



MEETING OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

MINUTES

DATE
VENUE:
TIME:

14 SEPTEMBER 2026
VIRTUAL
10:00



**OVERSTRAND
MUNICIPAL PLANNING TRIBUNAL**

**MINUTES OF A MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL,
HELD VIRTUALLY ON
14 SEPTEMBER 2026 AT 10:00**

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 B Minnaar, Town Planner

Ms S Swart, Senior Committee Officer

Ms C Fisher, Chief Clerk: Committee Services

APOLOGIES:

None

OBSERVERS:

Mr D Adonis, Director : Municipal Public Safety

Mr D Hendriks, Principal Engineer : PMU

MUNICIPALITY



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**SPECIAL
MUNICIPAL PLANNING TRIBUNAL
ATTENDANCE REGISTER**

Date: 14 SEPTEMBER 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 OLIVIER	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
D. ADONIS	Observer	Present

D. HENDRIKS

Observer

Present

1. OPENING

The Chairperson opened the meeting and welcomed those present. A special welcome was extended to Mr D Adonis, Director: Municipal Public Safety, and Mr D Hendriks, Principal Engineer : PMU, who will serve as members of the Municipal Planning Tribunal with effect from October 2026. Both attended today's meeting in an observational capacity in preparation for the commencement of their respective roles.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. ITEMS FOR CONSIDERATION**3.1**

ERF 12308, 37 FLOWER STREET, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURES AND AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF MEDBUILD PROPERTIES (PTY) LTD

12308 HWC (5036/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

2 September 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 10 July 2025 from Messrs Plan Active Town and Regional Planners on behalf of Medbuild (Pty) Ltd, the owner of Erf 12308, Hermanus (Westcliff) for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the western building line (along the common boundary between Erven 11154 and 12308) from 5m to 0m to accommodate a medical building;
 - relax the street building line on a portion of the northern boundary abutting Fourie Street from 5m to 0m to accommodate the medical building, and
 - relax the street building line on a portion of the western boundary abutting Fourie Street from 5m to 0m to accommodate the medical building.
- ❖ **Amendment of the approved Site Development Plan** in terms of Section 16(2)(l) of the By-Law to accommodate the amended setback of the medical building.

Revised motivational report was submitted on 9 June 2026 and the revised SDP was submitted on 8 July 2026 with a reduced impact on the surrounding property owners therefore, the application was not re-advertised and reads as follows:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the south-western building line (along the common boundary between Erven 11154 and 12308) from 5m to 1.935m on the first floor to accommodate a medical building;
 - relax the north-western street building line (short extension of Fourie Street onto Erf 12308) from 5m to 1.4m on the first floor and 5m to 0m on the ground floor to accommodate the medical building, and
 - relax the south-western street building line (short extension of Fourie Street onto Erf 12308) from 5m to 0m on the ground floor to accommodate the medical building.

- ❖ **Amendment of the approved Site Development Plan** in terms of Section 16(2)(l) of the By-Law to accommodate the amended setback of the medical building.

RESOLVED:

1. that the comments received and responses thereon, be noted;
 2. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipality Land Use Planning, 2020 applicable to Erf 12308, Westcliff, Hermanus in order to:
 - (i) relax the south-western building line (along the common boundary between Erven 11154 and 12308) from 5m to 1.935m on the first floor to accommodate a medical building;
 - (ii) relax the north-western street building line (short extension of Fourie Street onto Erf 12308) from 5m to 1.4m on the first floor and 5m to 0m on the ground floor to accommodate the medical building; and
 - (iii) relax the south-western street building line (short extension of Fourie Street onto Erf 12308) from 5m to 0m on the ground floor to accommodate the medical building
- be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for the **amendment of the approved Site Development Plan** in terms of Section 16(2)(l) of the By-Law to accommodate the amended setback of the medical building applicable to Erf 12308, Westcliff, Hermanus **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 approval is only for the development as indicated on the site development plan drawing number *AHEC01*, dated *2026.07.06* as submitted with 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 must be complied with;
 - (d) that the recommendation by the botanical specialist be complied with;

- (e) that the rates of the property be amended accordingly in terms of the latest rates policy.
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

REASONS FOR THE RESOLUTION:**Reasons for recommendation in paragraph 2.(i)-(iii) and 3.**

- ❖ The application has followed due procedure.
- ❖ The concerns raised by Property Administration Department have been adequately addressed.
- ❖ The subject property is in line with the strategic planning for the area in terms of the forward planning for the area.
- ❖ 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.
- ❖ The botanical study provided with the application is supported by the Environmental management Services Department.

RESPONSIBLE OFFICIAL :**B MINNAAR
S VAN DER MERWE****The meeting adjourned at 10:13**