



**ERF 526, 3 DOVER STREET, DE KELDERS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR THE AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN: MESSRS BLUEPRINT SOUTH AFRICA ON BEHALF OF AMBICOR 197 CC**

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:

- **Amendment of the approved site development plan** in terms of Section 16(2)(l) of the By-Law, to accommodate the use of the existing storeroom on the property as an alternative pool playroom area (place of entertainment) for the existing rights to pool tables.

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. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or **Friday, 13 December 2024**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mr. P Roux** 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 526, DOVERSTRAAT 2, DE KELDERS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM WYSIGING VAN DIE GOEDGEKEURDE TERREINONTWIKKELINGSPLAN: MNRE BLUEPRINT SUID AFRIKA NAMENS AMBICOR 197 CC**

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

- **Wysiging van die goedgekeurde terreinontwikkingsplan** ingevolge Artikel 16(2)(l) van die Verordening om die gebruik van die bestaande stoorkamer op die eiendom as 'n alternatiewe swembad speelkamer area te akkommodeer (plek van vermaak) vir die bestaande regte op pooltafels.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **Vrydag, 13 Desember 2024**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mnr. P Roux** 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 526, 3 DOVER STREET, E-DE KELDERS, KU-MASIPALA WASE-OVERSTRAND: ISICELO SOKULUNGISWA KWESICWANGCISO SOPHUHLISO LWESIZA: MESSRS BLUEPRINT SOUTH AFRICA EGAMENI LE AMBICOR 197 CC**

Kukhutshwe isaziso esimayela nemiba yeSolotyama-48 Omthethwana OsisiHlomelo nguMasipala waseOverstrand ngoMthethwana ongeZiCwangciso ZokuSetyenziswa koMhlaba ku2020 (Umthethwana), ukuba isicelo sifunyenwe soku kulandelayo:

- **Ukulungiswa kwesicwangciso sophuhliso lwesiza esamkelweyo** ngokweCandelo le-16(2)(l) loMthetho kaMasipala, ukulungiselela ukusetyenziswa kwegumbi lokugcina esele likhona kwipropati njengendawo engenye yamagumbi okudlala (indawo yokonwabisa kumalungelo asele ekhona, etafile yokudlala).

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela ngentsimbi ye08:00 ukuya kwi16:30 kwiSebe: LeZiCwangciso zeDolophu, e-Paterson Street, Hermanus. Naziphina izimvo ezibhaliweyo zingangeniswa ngokwezibonelelo zeSolotyama-51 nelama-52 loMthethwana kaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi **koLwesihlanu, 13 EyoMnga 2024**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa ku **Mnu. P Roux** kule nombolo-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvalela. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe LeZiCwangciso ngeDolophu apho igosa likamasipala liza kunceda uhlomle ngokusemthethweni.





**ERF 526, 3 DOVER STREET, DE KELDERS**

## APPLICATION FOR LAND USE

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*This document serves as a motivation report in support for the amendment to the site development plan in terms of Section 16 (2)(1) of the Overstrand Municipality Land Use Planning By-Law, in respect of ERF 526 De Kelders.*

### 1.0 INTRODUCTION

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- AMBICOR 197 CC is the registered owner and Blueprint SA will handle the necessary Land Use Planning Application as outlined in the resolution provided.

### 2.0 OBJECTIVE

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- The purpose of this application is to permit the use of the existing storeroom as an alternative pool playroom area (place of entertainment) for the existing rights to pool tables.

### 3.0 BACKGROUND

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- According to the Zoning Scheme, the subject property is currently zoned as Business Zone 3 : Local Business (B3). The main portion of the property is used as a restaurant.
- The application is in aid of the existing approved consent use for place of entertainment for two pool tables and five gambling machines.

## 4.0 THE PROPERTY

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### 4.1 Property Description:

Table 1: Property Description and Land Use Rights

Erf No.	526
Physical Address	3 Dover Street, De Kelders
Alot Area	De Kelders
Extent of Property	933 sqm
Application Zoning Scheme	Overstrand Municipality Integrated Zoning Scheme By-Law
Current Zoning	Business Zone 3
Land Use	Restaurant

### 4.2 Location:

- The subject property is located within the municipal boundaries of Overstrand Municipality. All applications are subsequently handled by the municipality.

### 4.3 Ownership:

- ERF 526 De Kelders is owned by **AMBICOR 197 CC** in accordance with the Title Deed.

### 4.4 Title Deed

The title deed for the property was inspected and there are no restrictive conditions contained within the deed that prohibits the envisaged use.

1. The particulars to restrictive condition F.(a) of the title deed has been considered and supported with the original land use application and approved. The new application possesses the rights and approvals of the consent use as the land use remains unchanged. We would appreciate the reconsideration of this particular fact as the cost and time implication to adhere will be dire.

#### 4.5 Zoning Scheme Regulations

The subject application meets all the requirements as described in the applicable Zoning Scheme regulations.

