



OVERSTRAND MUNISIPALITEIT
ERF 434, PEAKWEG 15, PRINGLEBAAI:
AANSOEK OM AFWYKING EN BEPALING
VAN 'N ADMINISTRATIEWE BOETE: PLAN
ACTIVE STADS- EN STREEKSBEPLANNERS
NAMENS DE TERBLANCHE & SE HOMAN

Kragtens Artikel 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoeke van toepassing op Erf 434, Pringle Bay, naamlik:

- **Afwyking** ingevolge Artikel 16(2)(b), saamgelees met Artikel 17.1.2.(c) van die Verordening vir die voorsiening van alternatiewe en bykomende parkeerplekke binne die padreserwe.
- **Bepaling van 'n Administratiewe Boete** ingevolge Artikel 16(2)(q) van die Verordening vir die ongemagtigde grondgebruik van 'n parkeerplek binne die padreserwe.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Bettysbaai Biblioteek, Clarencerylaan, Bettysbaai.

Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening by die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **12 April 2024** met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Me. H van der Stoep** by 028313 8900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

OVERSTRAND MUNICIPALITY
ERF 434, 15 PEAK ROAD, PRINGLE BAY:
APPLICATION FOR DEPARTURE AND
DETERMINATION OF AN ADMINISTRATIVE
PENALTY: PLAN ACTIVE TOWN & REGIONAL
PLANNERS ON BEHALF OF DE TERBLANCHE
& SE HOMAN

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to Erf 434, Pringle Bay, namely:

- **Departure** in terms of Section 16(2)(b), read with Section 17.1.2.(c) of the By-Law for the provision of alternative and additional parking bays within the road reserve.
- **Determination of an Administrative Penalty** in terms of Section 16(2)(q) of the By-Law for the unauthorised land use of a parking bay within the road reserve.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus and at the Betty's Bay Library, Clarence Drive, Betty's Bay.

Any written comments must be submitted to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) in accordance with the provisions of Sections 51 and 52 of the said By-law on or before **12 April 2024**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Senior Town Planner, Ms. H van der Stoep** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a Municipal official will assist them to formulate their comment.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Municipal Notice No. 38/2024

UMASIPALA WASEOVERSTRAND
ISIZA ESINGU-ERF 434, 15 PEAK ROAD,
PRINGLE BAY: ISICELO SOKWAHLULA
NENGIKELELO YOBHALISO
LOMDLIWO/LWEPENALTHI:
NGABAKWAPLAN ACTIVE TOWN &
REGIONAL PLANNERS EGAMENI LIKA DE
TERBLANCHE & SE HOMAN

Kukhutshwe isaziso esimayela nemiba yeSolotya laa-47 nelama-48 likaMasipala waseOverstrand esingoMthethwana oSisihlomelo soMthethwana ongeziCwangciso zokuSetyenziswa koMhlaba kaMasipala ku2020 (UMthethwana) osebenza kwizicelo zesiza esinguErf 434, Pringle Bay, ezaziwa ngolu hlobo:

- **Ukwahlula** nngokwemiba yeSolotya le16(2)(b), efundeka neSolotya 17.1.2.(c) loMthethwana wezibonelelo ngezinye iindawo zokupaka ezibekelwe bucala kwakule ndlela isetyenziswayo.
- **Ingqikelelo yoBhaliso loMdlwio/lwePenalithi** ngokwemiba yeSolotya le16(2)(q) loMthethwana omayela nezithuthi ezisebenzisa umhlaba zingagunyaziswanga kwindawo ebekwe bucala.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evelini ukusuka phakathi kwentsimbi ye-08:00 no-nd 16:30 kwiSebe : Lezicwangciso zeDolophu kwa16 Paterson Street, Hermanus naseBetty's Bay Library, Clarence Drive, Betty's Bay.

Naziphi na izimvo ezibhaliweyo mazingeniswe zifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngokwezibonelelo zeSolotya lama51 nelama52 loMthethwana ongentla ngomhla okanye ngaphambi komhla wama12 uApreli 2024, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowui ingathunyelwa kuMwangcisi Omkhulu weDolophu, Nkszn H van der Stoep kwa 028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angaya kwiSebe Lezicwangciso ngeDolophu apho igosa likaMasipala liza kumnceda angenise izimvo zakhe ahlomle ngokusemthethweni.

