Dear Madam

PROPOSED REMOVAL OF RESTRICTIVE TITLE DEED CONDITION AND DEPARTURE FROM THE PARAMETERS OF THE ZONING SCHEME.

The Manager: Land use management made the following decision under delegated authority on 10 March 2021. That approval be granted in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:

1. Removal of restrictive condition 4(D) in the title deed of Erf 1175 Plettenberg Bay.
2. Permanent departure from the provision of the zoning scheme to allow a building line departure from 3m to 0. (Attached SDP Plan no. 37.18)

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. That formal building plans must be submitted to the Council, in terms of Section 4 of the National Building Regulations and Building Standard Act (Act No. 103 of 1977 as amended)
3. This approval will lapse if the Title Deed has not been endorsed in 5 years of this approval.
4. If any Municipal services are found to traverse the affected portion of the property, the services will have to be relocated at the cost of the applicant to the satisfaction of the Municipality.
5. Please refer to section 34(1&2) of the Bitou By-Law Municipal Land Use Planning 2015 which state that:

An applicant at whose instance a restrictive condition is removed, suspended or amended must, after the publication of a notice contemplated in section 33(7) in the Provincial Gazette, apply to the Registrar of Deeds to make the appropriate entries in,
and endorsements on, any relevant register or title deed to reflect the removal
suspension or amendment of the restrictive condition.

i. The Registrar of Deeds may require proof of the removal, suspension or
amendment of a restrictive condition from the applicant including the
submission of the following to the Registrar of Deeds:
   a. A copy of the approval;
   b. the original title deed; and
   c. A copy of the notice contemplated in section 33(7) as published
      in the Provincial Gazette.

Reasons for decision

- The proposed removal of restrictive Title Deed conditions will not adversely affect the
  character of the surrounding area as it is consistent with that of the surrounding area.
- No additional municipal services will be required.

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.

6. Kindly note that no appeal right exists in terms of Section 62 of the Local Government

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 Schlemann
Manager: Land Use Management