



Enquiries

Adél Stander

Contact details

044 501 3321

E-mail

astander@plett.gov.za

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Beacon Survey

Per E-mail

Dear Sir

PROPOSED GENERAL RESIDENTIAL DEVELOPMENT: ERF 8725, Cnr. of PIESANG VALLEY ROAD & N2, PLETTENBERG BAY

The Bitou Land Use Planning Tribunal made the following decision on 23 October 2023:

The rezoning of 'Erf 8725' from 'Undetermined Zone' to 'General Residential' to allow for the development of 170 residential units.

The above is subject to the following conditions in terms of Section 66 of the Bitou Land Use Planning Bylaw:

- a. That municipal services be provided at the cost of the applicant to the satisfaction of the Municipality, and that a Services Level Agreement be entered into, and that the payment of augmentation levies and capital contributions in accordance with the policy of the Municipality be stipulated in the Services Level Agreement (inclusive of performance of payment). No building plans will be considered without proof of performance of payment as stipulated in the Services Agreement.
- b. That the applicable augmentation fees be paid proportionally to recover the rehabilitation and related costs incurred by the Municipality along the Piesang Valley Road.
- c. That a pedestrian access gate be provided at the north-eastern section of Erf 8725 opposite the public transport hub, and that a pedestrian crossing be provided at the cost of the developer.
- d. That a suitable Managing Agent be appointed to manage rentals, maintenance, and rules of conduct.
- e. That a suitable Managing Agent that is registered and subject to SHRA requirements, be appointed to manage rentals, maintenance, and rules of conduct.
- f. The use of renewable energy sources is encouraged.
- g. Rainwater harvesting is encouraged.
- h. An Environmental Management Plan (EMP) is to be drafted and submitted to the Municipality prior to the commencement of construction for consideration by the Planning and Development Directorate, who may impose conditions upon approval of the EMP. The EMP is to detail Construction as well as Operational related environmental management and should contain inter alia:
 - a. Method statements of proposed construction methods.
 - b. Specifications of indigenous plant rescue operations.
 - c. Rehabilitation and Open Space Management plan.
 - d. Contractor management and environmental best practice.
 - e. Alien Invasive Plant Species management plan.
 - f. Conservation management where applicable.
- i. That the TIA and the recommendations are approved.
- j. The comments, requirements, and conditions from Western Cape Roads, SANRAL and Public works dated 13 April 2022 are accepted.
- k. If any archaeological or paleontological material is discovered during earth moving activities all work must be stopped and HWC must be notified immediately.

REASONS FOR THE DECISION ARE AS FOLLOWS:

- a. The site is within an existing urban area and within the approved urban edge.
- b. The demand for well-located affordable housing is addressed.
- c. Subsidized rental housing will be provided at a highly strategic and accessible location.
- d. Compaction, integration, and densification are achieved.
- e. The principles referred to in chapter 2 of SPLUMA and Chapter VI of LUPA were adequately addressed in assessing the application. Where necessary, suitable conditions are imposed.

Appeals

- a) You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
- b) Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600 or electronically to the case officer (cschliemann@plett.gov.za), by 15 January 2024.
- c) The 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 date of e-mailed notification of this decision together with proof of payment of the appeal fee.
- d) 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.
- e) 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 e-mailed notification of this letter.
- f) Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- g) 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 by 15 January 2024.



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Chris Schliemann

Acting Director: Planning & Development