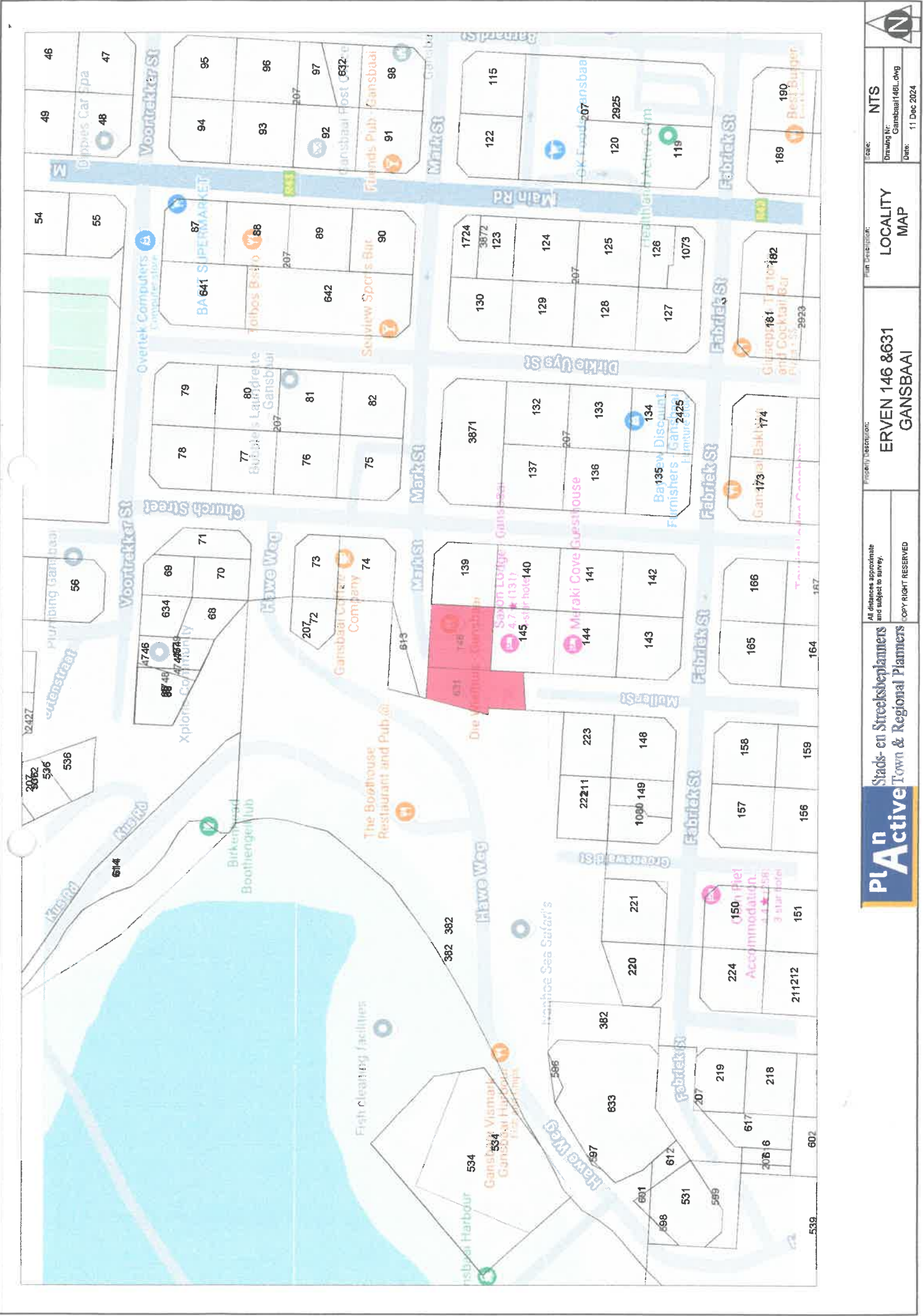


OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<p>ERF 146, 2 MARK STREET AND ERF 631, 2A MARK STREET, GANSBAAI: APPLICATION FOR REZONING, CONSOLIDATION, CONSENT USE, AMENDMENT OF CONDITIONS OF APPROVAL AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF J & MM STEENKAMP</p> <p>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 received and applicable to Erven 146 and Erf 631, Gansbaai, namely:</p> <p>Rezoning Application in terms of Section 16(2)(a) of the By-Law to rezone Erf 146, Gansbaai from Business Zone 2: General Business (B2) to Business Zone 1: General Business (B1) and Erf 631, Gansbaai from Residential Zone 1: Single Residential (SR1) to Business Zone 1: General Business (B1).</p> <p>Consolidation Application in terms of Section 16(2)(e) of the By-Law for the consolidation of Erf 146 (991m²) and Erf 631 (927m²) to create a consolidated property approximately 1918m² in extent.</p> <p>Consent use Application in terms of Section 16(2)(o) of the By-Law, to accommodate the following:</p> <ul style="list-style-type: none"> • a place of entertainment [five (5) slot machines]; • two (2) ground-floor flats on Erf 146, Gansbaai; and • one (1) dwelling unit. <p>Departure Application in terms of Section 16(2)(b) of the By-Law, to relax the northern building line from 3m to 0m, to accommodate the existing flats, covered patio, bathroom, entertainment area and storage area.</p> <p>Amendment of conditions of approval Application in terms of Section 16(2)(h) of the By-Law, to remove the following conditions of approval, namely:</p> <ul style="list-style-type: none"> • conditions (a), (b), (c) and (g) of the approval dated 14 March 2007; and • condition 5(a), 5(b), 5(d) and 5(e) of the approval dated 12 October 2023. <p>Determination of an administrative penalty Application in terms of Section 16(2)(q) of the By-Law, to legalize previous contraventions.</p> <p>Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus and Gansbaai Library, Main Road, Gansbaai. Any comment must be in writing, quoting your name, address and contact details, as well as your interest in the application and the reasons for comment, which comment must reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before Friday, 4 April 2025. Telephonic enquiries can be made to the Senior Town Planner, Mr. SW van der Merwe at 0283138900. The Municipality may refuse to accept comments received after the closing date. Any persons who cannot read or write may visit the above appropriate Municipal Department where a Municipal official will assist them in formulating their comment.</p>	<p>ERF 146, MARKSTRAAT 2 EN ERF 631, MARKSTRAAT 2A, GANSBAAI: AANSOEK OM HERSONERING, KONSOLIDASIE, VERGUNNINGSGEBRUIK, WYSIGING VAN DIE GOEDKEURINGSVOORWAARDES EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE PLAN ACTIVE STAD- EN STREEKSBEPLANNERS NAMENS J & MM STEENKAMP</p> <p>Kennis word hiermee gee ingevolge Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), van die volgende aansoeke ontvang en van toepassing op Erwe 146 en 631, Gansbaai, naamlik:</p> <p>Hersonering Aansoek ingevolge Artikel 16(2)(a) van die Verordening, om Erf 146, Gansbaai te hersoneer vanaf Besigheidsone 2: Algemene Besigheid (B2) na Besigheidsone 1: Algemene Besigheid (B1) en Erf 631, Gansbaai vanaf Enkel Residensiële Sone: Enkel Residensiël (SR1) na Besigheidsone 1: Algemene Besigheid (B1).</p> <p>Konsolidasie Aansoek ingevolge Artikel 16(2)(e) van die Verordening, vir die konsolidasie van Erf 146 (991m²) en Erf 631 (927m²) om een gekonsolideerde eiendom ongeveer 1918m² groot te skep.</p> <p>Vergunningsgebruik Aansoek ingevolge Artikel 16(2)(o) van die Verordening, om die volgende te akkommodeer:</p> <ul style="list-style-type: none"> • 'n plek van vermaaklikheid [vyf (5) dobbelmasjiene]; • twee (2) grondvloer woonstelle op Erf 146, Gansbaai; en • een (1) wooneenheid. <p>Afwyking Afwyking ingevolge Artikel 16(2)(b) van die Verordening, om die noordelike boulyn vanaf 3m na 0m te verslap, om die bestaande woonstelle, onderdak patio, badkamer, ontspanningsarea en stoorarea te akkommodeer.</p> <p>Wysiging van die goedkeuringsvoorwaardes Aansoek ingevolge Artikel 16(2)(h) van die Verordening, om die volgende goedkeuringsvoorwaardes te verwyder:</p> <ul style="list-style-type: none"> • voorwaardes (a), (b), (c) en (g) van die goedkeuring gedateer 14 Maart 2007; en • voorwaardes 5.(a), 5(b), 5(d) en 5(e) van die goedkeuring gedateer 12 Oktober 2023. <p>Bepaling van 'n administratiewe boete Aansoek ingevolge Artikel 16(2)(q) van die Verordening, om vorige oortredinge reg te stel.