



**MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING VIRTUALLY HELD ON WEDNESDAY, 10 MARCH 2021 AT 14:00**

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**PRESENT**

Internal members:

Municipal Manager, Mr J J Scholtz (chairperson)  
Director: Corporate Services, Ms M S Terblanche  
Director: Protection Services, Mr P A C Humphreys

External members:

Mr C Rabie  
Ms C Havenga

Other officials:

Senior Manager: Built Environment, Mr A M Zaayman (advisor)  
Manager: Secretariat and Records, Ms N Brand (secretariat)  
Director: Development Services, Ms J S Krieger  
Town and Regional Planner, Ms A de Jager

**1. OPENING**

The chairperson opened the meeting and welcomed members.

**2. APOLOGY**

No apologies were received.

**3. DECLARATION OF INTEREST**

**RESOLVED** that cognisance is taken that no declarations of interest were received.

**4. MINUTES**

**4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 10 FEBRUARY 2021**

**RESOLVED**

That the minutes of a Municipal Planning Tribunal Meeting held on 10 February 2021 are approved and signed by the chairperson

**5. MATTERS ARISING FROM MINUTES**

None.

**6. MATTERS FOR CONSIDERATION**

**6.1 PROPOSED CONSENT USE ON ERF 1655, YZERFONTEIN (15/3/10-14) (WARD 5)**

The chairperson requested the author, Ms A de Jager, to table the item.

Erf 1655, Yzerfontein is zoned Residential Zone 1 and contains a double storey dwelling with a single garage. The dwelling consists of six en-suite bedrooms and one en-suite staff quarter.

The dwelling has been made available for self-catering purposes until recently, but the owner now intends to manage the property as a guesthouse.

**RESOLUTION**

- A. The application for consent use on Erf 1655, Yzerfontein, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2021), be approved, subject to the conditions that:

**A1 TOWN PLANNING AND BUILDING CONTROL**

- (a) The consent use authorises a guesthouse, as presented in the application as follows:
- (i) 7 x guest bedrooms with en-suite bathrooms, to be occupied by a maximum of 18 paying guests at any time;
  - (ii) 1 x open plan kitchen, dining and living room
  - (iii) 1 x lounge / family room;
  - (iv) 2 x patios/open deck areas; and
  - (v) 1 x single garage;
- (b) A minimum of five (5) on-site parking bays be provided and that parking bays be finished in a permanent dust free surface whether it be tar, concrete, paving or any other material, as approved by the municipality beforehand, and the parking bays be clearly demarcated;
- (c) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (d) A site development plan, including parking layout and proposed landscaping that complement the residential character of the dwelling, be submitted to the Senior Manager: Built Environment at building plan stage for consideration and approval;
- (e) A contact number of the owner be displayed conspicuously on the premises at all times for emergency and/or complaint purposes;
- (f) All amenities and provision of meals be for the sole benefit of bona fide lodgers;
- (g) A register of guests and lodgers be kept and completed when rooms are let, and the register be produced for inspection on request by a municipal official;
- (h) Guest rooms not be converted to, or used as separate dwelling units;
- (i) Application be made to the Senior Manager: Built Environment for the right to construct or affix and display any signage;
- (j) Any signage be limited to 1m<sup>2</sup> in area and may not project over a public street;
- (k) A Certificate of Compliance be obtained from the West Coast District Municipality for the operation of the guesthouse;
- (l) A trade licence be obtained from Swartland Municipality for the operation of the guesthouse;

**A2 WATER**

- (a) The existing connection be used and no additional connections be provided;

**A3 SEWERAGE**

- (a) A conservancy tank of sufficient capacity be installed on the property at a point that is accessible to the municipal vacuum truck, to the satisfaction of the Director: Civil Engineering Services;

**A4 DEVELOPMENT CHARGES**

- (a) The capital contribution toward the bulk supply of water amounts to R7 260,33 and is for the account of the owner/developer. The amount is due to the Swartland Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The fixed capital contribution towards bulk water reticulation amounts to R6 003,00 and is payable by the owner/developer. The amount is due to this Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA 9/249-174-9210);
- (c) The fixed capital contribution towards sewerage amounts to R7 482,67 and is payable by the owner/developer. The amount is payable to the Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d)/...

6.1/...

- (d) The owner/developer be responsible for the fixed capital contribution towards waste water treatment, to the amount of R11 040,00. The amount is payable to the Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA 9/240-183-9210);
- (e) The fixed capital contribution towards roads amounts to R15 333,33 and is payable by the owner/developer. The amount is due to Swartland, valid for the financial year of 2020/2021 and may be revised thereafter. (mSCOA 9/247-188-9210);
- (f) The owner/developer be responsible for the fixed capital contribution towards storm water, to the amount of R4 256,53. The amount is payable to this Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA 9/247-144-9210);
- (g) The Council resolution of May 2020 provides for a 40% discount on capital contributions to Swartland Municipality. This discount is valid for the financial year 2020/2021 and may be revised thereafter. The discount is not applicable to A4(a);

**B. GENERAL**

- (a) The approval is, in terms of section 76(2)(w) of the By-Law valid for 5 years. All conditions of approval be met before the guesthouse comes into operation and the occupancy certificate is issued, after which the 5 year period will no longer be applicable;
- (b) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (c) The applicant/objectors be notified of this outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-law;

**C. The application is supported for the following reasons:**

- (a) The proposed guesthouse is a residential use and is therefore consistent with the proposals of the SDF;
- (b) A guesthouse is accommodated as a consent use under Residential Zone 1 of the By-Law;
- (c) The development proposal supports the optimal utilisation of the property;
- (d) The guesthouse will support the tourism industry in Yzerfontein, as well as the local economy;
- (e) The development proposal will not negatively impact on the character of the surrounding neighbourhood or the larger Yzerfontein;
- (f) The concerns of the neighbouring and affected property owners are sufficiently addressed in the conditions of approval.

**(SIGNED) J J SCHOLTZ  
CHAIRPERSON**