



**ERF 377, 14 CENTRAL ROAD, PRINGLE BAY: APPLICATION FOR DEPARTURE, AMENDMENT IN RESPECT OF AN EXISTING APPROVAL AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: E STRYDOM ON BEHALF OF HANGKLIP ENTERPRISES PROPRIETARY LIMITED**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received for the following:

- **Departure** in terms of Section 16(2)(b) of the By-Law to accommodate the use change of the coffee shop into a storeroom for the liquor store.
- **Amendment of conditions in respect of existing approval** in terms of Section 16(2)(h) of the By-Law, to accommodate the use change of the coffee shop into a storeroom for the liquor store.
- **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law for the unauthorised use change of the coffee shop into a storeroom for the liquor store.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus and at the Betty's Bay Library, Clarence Drive, Betty's Bay. Any comments must be in writing in accordance with the provisions of Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **19 July 2024**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to the Senior Town Planner, **Mrs. H van der Stoep** at 028-313 8900. The Municipality may refuse to accept comments 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 in order to formalize their comment.

**ERF 377, CENTRALWEG 14, PRINGLEBAAI: AANSOEK OM AFWYKING, WYSIGING VAN VOORWAARDES TEN OPSIGTE VAN BESTAANDE GOEDKEURING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: E STRYDOM NAMENS HANGKLIP ENTERPRISES PROPRIETARY LIMITED**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek vir die volgende ontvang is:

- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die gebruiksverandering van die koffiewinkel na 'n stoorkamer vir die drankwinkel te akkommodeer.
- **Wysiging van voorwaardes ten opsigte van bestaande goedkeuring** ingevolge Artikel 16(2)(h) van die Verordening, om die gebruiksverandering van die koffiewinkel na 'n stoorkamer vir die drankwinkel te akkommodeer.
- **Bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening vir die ongemagtigde gebruiksverandering van die koffiewinkel na 'n stoorkamer vir die drankwinkel.

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 wees ingevolge Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) bereik voor of op **19 Julie 2024**, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as die rede vir kommentaar. Telefoniese navrae kan gerig word aan die Senior Stadsbeplanner, **Me. H van der Stoep** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar 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 formaliseer.

**ISIZA 377, 14 CENTRAL ROAD, PRINGLE BAY: ISICELO SOPHAMBUKO, UKULUNGISWA NGOKUPHATHELELE KULWAMKELO OLUKHOYO NOKUMISELWA KWESOHLWAYO SOLAWULO: E STRYDOM EGAMENI LE-HANGKLIP ENTERPRISES PROPRIETARY LIMITED**

Isaziso siyanikezelwa ngokweCandelo lama-48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) sokuba isicelo sifunyenwe soku kulandelayo:

- **Uphambuko** ngokwemiqathango yeCandelo 16(2)(b) loMthetho kaMasipala ukulungiselela ukuguqulwa kokusetyenziswa kwevenkile yokuthengwa kwekofu ibe sisitora sevenkile ethengisa utywala.
- **Ukulungiswa kwemiqathango ngokuphathelele kulwamkelo osele lukho** ngokwemiqathango yeCandelo 16(2)(h) loMthetho kaMasipala, ukulungiselela ukuguqulwa kokusetyenziswa kwevenkile yokuthengwa kwekofu ibe sisitora sevenkile ethengisa utywala.
- **Ukumiselwa kwesohlwayo solawulo** ngokwemiqathango yeCandelo 16(2)(q) loMthetho kaMasipala ngokuguqulwa kokusetyenziswa okungekho mthethweni kwevenkile yokuthengwa kwekofu ibe sisitora sevenkile ethengisa utywala.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zaphakathi evekini ngamaxesha okusebenza phakathi kwentsimbi yesi-08:00 neye-16:30 kwiSebe: UCwangiso lweDolophu, Paterson Street, eHermanus nakwiThala leeNcwadi laseBetty, Clarence Drive, Betty's Bay. Naziphi na izimvo mazibhalwe phantsi ngokuhambelana nezibonelelo zeCandelo lama-51 kunye nelama-52 loMthetho kaMasipala ze zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye phambi komhla wama-**19 kuJulayi 2024**, uchaze igama lakho, idilesi kunye neenkukacha zohagamshelelwano, umdla wakho kwisicelo kunye nezizathu zokuphawula. Imibuzo ngomnxeba kungatsalelwa uMchwangcisi weDolophu, **uNksk. H van der Stoep** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.