</p> <p>Volle besonderhede rakende die voorstel hierbo is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentare moet skriftelik wees, u naam, adres, en kontakbesonderhede bevat, sowel as u belang in die aansoek en die redes vir kommentaar, welke kommentaar die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) moet bereik voor of op Vrydag, 4 April 2025. Telefoniese navrae kan gerig word aan die Senior Stadsbeplanner, Mnr. SW van der Merwe by 028 313 8900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persone wat nie kan lees of skryf nie kan bogenoemde toepaslike Munisipale Departement besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.</p>	<p>ERF 146, 2 MARK STREET AND ERF 631, 2A MARK STREET, GANSBAAI: APPLICATION FOR REZONING, CONSOLIDATION, CONSENT USE, AMENDMENT OF CONDITIONS OF APPROVAL AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF J & MM STEENKAMP</p> <p>Kukhutshwe isaziso ngokwemiba yeSoloty lama47 nelama48 loMthethwana kaMasipala waseOverstrand Osishlomelo ngeZicwangciso zokuSetyenziswa koMhlaba kaMasipala, ka2020 (Umthethwana), esi sicelo sifunyenweyo sisebenziseka kwiZiza kuErven 146 noErf 631, Gansbaai, zaziwa ngolu hlobo:</p> <p>Ukucanda kwakhona Isicelo esisebenziseka nemiba yeSoloty le16(2)(a) loMthethwana ongokucanda kwakhona isiza esinguErf 146, Gansbaai ukusuka kwiBusiness Zone 2/kwiZowuni yoShishino: General Business (B2)/Ushishin Oluphangaleleyo (B2) ibe yiBusiness Zone /yiZowuni yoShishino 1: General Business (B1) nesiza esinguErf 631, Gansbaai ukusuka kwiResidential Zone 1: Single Residential (SR1) ibe yiBusiness Zone 1/kwiZowuni yoShishino 1: General Business (B1)/Ushishino Oluphangaleleyo .</p> <p>Uvondelelaniso Isicelo esisebenziseka nemiba yeSoloty le16(2)(e) loMthethwana woyondelelaniso lwesiza uErf 146 (991m²) nesiza esinguErf 631 (927m²) ukudala isakhiwo esiyondelelanisiweyo esibungakanani obu1918m² ngobukhulu.</p> <p>Ukuvumela ukusebenzisa Isicelo sisebenziseka nemiba yeSoloty le16(2)(o) loMthethwana, ukulungiselela oku kulandelayo:</p> <ul style="list-style-type: none"> • indawo yokuzonwabisa [isihlanu (5)soomatshini bokufaka imali]; • iiflethi eimbini(2) ezikumgangatho osezantsi kwisiza uErf 146, eGansbaai, kunye ne • yunithi yokuhlala enye (1). <p>Ukwahlula Isicelo sisebenziseka kwiSoloty le16(2)(b) loMthethwana, ukunyenisa umgca wesakhiwo osemantla ukusuka kwiimitha ezi3m ukuya kwezi 0m, ukulungiselela iiflethi esele zikhona, ipathiyo egqunyweyo, igumbi lokuhlambela, indawo yokuzonwabisa nendawo yokugcina zinto.</p> <p>Ukwenza izhlolel zeemeko zokuvumela Isicelo sisebenziseka neSoloty le16(2)(h) loMthethwana, ukushenxisa ezi meko zilandelayo zokuvumela, ezibizwa:</p> <ul style="list-style-type: none"> • iimeko (a), (b), (c) no (g) zokuvumela ezomhla we14 Matsi 2007 • imeko 5(a), 5(b), 5(d) no 5(e) evumela ukusebenzisa yomhla we12 Okthobha 2023. <p>Ingakikelelo yomdlwano wobhaliso Isicelo sisebenziseka ngokwemiba yeSoloty le16(2)(q) loMthethwana, ukuisela ngokusemthethweni iziphene zokunxaxha emthethweni kwangaphambili.</p> <p>Inkukacha ezipheleleyo mayela nesisiphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye8:00 neye16:30 kwiSebe: Lezicwangciso zeDolophu, 16 Paterson Street, Hermanus naseGansbaai Library, Main Road, Gansbaai. Naziphi na izimvo mazibhalwe phantsi, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, kwakunye nomdla wakho kwesi sicelo nezizathu zakho zokuhlomla emazfike, kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi koLwesihlanu, 4 Utshazimpunzi 2025. Imibuzo ngefowuni ingathunyelwa kuMchwangcisi Omkhulu weDolophu, uMnu. SW van der Merwe kwa- 0283138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvula. Nabani na ongakwazi ukufunda okanye ukubhala angahambela kwiSebe likaMasipala ofanelekileyo apho igosa likaMasipala liza kumceda ukubhala izimvo zakhe.</p>
<p>Dr DGI O'Neill Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200</p> <p style="text-align: right;">Notice No / Kennisgewing nr / Inombolo yesaziso: 33/2025</p>		



Project Description:
**ERVEN 146 & 631
 GANSBAAI**

Plan Description:
**LOCALITY
 MAP**

Scale: **NTS**
 Drawing Nr: Gansbaai146L.dwg
 Date: 11 Dec 2024

All distances approximate
 and subject to survey.

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**PROPOSED REZONING,
CONSOLIDATION, CONSENT USES,
DEPARTURES, THE AMENDMENT OF
FORMER APPROVALS AND AN
ADMINISTRATIVE PENALTY**

ERVEN 146 AND 631

GANSBAAI

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mr. J. Steenkamp and Mrs. M.M. Steenkamp, the owners of Erven 146 and 631 in Gansbaai, have appointed Plan Active Town and Regional Planners to apply for rezoning and consolidation of these erven. Our responsibilities include applying for consent uses to accommodate flats and a dwelling on the ground floor, legalizing existing structures through building line departures, the amendment of former conditions of approval and addressing an applying for the determination of an administrative penalty.

