

**OVERSTRAND MUNISIPALITEIT**  
**ERF 102, BARNARDSTRAAT 35,**  
**GANSBAAI: AANSOEK OM**  
**HERSONERING EN BEPALING VAN 'N**  
**ADMINISTRATIEWE BOETE: MNRE**  
**TOWN & COUNTRY CREATIVE LAND**  
**SOLUTIONS NAMENS VILLET**  
**OVERSTRAND (PTY) LTD**

Kennis word hiermee gee kragtens Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) vir die volgende aansoeke van toepassing op bogenoemde erf, naamlik;

1. hersonering ingevolge Artikel 16(2)(a) van die Verordening van Erf 102, Gansbaai, Titelakte Nr: 16302/2020, van Enkelresidensiële Sone na Plaaslike Besigheidsone ten einde die bestaande kantooruimte te akkommodeer.
2. bepaling van 'n administratiewe boete ingevolge Artikel 16(2)(q), ten einde die hele gebou op die eiendom vir kantoorspasie te magtig.

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](mailto:alida@overstrand.gov.za)) moet bereik voor of op **6 Mei 2022**. 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.

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

*Munisipale Kennisgewing Nr.33/2022*

**OVERSTRAND MUNICIPALITY**  
**ERF 102, 35 BARNARD STREET,**  
**GANSBAAI: APPLICATION FOR**  
**REZONING AND DETERMINATION**  
**OF AN ADMINISTRATIVE PENALTY:**  
**MESSRS TOWN & COUNTRY**  
**CREATIVE LAND SOLUTIONS ON**  
**BEHALF OF VILLET OVERSTRAND**  
**(PTY) LTD**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to the above-mentioned erf, namely:

1. rezoning in terms of Section 16(2)(a) of the By-Law of Erf 102, Gansbaai, Title Deed No: 16302/2020, from Single Residential Zone to Local Business Zone in order to accommodate the existing office space.
2. determination of an administrative penalty in terms of Section 16(2)(q), in order to authorize the whole building on the property for office space.

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](mailto:alida@overstrand.gov.za)) on or before **6 May 2022**. 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.

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

*Municipal Notice No. 33/2022*

**UMASIPALA WASE-OVERSTRAND**  
**ISIZA 102, 35 BARNARD STREET,**  
**GANSBAAI: ISICELO SOKWAHLULA,**  
**UKUCANDWA NGOKUTSHA, ISICELO**  
**SOKUSETYENZISWA KUNYE**  
**NOKUGQITYWA KWESOHLWAYO**  
**NGABASEMAGUNYENI: MESSRS**  
**TOWN & COUNTRY CREATIVE LAND**  
**SOLUTIONS EGAMENI LE- VILLET**  
**OVERSTRAND (PTY) LTD**

Isaziso sikhutshwa ngokwemiqathango yeSoloty 48 loMthethwana oTshintshweyo kaMasipala waseOverstrand woYilo lokuSetyenziswa. koMhlaba wowama-2020 (uMthethwana) ngokwezicelo esifunyanweyo esichaphazela ezi ziza zikhankanywe apha ngasentla, ezizezi:

1. ukucandwa ngokutsha ngokweCandelo-16(2)(a) loMthetho kaMasipala weSiza-102, eGansbaai, iSivumelwano soBunini-mhlaba esinguNombolo: 16302/2020, ukusuka kuMmandla wokuHlala umntu oNye ukuya kwindawo yoShishino lweNgingqi ukuze kulungiselelwe indawo ekhoyo yee-ofisi.
2. ukugqitywa kwesohlwayo ngabasemagunyeni ngokweSoloty 16(2)(q) ukuze kugunyaziswe isakhiwo siphela kwipropati ukuba sibe yiofisi.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: locwangciso lwedolophu, 16 Paterson Street, Hermanus kwaye nakwiThala Leencwadi laseGansbaai, eMain Road, eGansbaai. Nawuphi na umbono kufuneka ubhalwe, ucaphule igama lakho, idilesi kunye neenkukacha zonxibelelwano, umdla kwisicelo, kunye nesizathu sokuphawula. Ezezimvo kufuneka zifike kumasipala e (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye phambi komhla ka **6 uMeyi 2022**. Imibuzo ngefowuni ingathunyelwa kuMchwangcisi weDolophu, uMunu **SW van der Merwe** kule nombolo yomnxeba 028-313 8900. UMasipala angala ukuthatha izimvo ezifunyeneyo emva komhla wokuvalwa. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe lokuCwangcisa lweDolophu apho igosa likamasipala liza kuncedisa ukuze ukwazi ukuqulunqa uluvo lwakho.