Umlawuli kaMasipala, uMasipala wase Overstrand, P.O. Box 20, **HERMANUS**, 7200

Inothisi kaMasipala Nomb. 38/2024



All distances approximate
and subject to survey.

COPY RIGHT RESERVED

Property Description:

ERF 434
PRINGLE BAY

Plan Description:

LOCALITY MAP

Scale:

NTS

Drawing Nr:
erf 434.pbl.drw

Date:
AUGUST 2023





TP-A Theart
(Hvd Stoep)

TOWN & REGIONAL PLANNERS
STADS-EN STREEKSBEPLANNERS

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
08 DEC 2023
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

6 Magnolia St / Str
PO Box / Posbus 296
HERMANUS
7200
Tel: (028) 313 1673
Fax / Faks: (028) 312 1351
Email:
planactive@hermanus.co.za
Website: www.planactive.co.za

8 DECEMBER 2023

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

FILE NO. Erf 434-KPRB
SCAN NO.
COLLABORATOR NO. 1964034

For Attention: Ms. Anja le Roux (Manager): Property Administration

ERF 434 Pringle Bay

- CLIENTS: Mr. D.E. TERBLANCHE AND MS. S.E. HOMAN

Provision of alternative parking as stipulated in Section 17.1 of the Overstrand Municipal Land Use Scheme, 2020 for Erf 434 Pringle Bay.

Mr. D.E. Terblanche and Ms. S.E. Homan, owners of Erf 434 Pringle Bay, have instructed the company Plan Active Town Planners to apply for the determination of an administrative penalty and provision of alternative parking as stipulated in Section 17.1 of the Overstrand Municipal Land Use Scheme, 2020. Please refer to the enclosed Special Power of Attorney. The proposed application was submitted at the Overstrand Municipality Town Planning Department.

In August 2022 a building plan was approved by the Overstrand Municipality for Erf 434 Pringle Bay. With the approved land uses, 6 on-site parking bays were approved on the subject property. The approved 6 parking bays were not constructed on the subject erf at the time, but 9 parking bays were subsequently constructed by the owner in the road reserve with a small area (8.3m²) of the parking bays situated over the street boundary line onto the Erf 434 Pringle Bay, as seen on aerial photograph below.

Divine Inspiration Trading 329 (Pty) Ltd. trading as Plan Active
Reg. No. 2006/030921/07
Vat. No. 4770250340

John Mc Lachlan: Ndip (Town Planning) Tech Witwatersrand; MSAPI Nr. 10908; SACPLAN Tch.Pln B/8250/2014
Pauline Spronk: B (Soc Sc) US, BA Hon (UNISA)
Meriké Lerm: B. Art et Scien Cum Laude (Town Planning) UNW; SACPLAN Pr.Pln A/158/2009
Darren Adams: BTech (Town and Regional Planning) CPUT; SACPLAN Pr.Pln A/3002/2021



Can you please provide your comments on the proposal and indicate if you need any additional information.

Attached, please find the required documentation:

- Motivational report;
- Locality Plan;
- Site Plan;
- Copy of Title Deed No. T16141/2022;
- Special Power of Attorneys;

Yours faithfully

A handwritten signature in black ink, appearing to be 'D. Adams', written over the closing 'Yours faithfully'.

D. ADAMS
Pr. Pln A/ 3002/2021

**PROPOSED ALTERNATIVE PARKING
PROVISION AND DETERMINATION OF AN
ADMINISTRATIVE PENALTY**

ERF 434 PRINGLE BAY

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mr. D.E. Terblanche and Ms. S.E. Homan, owners of Erf 434 Pringle Bay, have instructed the company Plan Active Town Planners to apply for the determination of an administrative penalty and provision of alternative parking as stipulated in Section 17.1 of the Overstrand Municipal Land Use Scheme, 2020.

In August 2022 a building plan was approved by the Overstrand Municipality for Erf 434 Pringle Bay. With the approved land uses, **6 on-site parking bays** were approved on the subject property. The approved 6 parking bays were **not constructed on the subject erf** at the time, but **9 parking bays were subsequently constructed by the owner in the road reserve** with a small area (8.3m²) of the parking bays situated over the street boundary line onto the Erf 434 Pringle Bay. We are therefore applying for the determination of an administrative penalty and the “buy out” of the area of the required parking bays.