An application was approved in 2007 for the land use to accommodate a restaurant within the existing dwelling, a store room, a garage to accommodate 2 vehicles and associated parking. In 2023 an application was partially approved for consent uses, a departure and the determination of an administrative penalty. The following were approved:

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Motivation report

- A building line departure to accommodate the conversion of the flats into outbuildings.
- That the applicant be exempted from the payment of an administrative penalty.

The owners continued to utilise the property as described below after the last-mentioned approval was obtained.

Both Erven 146 and 631 are currently developed. Erf 146 features a restaurant with associated storage, two flats on ground floor, storage and parking facilities, while Erf 631 hosts a dwelling and a loose standing "Wielhuis". The "Wielhuis" is one of the last wooden ones from the fishing boat Bella Prima that was removed and placed on the property by crane as a memento. Please refer to the photograph below:



This application aims to create a larger, more adaptable property that supports existing uses and ensures sufficient onsite parking.

This development initiative aligns with the owners' strategic vision to maximize the utility and value of their Gansbaai properties. By consolidating erven 146 and 631 Gansbaai, the owners plan to meet the increasing demand for mixed-use spaces that offer both

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commercial and residential advantages, contributing positively to the local community and economy. The proposed development will include:

- A restaurant
- Place of entertainment (5 gambling machines)
- One ground-floor dwelling unit
- Two ground-floor flats
- Fifteen parking bays

Erf 146 covers 991m² and Erf 631 covers 927m², held under Title Deed Numbers T51779/2018 and T75399/2004, respectively. This proposed rezoning, consolidation, consent uses, building line departures and the determination of an administrative penalty are designed to enhance the properties' overall functionality and attractiveness, aligning with modern urban planning practices and community expectations.

2. APPLICATION DETAILS

The application is submitted in accordance with the provisions outlined in the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, as follows:

- Chapter 4, Section 16(2)(a): Rezoning of Erven 146 and 631 Gansbaai from Residential Zone 1 and Business Zone 2 to Business Zone 1.
- Chapter 4, Section 16(2)(e): Consolidation of Erven 146 and 631 Gansbaai.
- Chapter 4, Section 16(2)(b): Building line departures for the consolidated Erven 146 and 631 Gansbaai.
- Chapter 4, Section 16(2)(o): Consent uses applicable to the consolidated erven 146 and 631 Gansbaai.
- Chapter 4, Section 16(2)(h): The amendment of former approvals applicable to Erf 146 Gansbaai.
- Chapter 4, Section 16(2)(q): Determination of an administrative penalty for addressing illegal structures and land use.

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3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 146 and Erf 631 in Gansbaai are located at 2 and 2a Market Street, Gansbaai. For more detailed information, please refer to the attached locality plan and the extract from the Overstrand GIS Map provided below.



3.2 ZONING

Erf 146 in Gansbaai is zoned as Business Zone 2 and is currently developed for use as a restaurant, with associated storage, two ground-floor flats, and parking facilities. In contrast, Erf 631 Gansbaai is zoned Residential Zone 1 and is occupied by a single residential dwelling and a loose standing "Wielhuis".

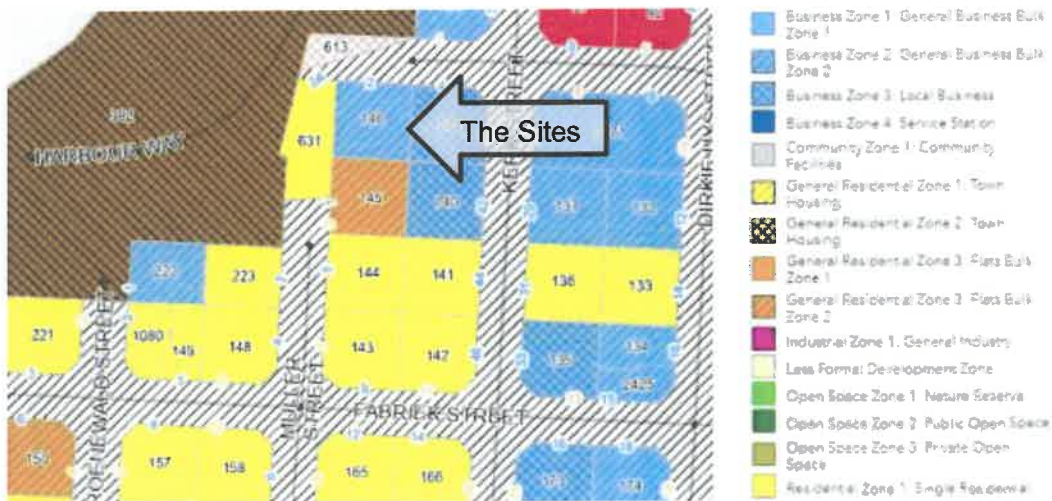
The surrounding properties in this area feature a variety of zoning designations, reflecting a diverse mix of uses that contribute to Gansbaai's overall character and functionality. These zones include:

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- Single Residential: Properties designated for residential use, similar to Erf 631.
- Harbour Usage: Areas supporting maritime and related activities.
- General Business: Properties allocated for commercial purposes, providing essential services and amenities to the community.
- Public Roads: Land reserved for transportation infrastructure, ensuring connectivity and accessibility.
- Public Open Space: Areas designated for public recreational use, enhancing environmental sustainability and community well-being.

This zoning diversity creates a balanced, integrated urban environment that supports residential living, commercial activity, and public accessibility. The proposed development and consolidation of Erven 146 and 631 seek to complement this balance by introducing mixed-use elements that align with the area's existing zoning framework.

For further reference and visual context, please see the zoning map extract below.



3.3 LAND USE

The subject area, consisting of Erf 146 and Erf 631 Gansbaai, features a combination of commercial and residential land uses. Erf 146, zoned as Business Zone 2, supports a vibrant mix of activities, including a restaurant, associated storage facilities, two ground-

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floor flats, and parking. In contrast, Erf 631, zoned as Residential Zone 1, is developed for single residential purposes, with an established dwelling and a loose standing “Wielhuis”.

The surrounding land uses in Gansbaai are varied and contribute to a dynamic urban environment. These include:

- **Single Residential:** Neighbouring properties designated for residential use, providing a cohesive living environment.
- **Harbour Usage:** Areas dedicated to maritime activities, which include a fish processing and canning facility as well as a restaurant, playing a crucial role in the local economy and community identity.
- **General Business:** Commercial properties that offer essential goods, services, and amenities, enhancing the economic vitality of the area and serving both residents and visitors.
- **Public Roads:** Infrastructure that ensures efficient transportation and connectivity throughout Gansbaai, facilitating access to key destinations.

This diverse land use pattern supports a well-rounded and integrated urban environment, where residential, commercial, and public spaces coexist harmoniously. The proposed development and consolidation of Erven 146 and 631 aim to strengthen this integration, introducing mixed-use functionalities that align with the area's existing character and land use framework.

3.4 PROPOSAL

The following is proposed in terms of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020:

- Chapter 4, Section 16(2)(a): Rezoning of Erven 146 and 631 in Gansbaai from Residential Zone 1 and Business Zone 2 to Business Zone 1.
- Chapter 4, Section 16(2)(e): Consolidation of Erven 146 and 631 in Gansbaai.
Chapter 4, Section 16(2)(b): Building line departures for the consolidated Erven 146 and 631 Gansbaai.

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- Chapter 4, Section 16(2)(o): Consent uses applicable to the consolidated erven 146 and 631 Gansbaai.
- Chapter 4, Section 16(2)(h): The amendment of former approvals applicable to Erf 146 Gansbaai.
- Chapter 4, Section 16(2)(q): Determination of an administrative penalty for addressing illegal structures and land uses.