Tel: 028 313 8900 | Fax: 028 313 2093 | E-mail: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

PO Box 20 | **HERMANUS** 7200

[www.overstrand.gov.za](http://www.overstrand.gov.za)



MOTIVATION

HANGKLIP ENTERPRISES

PO Box 272

PRINGLE BAY

7196

28<sup>th</sup> November 2023(revised 07/02/2024 & 02/05/2024 & 20/05/2024)

Overstrand Municipality

For the attention of:

Mrs Hanneen van der Stoep.

TP-A Theart  
(Hvd Stoep)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
21 MAY 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

ERF 377, 14 CENTRAL ROAD, PRINGLE BAY: APPLICATION FOR DEPARTURE, AMENDMENT IN RESPECT OF AN EXISTING APPROVAL, AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: E STRYDOM ON BEHALF OF HANGKLIP ENTERPRISES PROPRIETARY LIMITED

The reason for the change of use is as follows:

- (A) PROPOSED DEVELOPMENT.  
To convert the previously approved coffee shop into a storeroom.
- (B) CHARACTER OF THE ENVIRONMENT  
The proposed change of use has no impact on the surrounding environment.
- (C) DESIRABILITY OF THE PROPOSED UTILISATION  
Over the years the demand on the bottle store has increased to the point that additional storage has become necessary.
- (D) INVESTIGATIONS CARRIED OUT IN TERMS OF OTHER LAWS WHICH ARE RELEVANT TO THE CONSIDERATION OF THE APPLICATION.  
There are no other laws which are relevant to this application.
- (E) THE IMPACT OF THE PROPOSED LAND DEVELOPMENT OF MUNICIPAL ENGINEERING SERVICES.  
In not having a coffee shop the existing toilet facilities are for staff use only resulting in the conservancy tank requiring to be emptied much less, by inference better for the environment.
- (F) CONSIDERATION OF FORWARD PLANNING AND LAND USE DOCUMENTS.  
As this is a simple change of use within an existing structure none of the elements which would be considered in this section are applicable.
- (G) PLANNING PRINCIPALS
  - SPATIAL JUSTICE this is an existing business the proposed change of use from a coffee shop to a storeroom has no impact either positively or negatively on the previously disadvantaged.
  - SPATIAL SUSTAINABILITY Subsequently to the approval of the of the plans allowing a coffee shop, several new coffee shops with much more desirable settings have opened
  - SPACIAL RESILIENCE being an existing business which I bought it is assumed that this was dealt with in the initial application.

APPLICATION FOR ADMINISTRATIVE PENALTY:

