Formal Building plans to be submitted to Council, in terms of Section 4 of the National Building Regulation and Building Standard Act 1977 (Act 103 of 1977).*
 - vi. *The approval does not absolve the land owner to comply with any other legislation related to land development.*
4. Reasons for the above decision are as follows:
 - a) No objections were received from any interested or affected parties
 - b) The Use and Zoning is consistent with the character of the neighbourhood area.
 - c) The proposal is consistent with the relevant spatial planning legislation.

- d) The proposal is consistent with SPLUMA principles.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
 6. 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.
 7. 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.
 8. 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.
 9. 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.
 10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
 11. 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

A handwritten signature in black ink, appearing to read 'M. Schliemann', with a horizontal line underneath.

Chris Schliemann
Acting Director: Planning and Development