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

*Isaziso sikaMasipala esinguNombolo. 33/2022*



**Town & Country**  
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 7280  
 Tel. 028 424 1545  
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 E-mail: towncountry@vodamail.co.za

PROJECT  
**LOCALITY PLAN: ERF 102 GANSBAAI**  
**OVERSTRAND MUNICIPALITY**

 **Town & Country**  
 Creative Land Solutions

Land Surveyors • Town Planners

DRAWN	CHECKED
LT	LT
SCALE	DATE
NTS	JAN 2022
DWG No.	REVISION
Notes:	

**MOTIVATIONAL REPORT**  
**PROPOSED REZONING OF ERF 102, GANSBAAI**

Ref. GAN/2722

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**1. INTRODUCTION**

This office was appointed by the owners to prepare the town planning application for the proposed rezoning of the premises to a Local Business Zone, to formalise the current use of the property. The property has been used for office space for many years. In 2004 a consent use was approved for a 125m<sup>2</sup> area to be used as a home office, with the remainder used for residential purposes. Since then, the office space extended into the residential area of the house. An application to rezone the entire erf is then now required. All uses are proposed within the already existing building on the property.

**2. APPLICATION**

Application is made for:

- I. Rezoning of Erf 102 in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning to Local Business Zone for purposes of offices.
- II. Determination of an Administrative Penalty in terms of Section 16 (2)(q) of the Overstrand Municipality By-Law on municipal land use planning.

**The Primary uses for a Local Business Zone** is shops, dwelling unit (above ground floor) in accordance with 6.3.2, flats (above ground floor), offices, restaurant, caretaker's accommodation and self-catering.

An 'office' in terms of the Integrated Zoning Scheme is: *'means property used for conducting an enterprise primarily concerned with administrative, clerical, financial or professional duties and includes medical consulting rooms'*

### 3. PROPERTY DETAILS

<b>TOTAL AREA</b>	972m <sup>2</sup>
<b>REGISTERED OWNER</b>	Villet Overstrand Pty Ltd
<b>Boundaries: North</b>	Voortrekker Street and Erf 40
<b>East</b>	Erf 103
<b>South</b>	Erf 101
<b>West</b>	Barnard Street and erf 95

Erf 102 is registered under title deed T16302/2020.



**Photo 1. Erf 102 in a south-eastern direction**

#### 4. SITE DESCRIPTION AND SURROUNDING AREA

Erf 102 is located on the corner of Voortrekker and Barnard Street. The erf is generally flat and developed with an existing building, functioning as an office.