With the proposed application, a land use change is also proposed and will have an impact on the provision of the required number of parking bays. The existing two-bedroom flat that required two parking bays will be converted into shopping space that will require 3 parking bays. Subsequently **1 additional parking bay is required. (=7 parking bays in total)**

Erf 434 Pringle Bay is 383m² in extent and is held by Title Deed No.T16141/2022.

2. APPLICATION DETAILS

Application is made in terms of:

- Section 17.1.2(c) of the Overstrand Municipality Land Use Scheme Regulations that read as follows:

Alternative Parking Provision: c) pay the Municipality the amount to the value of the parking to be provided in accordance with the zoning concerned, together with the construction cost, in cases where the provision of parking as precluded in terms of other legislation or site-specific constraints or a contribution is made to an approved Municipal parking fund or project for the provision of parking.

- Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the determination of an administrative penalty.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

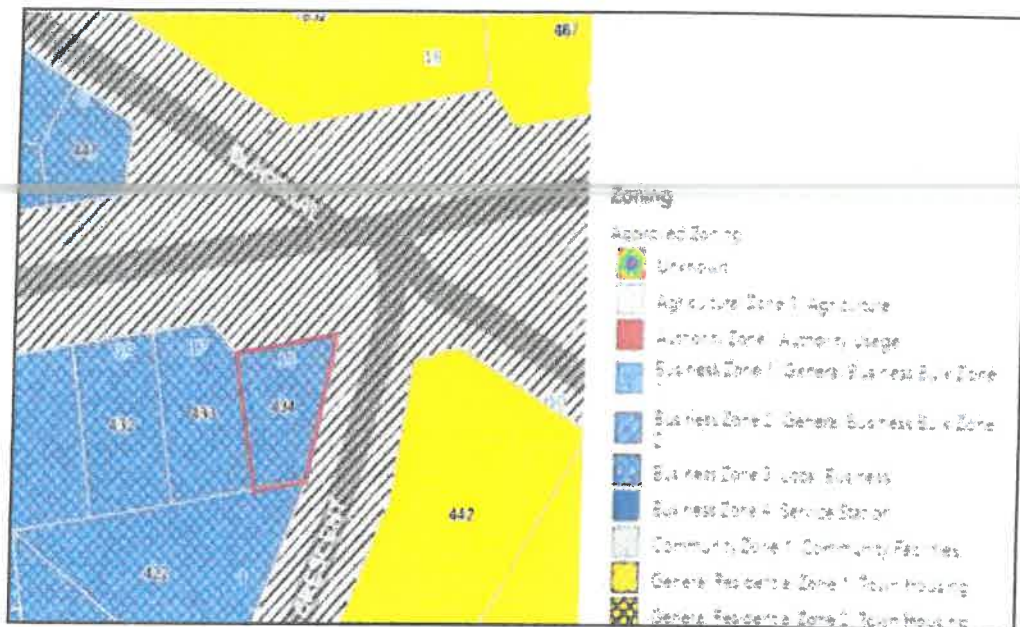
The subject property is situated at 15 Peak Road, on the corner of Peak Road, Crescent Road and Diagonal Road within the Pringle Bay Central Business District and is currently developed. Please refer to the aerial photograph below:



3.2 ZONING

Erf 434 Pringle Bay is zoned Business Zone 3: Local Business.

Adjoining properties are also zoned as Business Zone 3: Local Business with residential erven to the North, North-East and Eastern side of the subject property. Please refer to the zoning map abstract below:



3.3 LAND USE

Erf 434 Pringle Bay is currently developed. The building is used for business purposes, a shop is established on the subject erf.

Land uses North-West, West and South-West surrounding the subject property are all used for business related uses within the Pringle Bay Central Business District. Land uses North, North-East and South-East are predominantly single residential.

