



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

MINUTES

**DATE:
VENUE:
TIME:**

**12 NOVEMBER 2021
VIRTUAL
09:00**

OVERSTRAND
MUNICIPAL PLANNING TRIBUNAL
MINUTES OF A SPECIAL MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL,
HELD VIRTUALLY ON
12 NOVEMBER 2021 AT 09:00

PRESENT:

MEMBERS:

Ms H Janser, Directorate Development
Management
Mr S Müller, Director : Infrastructure & Planning
Mr S Madikane, Director : LED
Mr H Blignaut, Deputy Director : Engineering
Services
Ms R Louw, Senior Manager : Strategic Services

OFFICIALS:

Mr R Kuchar, Senior Manager : Town & Spatial
Planning
Mr P Roux, Town Planner

APOLOGIES:

Ms S Swart, Council Support Services

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**SPECIAL
MUNICIPAL PLANNING TRIBUNAL
ATTENDANCE REGISTER**

Date: 12 NOVEMBER 2021

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	<i>Teunis</i>
S MÜLLER	VICE-CHAIRPERSON OVERSTRAND MUNICIPALITY	<i>Li</i>
S MADIKANE	MPT MEMBER OVERSTRAND MUNICIPALITY	<i>Chubb</i>
H BLIGNAUT	MPT MEMBER OVERSTRAND MUNICIPALITY	<i>Teunis</i>
R LOUW	MPT MEMBER OVERSTRAND MUNICIPALITY	<i>RL</i>
R KUCHAR	AUTHORISED OFFICIAL OVERSTRAND MUNICIPALITY	<i>RK</i>
S VAN DER MERWE	SENIOR TOWN PLANNER OVERSTRAND MUNICIPALITY	
H VAN DER STOEP	SENIOR TOWN PLANNER OVERSTRAND MUNICIPALITY	
P ROUX	TOWN PLANNER OVERSTRAND MUNICIPALITY	<i>PR</i>
H OLIVIER	TOWN PLANNER OVERSTRAND MUNICIPALITY	
S SWART	COUNCIL SUPPORT OVERSTRAND MUNICIPALITY	

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1. OPENING

The Chairperson, Ms H Janser, opened the meeting and welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Ms S Swart

RESOLVED:

that the above-mentioned application for leave of absence, **be granted**.

3. ITEMS FOR CONSIDERATION**3.1 PORTION 2 (A PORTION OF PORTION 1) (OLD OAK) OF THE FARM OUDE BOSCH NO. 637, DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE : MESSRS WRAP PROJECT OFFICE ON BEHALF OF CRYSTAL KLOOF (PTY) LTD****EXECUTIVE SUMMARY**

An application was received on 16 July 2020 from Messrs WRAP Project Office on behalf of Crystal Kloof (Pty) Ltd on Portion 2 of the Farm Oude Bosch No. 637, Division Caledon in terms of Section 16(2)(o) of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) for consent use in order to accommodate a restaurant, place of entertainment and tourist building (farm shop/stall) on the property.

RESOLVED:

1. that the comments received be noted;
2. that the application on Portion 2 of the Farm Oude Bosch No. 637, Division Caledon in terms of Section 16(2)(o) of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) for consent use in order to accommodate a restaurant, place of entertainment and tourist building (farm shop/stall) on the property, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval only pertains to the proposed Site Development Plans, as submitted with the application dated July 2020;

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- (b) that proper management is undertaken to ensure that the proposed use will not be detrimental to the peacefulness and amenity of the surrounding area (ie noise, etc);
 - (c) that alternative eco-friendly ways to capture water be investigated and implemented by the property owner in order to lessen the dependence on the river water;
 - (d) that the use of the venue be restricted to events and functions such as weddings and celebrations with an occupancy of no more than 100 people;
 - (e) that the selling or serving of liquor on the property will be subject to the owner obtaining the necessary Liquor Licence;
 - (f) 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;
 - (g) that the venue 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;
 - (h) that signage complies with the Municipal By-Law on Signage, may be displayed on the premises;
 - (i) that the conditions of Fire Services and Engineering Services be complied with;
 - (j) that the conditions of Eskom, Open Serve , Breede-Gouritz Catchment Management Agency and CapeNature be complied with;
 - (k) that the parking area, as per the plans submitted with the application, must be properly demarcated;
 - (l) that this approval does not absolve the landowner from compliance with any other relevant legislation, and
 - (m) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the applicant and persons who commented, within the permitted timeframe, be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditional approval.

REASONS FOR THE RESOLUTION

- ❖ The application has followed due procedure.
- ❖ No objections were received from the departments.
- ❖ Ample and practical parking for the guests can be provided on the property.
- ❖ The proposed use of the property does not have a negative effect on the character of the area.
- ❖ The proposed use will diversify the uses on the farm in order to make the farm more financially sustainable.
- ❖ The proposal will aim to use the scenic and natural environment to promote the tourism industry, thus in line with the forward planning documentation of the Municipality.
- ❖ The use is not regarded as being undesirable from a town planning point of view.

RESPONSIBLE OFFICIAL :

P ROUX

The meeting adjourned at 09:30