### 5.0 EXISTING LAND USE AND SURROUNDING USES

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The surrounding uses of the area is characterised by residential suburb. The existing restaurant BUITESTEEN is well established and receives committed support from the surrounding and local community.

### 6.0 PROPOSED AMENDMENTS

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- The amendment to the site development plan will include the following:
  - To convert the existing storeroom to a place of entertainment to permit placement of 3 pool tables and to be used as a pool playroom.
- The conversion will not require any alterations.



*Photo : Existing store room*

- The proposed playroom will consist of 3 pool tables.

## 7.0 MOTIVATION - Desirability

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- The subject property is located within central De Kelders with suitable road access and housing community.
- The desirability for the pool playroom is as follows:
  - The existing consent use permits the use of the property for a place of entertainment of two pool tables. No rights to the approvals will be affected as the amendments hereto will require to include the existing store room to be included as the place of entertainment totalling 59 sqm.
  - The current playroom area within the designated smoking area limits the use of the pool table to all restaurant patrons and under age patrons.
  - The limited size of the pool table area in the designated smoking area only allows space to operate one pool table.

- The new pool playroom will offer all patrons to undisturbed access the pool tables within a neutral environment for all ages.
  - The floor area of the existing store room will permit fair play and movement area required for the pool tables and will increase player convenience.
  - The land use is low trade and daytime business activities and will thereby allow cohesion to the surrounds.
2. **Noise and security** – The position of the existing outbuilding is suitably positioned away from the adjacent site boundary. The business activities during business hours ensure visibility and activity thereby will ensure ample security to the surrounds. Noise mitigation will be resolved with the installation of isolation, 135mm fibre insulation and 12mm thick Rhino drywalls to the inside of the existing storeroom. The installations will offer a thermal and sound barrier. The occupation of the playroom will be used by 4 – 8 players and do not foresee crowds of patrons that may cause a noise nuisance.
3. **House of operation** – The place of entertainment will remain trading as per all previously approved trading hours as per the limited prescribes of the relevant by-laws. Current business trading hours: Monday till Sunday 11:00am till 10:00pm. On certain occasions the business may trade till 2:00am as per the prescribes of the permitted liquor trading hours.

*Criteria reflections :*

1. Economic Impact

- The proposed business will not have a negative Economic effect on the community or the surrounding area, because the use will generate economic activity through the provision of income and employment opportunities for the local community.

2. Social Impact

- It will ensure increased convenience for the local community in terms of access to services.
- The inclusion of social friendly businesses supported by the community will enhance historic pride.

3. Scale of capital investment

- The applicant will be using the subject property for the restaurant in the local area and the scale thereof remains established as a long term and permanent investment.

4. Compatibility with surrounding uses

- The surrounding zonings mainly consists of residential dwellings.
- The business will form an integral part of the economy, employment opportunities and convenient of trade to the local area / community.
- The restaurant will therefore promote sustainable development albeit in a small scale.

5. Impact on the external engineering services.

- The proposal does not impact on any engineering services.

6. Impact on health, safety and well-bine of the surrounding community.

- The restaurant will have limited operating times so as to respect the residential character of the area within which it is located as well as to protect residents' rights. Trading hours of the restaurant will adhere to the relevant By-law.
- All safety and health regulations will be obeyed with at all times.

7. Impact on Heritage

- All buildings and structures on the property will not be altered.
- The proposal does not impact on any Heritage issues.

8. Impact on Biophysical environment.

- The proposal does not impact on any Biophysical value on the property and no impact is therefore envisaged.

9. Traffic impacts, parking, access and other transport related consideration

- The convenience of the large size of the property allows for sufficient on-site parking.
- A total of 15 on-site parking bays is provided and remains sufficient for the requirements of the existing restaurant and new pool playroom.
- The small scale business will not require delivery vehicles to be used as the owner have its own transport to purchase and stock the restaurant.