3.4.1. Proposed Rezoning of the Properties

Erven 146 and 631 Gansbaai are situated within the Central Business District (CBD) of Gansbaai, adjacent to the harbour in a mixed-use area. Surrounding properties in the CBD are zoned Business Zone 1, a designation that aligns with both the existing and proposed land uses for the subject erven. To facilitate the consolidation of Erf 146 and Erf 631, it is necessary for both erven to have the same zoning. Therefore, we propose the following rezoning:

- Erf 146 Gansbaai: from Business Zone 2 to Business Zone 1
- Erf 631 Gansbaai: from Residential Zone 1 to Business Zone 1

This proposed rezoning aligns with the prevailing zoning within Gansbaai's CBD.

The primary and consent use rights for properties zoned Business Zone 1 include:

- Primary uses: **business premises**, caretaker's accommodation, conference facility, flats (above ground floor), guest house, hotel, place of assembly, place of instruction, and self-catering units.
- Consent uses: adult entertainment business, bottle store, crematorium, **dwelling unit, flats (on the ground floor)**, funeral parlour, institution, motor repair garage, **place of entertainment**, recreational facilities; residential building, second dwelling unit, service station, transmission apparatus (subject to Chapter 16.10 of the Overstrand Municipal Land Use Scheme Regulations, 2020), transport use, utility services, warehouse, and service trade.

The existing restaurant on Erf 146 falls within the primary use category as a business premises. The following consent uses will be applied for:

- 5 Slot Machines: classified as Place of Entertainment (Erf 146 Gansbaai)

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- 1 Dwelling House: classified as Dwelling Unit (Erf 631 Gansbaai)
- 2 Ground-floor Flats: Flats on the ground floor (Erf 146 Gansbaai)

This strategic rezoning and consolidation aim to create a cohesive, functional property that aligns with the surrounding zoning and land use patterns. Rezoning will enable a seamless integration of Erf 146 Gansbaai with Erf 631 Gansbaai, promoting a flexible space that supports both commercial and residential activities.

Rezoning the subject erven will enhance the potential for viable commercial operations on the ground floor, residential accommodations, and sufficient parking facilities, contributing to a vibrant and functional urban environment. This proposal not only optimizes property usage but also supports the broader development goals of the Gansbaai community by promoting economic growth and residential convenience.

3.4.2. Proposed Consolidation

Erf 146 Gansbaai is 991m² in extent, while Erf 631 Gansbaai is 927m² in extent. The proposal is to consolidate these two erven, creating a single property with a total area of 1,918m².

This diverse land use pattern promotes a balanced and integrated urban environment where residential, commercial, and public spaces coexist harmoniously. The proposed consolidation of Erven 146 and 631 Gansbaai is intended to enhance this integration by introducing mixed-use functionalities that aligns with the area's established character and land use framework. Furthermore, the consolidation will provide sufficient parking space to support the increased commercial and existing residential activities, ensuring accessibility and convenience for all users.

3.4.3 Proposed Consent Uses

In alignment with the proposed rezoning and consolidation of Erven 146 and 631 Gansbaai, several consent uses are being requested to support both commercial and residential functionality on the properties. These consent uses are tailored to maximize the utility of the consolidated erven, providing amenities that align with the existing zoning patterns of the Central Business District (CBD) and supporting the surrounding mixed-

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use environment.

The following consent uses are proposed:

- Place of Entertainment (5 Slot Machines) on Erf 146 Gansbaai: This consent use allows for a small entertainment area with five slot machines, which will be located within a closed, demarcated section of approximately 15m² within the restaurant. This enclosed area ensures that the slot machines are separated from the main dining and social areas, minimizing any impact on restaurant patrons. The space will be carefully managed to provide a discreet, controlled environment, prioritizing the comfort of both guests and surrounding property owners.
- Dwelling Unit (1 Dwelling House) on Erf 631 Gansbaai: With the rezoning to Business Zone 1, this consent use permits the retention of a single dwelling unit and a loose standing "Wielhuis" on Erf 631 Gansbaai, maintaining residential use within the consolidated property. This residential component will support mixed-use functionality and offers an unique living opportunity within the CBD environment overlooking the Gansbaai Harbour.
- Flats on Ground Floor (2 Flats) on Erf 146 Gansbaai: These two ground-floor flats will each be single-bedroom units, designed to include en-suite bathroom facilities and a small kitchenette, providing comfortable, self-contained residential accommodation. This setup enhances the property's versatility by offering residential options that support both the residential and commercial needs of the Gansbaai area. The inclusion of these flats aligns with the Business Zone 1 consent use provisions, ensuring a balanced development that caters to a diverse range of occupants.

These proposed consent uses are essential to achieving a cohesive, multi-functional property that aligns with the zoning framework of the Gansbaai CBD. The integration of entertainment and residential options within the consolidated erven will not only enhance business operations but also promote a well-rounded, accessible environment that contributes to the local economy and community lifestyle. The combination of these uses promotes a sustainable approach to urban planning, supporting Gansbaai's goal of a balanced and vibrant mixed-use district.

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3.4.4 Building Line Departures

Under the proposed Business Zone 1 zoning for the consolidated erf, the applicable building lines, as defined by the Overstrand Municipal Land Use Scheme Regulations, 2020, are as follows:

- **Street Building Line: 0 meters, with conditions:**
 - The Municipality may impose setback restrictions under Section 7.1.2(b).
 - Any enclosed part of a building from the fourth storey must have a setback of 4.5 meters.

- **Side Building Line: 0 meters, with conditions:**
 - No windows, doors, ventilation, or openings may be installed in any wall on the property boundary without the Municipality's consent.
 - Where a Business Zone 1 or 2 property borders a residential or community zone, a 3-meter building line is required.

- **Rear Building Line: 0 meters, with conditions:**
 - No windows, doors, ventilation, or openings may be installed in any wall on the property boundary.
 - A 3-meter building line applies where a Business Zone 1 or 2 property borders a residential or community zone.

- **Additional Restrictions:** The Municipality reserves the right to impose stricter building lines for public health and safety.
- **General Exemptions:** Section 16.1 of the Overstrand Municipal Land Use Scheme Regulations, 2020, includes general building line exemptions.

Despite the 0-meter building lines generally applicable to Business Zone 1 properties, the consolidated property borders a General Residential Zone 3 property (Erf 145 Gansbaai) to the south, necessitating a 3-meter building line along the southern boundary.

