



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

MINUTES

DATE:	27 NOVEMBER 2025
VENUE:	TOWN PLANNING COMMITTEE ROOM
TIME:	11:00

OVERSTRAND

MUNICIPAL PLANNING TRIBUNAL

MINUTES OF A MEETING OF THE MUNICIPAL PLANNING TRIBUNAL, HELD IN THE TOWN PLANNING COMMITTEE ROOM ON 27 NOVEMBER 2025 AT 11:00

PRESENT:

MEMBERS:

Ms H Janser, Directorate Development
Management
Mr S Müller, Chief Engineer : Infrastructure Services
Mr H Blignaut, Principal Engineer

OFFICIALS:

Ms H van der Stoep, Principal Town Planner
Mr S van der Merwe, Principal Town Planner
Ms S Swart, Senior Committee Officer
Ms C Fisher, Chief Clerk : Committee Services

APOLOGIES:

Ms R Louw, Divisional Manager : Strategic Support
Services
Mr R Kuchar, Divisional Manager : Town & Spatial
Planning



**MUNICIPAL PLANNING TRIBUNAL
ATTENDANCE REGISTER**

Date: **27 NOVEMBER 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	Apology
R KUCHAR	AUTHORISED OFFICIAL OVERSTRAND MUNICIPALITY	Apology
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	
C. Fisher	Committee Services	

1. OPENING

The Chairperson opened the meeting and welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Ms R Louw
Mr R Kuchar

RESOLVED:

that the above applications for leave of absence **be approved**.

3. CONFIRMATION OF MINUTES**3.1 Minutes of a Municipal Planning Tribunal Meeting held on 30 October 2025****RESOLVED:**

that the Minutes of the Municipal Planning Tribunal Meeting held on **30 October 2025, be approved**.

4. ITEMS FOR CONSIDERATION

4.1

PORTION 6 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, DIVISION BREDASDORP, OVERSTRAND MUNICIPALITY: APPLICATION FOR CONSENT USE: MESSRS TOWN AND COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF STRANDVELD BOEREVERENIGING

Ptn 6/213 GRBRE (4618/2024)

SW van der Merwe

(028) 313 8900

Hermanus Administration

11 November 2025

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 05 June 2024 from Messrs Town and Country Creative Land Solutions for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law to accommodate tourist facilities (community market and function venue) and place of entertainment (live music).

RESOLVED:

1. that the objections **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 applicable to Portion 6 of the Farm Baardskeerderbos Bosch No. 213, Division Caledon for tourist facilities (venue / community market) and place of entertainment (live music), **be approved** in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
 - (a) that prior to the commencement of the development a detailed dimensioned site development plan and parking layout be submitted, indicating the market area, maximum number of market stalls, applicable parking ratio for approval by the Authorised Official;
 - (b) that the development of the property be limited to the buildings / structures and uses indicated on the site development plan approved under paragraph (a) above;
 - (c) that the community market may be conducted once per week on Saturdays between the hours 08:00 and 17:00;

- (d) that live music may only be played inside the hall building between the hours of 08:00 and 23:00 once per week on a Saturday;
 - (e) that prior the commencement of live music, the applicant at his cost appoints a suitably qualified noise consultant to recommend mitigation measures, be responsible for the implementation of any such recommended mitigation measures to ensure the place of entertainment (live music) is conducted in accordance with the prescribed norms and standards in terms of the Western Cape Noise Control Regulations;
 - (f) that on-site parking is in accordance with the approved site development plan in paragraph (a) and (b) above at all times be marked out and available on-site;
 - (g) that building plans be submitted to the Building Department for approval within 60 days from the approval and that all conditions of the Building and the Fire Departments at that stage, be complied with;
 - (h) that all the conditions imposed by Eskom be complied with;
 - (i) that the conditions in the Services Report be complied with;
 - (j) 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;
 - (k) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (l) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
3. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decision.

REASONS FOR THE RESOLUTION

- ❖ The application has followed due procedure.
- ❖ The proposal will not adversely impact the vested rights of surrounding property owners.
- ❖ The proposal will not adversely impact the character of the rural landscape.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.
- ❖ The proposal is consistent with the SDF and Baardskeerdersbos Precinct Plan.

- ❖ The proposal contributes to tourism, economic development and employment at a scale that is compatible with the character of the area.
- ❖ The impact of the proposal could be successfully mitigated with implementation of noise mitigation measures.