3.4 PROPOSAL

Application is made for the provision of alternative parking in terms of:

- Section 17.1.2(c) Overstrand Municipality Land Use Scheme Regulations that read as follows:
Alternative Parking Provision: c) pay the Municipality the amount to the value of the parking to be provided in accordance with the zoning concerned, together with the construction cost, in cases where the provision of parking as precluded in terms of other legislation or site specific constraints or a contribution is made to an approved Municipal parking fund or project for the provision of parking.
- Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the determination of an administrative penalty

With reference to the previous building plan approval in 2022, a two-bedroom flat was approved on the first floor of the exiting building with 6 parking bays approved on-site. The parking bays however were later constructed in the road reserve. The intention of the owners is to convert the flat on the first floor into shopping space (business use), which will require one additional parking bay. Currently the Land Use Scheme prescribes that 4 parking bays per 100m² GLA be provided onsite. With reference to Section 17.1.2(c) alternative parking can be provided. The last mentioned section read as follows:

"c) pay the Municipality the amount to the value of the parking to be provided in accordance with the zoning concerned, together with the construction cost, in cases where the provision of parking as precluded in terms of other legislation or site-specific constraints or a contribution is made to an approved Municipal parking fund or project for the provision of parking."

Due to the location of the building, the configuration of the site and the extent of the erf, the owners have no other choice than to "buy-out" an additional parking bay in terms of Section 17.1.2(c) in order to accommodate the required GLA with the proposed land use change from a flat to shopping space (business use) on the first floor. The parking bays provided within the road reserve are in line with the character of provision of parking space within the CBD and were constructed in the same manner.

It is therefore proposed that the land be evaluated in order to determine the cost of the parking bays required that cannot be accommodated on the site in terms of Section

17.1.2(c) excluding the construction costs be considered. The owner already constructed 9 parking bays in the road reserve at his cost. In terms of the Overstrand Municipality the formula to determine the value of the parking bays is as follows:

- 1 parking bay constitutes $(25\text{m}^2 \times 7 \text{ required bays}) - 8.3\text{m}^2$ (for the portion of the parking bays situated on Erf 434);
- $= (166.7\text{m}^2) \times (\text{value of the land per m}^2)$.

Calculation for 6 parking bays

$$\begin{aligned} & 25\text{m}^2 (1\text{ parking bay}) \times (\text{R } 345\,000 \text{ Land value} \div 383\text{m}^2 \text{ total area}) \\ & = \text{R } 22\,519.58 \text{ per bay} \times 6 \\ & = \text{R } 135\,117.48 \end{aligned}$$

Calculation for 1 parking bay - Minus $\pm 8.3\text{m}^2$ (portion of bays constructed on-site)

$$\begin{aligned} & 25\text{m}^2 - 8.3\text{m}^2 \times (\text{R } 345\,000 \text{ Land value} \div 383\text{m}^2 \text{ total area}) \\ & 16.7\text{m}^2 \times 900.78 \\ & = \text{R } 15\,043.08 \end{aligned}$$

Total $\pm \text{R } 150\,160.56$

Once this application is approved the final value payable will be determined. The owners respectfully request that the final value be settled over a period of **twelve (12) months**.

It is important to note that the parking bays have already been constructed and therefore no construction costs are required to be paid to the municipality. A portion of the parking bays ($\pm 8.3\text{m}^2$) were constructed on the subject property as seen in the calculation above and the plan below.



The business erven in Pringle Bay are very small in extent and it is difficult to accommodate the required parking bays on-site. The proposed Master Plan for the Pringle Bay CBD proposed on-street parking bays within certain roadreserves.

The paving used for the construction of the parking bays is in line with the character of the area and from a visual point of view of the Pringle Bay CBD the same pavers were used for the construction thereof.

3.4.2. Determination of an administrative penalty

With reference to the building plan approval in August 2022, six parking bays were approved to be situated on-site. Only a small portion of the parking bays was constructed on the subject property but the majority of the parking bays were constructed in the road reserve. The intention of the owners are to “buy out” the required number of parking bays as per Section 17.1.2(c) of the Overstrand Municipality Land Use Scheme Regulations, 2020.

In terms of **Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020**, an application is made for the determination of an administrative penalty for unauthorised land use. In terms of **Chapter 10, Section 90(1)**, "A person who is in contravention of this By-Law, and submits an application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty, provided that the Municipality has not obtained and issued a demolition directive in terms of Section 85 in respect of the land or building or part thereof concerned".

In terms of **Chapter 10, Section 90(3)**, of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020 the applicant must to the satisfaction of the municipality, provide the following in terms of:

3.4.1.1 CRITERIA FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY

The Nature, duration, gravity, and extent of the contravention

The required parking bays were constructed in the road reserve, in Crescent Road, Pringle Bay, 9 parking bays were constructed.

