



**Enquiries**

A Sanchez

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File ref: 18/1361/PB

27 November 2024

Via Email

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Dear Sir,

**REMOVAL OF RESTRICTIVE TITLE CONDITIONS: ERF 1361, BITOU MUNICIPALITY.**

1. The Acting Director: Planning and Development under delegated Authority from Council made the following decision on 27/11/2024:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:  
  
The Removal of Conditions No. D.4.d, E.1 and E.2 set out in the Deed of Transfer Number T34491/2003 in order to permit the erection of a carport with a flat roof within the parameters of the Zoning Scheme.
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):
  - a. 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;
  - b. That development broadly occurs as per Drawing No. HOUSE HEREN/024BITOU dated June 2024) prepared by X-Cube Designs dated 021.
4. Reasons for the above decision are as follows:
  - a) The Removal of Restrictive Conditions will have no impact on the rights enjoyed by other property owners.
  - b) No comments or objections were received from the adjoining property owners.
  - c) Restrictive Title Conditions are superfluous, as there is a Zoning Scheme that regulate development parameters.
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**



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**Chris Schliemann**  
**Manager: Land Use Management**