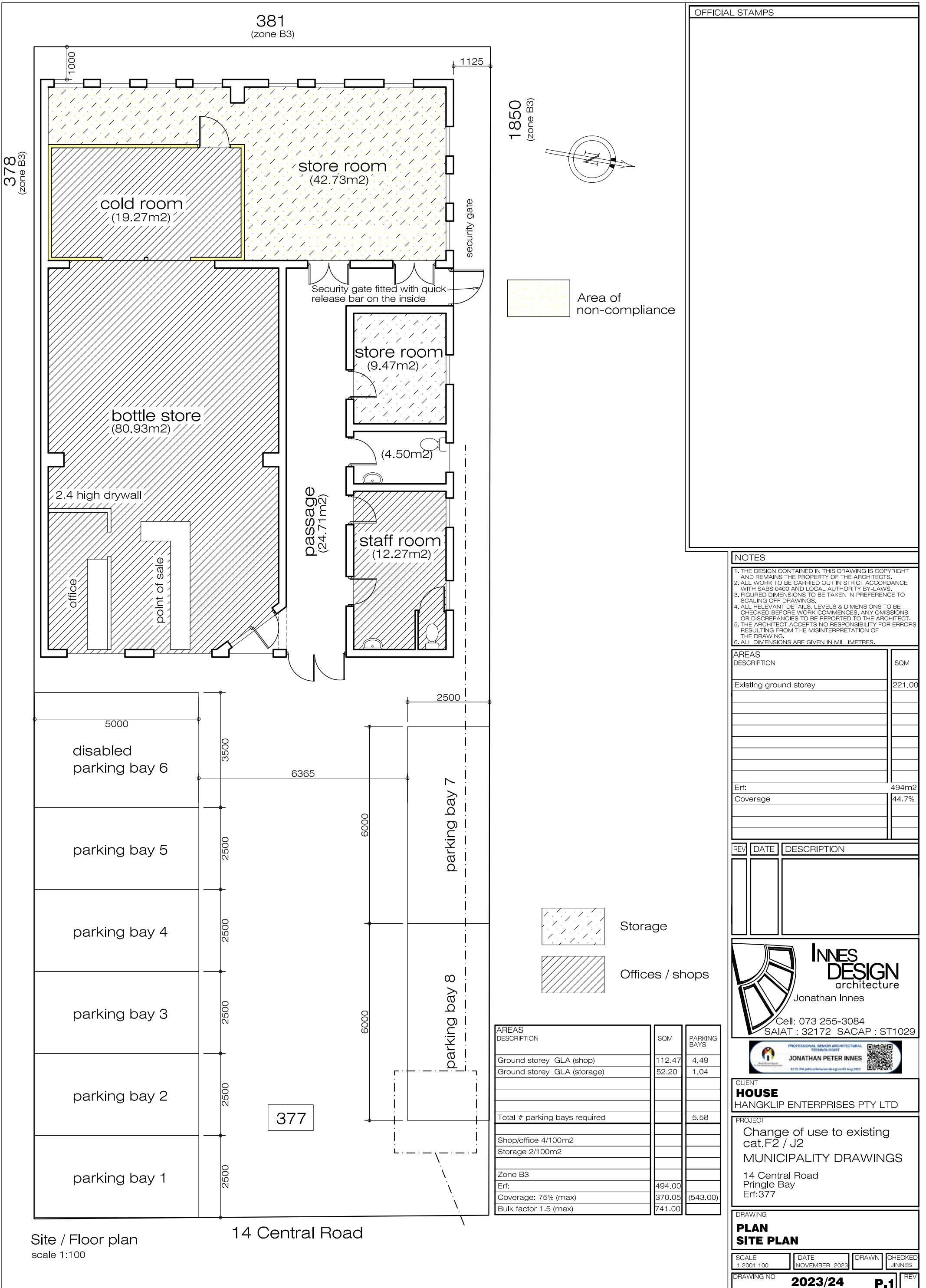
- 3 (a) At the time of purchasing the bottle store in June 2013 the space allocated as a coffee shop was already being used as an additional storeroom.
- (b) The new owner was not aware of the contravention; this was not drawn to her attention even when she bought the building in July 2021. She was only made aware of this when she received the official letter of non-compliance.
- (c) There is no unauthorised building work its simply a question of using the space for a different purpose.
- (d) No, there is nowhere else to store the stock.
- (e) No there have been no previous By-law contraventions.

Kind regards

E. Strydom

FILE NO. Erf 377-KPRB
SCAN NO.
COLLABORATOR NO.
2050877

21 MAY 2024



OFFICIAL STAMPS

- NOTES
1. THE DESIGN CONTAINED IN THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECTS.
  2. ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH SABS 0400 AND LOCAL AUTHORITY BY-LAWS.
  3. FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALING OFF DRAWINGS.
  4. ALL RELEVANT DETAILS, LEVELS & DIMENSIONS TO BE CHECKED BEFORE WORK COMMENCES. ANY OMISSIONS OR DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
  5. THE ARCHITECT ACCEPTS NO RESPONSIBILITY FOR ERRORS RESULTING FROM THE MISINTERPRETATION OF THE DRAWING.
  6. ALL DIMENSIONS ARE GIVEN IN MILLIMETRES.

AREAS DESCRIPTION	SQM
Existing ground storey	221.00
Erf:	494m2
Coverage	44.7%

REV	DATE	DESCRIPTION

**INNES DESIGN**  
architecture  
Jonathan Innes  
Cell: 073 255-3084  
SAIAT : 32172 SACAP : ST1029

PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST  
**JONATHAN PETER INNES**  
12.01 PM 14/11/2023 10:45 AM 2023

CLIENT  
**HOUSE**  
HANGKLIP ENTERPRISES PTY LTD

PROJECT  
Change of use to existing cat.F2 / J2  
MUNICIPALITY DRAWINGS  
14 Central Road  
Pringle Bay  
Erf:377

DRAWING  
**PLAN**  
**SITE PLAN**

SCALE 1:2001:100	DATE NOVEMBER 2023	DRAWN	CHECKED JINNES
DRAWING NO <b>2023/24</b>		<b>P.1</b>	

AREAS DESCRIPTION	SQM	PARKING BAYS
Ground storey GLA (shop)	112.47	4.49
Ground storey GLA (storage)	52.20	1.04
Total # parking bays required		5.58
Shop/office 4/100m2		
Storage 2/100m2		
Zone B3		
Erf:	494.00	
Coverage: 75% (max)	370.05	(543.00)
Bulk factor 1.5 (max)	741.00	

Site / Floor plan  
scale 1:100  
14 Central Road