



**MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL
(MPT)**

MINUTES

DATE:	30 AUGUST 2017
VENUE:	TOWN PLANNING COMMITTEE ROOM HERMANUS
TIME:	14:24

OVERSTRAND

MUNICIPAL PLANNING TRIBUNAL

MINUTES OF A MEETING OF THE MUNICIPAL PLANNING TRIBUNAL, HELD IN THE TOWN PLANNING COMMITTEE ROOM, HERMANUS, ON 30 AUGUST 2017, AT 14:00

PRESENT:

MEMBERS:

Mr S Müller, Director : Infrastructure & Planning
Mr R Williams, Director : Community Services
Ms H Janser, Directorate Development
Management

OFFICIALS:

Mr R Kuchar, Senior Manager : Town Planning &
Property Management
Mr H Olivier, Town Planner
Mr P Roux, Town Planner

APOLOGIES:

Mr C Groenewald, Municipal Manager
Mr S Madikane, Director : LED
Ms S Swart, Council Support Services

MUNICIPAL PLANNING TRIBUNAL
WEDNESDAY, 30 AUGUST 2017 : 14:00
TP COMMITTEE ROOM

ATTENDANCE REGISTER

	Name	Job Description	e-mail address	Attending
1.	H. Janser	Member		
2.	R. Kuehn	AG		
3.	P. Roux	Town Planner		
4.	I. Olivier	Town Planner		
5.	R. Williams	Member	rwilliam@oxpstandgen.zu	
6.	S. Müller	Member - Chair		
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1. OPENING

The Acting Chairperson, Mr S Müller, welcomed those present. The meeting started at 14:24 due to the extended Council meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Mr C Groenewald
Mr S Madikane
Ms S Swart

3. CONFIRMATION OF MINUTES**3.1 Minutes of a Municipal Planning Tribunal Meeting held on 27 July 2017****RESOLVED:**

that the Minutes of the Municipal Planning Tribunal Meeting held on **27 July 2017, be confirmed.**

4. ITEMS FOR CONSIDERATION

4.1

**ERF 511, 39 PROTEA ROAD, FISHERHAVEN, OVERSTRAND MUNICIPAL AREA :
PROPOSED CONSENT USE : MESSRS WRAP ON BEHALF OF THE RENDEZVOUS
TRUST 2**

511 HFH (3600)

H Olivier

17 July 2017

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on Erf 511, Fisherhaven for a consent use for a five (5) bedroom guest house in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016.

RESOLVED:

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 (the By-Law) on Erf 511, Fisherhaven for a consent use to operate a five (5) bedroom guest house, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that a revised site development plan be provided showing seven (7) parking bays on site;
 - (b) that proof be provided that the braai structures have been approved on a building plan, and if not the required building plans and planning applications be submitted for such structures and any other illegal structures on site for consideration, or alternatively all illegal structures be demolished prior to acting on this approval;
 - (c) that this approval must be acted on within three (3) years of the date of this approval, otherwise the approval will lapse;
 - (d) that the facility be utilized as a guesthouse only
 - (e) that the guest house only be utilized in line with the finally approved site development plan;
 - (f) that a maximum of five (5) bedrooms to be let, be permitted;
 - (g) that the owner/manager resides on the premises, and that the owner be responsible for the proper management of the guest house;
 - (h) that the guest house is utilized as such – no self-catering will be permitted;
 - (i) that no facilities (bar/restaurant or any other) be provided for non-residents of the accommodation establishment and that these facilities only be used by bona-fide guests of the establishment;

- (j) that the selling or serving of liquor on the premises will be subject to the applicant obtaining the necessary Liquor Licence;
 - (k) that a maximum of one (1) permanently demarcated parking bay per guest room and two (2) for the owner/manager be provided within the erf boundaries, subject to the approval of the Authorised Official;
 - (l) that commercial rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (m) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (n) that a single non-illuminated sign that complies with the Municipal By-Law on Signage, may be displayed on the premises, and that the existing flag pole be removed;
 - (o) that the guest house be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (p) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
 - (q) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (r) that should any building alterations be required building plans should be submitted to the Building Department for approval;
 - (s) that all the conditions in the Services Report be complied with;
 - (t) that all conditions imposed by the Fire Department, be complied with;
 - (u) that no kitchen facilities and or prep bowls be allowed in the guest rooms, and
 - (v) that all the conditions by Telkom be complied with.
2. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :

H OLIVIER

4.2**ERF 1180, 223 MAIN ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURES: M VAN DER WALT****1180 HEC (3599)****P Roux****2 June 2017****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

An application has been received on 24 February 2017 from the owner of Erf 1180, Eastcliff, Hermanus, M van der Walt, for a departure in terms of Section 16(2)(b) to relax the eastern lateral building line with Erf 1179 from 2m to 0m to accommodate the use change of the existing servant's quarters into a manager's accommodation and to relax the rear building line with Erf 5671 from 2m to 0m to accommodate an existing store.

RESOLVED:

1. that the application for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 (By-Law) in order to relax the rear and eastern lateral building line with Erven 5671 and 1179, respectively, from 2m to 0m to accommodate an existing store room, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is only for the departure pertaining to the store room as indicated on the Site Plan as submitted with the application;
 - (b) that the conditions of approval dated 13 January 2017 be adhered to;
 - (c) that the building plans be amended to only indicate the store room and the reduced size of the previously approved servant's quarter, on the property boundary;
 - (d) that building plans be submitted for approval, within sixty (60) days of the final decision, to the Building Department and that the relevant Building and Fire Regulations be complied with at that stage;
 - (f) that compliance is shown towards the building plan within sixty (60) days of building plan approval;
 - (g) that the conditions compiled in the Services Report be complied with;
 - (h) that the conditions compiled by Fire Services is complied with, and
 - (i) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation,

2. that the application for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 (By-Law) in order to relax the eastern lateral building line with Erf 1179 from 2m to 0m, to accommodate the use change of the existing servant's quarters into a manager's accommodation, **not be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that only four (4) bedrooms be rented - one of the bedrooms in the dwelling must be used for the accommodation of the manager/owner;
4. that the building plans be amended to only indicate the store room and the reduced size of the previously approved servant's quarter, on the property boundary;
5. that building plans be submitted for approval, within sixty (60) days of the final decision, to the Building Department and that the relevant Building and Fire Regulations be complied with at that stage;
6. that compliance is shown towards the building plan within sixty (60) days of building plan approval; and
7. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :

P ROUX

The meeting adjourned at 14:32