Existing Structures and Required Building Line Departure:

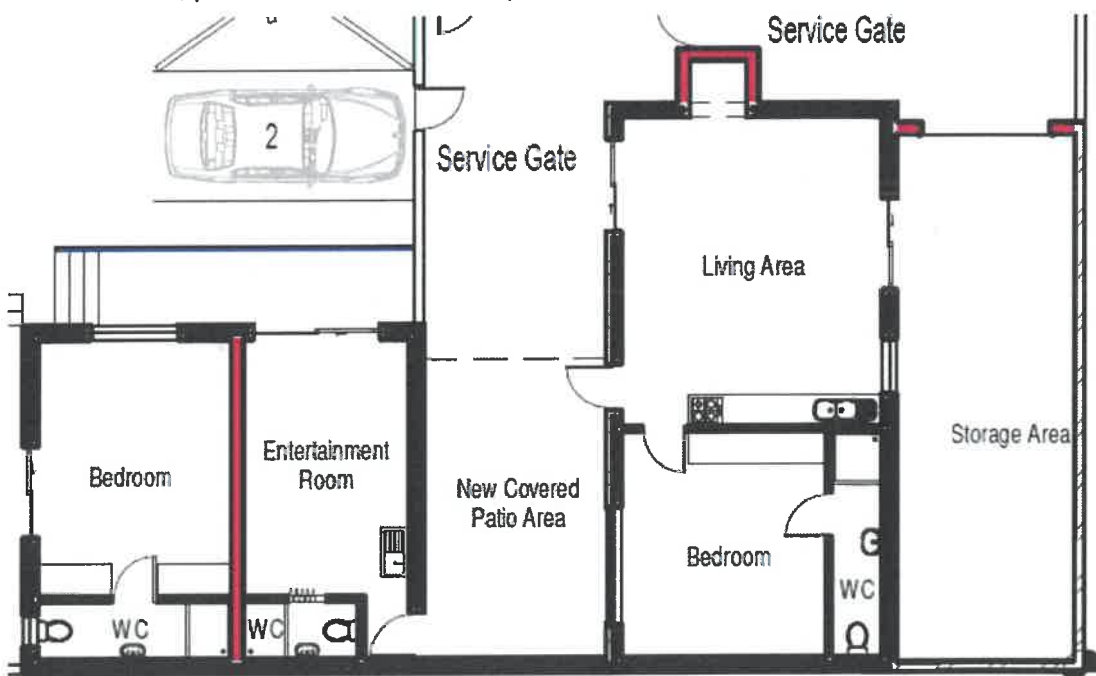
The two existing flats, covered patio and storage area on the southern boundary of the

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consolidated erf are constructed up to the property boundary. These flats covered patio and storage area have no windows or doors on the walls constructed up to the southern boundary. The eastern flat includes a bedroom and bathroom on the boundary, with an adjacent storage area extending to the eastern corner of Erf 146 Gansbaai, which will remain for storage usage. The western flat has two bathrooms located directly on the southern boundary, along with a rear entrance door and covered patio established within the southern building line joining the eastern wall at the boundary.

To formalize the placement of the bedroom, bathroom, and two additional bathrooms, covered patio and storage area located up to the southern boundary, an application for a building line departure from 3 meter to 0 meter along this boundary is required due to its adjacency to the General Residential Zone 3 erf.

For reference, please see the enclosed plan abstract below:



3.4.5 The Amendment of Former Conditions of Approval

With reference to the decision letter dated 14 March 2007 (Annexure A), the following conditions of approval require amendments to align with the proposed development application:

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- Condition (a): “that the proposed restaurant of 180m² only be permitted.”
 - Amendment Required: This condition should be updated to allow for a restaurant area exceeding 180m², incorporating space for five slot machines, two flats, storage, a dwelling, and associated parking facilities.

- Condition (b): “that a maximum height of 8.5m above natural ground level be maintained.”
 - Amendment Required: This height restriction should be removed, applying instead the land use and height restrictions specified under the proposed Business Zone 1 zoning per the Overstrand Municipal Land Use Scheme Regulations, 2020.

- Condition (c): “that one parking space be provided for every four seats of the restaurant.”
 - Amendment Required: According to the Overstrand Municipal Land Use Scheme Regulations, 2020, the following updated parking requirements apply:
 - Four parking bays per 100m² Gross Leasable Area (GLA) for the restaurant.
 - One parking bay per four seats for the place of entertainment (slot machine area).
 - 1.5 parking bays per single-bedroom flat.
 - Two parking bays for the dwelling unit.This condition should therefore be revised to meet the requirements outlined in Section 17 of the Overstrand Municipal Land Use Scheme Regulations, 2020.

- Condition (g): “that all conditions in the Services Report be complied with.”
 - Amendment Required: This condition should be replaced with a requirement to comply with an updated Services Report that reflects the proposed development's specific needs.

In addition, the decision letter dated 12 October 2023 (Annexure B) includes conditions that also require revision:

- Condition 5(a): “that this approval is only for the conversion of the flats into a

storeroom as indicated on Drawing no. KS/0/02 dated 2018/10/18.”

- Amendment Required: This condition should be removed as the owner wishes to retain the two flats rather than convert them into storage.
- Condition 5(b): “that building plans be submitted to the Building Department to accommodate the proposed storeroom within 30 days of the final approval, and that all conditions of the Building and Fire Departments be complied with at that stage.”
 - Amendment Required: This condition should be removed, with building plans for the legalisation of the flats to be submitted once approval is obtained.
- Condition 5(d): “that the conversion of the two flats into storeroom 1 and 2 be completed within 90 days of the decision date.”
 - Amendment Required: This condition should be removed as the flats are to be retained for the current use.
- Condition 5(e): “that the shower and toilet facilities within storerooms 1 and 2 be omitted and that the area may only be utilised for storage purposes.”
 - Amendment Required: This condition should be removed as the shower and toilet facilities will remain for use by the retained flats.

These amendments are essential to align the conditions of approval with the updated zoning, land use framework, and regulatory standards, ensuring compatibility with the Overstrand Municipal Land Use Scheme Regulations, 2020, and supporting the intended mixed-use functionality of the consolidated erven.

3.4.6. The Determination of an Administrative Penalty

In accordance with Chapter 5, Section 90(1) of the Overstrand Municipality’s Amended By-Law on Municipal Land Use Planning (2020), any individual in contravention of the By-Law who submits an application to address the violation must seek the determination of an administrative penalty from the Municipality, provided no demolition directive has been issued under Section 85 for the land, building, or any portion thereof.

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This application aims to rectify contraventions related to two ground-floor flats, storage area and covered patio that were constructed up to the southern boundary line. As indicated on the site development plan, an existing storeroom and garage were converted into these two flats by the previous owner. These unauthorized alterations were inherited by the current owners, who continued using the flats since they took transfer in 2018 without making any modifications other than general maintenance.

The flats, covered patio and storage area were constructed directly adjacent to the southern rear boundary, where a 3-meter building line is required due to the zoning of the neighbouring erf, Erf 145 Gansbaai, as previously noted. Consequently, an application is submitted for the determination of an administrative penalty in terms of Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-Law on Municipal Land Use Planning, 2020.

It is important to emphasize that the imposition of an administrative penalty is at the discretion of the Municipal Planning Tribunal (MPT). This process ensures that the contraventions are addressed within the framework of the applicable municipal regulations.

In accordance with Section 90(3) of the Municipal Planning By-Law, the Municipal Planning Tribunal (MPT) is required to consider the following factors when determining an appropriate administrative penalty:

- **The nature, duration, gravity, and extent of the contravention:**

The originally approved storeroom and garage, located directly on the southern rear boundary, were unlawfully converted into two ground-floor flats by the previous owner. The exact timeframe of this unauthorized conversion is unknown. However, the current owners acquired the property in 2018, at which point the two flats were already in existence. Since taking ownership, the current owners have continued to use the flats as such without making any alterations other than routine maintenance.