RESPONSIBLE OFFICIAL :

SW VAN DER MERWE

4.2

ERF 333, 9 ARCADIA STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND REZONING: MESSRS WRAP PROJECT OFFICE ON BEHALF OF AR WHITE

333 GPB (4904/2025)

SW van der Merwe

12 November 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 19 February 2025 from Messrs WRAP Project Office on behalf of AR White, owner of Erf 333, Pearly Beach for the following:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law for removal of conditions C.4(b), C.4(c) and C.4(d) contained in Title Deed T55455/2024 to accommodate retail shops, and
- ❖ **Rezoning** in terms of Section 16(2)(a) of the By-Law from Business Zone 4: Services Station Zone (B4) to Business Zone 3: Local Business (B3) to accommodate retail shops.

RESOLVED:

1. that the objections / comments **be noted**;
2. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for the **removal of restrictive title deed conditions** C.4(b), C.4(c) and C.4(d) as contained in title deed T55455/2024 applicable to Erf 333, Pearly Beach, **be approved**;
3. that the application in terms of Section 16(2)(a) of the By-Law for **rezoning** of Erf 333, Pearly Beach from Business Zone 4 (B4): Service Station to Business Zone 3: Local Business (B3), **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in paragraphs 2. and 3. above be subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and Fire Departments be complied with at that stage;

- (b) that all the conditions in the Services Report be complied with;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme; and
 - (d) that this approval will not absolve the owner/applicant from compliance with any other relevant legislation.
5. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR THE RESOLUTION:

- ❖ The application has followed due procedure.
- ❖ The development is consistent with the applicable strategic policy documents.
- ❖ The development is consistent with the planning principles.
- ❖ The development does not detract from the character of the surrounding area.
- ❖ The development does not unacceptably detract from the vested rights of adjoining property.
- ❖ The impact of Business Zone 3: Local Business will be less than the current zoning of Business Zone 4 (B4): Service Station, with regards to nuisance, disturbance and traffic impact.

RESPONSIBLE OFFICIAL :**SW VAN DER MERWE**

4.3

PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO. 559, A DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, CONSENT USES, AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVAL AND AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN: INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF GLEN CRAIG TRAINING CENTRE PTY LTD

KHANG 59/559 (4464/2023)

H van der Stoep
10 November 2025

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 21 August 2023 from Inter Active Town and Regional Planners on behalf of Glen Craig Training Centre (Pty) Ltd on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Removal of Restrictive Title Deed Condition** in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title deed condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses.

The restrictive title deed condition read as follows:

*“E. **SUBJECT AND/OR ENTITLED** to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T 18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T5789/1957:-*

- (o) The said land may be used for the purpose of agriculture and breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/ or general dealer or any of them.”*

- ❖ **Consent uses** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to accommodate the following:
 - A place of instruction to allow for a training and educational centre
 - A place of entertainment to allow for weddings
 - A place of assembly to accommodate special events such as lectures, sermons, and weddings
 - A utility service to accommodate a solar power plant.

- ❖ **Amendment of conditions in respect of existing approval** in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to exceed the permissible floor space from 2400m² to 3280m² to accommodate the proposed expansion of the existing development.
- ❖ **Amendment of the existing approved site development plan** in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to accommodate the proposed expansion of the existing development.

RESOLVED:

1. that the objections **be noted**;
2. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 for the **removal** of Restrictive Title Deed Condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses, **not be approved**, in terms of the provisions of Section 61 of the By-Law;
 - (a) that Restrictive Title Deed Condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses, **be amended** to read as follows in terms of the provisions of Section 61 of the By-Law:

(o) The said land may not be used for a garage, filling station, recreational club and/or general dealer.
3. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 for a consent use to accommodate a place of entertainment to allow for weddings, **not be approved**, in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 for a consent use to accommodate the following:
 - A place of instruction to allow for a training and educational centre
 - A place of assembly to accommodate special events such as lectures, sermons
 - A utility service to accommodate a solar power plant

be approved, in terms of the provisions of Section 61 of the By-Law;

5. that the application in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **amendment of conditions in respect of existing approval** on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 to exceed the permissible floor space from 2400m² to 3280m² to accommodate the proposed expansion of the existing development, **be approved**, in terms of the provisions of Section 61 of the By-Law;
6. that the application in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **amendment of the existing approved site development plan** on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 to accommodate the proposed expansion of the existing development, **be approved**, in terms of the provisions of Section 61 of the By-Law;
7. that the approvals be subject to the following conditions:
 - (a) that the approval for a Place of Assembly be restricted to the activities and residential uses directly related to the Mission's operations;
 - (b) that all structures and uses be restricted to the Site Development plan, dated July 2023, as submitted with the application;
 - (c) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire and Building Departments be complied with at that stage;
 - (d) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
 - (e) that the Environmental Management Plan (EMP) be submitted to the Division: Environmental Management Services for approval. Due cognisance be taken to incorporate comments received from Cape Nature and the Western Cape Government: DEADP (Environmental);
 - (f) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (g) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
 - (h) that the owner is responsible for the disposal of all sewerage generated on the property at a licensed municipal sewerage treatment facility;
 - (i) that the owner is responsible for the disposal of all waste generated on the property at a licensed municipal waste facility;

- (j) that the amended title deed be submitted for record purposes to the Municipality;
 - (k) that all the conditions in the Services Report be complied with, and
 - (l) that all conditions imposed by Western Cape Government: EADP (Environmental) and Cape Nature be complied with.
8. that the applicant and objectors be notified of his/her right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decisions.