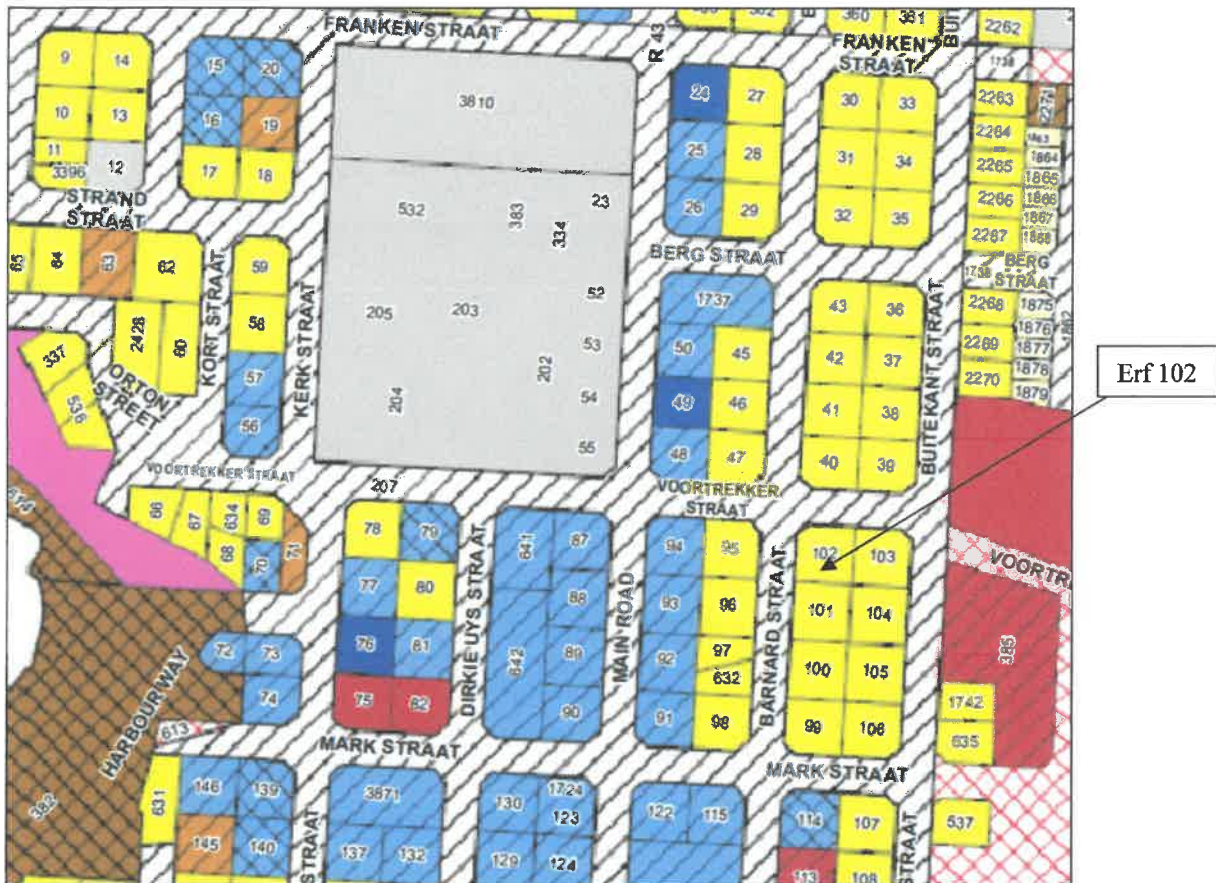
Properties in the neighbourhood of Erf 102 are of mixed use, with a number of home-occupational uses. The erven bordering onto Erf 102 is mainly residential, with the erf towards the south, having a business component.



Google Earth Image, to illustrate the location of Erf 102 and surrounding land use.

## 5. ZONING

Erf 102 is zoned Single Residential. The use as office space is not a primary or consent use allowed under a Single Residential zoning. Please refer to the zoning plan extract below.



Extract from the Gansbaai Zoning Scheme Plan.

## 6. PROPOSED REZONING AND DEVELOPMENT

Application is made for the Rezoning of Erf 102 to Local Business Zone, for purposes of office space.

The existing building on Erf 102 is already used as offices and the owners are now required to rezone the property to Local Business Zone to formalise this use. The building floor area is  $\pm 335\text{m}^2$  and the Gross Leasable Area (GLA) approximately  $300\text{m}^2$ . Normal business hours will apply and will be between 08h00 and 17h00 on weekdays.

All Health and Safety regulations will be complied with. All services are in place. Sufficient parking will be supplied on site, behind the building, as prescribed by the Overstrand scheme regulations.

## **7. DETERMINATION OF AN ADMINISTRATIVE FEE**

The partial use (125m<sup>2</sup>) of erf 102 for purposes of a home offices was already approved as a consent use in 2004. The remainder of the property was for a long period still used for residential purposes. In later years the entire house was however used as office space, due to a growing demand for professional office space in Gansbaai and for a single large enough building where the different offices that complements one another can be accommodated.

Motivation for a minimal administrative fee, include the fact that they did have a consent use approval for almost half the GLA since 2004. The use does not have a negative impact on neighbours, due to it being professional offices that doesn't generate access noise. Further motivation is that the firms residing at this premises are well-known, well-established enterprises, that adds value to the town of Gansbaai and surrounds. The firms also offer valuable assistance to residence of the area.

## **8. RELEVANT OVERHEAD PLANNING POLICY**

Various local, provincial and national forward planning documents are applicable to the application.