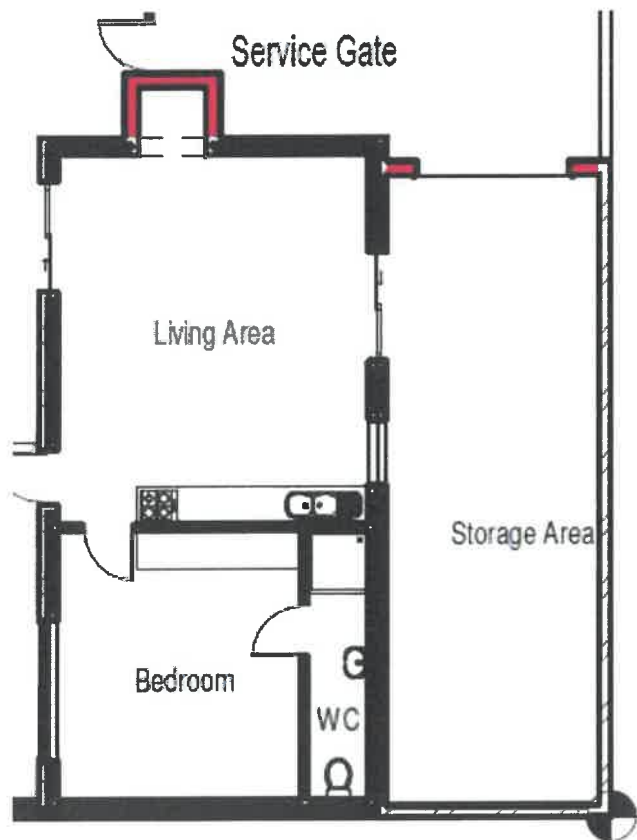
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This indicates that the contravention has been in effect for over 7 years. While the unauthorized use has persisted for an extended period, it is important to note that the contravention originated under the previous ownership, and the current owners inherited the situation without making further changes. This context may be relevant in the MPT's assessment of the penalty.

○ **The change of use of the storeroom:**

An approved storeroom, located on the eastern side of the southern rear boundary, was unlawfully converted into a small flat by the former owner. This ground-floor flat, Flat 1, comprises a living area, small kitchenette, built-in braai and storage area located in the northern section of the unit. The flat also includes a bedroom with an en-suite bathroom situated along the western boundary.

The construction of the flat primarily utilized the existing structure of the storeroom. The living area has a total floor space of approximately 35m², while the bedroom, including the en-suite bathroom, covers approximately 21m². Additionally, the storage area spans an extent of 32m². For a comprehensive overview of the layout, please refer to the attached building plan abstract.



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This flat and storage area was already established when the current owners took transfer of the property in 2018. Since then, the owners have continued to use the flat in its existing condition, making no structural alterations to the unit. This historical context highlights that the contravention predates the current ownership. The storage area is approved and will continue to be used as a storage area.

○ **The change of use of the garage:**

A garage was approved on the southern boundary of Erf 146 Gansbaai. The garage is centrally located on the southern boundary of Erf 146 Gansbaai. The approved garage was also changed into a flat, Flat No.2 and a covered patio was also added by the former owner and was also inherited by the current owners who took transfer of the property in 2018 as previously stated. Flat 2 consists of a 17m² entertainment room, kitchenette, 2m² bathroom, a 18m² bedroom with a 4m² en-suite bathroom. the covered patio is approximately 19m² in extent.

Please refer to the building plan abstract below:



○ **The conduct of the person involved in the contravention**

According to the information provided to us, the current property owners, Mr. and Mrs. Steenkamp, have not previously been involved in any contraventions of the Municipal Planning By-Law. They purchased the property in 2018, at which time the two ground-floor flats, storage area and covered patio were already in existence and operational. The

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owners have continued to utilize these flats, covered patio and storage area in their current form since the purchase, without making any alterations or structural changes.

In 2023, an application was lodged and partially approved; however, at that time, it was proposed that the flats revert to their former approved uses as a storeroom and garage. Despite this, the owners now wish to retain the flats as they currently exist, citing a significant shortage of affordable housing in the area. The two flats, which are being rented out, contribute to addressing this need while supporting the local housing market.

This history indicates that the owners acted in good faith and inherited the contraventions from the previous owner, making efforts to regularize the situation through proper municipal processes.

○ **Whether the unlawful conduct was stopped**

The current owners, Mr. and Mrs. Steenkamp, have continued to use the property with the established land uses since acquiring it in 2018. Upon becoming aware of the non-compliance issues, they submitted an application in 2023 to address the contraventions. In this previous application, it was proposed that the two ground-floor flats be reverted to their originally approved uses as a garage and storage area.

However, the owners now wish to retain the two flats as they are, given the pressing need for affordable housing in the area and the fact that these units have been in existence for over 7 years. The current application seeks to rectify the contravention by requesting an administrative penalty and a departure application to legalize the as-built structures. This demonstrates the owners' proactive approach in addressing historical contraventions and ensuring compliance with municipal requirements.

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

To determine the administrative penalty, we have obtained cost estimates from two reputable building contractors regarding the modifications made to convert the garage

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and storeroom into the two ground-floor flats. The contractors and their respective cost estimates are as follows:

- REDEV Construction and Property Maintenance: R25,500.00
- On Demand Property Maintenance and Alterations: R29,250.00

Copies of these cost estimates are enclosed for reference.

It is important to note that the unlawful changes to the two ground-floor flats have had no significant impact on the surrounding properties. Given these circumstances and the minimal nature of the modifications, we respectfully recommend that no administrative penalty be imposed in this instance. This recommendation aligns with the principles of proportionality and fairness, considering the historical nature of the contravention and the efforts made by the owners to address the matter.

- **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, they have never previously contravened this By-Law or any other previous planning law.

- **Summary**

In accordance with the Overstrand Municipal Planning By-Law, the determination of an administrative penalty must consider factors such as the nature and extent of the contravention, the duration of the unlawful use, the conduct of the property owners, and any mitigating circumstances.

The contravention pertains to the unauthorized conversion of a garage and storeroom into two ground-floor flats, a covered patio and storage area. These alterations were made by the former owner before the current owners, Mr. and Mrs. Steenkamp, acquired the property in 2018. The Steenkamps continued to utilize the flats in their inherited state without making any further modifications. It is confirmed that these flats, covered patio and storage area have existed for over 7 years.

The unlawful use was acknowledged in a prior application submitted by the owners in 2023. That application proposed reverting the flats to their approved uses (garage and

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storeroom); however, the owners have since expressed a desire to retain the flats due to the high demand for affordable rental housing.

Cost estimates for the unauthorized construction were obtained from two contractors, with amounts ranging from R25,500.00 to R29,250.00. These figures have been submitted to assist in determining the penalty. Importantly, the unauthorized use has not caused any adverse impacts on surrounding properties, and the owners have taken steps to regularize the matter through the current application.

Considering the historical nature of the contravention, the lack of any previous non-compliance by the owners, the minimal impact on the area, and the proportionality of the contravention to the estimated costs, we respectfully recommend that either a minimal penalty or no administrative penalty be imposed. This recommendation acknowledges the owners' efforts to rectify the situation and ensures fairness in the application of municipal planning regulations.

3.5 ACCESS AND TRAFFIC

Both Erven 146 and 631 Gansbaai will retain their existing accesses from Market Street, ensuring continuity and convenience. The first access point into Erf 146 Gansbaai leads to a parking area with eight bays, including Parking Bay No. 10, a dedicated handicap parking bay. The second access point into Erf 631 Gansbaai provides entry to seven parking bays.