The extent of the unauthorised building work is as follows:

Structure	Extent of unauthorised building work
9 parking bays	±166.7m ²
Total Extent of unauthorised building work	±166.7m²

The owners of the subject property intend to provide their full co-operation to the Overstrand Municipality to address the illegal construction of parking bays in the road reserve. The applications for the determination of an administrative penalty and the "buy out" of parking bays are submitted simultaneously in order to address the encroachments of parking bays onto the road reserve.

The position and nature of the unauthorised parking bays are unobtrusive in nature and do not impact negatively on the surrounding properties, as no complaints from surrounding property owners has been received. As seen in the aerial photograph below the existing parking bays have the same impact at the current position as at the position indicated on the approved building plans.

As indicated above, in terms of the approved building plan and the actual constructed parking bays, in both scenarios vehicles will reverse into the road, we are therefore of the opinion that the impact remains the same.

The parking bays constructed by the owners of Erf 434 Pringle Bay are also inline with the character for the Pringle Bay CBD as the paving used by the owners are the same as the paving used within the CBD as seen in the aerial photograph below:



The conduct of the person involved in the contravention.

The existing parking bays were constructed by the owners and they take full responsibility.

A report by a quantity surveyor in matters of unauthorised building/construction

If the Overstrand Municipality finds it necessary that an administrative penalty fee needs to be enforced for the unauthorised parking bays, we will submit a report from a quantity surveyor with reference to the unauthorised building work. The reason being is that the owners are incurring cost to address the contraventions and still have to "buy out" the required parking bays which is also a considerable amount.

Whether the unlawful conduct was stopped

The owners are in the process of addressing the contravention by applying for the determination of an administration penalty and the “buy out” of the area of the required parking bays. The construction of the parking bays are completed.

Whether a person involved in the contravention has previously contravened this By-Law or a previous planning law

To the best knowledge of the applicant and as confirmed by the landowners, the owners have never previously contravened this By-Law or any other previous planning law.

We appeal to the Overstrand Municipality to take into consideration the low impact the unauthorised building work has on the surrounding area. It should also be considered that no complaint from surrounding property owners has been received with regards to the unauthorised parking bays as it is the norm in the specific area of Pringle Bay as the erven are relatively small in extent to provide parking bays on-site. We therefore respectfully request that a penalty fee not be imposed on the property owners for the reasons given above.

3.5 ACCESS & PARKING

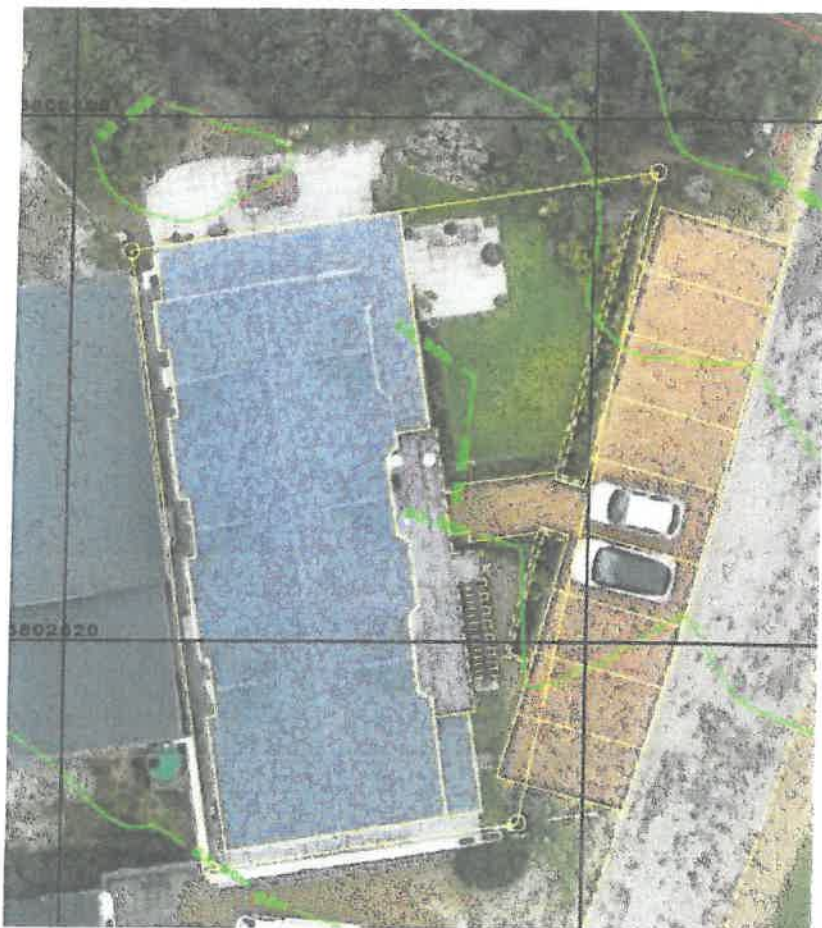
6 parking bays have been approved onsite as per the building plan submitted, as previously mentioned but the required parking bays were not formalised on the subject erf. With the current proposal, the flat (which requires two parking bays and is $\pm 58.533\text{m}^2$ in extent) will now be converted into shopping space (business use) and therefore one additional parking bay will be required in order to comply with the parking requirements. The difference can be seen as tabled below:

Parking requirement with the flat established on first floor		
Land use	Extent	Parking requirement
Flat	58.533m ² (two bedrooms)	2 parking bays

Parking requirement with the proposed land use change from the flat on first floor to General business		
Land use	Extent	Parking requirement
General Dealer	58.533m ²	4 parking bays per 100m ² $(58.533 \div 100) \times 4$ =2.3 parking bays required (3 parking bays)

As seen in the tables above, one (1) additional parking bay needs to be provided to the 6 parking bays, as previously approved.

Ample parking is available on-street, in front of the subject property in Crescent Road, Pringle Bay as seen below.



The parking bays were constructed illegally in the road reserve by the owners of Erf 434 Pringle Bay and therefore the application to "buy out" the required parking bays. The impact of the off-street parking will remain the same as the parking bays approved on-site.

3.6 SERVICES

All services on the subject property already exist. Additional services are not required and therefore the proposal will not have a negative impact on existing services that are provided by the Overstrand Municipality. The application constitutes an application to pay the Overstrand Municipality the amount to the value of 7 parking bays as mentioned above under Section 3.4 & 3.5.

3.7 TITLE DEED

The Title Deed T16141/2022 has no restrictions that need to be removed for this application to be approved.

3.8 FORWARD PLANNING

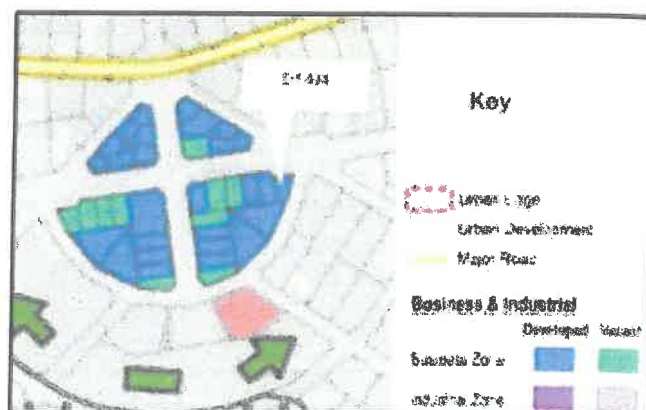
Overstrand Growth Management Strategy (2010)

With reference to the Overstrand Growth Management Strategy the subject property falls within Planning Unit 3 that consists of the existing retail node of Pringle Bay.

With the proposal, the business use of the property will be retained and expanded. Therefore, the proposal falls within the prescribed guidelines for the specific area of Pringle Bay.

Overstrand Municipality Spatial Development Framework (2020)

The subject property is located within the Pringle Bay Business hub as demarcated in the Overstrand Municipality Spatial Development Framework (2020).



The zoning of the subject property is Business Zone 3 and will be retained. The primary land uses as defined in the property's zoning will be utilised and subsequently the land use is in line with the current zoning of the property and the forward planning frameworks mentioned above in this section.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.1 HERITAGE VALUE

Erf 434 Pringle Bay is situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010) and the Overstrand Municipality Spatial Development Framework (2020). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

Considering the above mentioned it is evident that the proposal to "buy-out" the area of the required number of parking bays will not have a negative impact on the heritage value of the subject property or the greater area of the Pringle Bay CBD.

