PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL AND APPROVED SITE DEVELOPMENT PLAN (SDP): FARM R/3/304 MATJESFONTEIN (THE PLETENBERG MANOR)

The Manager: Land Use Management made the following decision under delegated authority on 22 June 2021:

1. That the application be approved in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:
   1.1. Approval of the revised Site Development Plan no. TPM/SDP/Rev18 dated 21.10.2020 (as required by condition 4(iv) of the conditions of rezoning approval dated 29 May 2013).
   1.2. Amendment of condition 4(v) of the conditions of rezoning approval dated 29 May 2013 (as amended by paragraph (a) of the approval of 1 February 2016) to read as follows:
   “A maximum of 180 residential retirement units (102 ‘houses’, 24 ‘apartments’ and 54 assisted living units) and 24 frail care beds, with coverage of no more than 22% and a minimum of 326 parking bays”.
   1.3. Amendment of condition 5(a) of the conditions of rezoning approval dated 29 May 2013 (as amended by paragraph (d) of the approval of 1 February 2016) to read as follows:
   “That not more than 126 residential retirement units (102 ‘houses’ and 24 ‘apartments’), 54 assisted living units and 24 frail care beds be accommodated on the site”.

2. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou By-law on Municipal Land Use Planning 2015:
   2.1. 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;
   2.2. This approval will lapse after a period of ten (10) years from the date that the approval comes into operation if any of the conditions in terms of this approval have not been complied with;
   2.3. Engineering services to be provided/ upgraded and the existing Services Level Agreement (SLA) to be suitably amended, to the satisfaction of Municipal Engineering Services. The infill of the dam on the northern portion of the site, which may require additional storm water management measures, is to be addressed in particular in the SLA or at building plan stage;
2.4. Bulk services contributions/ augmentation levies may be payable, to the satisfaction of Municipal Engineering Services;

2.5. The 15 additional units are to be subject to the same architectural/ design guidelines that apply to the development as a whole;

2.6. The approval is subject to compliance with previous conditions as set by the Western Cape Department of Transport and Public Works: Roads, as amended;

2.7. The “2nd CAR/BOAT/CARAVAN/BUS COVERED PARKING” as indicated on the SDP is for use by inhabitants of the estate only, and not for commercial storage/ parking purposes.

3. Appeals

3.1. A person whose rights are affected by this decision may appeal in writing to the Appeal Authority against such decision or any of the conditions of approval, within 21 days of the notification of this decision, in terms of Sections 79 & 80 of the Bitou By-law on Municipal Land Use Planning 2015. Such appeal, with the grounds therefor, must be submitted in writing to the Municipal Manager: Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, and must comply with sections 79 & 80 of the Planning By-law in terms of procedure and requirements.

3.2. An applicant who lodges an appeal must simultaneously serve notice of the appeal on any person who commented on the application concerned, and any other person as the Municipality may determine. Such notice must be served in accordance with Section 35 of the Planning By-law, and must invite persons to comment on the appeal within 21 days of being notified of the appeal. The appellant must submit proof of service of the notice to the Municipal Manager within 14 days of the date of notification.

3.3. This decision will only come into operation after expiry of the 21-day appeal period, if no appeals are received. This will be confirmed in writing.

3.4. If an appeal is lodged, the operation of the decision is suspended pending the decision of the Appeal Authority, except if an appeal is lodged only against conditions of approval, in which case the authorised employee who imposed the conditions may determine that the approval of the application is not suspended.

4. Annexures

SITE DEVELOPMENT PLAN, drawing nr: TPM/SDP/Rev18, date: 21.10.2020 by: ARCHITECH.

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Marcel Minne
SPATIAL PLANNER

22 June 2021
Date