### **8.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (SDF)**

The vision of the Overstrand SDF is based on the vision of the Overstrand IDP and is as follows:

*'Overstrand Municipality is striving to be the most desirable destination to visit, stay and do business'.*

In order to achieve this, the document identifies various principles:

**Development Principles:**

- Efficient and integrated planning – Promote efficient and integrated planning and development through:
  - Integrated development and planning in rural and urban areas with a view to mutual support
  - Optimal utilisation of existing developed resources including bulk infrastructure
  - Promotion of compaction and densification as opposed to low-density sprawl
  - Protection of the agricultural resource base
  - Spatially co-ordinating sectoral activities
  - Addressing historically distorted spatial patterns

**RELEVANT GOALS & OBJECTIVES FORMULATED BY THE DOCUMENT INCLUDE AMONG OTHER THE FOLLOWING:**

Goal	Objective
To provide an environmentally and economically sustainable bulk service infrastructure and road transport network.	<ul style="list-style-type: none"> <li>• To ascertain the overall carrying capacity of existing bulk services related to existing and future growth, and where appropriate, determine flood lines;</li> <li>• To identify critical problem areas relating to bulk water supply, groundwater abstraction and quality;</li> <li>• To improve and maintain the standard of bulk services with particular reference to bulk water supply, sewerage and solid waste and sewage management; and</li> <li>• To create an efficient, well defined hierarchy of roads.</li> </ul>
To address the social needs and expectation of all sections of the community.	<ul style="list-style-type: none"> <li>• To provide access to a full spectrum of social services and facilities;</li> <li>• To ensure the provision of basic housing and services;</li> <li>• To encourage public participation in all issues of public concern; and</li> <li>• To co-ordinate the joint management of certain functions on a sub-regional level, e.g. sporting facilities, education and health facilities.</li> </ul>
To promote the conservation and sustainable use of the natural resources in the Overstrand municipal area.	<ul style="list-style-type: none"> <li>• To protect, conserve, and restore where appropriate, all areas deemed to be conservation worthy;</li> <li>• To ensure that the impact of existing and proposed development is adequately evaluated from a holistic environmental perspective, taking current and future</li> </ul>

	<p>generations into account;</p> <ul style="list-style-type: none"> <li>• To promote the sound management of natural areas to ensure their sustainability;</li> <li>• Rehabilitate and/or restore degraded and disturbed environments where necessary to meet conservation or environmental management objectives;</li> <li>• To limit and control development and activities within environmentally sensitive and/or conservation worthy areas so as to ensure their sustainability taking into account affects on biodiversity;</li> <li>• To promote efficient use of water and energy resources; and</li> <li>• To implement water conservation and demand management objectives within municipal areas in order to promote savings and decrease the demand for costly bulk water supply systems.</li> </ul>
<p>To ensure that ongoing development pressure and its spatial implications are managed in a sustainable manner that protects the unique character of the existing cultural landscape and the place-specific character and form of the existing settlement pattern.</p>	<ul style="list-style-type: none"> <li>• To promote a spatial development pattern that contains urban sprawl/urban development and promotes compact well-defined settlements;</li> <li>• To retain and strengthen the unique identity of the municipal areas and its districts;</li> <li>• To determine clear limits to urban development and define the urban edge/limits of existing settlements;</li> <li>• To conserve and improve the visual quality of the landscape and the scenic route experience of the primary movement corridors; and</li> <li>• To improve the aesthetic quality of the built environment.</li> </ul>

The SDF describes Gansbaai as a fishing village and a popular residential, holiday and retirement destination.

The Gansbaai Spatial Development Framework provides guidelines that should steer future development in the Gansbaai area. This include:

- Commercial The Gansbaai CBD functions as a central node for De Kelder, Franskraal and Birkenhead. Development along the R43 corridor should be encouraged and contained along this axis, and confined to the central portion of Gansbaai.
- New Urban Development No new development areas are proposed for Gansbaai. In order to accommodate the housing need for Gansbaai, densification should be encouraged in accordance with the OGMS.

## **PROPOSED DEVELOPMENT COMPLIANCE**

- The development as proposed complies with the general goals and objectives set for the Overstrand Municipal area, seeing that although Erf 102 is not on the R43 axis, it is located in the central portion of Gansbaai.