The required parking for the proposed land uses has been calculated as follows:

- Restaurant (190m² GLA) @ 4 bays per 100m² GLA: 7.6 bays
- Place of Entertainment (5 slot machines) @ 1 bay per 4 seats: 1.25 bays
- Two single-bedroom ground-floor flats @ 1.5 bays per flat: 3 bays
- Dwelling unit @ 2 bays per dwelling: 2 bays

Total Parking Requirement: 14 parking bays

Total Parking Provided: 15 parking bays

All parking bays meet the standard dimensions of 2.5m x 5m, with the handicap bay measuring 3.5m x 5m. Sufficient manoeuvring space is provided to facilitate ease of

movement within the parking area, ensuring accessibility and compliance with regulations.

This parking layout plan accommodates the needs of residents, customers, and visitors while adhering to municipal standards. The proposed parking layout minimizes impact on traffic flow, as the majority of the land uses on the consolidated properties already exist. This ensures that the development is both functional and sensitive to its surrounding environment. For detailed dimensions and arrangement, refer to the accompanying parking layout plan.

3.6 SERVICES

The consolidated erven will continue to accommodate the existing land uses, with the only proposed addition being the inclusion of five slot machines within the restaurant area. The current uses on the properties are as follows:

- Restaurant
- Two single-bedroom ground-floor flats
- One dwelling

The properties are already serviced and fully operational, with the following infrastructure in place:

- **Water Supply:** Adequate water is available and actively utilized to meet the needs of the existing uses.
- **Electricity:** The current electrical infrastructure is sufficient and capable of supporting all existing land uses.
- **Sewage:** The sewage system is in place and effectively handles the current load.
- **Stormwater Management:** Stormwater is efficiently managed within the properties, preventing issues such as flooding or erosion.
- **Refuse Removal:** Regular refuse collection occurs on a weekly basis, ensuring proper waste management.

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By leveraging the existing infrastructure and utilities of both the business-zoned and residential-zoned erven, the proposed consolidation promotes efficient resource use and minimizes any additional burden on municipal services. This approach aligns with sustainable development principles while ensuring the continued functionality of the properties.

3.7 TITLE DEED

The Title Deeds for the subject properties, T51779/2018 and T75399/2004, have been thoroughly reviewed and contain no restrictive conditions that would hinder the approval of the proposed application for Erf 146 and Erf 631 Gansbaai.

Furthermore, there are no bonds registered against either property, ensuring an uncomplicated process for implementing the proposed changes. This absence of encumbrances facilitates the smooth progression of the application.

3.8 FORWARD PLANNING

Overstrand Municipal Spatial Development Framework (2020).

The Overstrand Spatial Development Framework (2020) identifies the area where Erf 146 and Erf 631 Gansbaai are situated as designated for urban development purposes. Importantly, the subject properties fall within the Central Business District (CBD) of Gansbaai, aligning them with the framework's vision for urban intensification and mixed-use developments.

The proposed rezoning, consolidation, building line departures, consent uses, and the determination of an administrative penalty will have minimal impact on the spatial integrity of the area. The proposal supports the broader urban development strategy by complementing the intended character and functionality of the CBD while fostering efficient land use and economic activity in the locality.

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Overstrand Growth Management Strategy (2010)

The Overstrand Municipal Growth Management Strategy (OMGMS, 2010) identifies Erf 146 and Erf 631 Gansbaai as part of Planning Unit No. 12, which encompasses the heritage-sensitive historic Gansbaai area as well as the existing Central Business District (CBD). The strategy proposes densification through site consolidation in the form of two-storey gallery access simplex row housing for an estimated 20% of the planning unit.

In this context, the proposed consolidation of Erf 146 and Erf 631 Gansbaai aligns with the spatial planning policies for the area. It also conforms to existing land-use patterns and development trends within Gansbaai, ensuring that the proposal remains consistent with the objectives of the OMGMS while preserving the planned character and functionality of the area.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.5 HERITAGE VALUE

Erf 146 and Erf 631 Gansbaai are located within the Heritage Protection Overlay Zone (HPOZ).

Under the HPOZ, these properties are classified as part of the Local Area. Additionally, they fall within a Special Conservation Area, although they are not designated as a Heritage Area. Erf 146 is identified as a Heritage Erf with a 3C grading, while Erf 631 holds a 3B grading.

The proposed application, which includes rezoning, consolidation, consent uses and building line relaxations aims to address existing structures and their associated land uses. This application is not expected to negatively impact the heritage value of the properties or the surrounding area.

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By aligning with existing land use trends, the proposed development ensures the preservation of the area's heritage value while maintaining the historical character of Gansbaai. This approach upholds the principles of heritage conservation and supports the sustainable integration of the proposed changes within the existing urban fabric.

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed rezoning, consolidation, consent uses and building line relaxations for Erven 146 and 631 Gansbaai aim to regularize the existing structures and land uses on these properties.

These activities do not trigger any listed activities under the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998). Furthermore, the properties are not situated within any Environmental Management Overlay Zones, indicating that they do not fall within areas of heightened environmental sensitivity.

Given the above, the proposed application is not expected to negatively impact the biophysical environment. The erven are located within the developed area of the Gansbaai CBD, where established infrastructure and urban development patterns mitigate potential environmental risks.

It is therefore concluded that the proposed application will not adversely affect the biophysical environment or its conservation, aligning with sustainable development principles and supporting the continued functionality of the existing urban area.

3.10 PLANNING PRINCIPLES

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

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Spatial Justice:

The proposed rezoning, consolidation, consent uses and building line relaxations for Erven 146 and 631 Gansbaai align with the principles of spatial justice as set out in the Spatial Planning and Land Use Management Act (SPLUMA). The development makes use of existing infrastructure in the Gansbaai Central Business District (CBD), ensuring equitable access to essential services such as water, electricity, sewage, stormwater management, and refuse removal. This ensures that the development is consistent with the goal of providing fair and accessible living and working conditions within urban areas.

The proposal does not displace or negatively affect vulnerable communities, and it contributes to sustainable urban development in a well-established business district. By optimizing land use and maintaining the existing urban fabric, it helps address spatial inequities without disrupting the local community.

Furthermore, the consolidation of the erven promotes mixed-use development, integrating residential units, a restaurant, and small-scale entertainment facilities. This creates a more inclusive and accessible environment, enhancing the area's functionality and supporting economic activity.

Overall, the application promotes densification and efficient use of resources, in line with the Overstrand Growth Management Strategy and the Spatial Development Framework. It avoids further urban sprawl, thus preserving surrounding rural and natural areas. The proposal respects the heritage and urban planning character of the area, ensuring that the development contributes to a more equitable spatial arrangement in Gansbaai.

Spatial sustainability:

The proposed development on Erf 146 and Erf 631 Gansbaai aligns with the principles of spatial sustainability by making efficient use of land within the established urban fabric of the Gansbaai CBD. The area is already serviced with essential infrastructure, including water, electricity, sewage, and stormwater management systems. By consolidating the properties and retaining existing land uses, the development minimizes the need for new

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infrastructure, reducing both environmental and financial costs. The proposed changes are in line with the current land use trends in the area and will not disrupt the broader spatial context. Furthermore, the application maintains the functionality and character of the Gansbaai CBD, ensuring that the development supports long-term sustainability by promoting urban growth within existing urban boundaries. This approach contributes to minimizing urban sprawl and encourages the efficient use of space, enhancing the overall sustainability of the area.

