



**MEETING OF A
SPECIAL
MUNICIPAL PLANNING TRIBUNAL
(MPT)**

MINUTES

**DATE
VENUE:
TIME:**

**5 JUNE 2026
VIRTUAL
09:00**

OVERSTRAND

MUNICIPAL PLANNING TRIBUNAL

MINUTES OF A MEETING OF A SPECIAL MUNICIPAL PLANNING TRIBUNAL, HELD VIRTUALLY ON 5 JUNE 2026 AT 09:00

PRESENT:

MEMBERS:

Mr S Müller, Chief Engineer : Infrastructure Services
Ms T de Waal, Directorate Development Planning
Mr H Blignaut, Principal Engineer : Civil
Infrastructure Planning
Ms R Louw, Divisional Manager : Strategic Support
Services

OFFICIALS:

Mr R Kuchar, Divisional Manager : Town & Spatial
Planning
Mr S van der Merwe, Principal Town Planner
Mr B Minnaar, Town Planner
Ms C Fisher, Chief Clerk: Committee Services
Ms S Swart, Senior Committee Officer

APOLOGIES:

None

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**SPECIAL
MUNICIPAL PLANNING TRIBUNAL
ATTENDANCE REGISTER**

Date: 5 JUNE 2026

I, the undersigned, hereby declare:

- that I will make known details of any personal or other interest in respect of matters on the agenda and whether I have been approached by any party prior to the meeting
- that I have read all the information on the agenda

NAME	DEPARTMENT / SECTION MUNICIPALITY	SIGNATURE
S MÜLLER	CHAIRPERSON OVERSTRAND MUNICIPALITY	Present
T DE WAAL	VICE-CHAIRPERSON DIR. DEV PLANNING	Present
H BLIGNAUT	MPT MEMBER OVERSTRAND MUNICIPALITY	Present
R LOUW	MPT MEMBER OVERSTRAND MUNICIPALITY	Present
R KUCHAR	AUTHORISED OFFICIAL OVERSTRAND MUNICIPALITY	Present
S VAN DER MERWE	PRINCIPAL TOWN PLANNER OVERSTRAND MUNICIPALITY	Present
H VAN DER STOEP	PRINCIPAL TOWN PLANNER OVERSTRAND MUNICIPALITY	
P ROUX	TOWN PLANNER OVERSTRAND MUNICIPALITY	
H OLIVER	TOWN PLANNER OVERSTRAND MUNICIPALITY	
B MINNAAR	TOWN PLANNER OVERSTRAND MUNICIPALITY	Present
S WART	COUNCIL SUPPORT OVERSTRAND MUNICIPALITY	Present
C FISHER	COUNCIL SUPPORT OVERSTRAND MUNICIPALITY	Present

1. OPENING

The Chairperson opened the meeting and welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. ITEMS FOR CONSIDERATION**3.1**

**ERF 1735, 71 BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING AND DEPARTURE: MESSRS WRAP PROJECT
OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC**

1735 HSB (4409/2023)

B Minnaar

(028) 313 8900

Hermanus Administration

23 April 2026

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), was received on 3 November 2023 from Messrs WRAP Project Office on behalf of Terra Nuova Development CC, the owner of Erf 1735, Sandbaai. The application served at a Municipal Planning Tribunal meeting on 4 October 2024 and was resolved that the application be referred back to the applicant to submit a revised proposal. Subsequently a revised application in terms of the By-Law has been submitted for the following:

- ❖ **Rezoning** of the property in terms of Section 16(2)(a) of the By-Law from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4) to accommodate 51 town houses and 83 flats, (sectional title) on the property, and
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the southern street building line from 4m to 0m to accommodate the proposed refuse room, and
 - deviate from the applicable density provision from 50du/ha to 74.44du/ha to accommodate the proposed development.

RESOLVED:

1. that the objections received **be noted**;

2. that the application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for the rezoning of Erf 1735, Sandbaai from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4); **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure in terms of Section 16(2)(b) of the By-Law to:
 - (a) relax the southern street building line from 4m to 0m to accommodate the proposed refuse room; and
 - (b) deviate from the applicable density provision from 50du/ha to 74.44du/ha to accommodate the proposed development**be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in 2. and 3. above be subject to the following conditions:
 - (a) that the development be in line with the Site Development Plan *2022_30_100_REV 1*, dated *24/09/2025* as attached to the application;
 - (b) that building plans be submitted to the Building Control Office, and that all comments from the Building Department and Fire Department be complied with at that stage;
 - (c) that the conditions of the Engineering Services Department Services Report be complied with;
 - (d) that a body corporate be established in accordance with the Sectional Titles Act with compulsory membership for all subsequent owners of a sectional title unit within the development; and
 - (e) that house/conduct rules be approved by the body corporate of the development to ensure the management of common property.
5. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions; and
6. that the objectors be informed of their appeal right in terms of Section 78 of the By-Law with regard to the conditional approval in paragraph 2. and 3. above.

REASONS FOR THE RESOLUTION:Reasons for the decisions in paragraphs 2., 3. and 4. above

- ❖ The application has followed due procedure.
- ❖ The concerns raised during public participation have been adequately addressed.
- ❖ All the relevant internal and external departments supported the application.
- ❖ The rezoning and increased density to 74.44du/ha of the subject property is in line with the strategic planning for the area in terms of the SDF and the OMGMS.
- ❖ The development proposal complies with the relevant setbacks and development parameters of the new zoning (apart from the departure to accommodate the refuse area and the increased density).
- ❖ The revised development complies with the applicable height and lateral building lines to enhance view corridors, improve sunlight impact, and reduces privacy impact.
- ❖ The stepping of the building heights seamlessly integrates the increased height of the apartment blocks located in the centre of the property.
- ❖ The residential character is maintained with regards to the stepping of the building heights and applicable setbacks.
- ❖ The proposal is in line with the general principles of SPLUMA and LUPA as this development will be spatially sustainable, it will not lead to urban sprawl or be developed on agricultural land or environmentally sensitive areas.
- ❖ The studies provided with the application is supported by the Engineering Services Department in line with the upgrading in accordance with the master plan.

RESPONSIBLE OFFICIAL :**B MINNAAR****The meeting adjourned at 09:25**