Dear Sir,

**SUSPENSION OF RESTRICTIVE TITLE DEED CONDITIONS: ERF 404 NATURES VALLEY, BITOU MUNICIPALITY**

1. The Acting Manager: Land Use Management made the following decision on 01/12/2021:

2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
   a) The suspension of Conditions F(4)(d) & H(14) in Title Deed (T65022/2006) in terms of Section 15(2)(f) of the Bitou Municipality By-law on Municipal Land Use Planning, 2015; to allow for the existing structure on Erf 404 Natures Valley as illustrated on Drawing No J574-C1.3 dated 24-04-2008 drawn By T&B Log Homes.

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. *The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations;*
   iii. *The development shall be in accordance with the Site development Plan: Plan No: 151–0-A2.00 Rev 01 dated 03 August 2021 drawn by Malan Vorster Architectural Interior Design.*
   iv. *This approval does not absolve the applicant from compliance with the requirements of any other legislation related to land development.*

4. Reasons for the above decision are as follows:
   a) The existing unlawful structures will be regularised and will adhere to the development parameters for a Single Residential Zone in terms of the Section 8 Zoning Scheme Regulations.
   b) A suspension (once-off approval) rather than a removal will allow for the existing additions whilst the restrictive title conditions remain in force for any future alterations and additions to the site.
   c) The formalisation of the existing structures should not adversely affect the character of the surrounding area, and should not have a detrimental effect on the views or privacy of neighbouring property owners.
d) The suspension of the restrictive title deed conditions is to allow for the existing structures and should be construed as a blanket approval for any future structures encroaching this restrictive building lines.

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.


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

[Signature]

Ludolph Gericke
Director: Economic Development and Planning