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposal to "buy-out" the area of the required number of parking bays does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial justice refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access to opportunities, facilities, services and land. In the broadest sense, it seeks to promote the integration of communities and the creation of settlements that allow the poorest of the poor to access opportunities. In a spatially just settlement, opportunities and access are provided to those whose historical access and opportunities have been impeded by the practice of apartheid spatial planning. Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas. The principle of spatial justice is not applicable to this application.

Spatial sustainability: The proposal will provide the owners the opportunity to expand the business potential of the subject property located within the CBD that will be a great asset to the area. By expanding the floor area of the business, a number of job opportunities will be created in the area where it is much needed. The proposal will have no impact on the conservation worthy areas of the Pringle Bay CBD, and spatially the land use will be in keeping with the business character of the area.

Efficiency: The business erf is conveniently located within the Pringle Bay CBD where on-street parking bays are easily accessible that are located in the immediate vicinity as 9 parking bays were constructed in front of the subject property by the owners. The last mentioned makes the subject property very accessible.

Spatial resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely

and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). The principle of spatial resilience is applicable to this application.

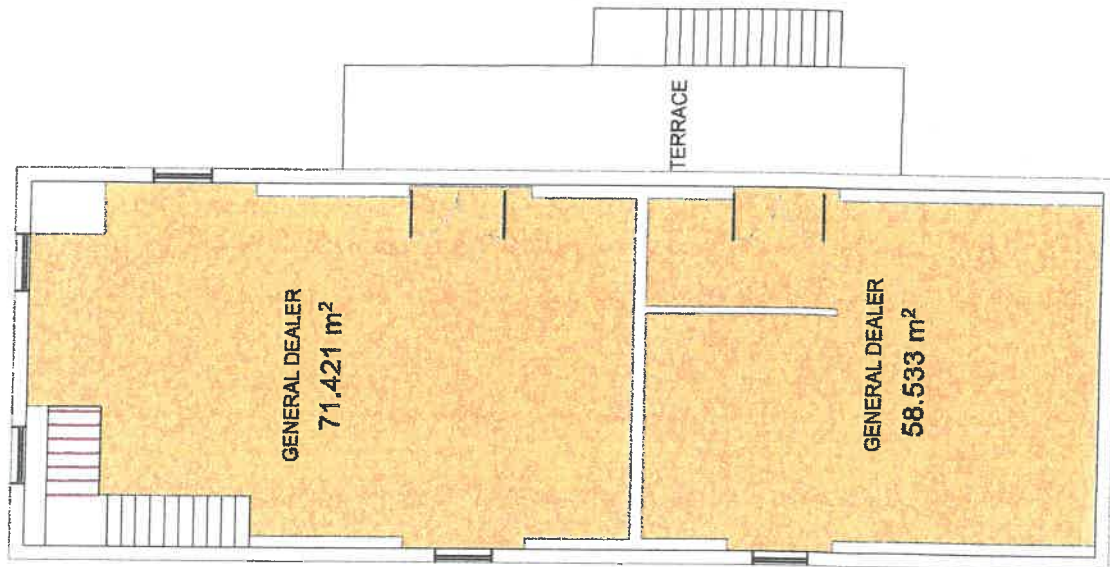
Good administration: Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

