Enquiries
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Dear Madam,

PROPOSED REZONING OF A PORTION OF PORTION 30 OF THE FARM BUFFELS RIVIER NO 288, DIVISION KNYSNA, BITOU MUNICIPALITY

1. The Acting Director Economic Development and Planning made the following decision on 22/06/2020:

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

   a) The rezoning of a portion ± 1100m² of the remainder of Portion 30 of the Farm Buffels Rivier No 288 in terms of Section 15(2)(a) of the Bitou Municipality Bylaw On Land Use Planning (2015) to allow a winery.

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. The owner, or his assignee, must confirm in writing that the following conditions are understood and will be adhered to, before approval will come into effect and before any building plans will be approved and/or clearance will be given by the municipality.

   ii. These conditions of approval must be made known to all new owners and/or developers and are binding on any new owner and/or developer.

   iii. 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;

   iv. The applicant shall be responsible for all costs necessary to comply with all the conditions, unless otherwise specified;

   v. That the proposed development be in accordance to the Site Development Plan dated 19 November 2019, ref: Pr19/62F288Ptm30SDP01 drawn by Marike Vreken Town Planners.

   vi. The Agriculture zone II will be limited to the extent of 0.1100ha as illustrated in the Zoning Plan dated 19 November 2019, ref: Pr19/62F288Ptm30ZP02 drawn by Marike Vreken Town Planners.

   vii. That services (water and sewage) be provided to the satisfaction of the Head: Municipal Services & Infrastructure Development.

   viii. The winery shall not be used as a ‘tourist facility’ without the necessary consent use approved by Council.

   ix. No Structures or anything whatsoever shall be erected, constructed or established within a distance of 30m measured from the National Road Reserve boundary, without the written approval from SANRAL.

   x. No direct access from the National road will be permitted.
Access to the winery will be obtained off Minor Road 7228 at + km 0.31 LHS. This access will be used by delivery/collection trucks, farming implements and passenger vehicles.

The existing access of Division Road 1797 at + km 0.43 RHS will only be used by passenger vehicles. This access may not be used by delivery/collection trucks, or farming implements.

No free standing advertising signs will be allowed in terms of Regulations on advertising on visible from the National Road as published in Government Gazette no 6968 dated 22 December 2000.

A register must be kept on site detailing each occurrence of when the Municipality were contacted to empty the effluent storage tank. These records should be made available on request.

Reasons for the above decision are as follows:

a) The existing workshop/shed will be converted to accommodate the winery;

b) No objections were received from the public;

c) Comments were received from the Internal Municipal Departments and were adequately addressed by the applicant;

d) The proposal will diversify the agriculture potential of the property;

e) The proposed development is consistent with the character of the area;

f) The proposal will facilitate skills development and contribute to the establishment and growing of the wine industry in Bitou Municipality;

g) The proposal will not have any negative impact on surrounding property owners land use rights;

h) The development proposal is consistent with the relevant spatial planning policies and objectives associated with agriculture industries;

i) The proposal is located outside the Municipal urban edge and will have no impact on municipal service infrastructure;

j) The existing approved access off Minor Road 7228 will be used for delivery/collection trucks, farming implements, and if necessary passenger vehicles;

k) The existing approved access off Divisional Road 1797 will only be used by passenger vehicles for access to the approved tourist Facility.

You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.

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.

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.

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

David Friedman
Director: Economic Development and Planning