## 8.0 SUMMARY OF MOTIVATION/REASONS FOR SUPPORT

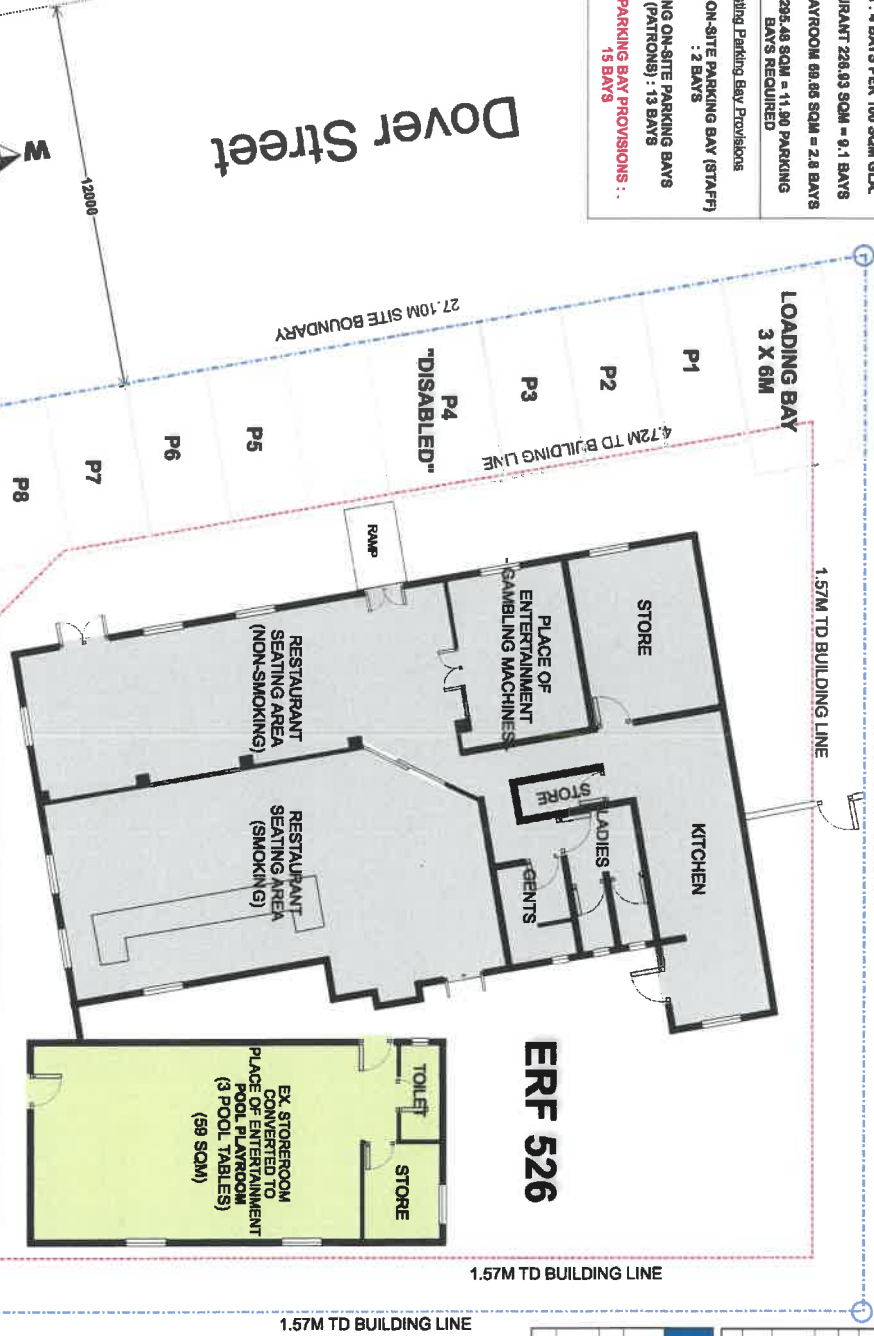
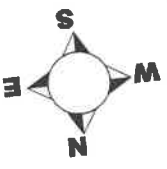
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- The scale and nature of the business will remain unchanged is considered to be compatible with the character of the surrounding area.
- The development will not impact negatively on adjacent properties.
- There are no restrictive title deed conditions prohibiting the proposed land use.
- There will be no negative impact on heritage or the bio-physical environment.
- Due to the scale of the proposal it will not cause any negative traffic related impacts on any of the surrounding streets.
- Adequate on-site parking will be provided.
- Adequate services capacity is available for the proposed amendment.
- The restaurant has proven to have a positive socio-economic impact in the local area.

On this basis this application is hereby submitted  
for Council's favourable consideration.

Application in terms of Section 16(2)(1)  
**Amendment of**  
**Site Development Plan (SDP)**

**Sterling Street**



**Min. Off-street parking requirement**

SHOPS : 4 BAYS PER 100 SQM GLA
RESTAURANT 226,93 SQM = 9,1 BAYS
POOL PLAYROOM 89,85 SQM = 2,8 BAYS
<b>TOTAL 295,48 SQM = 11,90 PARKING BAYS REQUIRED</b>
Existing Parking Bay Provisions
EXISTING ON-SITE PARKING BAY (STAFF)
: 2 BAYS
EXISTING ON-SITE PARKING BAYS (PATRONS) : 13 BAYS
<b>TOTAL PARKING BAY PROVISIONS : 15 BAYS</b>

**COVERAGE AREA SUMMARY**

ERF SIZE	Area (SQM)
EXISTING BUILDINGS	833
POOL PLAYROOM	261,37
<b>TOTAL BUILDINGS</b>	<b>342,14 SQM</b>
<b>COVERAGE</b>	<b>38,87 %</b>

**GLA SUMMARY**

	Floor Area/ GLA	Land Use
SHOP	226,93 SQM	RESTAURANT
POOL PLAYROOM	89,85 SQM	POOL PLAYROOM
<b>(Total)</b>	<b>295,48 SQM</b>	

**ERF 527**

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**SITE DEVELOPMENT PLAN**  
**ERF 526 DE KELDERS**

Address:  
**3 DOVER STREET, DE KELDERS**

Date: 2020/02/24  
 DWG #: DEP020/01