



MEETING OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

MINUTES

DATE:	27 SEPTEMBER 2017
VENUE:	TOWN PLANNING COMMITTEE ROOM HERMANUS
TIME:	14:00

OVERSTRAND

MUNICIPAL PLANNING TRIBUNAL

**MINUTES OF A MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL,
HELD IN THE TOWN PLANNING COMMITTEE ROOM,
HERMANUS, ON 27 SEPTEMBER 2017, AT 14:00**

PRESENT:

MEMBERS:

Mr S Müller, Director : Infrastructure & Planning
Mr S Madikane, Director : LED
Ms H Janser, Directorate Development
Management

OFFICIALS:

Mr R Kuchar, Senior Manager : Town Planning &
Property Management
Ms R van Antwerp, Senior Clerk: Town Planning

APOLOGIES:

Mr C Groenewald, Municipal Manager
Mr R Williams, Director : Community Services
Ms S Swart, Council Support Services

ATTENDANCE REGISTER : MEETING OF MUNICIPAL PLANNING TRIBUNAL : 27 SEPTEMBER 2017 AT 14:00

NAME	DESIGNATION	ORGANISATION	TEL. NO.	E-MAIL ADDRESS	SIGNATURE
C GROENEWALD	CHAIRPERSON	OVERSTRAND MUNICIPALITY	028 313 8003	cgroenewald@overstrand.gov.za	Apology
S MULLER	VICE-CHAIRPERSON	OVERSTRAND MUNICIPALITY	028 313 8019	smuller@overstrand.gov.za	
S MADIKANE	MPT MEMBER	OVERSTRAND MUNICIPALITY	028 313 8066	smadikane@overstrand.gov.za	
R WILLIAMS	MPT MEMBER	OVERSTRAND MUNICIPALITY	028 313 8029	rwilliams@overstrand.gov.za	Apology
R KUCHAR	AUTHORISED OFFICIAL	OVERSTRAND MUNICIPALITY	028 313 8087	rkuchar@overstrand.gov.za	
H JANSER	MPT MEMBER	DIR: DEV MANAGEMENT	021 483 3544	Helene.Janser@westerncape.gov.za	
S VAN DER MERWE	SR TOWN PLANNER	OVERSTRAND MUNICIPALITY	028 313 8938	svandermw@overstrand.gov.za	
H VAN DER STOEP	SR TOWN PLANNER	OVERSTRAND MUNICIPALITY	028 313 8906	hvanderstoep@overstrand.gov.za	
P ROUX	TOWN PLANNER	OVERSTRAND MUNICIPALITY	028 313 8900	proux@overstrand.gov.za	
H OLIVIER	TOWN PLANNER	OVERSTRAND MUNICIPALITY	028 313 8006	holivier@overstrand.gov.za	
S SWART	COUNCIL SUPPORT	OVERSTRAND MUNICIPALITY	028 313 8006	sswart@overstrand.gov.za	

1. OPENING

The meeting started at 14:21. The Acting Chairperson, Mr S Müller, welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Mr C Groenewald
Mr R Williams

3. CONFIRMATION OF MINUTES**3.1 Minutes of a Municipal Planning Tribunal Meeting held on 30 August 2017****RESOLVED:**

that the Minutes of the Municipal Planning Tribunal Meeting held on **30 August 2017, be confirmed.**

4. ITEMS FOR CONSIDERATION

4.1

ERF 5553, 30 WALLERS ROAD, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING, DEPARTURE, CONSENT USE AND DEVIATION FROM SPATIAL DEVELOPMENT FRAMEWORK : MESSRS PLANACTIVE ON BEHALF OF BETTYSBAAI JEUGSENTRUM

5553(3553)

H van der Stoep

13 July 2017

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

Applications have been received from Messrs Plan Active on Erf 5553, Betty's Bay in terms of in terms of Section of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 for the following:

- Rezoning from Resort to Community Zone 1
- Departure to accommodate the existing buildings in the new building lines from 5m to 3,72 and 0m respectively
- Consent use to accommodate a Frail Care Centre
- Deviation from the Spatial Development Framework to enable the rezoning.

RESOLVED:

1. that, in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 (By-Law), an application for a consent use on Erf 5553, Betty's Bay in order to operate a Frail Care Centre on the property concerned, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 (By-Law) on Erf 5553, Betty's Bay to relax the building lines from 5m to 3,72 and 0m respectively to accommodate the existing buildings, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(a) for the rezoning of Erf 5553, Betty's Bay from Resort to Community Zone I, **be approved** in terms of the provisions of Section 61 of the By-Law, and
4. that the approvals of 1, 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 the Fire Department be complied with;
 - (b) that the development be restricted to the Brigadoon Village Phase I, Site Development Plan, as submitted with the application;

- (c) that the approval does not absolve the applicant / owner from compliance with any other relevant legislation;
- (d) that all other development parameters, as prescribed in the relevant Zoning Scheme, be complied with;
- (e) that all conditions in the Services Report be complied with;
- (f) that the facility 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;
- (g) that compliance with Fire Safety Regulations is pre requisite - SANS 10400T:2011;
- (h) that a Fire Safety Competent Specialist be appointed;
- (i) that a refuse area be created according to municipal requirements; and
- (j) that the deviation of the Spatial Development Framework (SDF) be approved by Council as per the recommendation in Paragraph 5. of the resolution;

RECOMMENDATION TO COUNCIL

5. that the application for the deviation of the Spatial Development Framework, 2006 and Growth Management Strategy, 2010 in order to utilise Erf 5553, Betty's Bay for Community Zone I in terms of the Municipal Systems Act, 2000 (Act 32 of 2000), be recommended for approval.

The meeting adjourned at 14:30