## **8.2 OVERSTRAND SECTORAL DENSIFICATION STRATEGY**

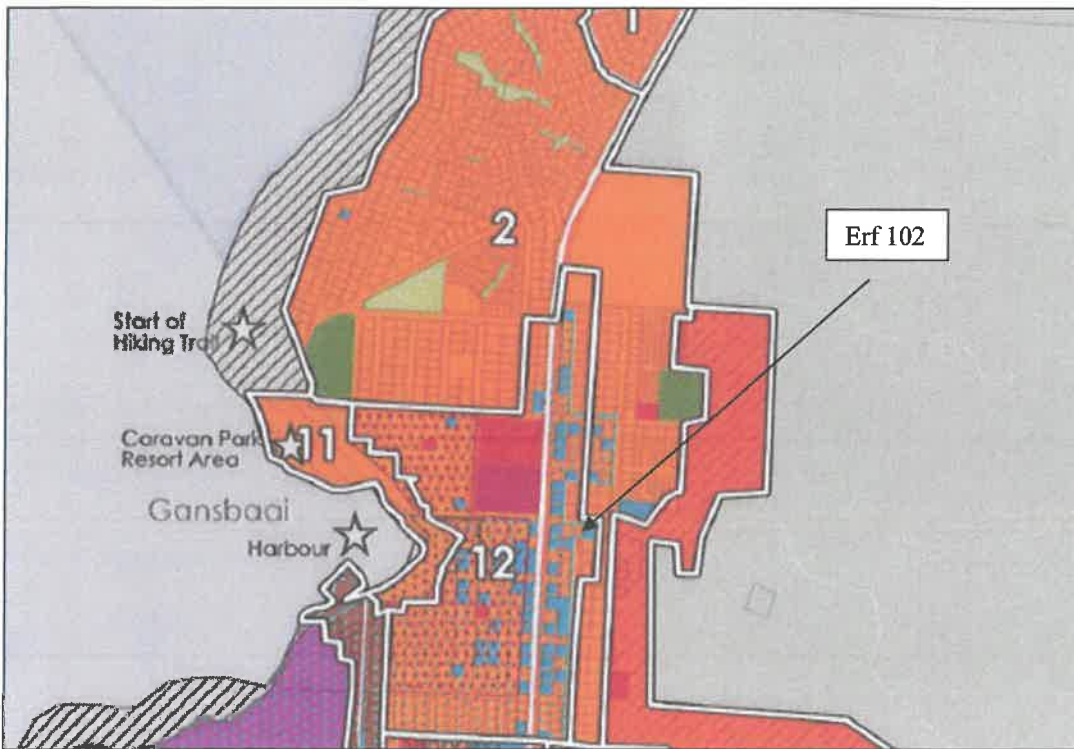
A densification study was completed by Urban Dynamics, for the Overstrand Municipality in 2010. The objective of this study is to:

- Promote a more compact, denser, efficient and environmentally sustainable;
- Protect sensitive environments and resources within and outside the urban edge; and
- Rationalise bulk infrastructure and service capacity to ensure that the bulk capacity is provided in the urban areas where growth and development is considered desirable

Critical Contextual Informant being used in the study, includes:

- Historical Development Pattern and Heritage Resources of the towns and settlements within the Overstrand Municipal Area,
- Current Land Use and Distribution Patterns (zoning, densities, land ownership, land values, erf sizes)
- Natural elements and setting
- Population growth and Housing demand
- Bulk Service Capacities
- Traffic capacities and circulation

The Growth Management Strategy indicates Erf 102 for business purposes, inside block 12. Please refer to the extract of the growth plan below.



Extract from the Growth Management Strategy: Plan H: Proposal, indicating the location of Erf 102

### 8.3 PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) 2014

The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as strategic spatial planning tool that “communicates the provinces spatial planning agenda”.

The recent shift in legislative and policy frameworks have clearly outlined the roles and responsibility of provincial and municipal spatial planning and should be integrated towards the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs are in general limited to provincial scale planning. However, it is important to note some of the key policies laid down by the PSDF have a bearing on the application.

The proposed development compliments the SDF spatial goals that aim to take the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy;
- (ii) More inclusive development in the urban areas;
- (iii) Strengthening resilience and sustainable development.