REASONS FOR THE RESOLUTION

POINT 2 - 3

- ❖ The mission activities can be accommodated with the amendment of the condition.
- ❖ The proposed amendment will ensure that activities not in line with the Land Use Scheme remain in place and do not need to be removed.
- ❖ Part of the condition does not impede on the proposed land use and can remain in place.
- ❖ The proposed Place of Entertainment (wedding venue) is not aligned with the purpose of a Missionary Facility, which is intended to focus on training missionaries
- ❖ The proposed Place of Entertainment may generate additional traffic and noise pollution, which have not been assessed.

POINT 4 - 7

- ❖ The proposal is compliant with the Municipal planning documents.
- ❖ The proposed extension of the footprint is located on disturbed land.
- ❖ The application is supported by Cape Nature.
- ❖ The application does not trigger any NEMA listed activities.
- ❖ The consent uses as recommended fall within the scope of activities associated with the Missionary Facility.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

4.4

PORTION 78 (A PORTION OF PORTION 45) OF THE FARM 559, HANGKLIP SMALLHOLDINGS, A DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USES: PLATINUM TOWN AND REGIONAL PLANNERS ON BEHALF OF KOGELBERG BIOSPHERE RESERVE COMPANY AND OVERSTRAND MUNICIPALITY

KHANG 78/559 (4561/2024)

H van der Stoep

(028) 313 8900

Hermanus Administration

25 September 2025

EXECUTIVE SUMMARY

An application has been received on 8 January 2024 from Platinum Town & Regional Planners on behalf of Kogelberg Biosphere Reserve Company and Overstrand Municipality on Portion 78 (a Portion of Portion 45) of the Farm Hangklip No. 559 for the following:

- ❖ **Removal of Restrictive Title Deed Conditions** in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title deed conditions B.b), B.d), B.e), B.o), B.p), B.r) and B.s) as contained in Title Deed T102546/2000 of the property to accommodate the proposed land uses on the property.

The restrictive title deed conditions B read as follows:

“B. to and ENTITLED to the benefit of the following special conditions imposed in Deed of Transfer No T2011/1958 by Hangklip Beach Estates Limited in favour of itself and the owner of any portion of the said Portion 45 of the Farm Hangklip, namely:

- b) No wood and iron buildings or works of any description shall be erected nor shall corrugated iron be used for roofing purposes.*
- d) All buildings and other constructional works, including all fences and gardens or other gates, shall be of good design and sound construction and plans thereof must be approved by the seller before construction is commenced. In the event of a breach of this clause the seller shall have the right to require the purchaser to demolish such unauthorised buildings or works and/or shall have the option to repurchase the land upon payment of the cost price thereof without compensation for improvements.*
- e) No signs, advertisements, advertisement boarding or other lettering shall be erected on the land hereby sold and purchased, nor shall any advertisements, signs or lettering be painted on any building, walls or fence erected or to be erected on the said land save and except with the written approval of the seller.*

- o) *The land shall be used only for agriculture and the breeding or keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept except with the special written consent of the seller which consent shall in any case not be given for Portions 58, 59, 60, 61, 62, 64, 79 and 80.*
- p) *Only buildings and structures to be used as dwellings and farm buildings shall be erected on the land.*
- r) *Outbuildings to serve any dwelling shall not except with the written consent of the seller first had and obtained, be erected prior to the dwelling house which shall be a complete dwelling and not one partly built and intended for completion at a later stage.*
- s) *No boarding houses, flats, maisonettes, hotels, shops, public garage or filling station, business premises, canteen, restaurant, bioscope, factory or industrial buildings shall be erected on the land nor shall any such business or entertainment be conducted on the land.”*

- ❖ **Consent uses** in terms of 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the following:
- agriculture to accommodate a rehabilitation centre for injured wildlife, and;
 - a place of instruction to accommodate an environmental research or other educational centre for all forms of wildlife care, rehabilitation, and training.

