

## Human Settlements

Your ref:  
Our ref: CF24/00047  
Date: 21 June 2024  
Who deals with this: Mr M Msimanga

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PO Box 9, Port Elizabeth, 6000  
Republic of South Africa  
e-Mail: mmsimanga@mandelametro.gov.za

### PER EMAIL

[maartje@route2.co.za](mailto:maartje@route2.co.za)

Route<sup>2</sup> EC  
Private Bag X0002  
SUNRIDGE PARK  
6008

Dear Madam

### REMOVAL OF RESTRICTIONS APPLICATION IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) : ERF 47, SUNRIDGE PARK

I refer to previous correspondence in this regard and wish to advise that, by resolution of full Council at its meeting held on 16 July 2015 and in terms of Section 24(2) of the Spatial Planning and Land Use Management By-Law 2023, and Section 42 of the Spatial Planning and Land Use Management Act 16 of 2013, the Authorised Official on 19 June 2024 resolved as follows:

That, the application for the Removal of Restrictive Title Deed Conditions B.(3)(a), B.(3)(b), B.(3)(c), B.(3)(d) and B.(3)(e) as contained in Deed of Transfer No. T19562/2013 and any subsequent Deed in respect of Erf 47, Sunridge Park, **BE APPROVED**, subject to:

- (i) compliance with the requirements of the Registrar of Deeds;
- (ii) the provisions of applicable zoning scheme regulations applying;
- (iii) compliance with the provisions of the National Building Regulations and Building Standards Act 103 of 1977;
- (iv) the approval granted lapsing after 5 years, in terms of Section 43(2) of the Spatial Planning and Land Use Management Act 2013 (SPLUMA) if conditions imposed are not complied with within the stated period.

The Authorised Official's decision was based on the following reasons:

- The proposal is in line with the vision of the Cape Road Local Spatial Development Framework Plan, 2014.
- The proposal is in accordance with the following principles of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013): Spatial Justice, Spatial Sustainability, Efficiency, Spatial Resilience and Good Administration.
- The proposal is envisaged to promote optimal utilisation the existing resource and infrastructure.
- The approval of this application does not demonstrate any sign of posing negative impact on the surrounding property owners and public in general.\

The approval of this application does not demonstrate any sign of posing negative impact on the surrounding property owners and public in general.

Please note, should you have any query relating to the above decision, please contact Ms N Ketelo, 506 3324 (Town Planning Admin), alternatively Town Planning Reception, 506 2241.

Your attention is drawn to the provisions of Section 43 of the Spatial Planning and Land Use Management Act in respect of the lapsing of applications.

Furthermore, your attention is also drawn to the provisions of Section 51 of the Spatial Planning and Land Use Management Act in terms of which a right of appeal exists. Should you wish to exercise your right in terms hereof, such an appeal, accompanied by proof of payment in the amount of R4307,00 (VAT included) in favour of the Nelson Mandela Bay Municipality, must be directed to the Office of the City Manager (mailto:sthebe@mandelametro.gov.za, Attention: Senior Director: Strategic Planning and Co-ordination), Nelson Mandela Bay Municipality, P O Box 9, Port Elizabeth, 6000 within 21 days of the date of notification of the decision. (please refer to the attached Appeal Application Form)

In terms of the above Act, you are required to arrange for the publication of the notice of approval in the Provincial Gazette: Eastern Cape. Kindly therefore email your draft notice to info.egazette@gpw.gov.za in order to obtain a quote, application form and the bank details from the Government Printer. Please also note that the notice together with the proof of payment and the completed form should be emailed to submit.egazette@gpw.gov.za for the Publication Department to place the notice in the Provincial Gazette.

Kindly arrange for the endorsement of your Title Deed with the Registrar of Deeds, King William's Town to ensure that the conditions/clause are/is removed once the notice has been published in the Provincial Gazette: Eastern Cape.

Below is an example of the Provincial Gazette Notice:

**Nelson Mandela Bay Municipality (EASTERN CAPE)**

**Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

**ERF ....., ..... (erf no. and area), PORT ELIZABETH, EASTERN CAPE**

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that condition/s..... in Deed of Transfer No. T..... applicable to Erf ..... is/are hereby removed.

Yours faithfully



**SENIOR DIRECTOR: LAND PLANNING AND MANAGEMENT**

ENCLOSURE : As stated

47-SunridgePark-Route2/MMsimanga