Efficiency:

The proposed development on Erf 146 and Erf 631 Gansbaai demonstrates efficiency in both land use and resource management. By consolidating the properties; the development maximizes the potential of the existing urban area, utilizing established infrastructure and minimizing the need for new construction. The proposed rezoning, consolidation, and consent uses focus on optimizing the use of space and resources, while maintaining the character and functionality of the Gansbaai CBD. The properties are already connected to water, electricity, sewage, and stormwater systems, ensuring that the development will not place additional strain on municipal resources. This efficient approach minimizes both environmental and economic costs, while supporting the ongoing growth and development of the area within its existing boundaries.

Spatial Resilience:

The proposed development on Erf 146 and Erf 631 Gansbaai demonstrates spatial resilience by adapting to the current urban context and leveraging existing infrastructure. The consolidation of the properties and the proposed land uses align with the established patterns of development in the Gansbaai CBD, ensuring that the area continues to evolve in a sustainable and integrated manner. The development is situated within a well-developed area with access to essential services, which enhances its resilience to environmental, social, and economic changes. Additionally, the proposed changes are designed to have minimal impact on the heritage and environmental qualities of the area, ensuring that the development contributes to the long-term stability and sustainability of the Gansbaai urban fabric.

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Good administration: It is commendable that Plan Active is dedicated to the principle of good administration and is committed to collaborating with the Overstrand Municipality to facilitate a smooth and timely land use planning process. Adhering to municipal bylaws as well as provincial and national land use planning legislation is essential for ensuring transparency and legality throughout the procedure.

By strictly following the regulations specified in the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, we can contribute to an efficient and streamlined process. This involves adhering to established timeframes and ensuring that all required documentation and procedures are completed accurately and promptly.

4. **RECOMMENDATION**

Based on the comprehensive assessment of the proposed rezoning, consolidation, consent uses and building line relaxations for Erven 146 and 631 Gansbaai, along with the inclusion of 5 proposed slot machines within the restaurant, we recommend approval of the application for the following key reasons:

- The proposed changes are consistent with the current development trends within the Gansbaai Central Business District (CBD). The properties are situated in an established urban area, and the proposed adjustments will not disrupt the existing character of the CBD.

Rezoning, consolidation, and building line relaxations are in line with the area's goals to promote efficient land use and accommodate growth while preserving the surrounding environment. Additionally, these changes formalize existing land uses such as the restaurant, two ground floor flats, and a dwelling, ensuring compliance with municipal regulations and facilitating the integration of the properties within the local context.

- The subject erven are fully serviced with water, electricity, sewage, stormwater, and refuse services already in place. This minimises the need for new infrastructure investments, making the development resource-efficient and sustainable.



By utilizing existing utilities, the proposal reduces the demand on municipal resources and fosters cost-effectiveness. The proposed development ensures that current infrastructure is optimized, thereby reducing environmental impact and supporting sustainable urban growth.

- The proposed rezoning and changes are sensitive to the Gansbaai heritage context. Although the properties fall within a Heritage Protection Overlay Zone, the proposed development is unlikely to impact the area's heritage value. Erf 146 Gansbaai is a Heritage Erf with a 3C grading, and Erf 631 Gansbaai has a 3B grading. The application seeks to preserve the heritage character of the area by not proposing significant structural changes but rather legalizing and formalizing existing land uses. This ensures that the Gansbaai historical and cultural significance is respected and maintained.
- The proposed changes align with the Overstrand Municipal Spatial Development Framework (2020) and the Overstrand Growth Management Strategy (2010). Both documents advocate for land consolidation, particularly in urban areas, to optimize land use. The proposed development supports these frameworks by contributing to Gansbaai's growth and functionality while preserving its character, helping to achieve the municipality's goals for sustainable urban development.
- The proposed changes are expected to contribute positively to the local economy by offering additional housing options and preserving the business use of the property. The two ground floor flats and the restaurant will help meet the increasing demand for both residential and commercial spaces in Gansbaai.

Furthermore, by formalizing existing land uses, the application promotes accessibility and supports social inclusivity by diversifying property types within the local market. This development will also support the community by providing residential and commercial opportunities in an established and well-connected area.

- The proposed development supports environmental sustainability by consolidating the properties and minimizing the need for additional land use, which would reduce urban sprawl. Utilizing existing infrastructure and services help preserve natural areas while ensuring that the urban fabric of Gansbaai is strengthened.



The project will enhance spatial resilience by adapting to the future growth of the area, ensuring that land use is optimized, and the development remains sustainable in the long term.

- The application also addresses past contraventions by formalizing long-standing land uses and structures. This approach ensures compliance with current regulations, while the proposed administrative penalty and building line relaxations provide a practical solution to regularize the existing use. This helps hold the property owners accountable for past deviations, while ensuring that the land uses are properly legalized.
- The proposal to include 5 slot machines within the restaurant aligns with the growing demand for diverse entertainment options in the Gansbaai CBD. The addition of the slot machines will contribute to the financial viability of the restaurant and enhance its ability to offer varied services to the community.

The operation of the slot machines will be fully compliant with the relevant gaming regulations, and the necessary permits and licenses will be obtained to ensure legal compliance.

- The slot machines will be managed in compliance with all gaming regulations. Age restrictions, responsible gambling practices, and operational hours will be strictly adhered to, ensuring the responsible operation of the machines. Security measures will be implemented to monitor the gaming area, preventing any misuse, and regular maintenance and audits will ensure their proper functioning and transparency.
- The inclusion of slot machines will contribute to the financial sustainability of the restaurant, attracting more customers and increasing the restaurant's revenue. The introduction of entertainment options will also support local tourism, increasing foot traffic to the restaurant and benefiting surrounding businesses. This will further contribute to the economic vitality and vibrancy of the Gansbaai CBD.
- The restaurant will implement responsible gambling measures, such as providing information about the risks of gambling and offering support for those who need assistance. Community engagement will ensure that the introduction of the slot machines is well-received and that any concerns from residents are addressed, promoting a positive relationship between the development and the local community.

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In conclusion, we recommend the approval of the application for Erven 146 and 631 Gansbaai, as it supports sustainable urban development, respects the heritage and cultural context, and contributes positively to the local economy and community. Additionally, we recommend approval for the inclusion of 5 slot machines within the restaurant, subject to regulatory compliance and operational management measures. This addition will enhance the restaurant's economic sustainability while contributing to the vibrancy and attractiveness of the Gansbaai CBD.

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15m² area where the 5 Slot Machines will be located.

Wendy Storage unit to be demolished

Canopy to be demolished

Existing Entrance and Exit

Existing Entrance and Exit

Parking Schedule:

- Under covered stoep and seating counter: 72m²
- Indoor seating area and passage: 41m²
- Indoor bar area: 38m²
- Office: 7m²
- Kitchen: 32m²
- 4 Parking Bays / 100m²
- 190m² GLA = 7.6 parking Bays
- 5 Slot Machines
- 1 parking bay for very 5.4 seats:
- 1.25 Parking Bays
- 2 Single bedroom flats
- 1.5 Parking bays / flat:
- 3 Parking Bays
- 1 Dwelling
- 2 Parking Bays:
- 2 Parking Bays

Total Number of parking bays required: 14 Parking Bays
15 Parking Bays are provided



Scale: 1:250
Drawing No: Gansbaai146&631.dwg
Date: 5 Dec. 2024

Site Description:
PROPOSED SITE DEVELOPMENT PLAN

Property Description:
ERVEN 146 & 631 GANSBAAI

All distances approximate and subject to survey.
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Pl'n Active
Stads- en Streeksbeplanners
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