Key policies that is supported by this application:

#### Policy E3: Revitalise and Strengthen Urban Space-Economies as the Engine of Growth

5. Existing economic assets (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) should be targeted to levers the regeneration and revitalisation of urban economies.

1. Incentives should be put in place to attract economic activities close to dormitory residential areas, facilitate brownfields development.

#### Policy S3: Ensure Compact, Balanced & Strategically Aligned Activities & Land Uses

This policy reflects the main aim of the policy through targeting economic assists (e.g. Modal Interchanges underutilised strategically located land parcels) should be used as a lever to regenerate and revitalise urban settlements.

Promoting functional integration and mix land use to increase liability of urban areas. Thus the policy specifies the importance to- increase density of settlements and number of units in new housing projects; continue to deliver public investment to meet the needs in settlement developments; integrate packages of land, infrastructure and services as critical to promote densification and efficiency associated with agglomeration.

## 9. ACCESS & PARKING

Access to the property is proposed from Barnard Streets and is existing.

According to the Integrated Zoning Scheme Regulations applicable to the Overstrand, parking needs to be supplied at follow:

Use	Regulation	Proposed area of development	Parking Required
Offices	4 for every 100m <sup>2</sup> GLA	±300m <sup>2</sup>	12
Total			12

<sup>1</sup>GLA – Gross Leasable Area

The site plan makes provision for twelve (12) on-site parking spaces.

## 10. SERVICES

All services are existing, and it is not expected that any upgrades will be required.

Water: Supplied by the Overstrand Municipality

Electricity: Supplied by the Overstrand Municipality

Sewerage: Overstrand Municipality

Rubbish Removal: Overstrand Municipality. Most of the rubbish generated by the offices, can be recycled.

## 11. DESIRABILITY

### Physical Characteristics of the Property

- The erf is already developed and no natural vegetation will be removed.

<sup>1</sup> GLA means the area of a building designed for, or capable of, occupancy and control by tenants, measured from the centre line of the joint partitions to the inside finished surface of the outside walls, and shall exclude the following:

- i) all exclusions from the definition of floor space,
- ii) toilets,
- iii) lift shafts, service ducts, vertical penetrations of floors,
- iv) lift motor rooms for other mechanical equipment required for the proper functioning of the building,
- v) interior parking and loading bays

- The erf is flat.
- Being a corner property, the site is very accessible.
- The size of the erf makes it suitable for the proposed use, since the provision of enough parking spaces is possible.

### **Overhead Planning**

The project generally complies with the overhead planning for the area:

- The erf is inside the Urban Edge as indicated on the approved Overstrand Spatial Development Framework.
- The growth management plan indicates the property as allocated for business purposes.
- It complies with general goals and objectives set in local planning documents, seeing that it is centrally located in Gansbaai.
- The proposal is in line with the Provincial Spatial Development Framework and the Provincial Tourism Framework.

### **Character of the Area**

- No change in scale or character is proposed.
- The office use has been in place for almost 17 years.

### **Potential of the Site**

- The property is very accessible and is large enough for what is required.
- The property is central to the Gansbaai business area.

### **Economic Benefit**

- The property is rented out to various professional entities, that includes bookkeepers, financial advisors and an attorney. The presence of these professionals in an area is beneficial to Gansbaai and surrounds.

## **12. CONCLUSION**

The proposed rezoning will not detract from already existing uses in the surrounding neighbourhood, since the erf has already been used for office space for an extensive period. The proposed use is in line with general principles set by forward planning documents, providing in much needed economic development at a small scale.



VOORTREKKER STREET

BARNARD STREET

4m STREET BUILDING LINE

FLOOR AREA:  $\pm 334,8\text{m}^2$   
GLA:  $\pm 300\text{m}^2$

4m STREET BUILDING LINE

102

8m

4.12

ACCESS 

**Town & Country**

*Creative Land Solutions*

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PROJECT

SITE PLAN: ERF 102 GANSBAAI  
OVERSTRAND MUNISIPALITEIT



Land Surveyors • Town Planners

DRAWN

LT

SCALE

1:250

DWG No.

2722

Notes: ALL AREAS AND DISTANCES  
SUBJECT TO SURVEY

CHECKED

LT

DATE

JAN 2022

REVISION