RESOLVED:

1. that the objection **be noted**;
2. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 78 (a Portion of Portion 45) of the Farm Hangklip No. 559 for the **removal** of restrictive title deed **conditions B.b), B.d), B.e), B.p) and B.r)** as contained in Title Deed T102546/2000 of the property to accommodate the proposed land uses on the property (agriculture and place of instruction), **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 78 (a Portion of Portion 45) of the Farm Hangklip No. 559 for the **amendment** of restrictive title deed **conditions B.o) and B.s)** as contained in Title Deed T102546/2000 of the property to accommodate the proposed land uses on the property (agriculture and place of instruction), **be approved**, in terms of the provisions of Section 61 of the By-Law, to read as follows:

B.o) The land shall be used only for the purposes of conservation, which includes a wildlife rehabilitation centre and related associated uses.

B.s) No boarding houses, flats, maisonettes, hotels, public garage or filling station, bioscope, factory or industrial buildings shall be erected on the land, nor shall any such entertainment be conducted on the land.

4. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 Portion 78 (a Portion of Portion 45) of the Farm Hangklip No. 559 for the following **consent uses**:

- animal care centre to accommodate a rehabilitation centre for injured wildlife, and;
- place of instruction to accommodate an environmental research or other educational centre for all forms of wildlife care, rehabilitation, and training

be approved, in terms of the provisions of Section 61;

5. that the approvals in Points 2 - 4 above be subject to the following conditions:
- (a) that approval is for the development as indicated on Plan number 78/559/01 dated 20 November 2024, as submitted with the application;
 - (b) that the Animal Care Centre be restricted to wildlife rehabilitation and the Place of Instruction be restricted to activities pertaining to conservation and environmental education;
 - (c) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire and Building Departments be complied with at that stage;
 - (d) that the Environmental Management Plan (EMP) be submitted to the Division: Environmental Management Services for approval;
 - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (f) that the owner is responsible for the disposal of all sewerage generated on the property at a licensed municipal sewerage treatment facility;
 - (g) that the owner is responsible for the disposal of all waste generated on the property at a licensed municipal waste facility;
 - (h) that all the conditions in the Services Report be complied with;
 - (i) that all conditions imposed by Western Cape Government: DEADP (Environmental) be complied with;

- (j) that all conditions imposed by Cape Nature be complied with.
6. that the applicant takes note of comments received from Eskom; and
7. that the applicant and objector be notified of his/her right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decisions.

REASONS FOR THE RESOLUTION**POINT 2**

- ❖ Two (2) conditions - Conditions B.o) and B.s) - were proposed to be amended. The facility can be accommodated without removing these conditions entirely. Retaining the conditions ensures that activities inconsistent with the Rural Residential; Conservation Use zoning remain in place, thereby reinforcing the conservation focus on the property.

POINT 3 - 6

- ❖ The facility is the first in the Western Cape under the auspices of a conservation body, whose main focus is conservation.
- ❖ The facility will address the need to treat injured wildlife in their immediate surroundings.
- ❖ It will minimise the stress of the animals on release.
- ❖ The facility is located in an area prone to poaching, wildfires and human interference, which make the facility highly desirable in terms of location
- ❖ The need for training first responders, whether volunteers or conservation officers, is crucial to the survival of the injured animals.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP**

4.5

ERF 1029, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE, RELAXATION OF THE TITLE DEED STREET BUILDING LINE AND DETERMINATION OF ADMINISTRATIVE PENALTY: FVS TOWN AND REGIONAL PLANNERS ON BEHALF OF W & R VALENTE

1029 KPRB (4112/2022)

**H van der Stoep
13 October 2025**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An appeal was received from the Pringle Bay Ratepayers Association against the decision of the Municipal Planning Tribunal. The appeal was received on 24 February 2025.

The Appeal Authority on 23 July 2025 resolved as follows:

“In an appeal against a decision of the Municipal Planning Tribunal (MPT) the onus is on the appellant to show that the MPT erred in reaching its decision and set out the reasons why there is a belief that the MPT erred.

The appeal documentation was scrutinized and after of the reasons provided by the Municipal Planning Tribunal and the arguments of the appellant it is herewith resolved that:

- 1. that the Appeal Authority **revoke** the decision of the Municipal Planning Tribunal dated 30 January 2025 in terms of Regulation 26.(1)(b) of SPLUMA referred to above;*
- 2. that the Appeal Authority **remit** the matter back to the Municipal Planning Tribunal in terms of Regulation 26.(2) of SPLUMA for its further consideration.*

RESOLVED:

that the **amended** motivation of Erf 1029 be distributed to the Pringle Bay Ratepayers Association.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

The meeting adjourned at 11:57