4. **RECOMMENDATION**

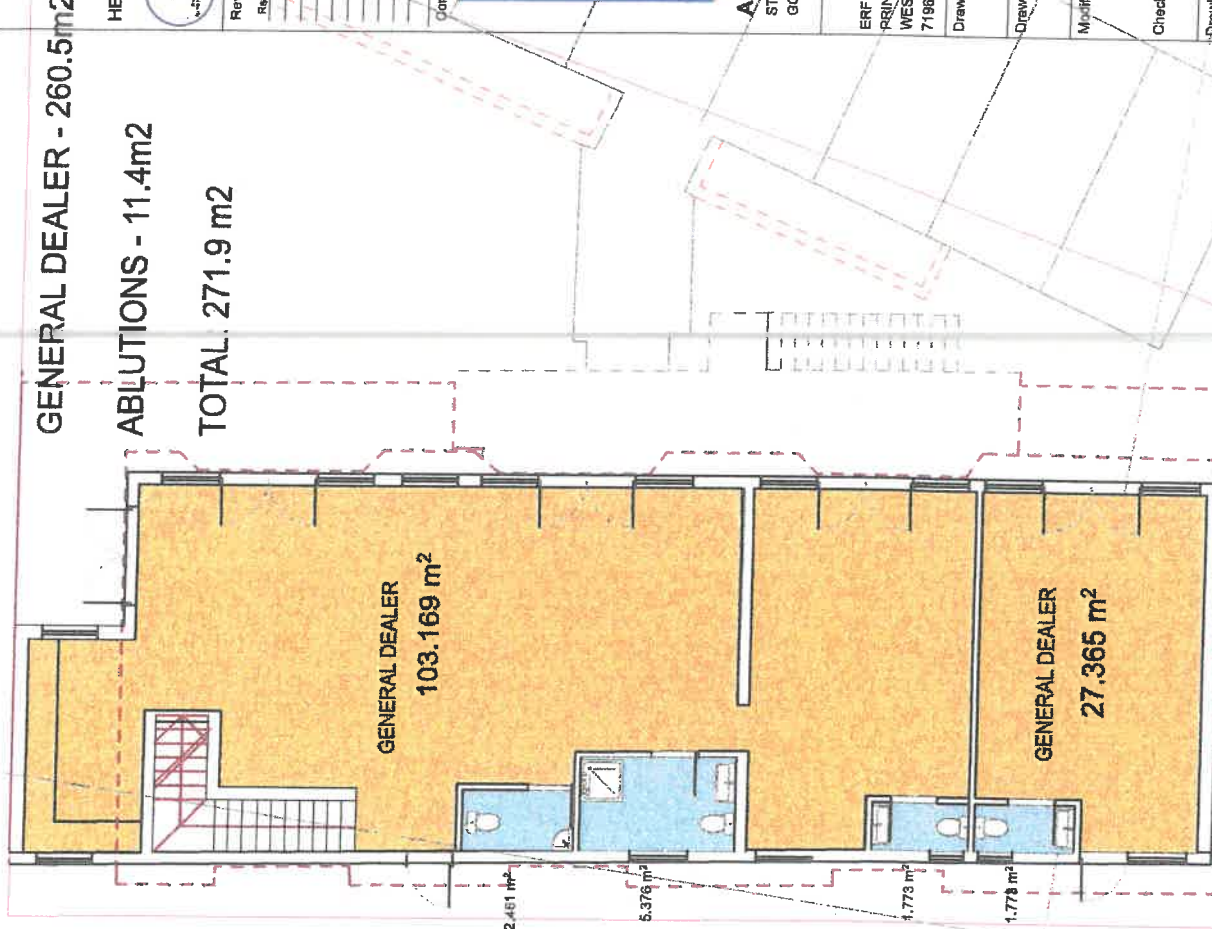
When this application is evaluated, it is important to take note of the following:

- The proposal falls within the existing land use tendencies in the area;
- The impact on services will be minimal;
- The proposal will not have a negative impact on the current character and land values of the surrounding erven;
- The proposal creates the possibility to extend a business that will create work opportunities within the CBD of Pringle Bay;
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).
- We respectfully request that a penalty fee **not** be imposed and that the final amount for the "buy out" of the required parking bays be settled over a period of 12 months.

With regards to the above mentioned it would be appreciated if the proposal would be considered favourably for Erf 434 Pringle Bay.



ST FLOOR AREAS



GROUND FLOOR AREAS

TOTAL FLOOR AREA:

GENERAL DEALER - 260.5m2

ABLUTIONS - 11.4m2

TOTAL: 271.9 m2

CONTACT

ANDREW HORNE : 082 932 1613

HERMAN GROENEWALD: 083 2340241



PROFESSIONAL ARCHITECT.
FREDRICK ANDREW GEORGE HONNIE
1152 2nd Street, New York, N.Y. 10037

Revision History

[illegible]

Company Title



AIA BLUE
STELLENTIA FAN
GORDONS BAY

MENUCHA ALTERATIONS

ERF 434
PRINGLE BAY
WESTERN CAPE
7196

Drawing Name

AREA CALCULATIONS

Drawing Status

Modified by

Date	
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Checked by

Date _____

Drawing Scale

1:100

Layout ID

Revision
