



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

MINUTES

**DATE:
VENUE:
TIME:**

**13 MARCH 2025
VIRTUAL
10:00**

OVERSTRAND
MUNICIPAL PLANNING TRIBUNAL
MINUTES OF A SPECIAL MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL,
HELD VIRTUALLY ON
13 MARCH 2025 AT 10:00

PRESENT:

MEMBERS:

Ms H Janser, Directorate Development
Management

Mr S Müller, Chief Engineer : Infrastructure Services

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 P Roux, Town Planner

Ms S Swart, Senior Committee Officer

APOLOGIES:

None

MUNICIPALITY



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**SPECIAL
MUNICIPAL PLANNING TRIBUNAL
ATTENDANCE REGISTER**

Date: **13 MARCH 2025**

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
H JANSER	CHAIRPERSON DIR. DEV MANAGEMENT	✓
S MÜLLER	VICE-CHAIRPERSON OVERSTRAND MUNICIPALITY	✓
H BLIGNAUT	MPT MEMBER OVERSTRAND MUNICIPALITY	✓
R LOUW	MPT MEMBER OVERSTRAND MUNICIPALITY	✓
R KUCHAR	AUTHORISED OFFICIAL OVERSTRAND MUNICIPALITY	✓
S VAN DER MERWE	SENIOR TOWN PLANNER OVERSTRAND MUNICIPALITY	
H VAN DER STOEP	SENIOR TOWN PLANNER OVERSTRAND MUNICIPALITY	
P ROUX	TOWN PLANNER OVERSTRAND MUNICIPALITY	✓
H OLIVIER	TOWN PLANNER OVERSTRAND MUNICIPALITY	
B MINNAAR	TOWN PLANNER OVERSTRAND MUNICIPALITY	
S SWART	COUNCIL SUPPORT OVERSTRAND MUNICIPALITY	<i>Swart</i>

1. OPENING

The Chairperson opened the meeting and welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. ITEM FOR CONSIDERATION**3.1****ERF 1313, 329 MAIN ROAD, EASTCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR CONSENT USE: M VENTER****1313 HEC (4683/2024)****P Roux****24 February 2025****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 28 May 2024 (final version received on 20 September 2024) from M Venter, the owner of Erf 1313, Hermanus for **consent use** in terms of Section 16(2)(o) of the By-Law to accommodate a fifth bedroom in the existing guesthouse.

RESOLVED:

1. that the comments **be noted**;
2. that the application for **consent use** in terms of Section 16(2)(o) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 1313, Hermanus to accommodate a five (5) bedroom guesthouse on the property, **be approved**, in terms of the provisions of Section 61 of the By-Law, subject to the following conditions;
 - (a) that a maximum of five (5) guest bedrooms be let to guests/tourists which is applicable to the main dwelling, four (4) guest bedrooms on the first floor and one (1) guest bedroom on the ground floor;
 - (b) that parking be implemented as per the amended site plan dated 20 September 2024;

- (c) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control and the Fire Departments be complied with at that stage;
 - (d) that no kitchen facilities and/or prep bowls be allowed in the guestrooms;
 - (e) that the applicable rates and service tariffs, as determined by the annual budget is applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (f) that all the conditions in the Services Report and Health be complied with;
 - (g) that the general development parameters for guest houses under Single Residential 1 zoning (with reference to Section 16.10.8 of the Overstrand Municipal Land Use Scheme, 2020) be applicable to the subject property;
 - (h) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (i) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
3. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above decision.

REASONS FOR RESOLUTION:

- ❖ The application has followed due procedure.
- ❖ No internal objections were received.
- ❖ Ample and practical parking for the guesthouse can be provided on the property.
- ❖ The established use and management of the property does not have a negative effect on the character of the area.
- ❖ Objections were addressed and the balconies are situated $\pm 16\text{m}$ away from the objector's property boundary.
- ❖ The dwelling is developed in line with the building line parameters.
- ❖ The proposal will promote the tourism industry, and is thus in line with the forward planning documentation of the municipality.
- ❖ The proposal is not regarded as being undesirable from a town planning point of view.

RESPONSIBLE OFFICIAL :**P ROUX****The meeting adjourned at 10:06**