



**Enquiries**

Adél Stander

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File ref: 18/4/428

14 May 2024

Marike Vreken

PER E-MAIL: marike@vreken.co.za

Dear Madam

**PROPOSED REZONING AND DEPARTURE: PORTION 12 OF THE FARM, MATTHYSBOSCH NO. 431, DIVISION KNYSNA, BITOU MUNICIPALITY.**

The Manager: Land Use Planning approved the following on 13 May 2024, in terms of Delegated Authority from Council, in terms of Section 60 of the Land Use Planning Bylaw, 2015:

That **approval be granted** in terms of Section 60 of the Bitou Municipality Land Use Planning Bylaw (2015) for:

Rezoning of a portion ( $\pm 0.935$ ha) of Portion 12 of Farm no.431, from Agriculture to Institution Zone III to allow the Sabrina Love Day Care and Treatment Centre.

**Conditions of approval in terms of Section 66 of the Bitou By-law on Municipal Land Use Planning 2015:**

- a.) This 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 Site Development Plan Nr.101 prepared by Paul Oosthuizen Architects dated 20 April 2023 and the Zoning Plan drawn by Marike Vreken dated 10 March 2023 and plan number Pr23/04F431Ptn12ZP.
- c.) That daily vehicular trips to the institution be limited to 20 trips in total.
- d.) That the conditions of approval as per the letter from Western Cape Infrastructure, Chief Directorate: Roads Planning dated 1 August 2023 be adhered to.

**Reasons for Decision:**

- 1. The requirements from WC: Transport and Public Works to provide proof of the approval of the access from DR1770 was provided by the applicant.

2. The proposal complies with the WC Guidelines for Rural Development for Institutions with specific locational requirements. The applicant has sufficiently shown that the institution requires the space for their treatment protocols and the tranquil and quiet environment for children with physical and mental impairments.
3. Only the existing buildings and disturbed footprint of the previous farmstead is used for the educational purposes of the institution. The existing buildings were repurposed for the needs of the institution.
4. The farming activities of the property remains and will be further expanded. The proposed rezoning therefore does not impede any agricultural activities.

### **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), within 21 days of date of e-mail/ publication of this letter.
- 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 within 21 days of registration of this letter.

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**Chris Schliemann**  
**Manager: Land Use Planning**