

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 20 MAY 2022

MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 20th OF MAY 2022 via MS TEAMS

Ref. no. 3/4/5/2/40

2022-05-20

Chairperson

Dr DJ Du Plessis

Deputy Chairperson

Ms C Havenga

External Members

Mr C Rabie

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr E Delport

Mr J Knight

Internal Members

Mr A van der Merwe: Senior Manager - Community Services

Mr M Williams: Senior Legal Advisor

Mrs M Francis: Senior Manager - Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services

Technical Advisor

Mr K Munro: Director - Development Management, Department Environmental Affairs and Development Planning

Officials

Mr S Carstens: Senior Manager- Development Management

Mrs C Kriel: Manager: Land -Use Management

Ms B Zondo: Senior Town Planner

Mrs N Dafeti: Town Planner

Ms O Sims: Administrative Officer

Ms Lenacia Kamineth: Senior Administrative Officer

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ITEM	SUBJECT
SMPT 01/05/22	OPENING AND WELCOME
	Chairperson Du Plessis welcomed all.
SMPT 02/05/22	LEAVE OF ABSENCE
	Mr Craig Alexander
SMPT 03/05/22	DISCLOSURE OF INTERESTS
	No interests declared.
SMPT 04/05/22	MINUTES OF THE PREVIOUS MEETING DATED 22 APRIL 2022
	The minutes of the previous meeting was noted.
	MATTERS FOR CONSIDERATION
SMPT 05/05/22	APPLICATION FOR REZONING AND DEPARTURES ON ERF 2235 FRANSCHHOEK (LU/10393)
	<p>Discussion:</p> <ul style="list-style-type: none"> a) Ms Zondo briefly introduced the item and explained the entry and exit points and proposed development as indicated on the site plan on page 61. b) Concerns were raised on the proposed use of the area indicated for future use (yellow blocks). It is not clear what the future market area (north) and existing building (south) are to be used for and it

was confirmed that it forms part of Phase 2 where a site development plan needs to be submitted for approval.

- c) Questions were raised about the people currently residing on the land and it was indicated that the Municipality will follow proper procedure for the relocation of the people.
- d) Mrs Crooijmans-Lemmer had a concern which she wanted to be noted and stated that it was important to have a design in this area which was of an integrated manner. Mrs Crooijmans-Lemmer found it alarming that only one area of this site was developed in detail whereas the other area of the site was undeveloped with no future plans, or any function indicated.
- e) Members noted that there are beautiful trees on site and the need for a landscaping plan to preserve the existing trees and incorporating more landscaping in the development was supported.

UNANIMOUSLY RESOLVED

1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 2235, Franschoek, namely:
 - 1.1 **Rezoning** of a portion of Erf 2235, Franschoek measuring ±5,928 m² from Institution Zone to General Business Zone in terms of Section 15 (2)(a) of the said By-law in order to establish a Local Economic Hub and associated uses.
 - 1.2 **Permanent Departure** in terms of Section 15 (2)(b) of the said By-law, to allow vehicle entrance/access and exit ways of wider than 6m where they cross the Beaucoup de Leau street boundary.
 - 1.3 **Permanent Departure** in terms of Section 15 (2)(b) of the said By-law, to allow vehicle entrance/access ways and more than one vehicle exit way along the Beaucoup de Leau street boundary.
 - 1.4 **Permanent Departure** in terms of Section 15 (2)(b) of the said By-law, to allow more than one vehicle entrance/access

and exit ways of wider than 6m where they cross the Protea Street boundary.

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw:

2. Conditions of Approval:

2.1 The approval applies only to the proposed development under consideration as indicated on the Typical site layout plan Number 3, drawn by Plan4SA (Professional planners and project managers) dated 2019/09/16 attached as **Annexure C** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.2 The development be undertaken in accordance with the Typical site layout plan Number 3, drawn by Plan4SA (Professional planners and, project managers) dated 2019/09/16, attached as **Annexure C** to this report.

2.3 Services be installed in accordance with the approved engineering services drawings to the satisfaction of the Department Infrastructure Services.

2.4 A detailed site development plan, for the whole of Erf 2235, as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 be submitted to the Municipality for approval prior to the submission of any building plans, which site development plan satisfactorily addresses, but are not necessarily limited to, all the conditions of the approval, compliance with relevant development parameters of the said Bylaw, any relevant matters relating to Section 16(4) of the said Bylaw, and specifically the following matters:

2.4.1 a detailed landscaping plan taking into consideration the existing trees on the site and indicating the planting of more trees,

2.4.2 future access to the market and garden area (northern portion of property),

2.4.3 considering relocating the future market and garden area to the south and the parking area to the north.

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 20 MAY 2022

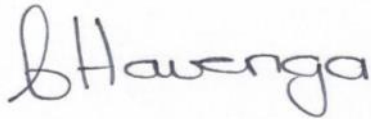
	<p>3. The reasons for the above decision are as follows:</p> <p>3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape considering that it will in fact offer local economic development opportunities in the area.</p> <p>3.2 The proposal is in line with the objectives and principles of the Integrated Development Plan and the Stellenbosch Municipal Spatial Development Framework.</p> <p>3.3 There will be no negative impact on existing infrastructure and there are sufficient services to support the proposal.</p> <p>3.4 The proposal will result in more efficient utilisation of the subject property which cannot be viably utilised in terms of its current zoning.</p> <p>4. Matters to be noted:</p> <p>4.1 A business license, liquor license and any other applicable activities requiring a separate approval, license, or permit must be obtained.</p> <p>4.2 An application for erection of advertising signs must be submitted for approval to the municipality and that all signage on the property be erected to the satisfaction of the municipality or be in line with the signage policy of the municipality and no signage may be displaced without the written approval of the municipality.</p> <p>4.3 No directional signage may be erected without prior approval of the Municipality.</p>
SMPT 05/05/22	<p>OTHER MATTERS</p> <p>Chairperson Du Plessis thanked all present for attending. The next meeting is scheduled for 24 June 2022.</p> <p>The meeting adjourned.</p>

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 20 MAY 2022



Dr D du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mrs C Havenga

DEPUTY CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL