

7.

ERF 384, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: AMENDMENT OF THE OVERSTRAND MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK, 2020 AND THE OVERSTRAND GROWTH MANAGEMENT STRATEGY, 2020: MESSRS INTERACTIVE TOWN- AND REGIONAL PLANNING ON BEHALF OF OVERSTRAND MUNICIPALITY

384 HWC

R Kuchar

12 March 2021

Senior Manager : Town & Spatial Planning

(028) 313-8900

1. Executive Summary

An application was received on 23 October 2020 from Messrs Interactive Town- and Regional Planning on behalf of Overstrand Municipality on Erf 384, Hermanus for the deviation in terms of the provisions of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Growth Management Strategy, 2010 (GMS) and Spatial Development Framework, 2020 (SDF) in order to change the reservation from urban development to community facilities.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Creation and maintenance of a safe and healthy environment
Promotion of tourism, economic and social development

4. Delegated Authority

None

5. Legal Requirements

Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
Local Government: Municipal Systems Act 32 of 2000 (Act 32 of 2000)

6. Background/Discussion/Evaluation/Conclusion

Background

An application was received on 23 October 2020 from Messrs Interactive Town- and Regional Planning on behalf of Overstrand Municipality on Erf 384, Hermanus for the following:

- ❖ the deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020 (By-Law);
- ❖ departure of the Overstrand Growth Management Strategy, 2010 in terms of the Municipal Systems Act, Act 32 of 2000;
- ❖ closure of a portion of a public road (Fourie Street) in terms of Chapter IV, Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020;
- ❖ closure of a public open space (Erf 384, Hermanus) in terms of Chapter IV, Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020;
- ❖ rezoning of Erf 384, Hermanus represented by Figure ABCDEFG here-below from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road from Open Space Zone 2 to Community Zone 1: Community Facilities in terms of Chapter IV, Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020, and
- ❖ consent use for institutional use in terms of Chapter IV, Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.

The application was considered by the Authorized Official (AO) on 18 February 2021 and it was resolved as follows:

“RESOLVED:

1. *that the application in terms of Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 384, Hermanus for the following:*
 - *the deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law);*
 - *closure of a portion of a public road (Fourie Street) in terms of Chapter IV, Section 16(2)(n) of the By-Law;*

- *closure of a public open space (Erf 384, Hermanus) in terms of Chapter IV, Section 16(2)(n) of the By-Law;*
- *rezoning of Erf 384, Hermanus represented by Figure ABCDEFG here-below from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road from Open Space Zone 2 to Community Zone 1: Community Facilities in terms of Chapter IV, Section 16(2)(a) of the By-Law, and*
- *consent use for Institutional use in terms of Chapter IV, Section 16(2)(o) of the By-Law.*

be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:

- (a) *that this approval is only for the development of medical related facilities;*
 - (b) *that the approval is restricted to two (2) storeys;*
 - (c) *that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;*
 - (d) *that there be compliance with all relevant Health and Fire regulations;*
 - (e) *that all the conditions in the Services Report (attached as Annexure F), be complied with;*
 - (f) *that the applicable tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;*
 - (g) *that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and*
 - (h) *that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.*
2. *that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.*

RECOMMENDATION TO THE COUNCIL :

*that the application for the deviation of the Overstrand Growth Management Strategy (2010) in order to rezone Erf 384, Hermanus from Open Space Zone 2 to Community Zone 2 in order to accommodate medical and related community facilities on the property in terms of the provisions of Section 22(2) of the Spatial Planning and Land Use Management Act, 2013, **be recommended for approval.***

The item that served before the AO is attached as Annexure A, while the decision letter to the applicant is attached as Annexure B.

This item serves to inform the Council regarding the application and the subsequent decision which was taken by the AO and to receive Council's decision in terms of the provisions of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the SDF and the GMS.

Evaluation

The SDF and GMS earmarks the erf as residential and in order to accommodate the rezoning to Community Facility, it requires a deviation.

The erf is located alongside existing medical facilities. It was not foreseen that there would be such a huge demand for additional medical facilities. However, since the Medi-Clinic has reached its full development potential, the Provincial Hospital has been upgraded and the Oncology Unit was established, further demand for diverse medical facilities were experienced. In order to provide for this demand this is the only vacant site adjacent to the existing medical facilities to provide for the higher demand. The deviation of the SDF is thus warranted as a result of the location of the land adjacent and in close proximity of existing medical facilities. In order to provide for more efficient and effective services in one location the deviation of the SDF is thus recommended for approval.

Conclusion

That the application be supported as per the recommendation below.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Item served before the Authorised Official on
18 February 2021

Annexure B: Decision letter dated 25 February 2021

RECOMMENDATION TO THE COUNCIL:

that the application in terms of the provisions of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 as well as the provisions of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Municipality Spatial Development Framework, 2020 and the Overstrand Municipality Growth Management Strategy, 2010 in order to change the reservation on Erf 384, Hermanus from urban development to community facility, **be approved.**

RESPONSIBLE OFFICIAL:**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION:****14 APRIL 2021****TARGET DATE TO INFORM APPLICANT:****14 APRIL 2021****TARGET DATE TO INFORM OBJECTOR:****N/A**

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ERF 384, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: PROPOSED REZONING, SUBDIVISION, CLOSURE OF PUBLIC PLACE, CONSENT USE, AMENDMENT OF THE OVERSTRAND MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK, 2020 AND THE OVERSTRAND GROWTH MANAGEMENT STRATEGY, 2020: MESSRS INTERACTIVE TOWN- AND REGIONAL PLANNING ON BEHALF OF OVERSTRAND MUNICIPALITY

384 HWC

H van der Stoep
2 February 2021

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 23 October 2020 from Messrs Interactive Town- and Regional Planning on behalf of Overstrand Municipality on Erf 384, Hermanus for the following:

- ❖ the deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020 (By-Law);
- ❖ departure of the Overstrand Growth Management Strategy, 2010 in terms of the Municipal Systems Act, Act 32 of 2000;
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- ❖ consent use for institutional use in terms of Chapter IV, Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Authorised Official

3. BACKGROUND / SITE HISTORY

The application area is centrally located within the Greater Hermanus area, in close proximity and linked to the R43 regional road to the north by Albertyn- and Fourie

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Streets. Furthermore, the application area is also centrally located within the Overstrand region with the R43 also linking the rest of the coastal towns to the east and the west of the Greater Hermanus area. Hermanus is furthermore in relatively close proximity to the inland towns of Grabouw, Botrivier, Caledon, Napier and Bredasdorp which gain access along various regional roads which link up with the R43 regional road to Hermanus.

Within Hermanus Central and more specifically Westcliff, the application area is located in close proximity to the Huis Lettie Theron Old-Age Home and Fynbos Park Retirement Village, representing a potential portion of the current target market.

Within Hermanus West to the south and along the R43, a conglomeration of retirement villages is located, which represent a potentially significant portion of the target market and compliments the proposed location for a medical facility.

According to the Overstrand SDF, 2020, medical and related facilities, among others, should be located at points of highest access in urban settlements.

The property is at present vacant and underutilized. An endemic plant species, the kukumakranka is found on the south-western corner of the site. The proposed Site Plan has earmarked the area as an open space / garden in order to protect the specie.

4. SUMMARY OF APPLICANT'S MOTIVATION

The motivation for the application is as follows:

Desirability

The proposed application to obtain land-use rights for a Community Zone: Community Facility to accommodate medical and related community facilities on the application area is considered most desirable for the following reasons:

Overstrand Population Composition, Growth and Need

As explained and illustrated below, a significant portion of the Overstrand population consists of elderly people who are generally associated with a deterioration of their health and an increased presence of conditions requiring medical assistance.

The population of the Overstrand region inter alia the elderly cohort is anticipated to increase further through natural growth and in-migration, which is foreseen to increase the need for quality medical services in future.

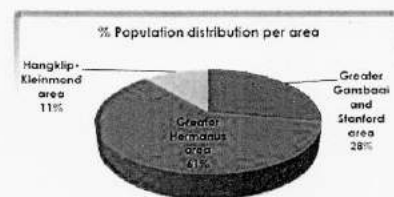


Figure 1: Percentage Population

❖ **Population distribution**

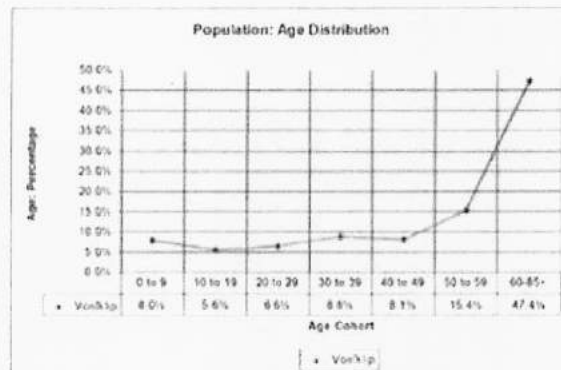
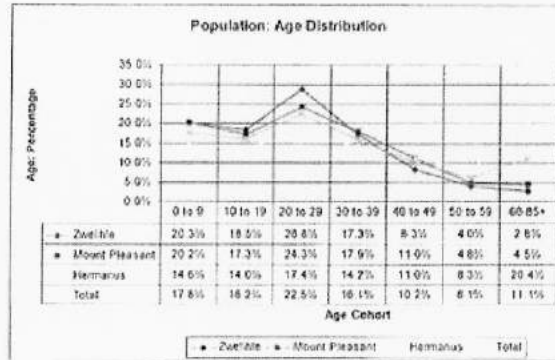
According to the Overstrand Integrated Development Plan, 2017/2018 – 2021/2022 the largest concentration of the Overstrand population, which is 61%, is

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located within the Greater Hermanus Area, where the application area is located. Refer to Figure 2.

❖ **Population composition**

The population composition within Greater Hermanus and the larger Overstrand region is characterized by a significant number of elderly people, as illustrated in the various representative population age distribution graphs in Figure 2.



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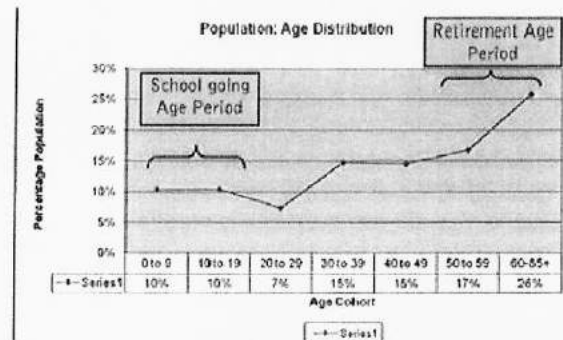
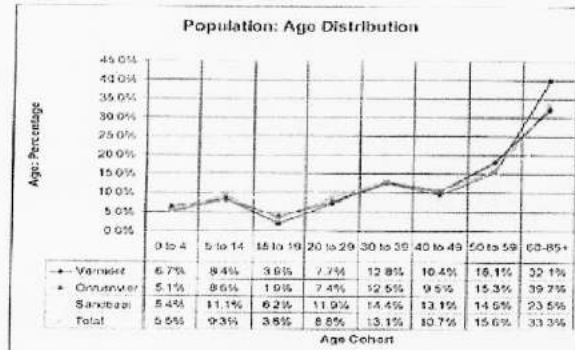


Figure 2: Population Age Distribution for the Greater Hermanus Area excluding Hawston

According to the World Health Organization, common conditions in older age include hearing loss, cataracts and refractive errors, back and neck pain and osteoarthritis, chronic obstructive pulmonary disease, diabetes, depression and dementia. Furthermore, as people age, they are more likely to experience several conditions at the same time.

Therefore, there is a direct relation between ageing and deteriorating health condition.

❖ **Population Growth**

The table below illustrates the actual population growth of the different areas within the Overstrand region since 2016 as well as the anticipated growth up and till 2031.

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	Rosale	Pringle Bay	Betty's Bay (Plus Silver Sands 2001)	Keimond	Fishermans	Hawston	Greater Hermanus	Stanford	Greater Sandbaai	Pearly Beach
2016	164,0	942,2	1711,9	6765,7	867,0	8886,7	45188,9	5615,2	15842,4	1202,1
2017	176,1	971,1	1796,6	6791,8	899,1	9064,4	46413,3	5794,0	17655,8	1217,0
2018	189,1	1005,3	1865,4	6821,0	932,4	9245,7	51065,0	5980,4	18509,4	1272,8
2019	203,1	1038,6	1947,9	6848,1	966,9	9430,6	55825,4	6171,7	19405,4	1309,8
2020	218,2	1072,8	2033,2	6875,4	1002,6	9619,2	60062,4	6368,2	20345,9	1347,7
2021	234,3	1108,2	2122,7	6903,1	1039,7	9811,6	64700,9	6573,0	21333,1	1386,8
2022	251,7	1144,8	2216,1	6930,8	1078,2	10007,8	69779,4	6783,4	22369,3	1427,0
2023	270,3	1182,6	2313,6	6958,5	1118,1	10208,0	75339,0	7000,5	23457,0	1468,4
2024	290,3	1221,6	2415,4	6986,3	1159,5	10412,1	81428,6	7224,5	24598,9	1511,0
2025	311,8	1261,9	2521,7	7014,3	1202,4	10620,4	88096,1	7455,6	25797,6	1554,8
2026	334,8	1303,6	2632,6	7042,3	1246,9	10832,8	95397,8	7694,2	27056,0	1599,9
2027	359,6	1346,6	2748,4	7070,5	1293,0	11049,4	103394,7	7940,4	28372,1	1646,3
2028	386,2	1391,0	2869,4	7098,8	1340,8	11270,4	112153,2	8194,5	29766,1	1694,1
2029	414,8	1436,9	2996,6	7127,2	1390,5	11495,8	121746,7	8456,8	31200,3	1743,2
2030	445,5	1484,4	3127,4	7155,7	1441,9	11725,7	132255,2	8727,4	32740,1	1793,7
2031	478,5	1533,3	3263,0	7184,3	1495,2	11960,3	143706,7	9006,7	34354,4	1845,8

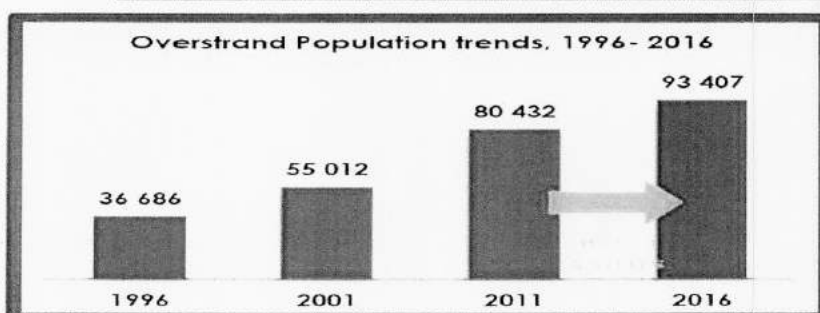


Figure 3: Population Growth within the Overstrand Region

The above table and graph represent an average population growth of 3,2% which is considered substantial resulting that the provision of community facilities including medical facilities need to be provided for accordingly to prevent any backlog in facilities.

Furthermore, according to the Overstrand Integrated Development Plan, 2017/2018 – 2021/2022, the 2016 Stats SA Community survey revealed the top three main reasons for moving to the Overstrand as follows namely: to look for paid work (2,47%), retirement (1,77%) and moving as a household with a household member (for health) (1,65%).

The proposal therefore emphasises the importance of such required facility for inter alia the current and future elderly population within the Overstrand region.

Location factors

According to the Overstrand SDF, 2020 medical and related facilities, among others, should be located at points of highest access in urban settlements.

❖ **Central Location of the Application Area**

The application area is centrally located within the Greater Hermanus area, in close proximity and linked to the R43 regional road to the north by Albertyn and Fourie Streets. Furthermore, the application area is also centrally located within the Overstrand region with the R43 also linking the rest of the coastal towns to the east and the west of the Greater Hermanus area. Hermanus is furthermore in relatively close proximity to the inland towns of Grabouw, Botrivier, Caledon, Napier and

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Bredasdorp which gain access along various regional roads which link up with the R43 regional road to Hermanus.

Within Hermanus Central and more specifically Westcliff, the application area is located in close proximity to Huis Lettie Theron Old-Age home and Fynbos Park Retirement Village, representing a potential portion of the current target market.

Within Hermanus west to the south and along the R43, a conglomeration of retirement villages is located, which represent a potentially significant portion of the target market and compliments the proposed location for a medical facility.

❖ **Benefits of the Agglomeration of Medical Facilities**

The concentration of existing medical facilities namely, the Hermanus Medical Village (Day Hospital and Hermanus Oncology), the Provincial Hospital and the Mediclinic adjacent and in close proximity to the proposed medical and related centre, will ensure benefits of agglomeration.

Provision of health care services is a complex and technical process. Providing the highest-quality health care requires the coordinated efforts of highly skilled labour whose training and experience enable practitioners to combine rapidly changing technology with the need for individualized personal communication for the best outcome. The changing nature of the technology and the centrality of finding the most skilled labour, as well as maintaining the skills of existing health care workers, suggests that health care service provision is likely to exhibit significant economies of agglomeration.

Having multiple providers of clinical health care and related services located near one another can provide all the advantages usually associated with localization economies.

A common labour pool provides a rewarding environment for skilled workers to offer their services. It provides them with opportunities to learn from one another. Having the clinic where physicians meet patients near the hospitals where patients receive care that requires specialized services, and having both near laboratory or research facilities can help physicians and other health care providers work more efficiently and make use of the latest discoveries and technological improvements.

Sharing economies include sharing of infrastructure, facilities, suppliers, and workers. Infrastructure, especially network-based infrastructure, is characterized by large returns to scale. Transport and telecommunications infrastructure become more valuable as the density of the network increases.

Existing Land Use and Zoning



Figure 4: An illustration of a defensible Park in a High-Density Residential Area

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The existing zoning of the application area as Public Open Space is meant for the use of the area for a public park.

The spontaneous utilization of the existing land is low.

❖ **Insubstantial Utilisation**

The insubstantial utilisation of the open space could be attributed to being surrounded mostly by single residential properties with their own recreational areas as well as being located close to the vast open spaces along the coast with good and well maintained footpaths resulting to be a preferred recreational area for local residents and visitors.

Furthermore, the area represents a vacant piece of land rather than a beautiful park with planted grass and trees, benches and a play area for example. The establishing and maintaining such a park would implicate further expenses for the Municipality and a strain on the available water resources, which are threatened by climate change. Such a park would be more viable if surrounded by higher density living units, where residents do not have access to their own yards or the ocean nearby.

❖ **Land Availability**

Land is scarce commodity and should be optimally utilized which is currently not the case as the area represents vacant, underutilized land which should be developed for a land-use that will contribute to the needs of the surrounding communities and with which the proposed medical and related facilities is consistent.

❖ **Potential for crime**

A vacant piece of land with no real purpose can potentially attract vagrant which increases the opportunity for crime within the area, especially as this area is not regarded as defensible space with constant neighbourhood surveillance.

Economic Factors

The proposal will stimulate the local economy of the area in the following ways:

❖ **Employment Creation**

The proposal is foreseen to create much needed temporary and permanent skilled and unskilled employment opportunities, with the further opportunity to improve education, knowledge and levels of skill.

This, in turn, is foreseen to lead to socio-economic upliftment of the community.

❖ **Agglomeration Economies**

Sharing economies include sharing of infrastructure, facilities, suppliers, workers and knowledge. Infrastructure, especially network-based infrastructure, is characterized by large returns to scale. Transport and telecommunication infrastructure become more valuable as the density of the network increases.

❖ **Benefits of Medical Tourism**

Medical Tourism can be defined as the process of traveling outside the country of residence for the purpose of receiving medical care. Growth in the popularity of medical tourism has captured the attention of policy makers, researchers and the media. Originally, the term referred to the travel of patients from less-developed countries to developed nations in pursuit of the treatments not available in their homeland.

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Today we are experiencing both qualitative and quantitative shifts in patient mobility, as people travel from richer to less-developed countries in order to access health services. Such shift is mostly driven by the relative low-cost of treatments in less developed nations, the availability of inexpensive flights and increased marketing and online consumer information about the availability of medical services.

What really puts the word "tourism" in medical tourism concept is that people often stay in the foreign country after the medical procedure. Travellers can thus take advantage of their visit by sightseeing, taking day trips or participating in any other traditional tourism activities.

Determining factors of the success of medical tourism are travelling and medical cost, quality of medical services and the available categories of medical services provided.

Planning Principles

In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:

Spatial Justice

Which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land.

Possible results of the development

The proposal represents a specialized and highly required facility for inter alia the significant current and future aging population cohort within the Overstrand region.

Furthermore, the proposal will also create employment opportunities within the skilled and unskilled labour force, contributing to uplifting the socio-economic status of the local community.

The opportunity for medical tourism is foreseen furthermore to lead to the stimulation of the local economy and potentially increase the threshold of existing businesses and tourist facilities, possibly creating additional employment opportunities.

The proposal is also considered beneficial to the competent local authority.

The application proposal is consistent with spatial justice.

Spatial Sustainability

Which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.

Possible results of the development

The application area is located within the urban edge and does not consist of valuable agricultural land, environmentally sensitive, biodiversity rich areas or scenic and cultural landscapes, which are required to be protected.

The current zoning and use of the application area is unsuitable to its location and therefore represents low utilisation rates, whereas the proposed zoning and land-use is ideally suited to the –

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- (1) location of the application area adjacent and close to other private and public health-care facilities and central to the Greater Hermanus and Overstrand region, as well as the
- (2) existing and growing need, inter alia among the significant portion of aging members of the local population, which exists for services such as those to be offered by the proposed medical facility.

The application proposal can thus be deemed to be spatially sustainable.

Efficiency

Which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.

Possible results of the development

Establishing the rights to develop medical and related facilities on the application area represents the first step in optimizing the land which is a scarce resource and which is currently under-utilised.

The proposal contributes to the agglomeration effect by being located adjacent and close to other medical facilities. Sharing economies include sharing of infrastructure, facilities, suppliers, workers and knowledge. Infrastructure, especially network-based infrastructure, is characterized by large returns to scale. Transport and telecommunication infrastructure become more valuable as the density of the network increases. The agglomeration effect therefore increases the cost-efficiency and feasibility of the proposal.

Furthermore, the proposal is efficiently located close to an existing old age home and retirement village as well as in relation to the regional R43 road connecting it with its wider potential surrounding markets.

The proposed use of the application area will also efficiently reduce the risk of increased crime within the neighbourhood due to currently representing a vacant and non-defensible space.

The application proposal is consistent with the efficiency principle.

Spatial Resilience

Which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.

Possible results of the development

The application proposal is consistent with the flexibility of the spatial plans, policy and land use management systems of the Overstrand Municipality in order to attribute to the communities most likely to suffer the impact of economic and environmental shocks given that the proposed operation is considered as a specialized and much needed service towards inter alia the aging community.

In addition, the proposal will contribute to the local economy and will not impact on any existing agricultural or environmentally sensitive land.

The application proposal is consistent with the principle of spatial resilience.

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Good Administration

Which, in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.

Possible results of the development

Consultative practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the relevant government tiers and the general public to participate in the eventual decision-making process.

The application proposal is consistent with the principle of good administration.

Forward Planning Documents

Spatial Development Framework: 2020 (SDF)

The SDF indicates the area as urban development and the application is for a community facility.

Overstrand Growth Management Strategy, 2010 (OGMS)

The Strategy deals with residential densification and indicates the application property as public open space and therefore the request for an amendment to accommodate the rezoning proposal.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Notices	Yes	9 November 2020	18 December 2020
Ward councillor	Yes	9 November 2020	18 December 2020
Total comments	NONE		
Total letters of support	NONE		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly?			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA?			Yes

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments.
Building Department	10/11/2020	No objection. The building plan application has to comply with all approved law.

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Heritage Western Cape	10/11/2020	Annexure D.
Local Heritage	14/12/2020	Annexure E.
Engineering Services	28/01/2020	Annexure F.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

N/A

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

N/A

9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

N/A

Internal Departments

No objections.

**10. MUNICIPAL PLANNING EVALUATION
 (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**

10.1 Background

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

Spatial Justice

The medical facilities and infrastructure available in the Overstrand make it possible and easily accessible for the elderly and especially for the previous disadvantage groups. The extension of the infrastructure will attribute further upliftment of the people of the Overstrand.

Spatial Sustainability

It is submitted that the proposed addition is compatible with the character of the area and does not negatively impact on the surrounding owners and the environment.

Efficiency

The area is serviced, and the development will contribute to more efficient use of available services in the area.

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Spatial Resilience:

The application provides for a land use to enhance the sustainability of the existing medical facilities in the area and contribute to sustainable buildings compliant with the National Building Regulations.

Good Administration

The application followed the required planning procedures to ensure that land use activity is in line with Municipal By-laws and the public participation process has been followed.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies

The Overstrand Growth Management Strategy, 2010 does indicate the property as residential and therefore the deviation from the allocated land use. The property is located in Planning Unit 8. Although no additional community facilities are proposed, the application property is a natural extension of a medical related facility due to its location adjacent the Oncology Unit/ Day Hospital.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal engineering services

The existing services are available and have been viewed positively by the Engineering Services Department.

10.7 Outcomes of investigations/applications i.t.o other legislation

No restrictive title deed conditions. The proposed application does not trigger any environmental legislation or the Heritage Resources Act.

10.8 Existing and proposed zoning comparisons and considerations

The application is in line with the Overstrand Spatial Documents. The application is in line with the Overstrand Zoning Scheme to accommodate such a use through an application process.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The application is to establish a medical related facility, which is a natural extension of the Oncology Medical Centre. The Overstrand, with its major administrative and commercial centre, Hermanus has over the years developed into a regional medical centre for the Overberg Region. The facilities available is the private, provincial and a day hospital. It also has various specialists that has permanent offices in the town.

LAND USE PLANNING REPORT
Authorised Official

The added specialised oncology facility has added a further impetus into the medical infrastructure and services to the people in the Overberg District.

Stats SA 2016 Community Survey indicated a growth of 3,2% which relates to 1,77% retirement, 2,47% employment and 1,77% medical related. The medical sector employment possibilities varies from high skilled labour to low skilled labour and is one of the sectors that can assist with unemployment within the Overstrand across a range of skills required.

Land Use

The application is to rezone to Community Zine 1 with a consent use for institution, restricted to medical related facilities. The building is to be restricted to two (2) storeys with a height of 10,5m. The latter will enable the facility to accommodate lift shafts and other mandatory infrastructure required by such facility. The aforementioned will also talk to the adjacent building in terms of height and development parameters. All other development parameters in terms of the Overstrand Zoning Scheme is applicable.

Engineering Reports

Traffic Impact Assessment (TIA): The Traffic Assessment was done by Messrs HHO Consulting Engineers. The findings are as follows: Church- and De Goede Streets carries the most traffic. The proposed facility is surrounded by Fourie-, Flower- and Albertyn Street. The number of peak hour trips projected is low and is not anticipated to have any significant impact on levels of service of the road links or intersections and it is recommended that access be obtained from Fourie Street. The latter will have the least impact on the surrounding streets.

Services Report

The Services Report was done by Messrs HHO Consulting Engineers. The findings are as follows:

The proposed development can be accommodated without additional capacity being added to existing water or foul sewer infrastructure.

Forward Planning

The amendment of the SDF is not necessary since it falls under the category Urban Development, however the amendment of the OGMS is necessary since the erf is earmarked as Public Open Space. The application is in line with the statutory document, the SDF of 2020.

The Department of Environmental Affairs and Development planning indicated that the proposed development does not trigger any listed activities.

Heritage Western Cape indicated that the proposed development does not impact on heritage resources.

The application is recommended for approval.

LAND USE PLANNING REPORT
Authorised Official

13. RECOMMENDATION

1. that the application in terms of Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 384, Hermans for the following:
 - the deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law);
 - closure of a portion of a public road (Fourie Street) in terms of Chapter IV, Section 16(2)(n) of the By-Law;
 - closure of a public open space (Erf 384, Hermanus) in terms of Chapter IV, Section 16(2)(n) of the By-Law;
 - rezoning of Erf 384, Hermanus represented by Figure ABCDEFG here-below from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road from Open Space Zone 2 to Community Zone 1: Community Facilities in terms of Chapter IV, Section 16(2)(a) of the By-Law, and
 - consent use for Institutional use in terms of Chapter IV, Section 16(2)(o) of the By-Law.

be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:

- (a) that this approval is only for the development of medical related facilities;
 - (b) that the approval is restricted to two (2) storeys;
 - (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (d) that there be compliance with all relevant Health and Fire regulations;
 - (e) that all the conditions in the Services Report (attached as Annexure F), be complied with;
 - (f) that the applicable tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (g) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (h) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

LAND USE PLANNING REPORT
Authorised Official

RECOMMENDATION TO COUNCIL :

that the application for the deviation of the Overstrand Growth Management Strategy (2010) in order to rezone Erf 384, Hermanus from Open Space Zone 2 to Community Zone 2 in order to accommodate medical and related community facilities on the property in terms of the provisions of Section 22(2) of the Spatial Planning and Land Use Management Act, 2013, **be recommended for approval.**"

14. REASONS FOR RECOMMENDATION

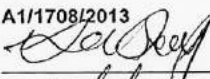
- ❖ The change use will have no impact on the surrounding area, since it is in line with the surrounding uses.
- ❖ The application is a natural extension of medical related infrastructure and services prevalent in the area.
- ❖ The diversification of medical services creates employment opportunities but also contribute to medical tourism
- ❖ Surrounding accommodation establishment do benefit from the medical services provided by Hermanus.

5. ANNEXURES

Annexure A: Locality Plan
 Annexure B: Motivation Report
 Annexure C: Site Development Plan
 Annexure D: Comment: Heritage Western Cape
 Annexure E: Comment: Local Heritage
 Annexure F: Services Report

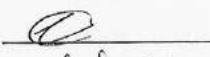
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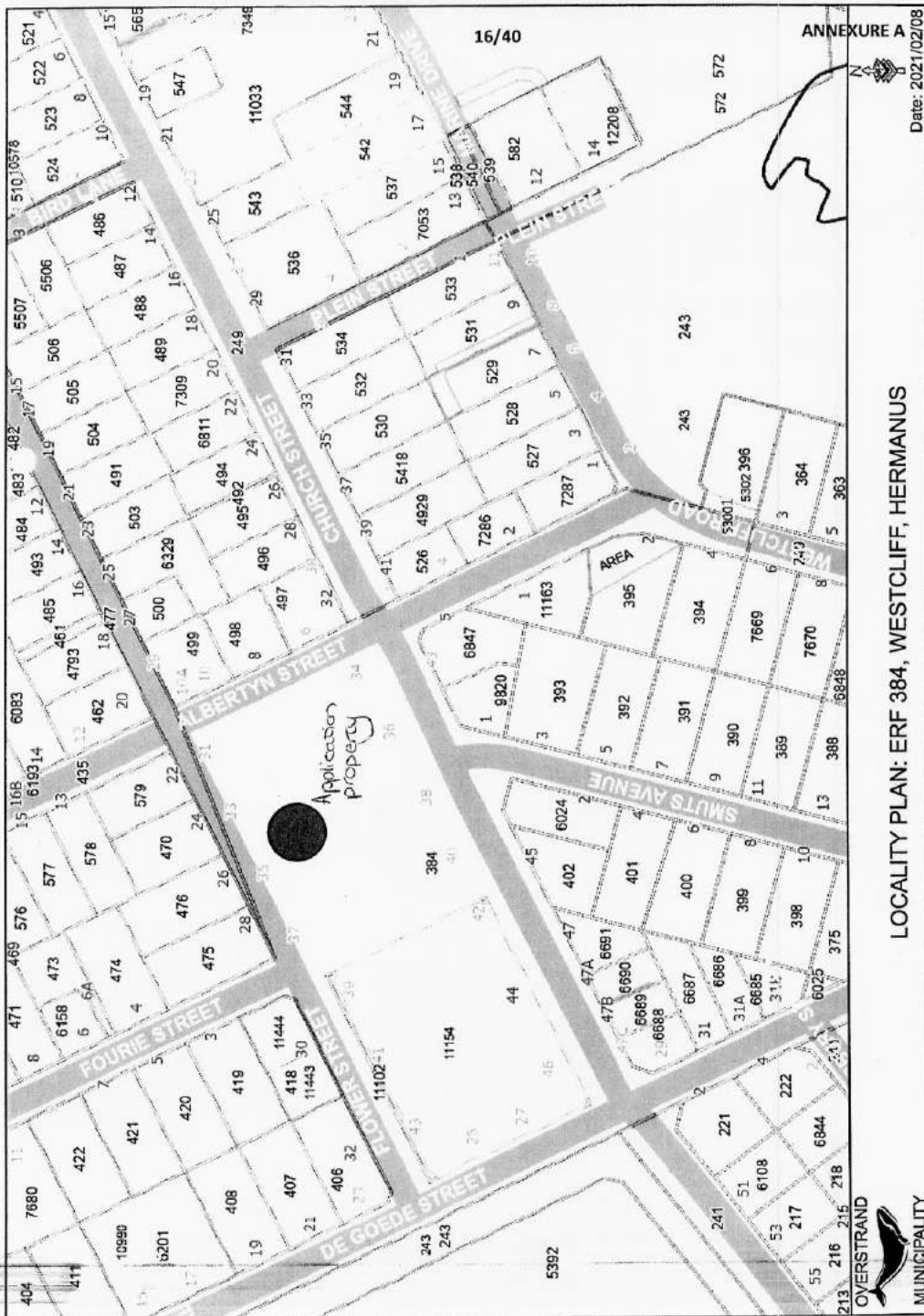
REGISTERED PLANNER

Name: **H VAN DER STOEP**
 SACPLAN Reg No: **A1/1708/2013**
 Signature: 
 Date: 16/2/2021


AUTHORISED OFFICIAL

APPROVED	<input checked="" type="checkbox"/>	APPROVED CONDITIONALLY	<input type="checkbox"/>	APPROVED IN PART	<input type="checkbox"/>	REFUSED	<input type="checkbox"/>
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Name: **R KUCHAR**
 Signature: 
 Date: 16/2/2021

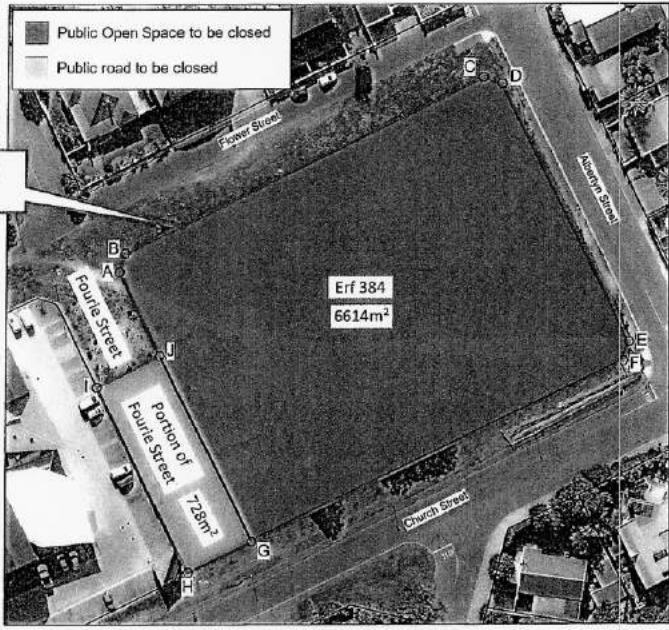


LOCALITY PLAN: ERF 384, WESTCLIFF, HERMANUS

1. Introduction	
<p>a. Brief Refer to Annexure B for the Power of Attorney.</p>	<p>Interactive Town and Regional Planning was appointed by the owner of the property, the Overstrand Municipality, to prepare and submit an application for the deviation of the Overstrand Municipality Spatial Development Framework, 2020, the amendment of the Overstrand Municipality Growth Management Strategy, 2010 and the closure of public open space and a portion of public road (Fourie Street), the rezoning of Erf 384 Hermanus with a consent use on the said land portions, (also known as unregistered Erf 12308 Westcliff) in terms of the relevant legislation.</p>
<p>b. Development Objective & Application Proposal</p>	<p>The development objective is to establish additional land for medical and related facilities for the growing community of Hermanus.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin-bottom: 10px;">Application Area</div>  <p>Figure 1: Closure of Public Road & Public Open Space</p> <p>Subsequently the application proposal made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020 and Municipal Systems Act, Act 32 of 2000 is for:</p> <ul style="list-style-type: none"> • Deviation of the Overstrand Municipality Spatial Development Framework, 2020. • Amendment of the Overstrand Municipality Growth Management Strategy, 2010. • Closing of a portion of a public road represented by Figure GHJ here-above in terms of Chapter IV, Section 16(2)(n). • Closing of a public open space (Erf 384 Hermanus) represented by Figure ABCDEFG here-above in terms of Chapter IV, Section 16(2)(n). • The rezoning of Erf 384 Hermanus represented by Figure ABCDEFG here-above from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road represented by Figure GHJ here-above from Open Space Zone 2 to Community Zone 1: Community Facilities. • Consent use for Institutional use.

<p>c. Background</p>	<p>The Council owned application area is currently zoned Open Space Zone 2: Public Open Space and includes a portion of Fourie Street as indicated on the plan above as reflected by Figure GHJ in Figure 1 here-above.</p> <p>The subject property is vacant and not utilized optimally.</p> <p>The vision for the application area is to obtain land-use rights for medical and related facilities with the intention to sell it on via the prescribed statutory processes to a suitable developer to plan and construct it accordingly. Prior to the construction phase, the developer will be required to submit detailed site development and building plans for approval.</p>
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2. The Application					
a. Analysis: Title Deed		The Conveyancer has issued a certificate confirming that <u>no</u> restrictive title deed conditions exist against the proposal on Erf 384 Westcliff.			
Refer to Annexure D for the Conveyancer Certificate.					
b. Analysis: Development Criteria:		The development parameters for Erf 384 Hermanus and the subject portion of Fourie Street as per the Overstrand Municipality Land-Use Scheme Regulations, 2020, are summarised as follows:			
Parameters	Existing Zoning:	Proposal:	Proposed Zoning:	Comments	
Zoning	Open Space Zone 2: Public Open Space	Medical and related facilities	Community Zone 1: Community Facilities	Rezoning application required	
Primary Use	Public open space		Clinic, creche, day care centre, multi-purpose centre, place of assembly, place of instruction, place of worship		
Consent Uses	Cemetery, environmental facilities, recreational facilities, rooftop base station, tourist facilities, transmission tower, urban agriculture, utility service, any other related use permitted by Council		Institution	Consent use application required	
Floor factor	N/A	To be determined once a proposal has been received from a future developer	1.2 / 2 for a hospital	Consistent-proposal to be in compliance with zoning parameters	
Coverage	N/A		60%		
Height	N/A		10.5m		
Building lines	Street		N/A		5m
	Side		N/A		5m
	Rear		N/A		5m
Parking	N/A		Hospital/Clinic- One bay per bed plus four per consulting rooms Medical consulting rooms- Four bays per 100m ² GLA Flats- 1.5 bays per 1-bedroom dwelling unit and 2 bays per 2 or more bedroom units		
c. Application:	Application is subsequently made for the following:				
The application form is attached as Annexure A.	<ul style="list-style-type: none"> • Deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020. • Amendment of the Overstrand Municipality Growth Management Strategy, 2010 in terms of the Municipal Systems Act, Act 32 of 2000. • Closure of a portion of a public road (Fourie Street) in terms of Chapter IV, Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020. 				

	<ul style="list-style-type: none"> • Closure of a public open space (Erf 384 Hermanus) in terms of Chapter IV, Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020. • The rezoning of Erf 384 Hermanus represented by Figure ABCDEFG here-below from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road represented by Figure GHJ here-above from Open Space Zone 2 to Community Zone 1: Community Facilities in terms of Chapter IV, Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020. • Consent use for Institutional use in terms of Chapter IV, Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020. 
<p>d. Relevant Definitions</p>	<p>"institution" means a property used as a social, health or welfare facility or for the administration thereof and includes a hospital; special needs school; clinic; homes for the aged, indigent or handicapped; and a reformatory or place of detention, whether of commercial or charitable nature, but does not include a jail;</p>

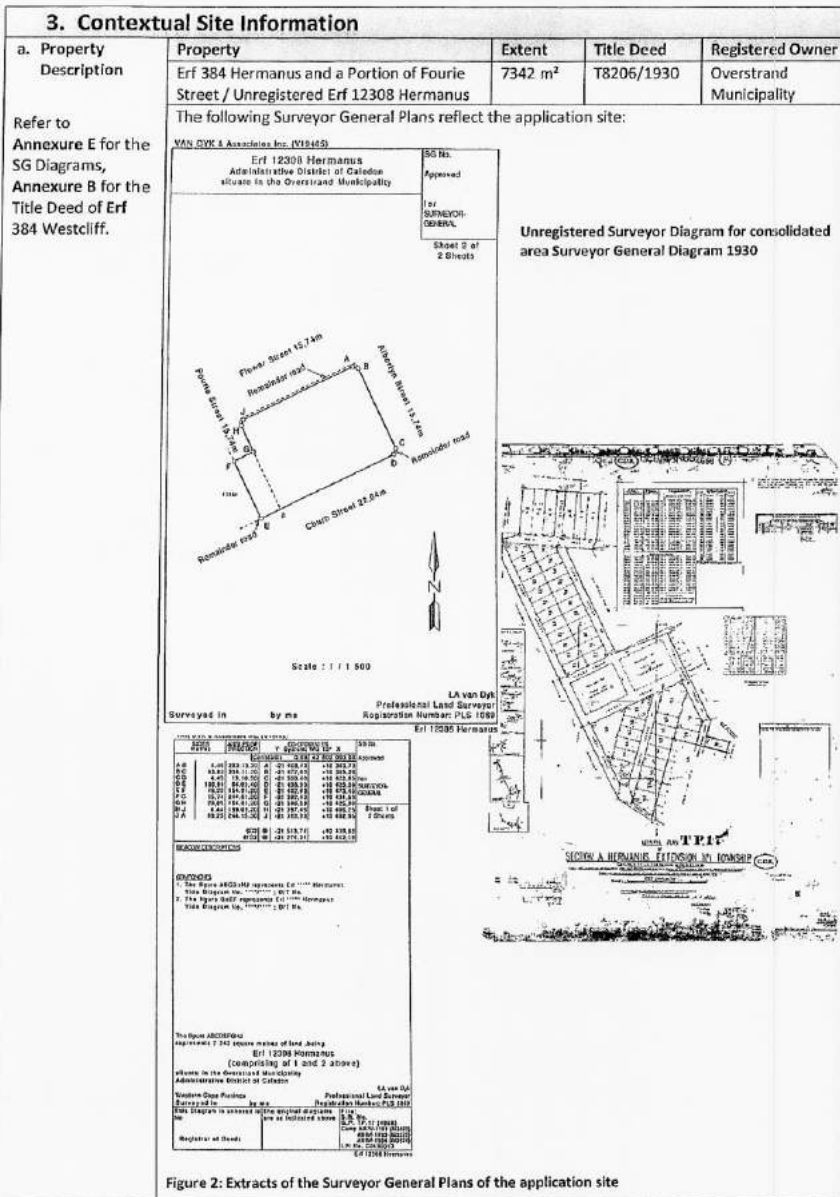


Figure 2: Extracts of the Surveyor General Plans of the application site

b. Location:

For the Locality Plans refer to Annexure F

Regional Context:

Within the regional context, the application area is located within Westcliff which is located on the Western side of Hermanus CBD.

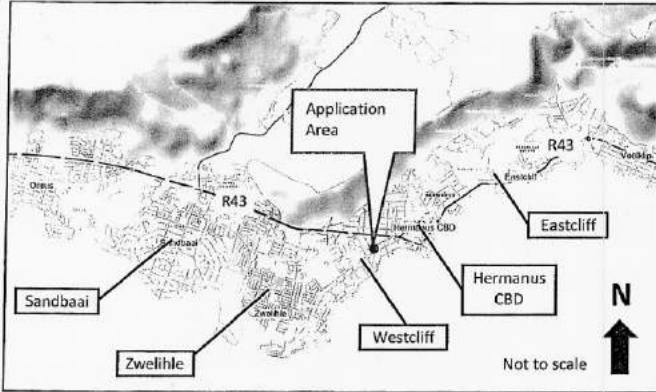


Figure 3: Locality Plan – Regional Context

Local Context:

Within the local context the application area is located east of the existing Hermanus Medical Village and is in close proximity of the Lettie Theron old age home and retirement village located further to the west of the application area.



Figure 4: Locality Plan – Local Context

c. Land Use: The application area is vacant. The surrounding erven include residential, tourist accommodation, community facility and business uses. The proposal is for a community facility. The application proposal is considered consistent with the land use of the area.

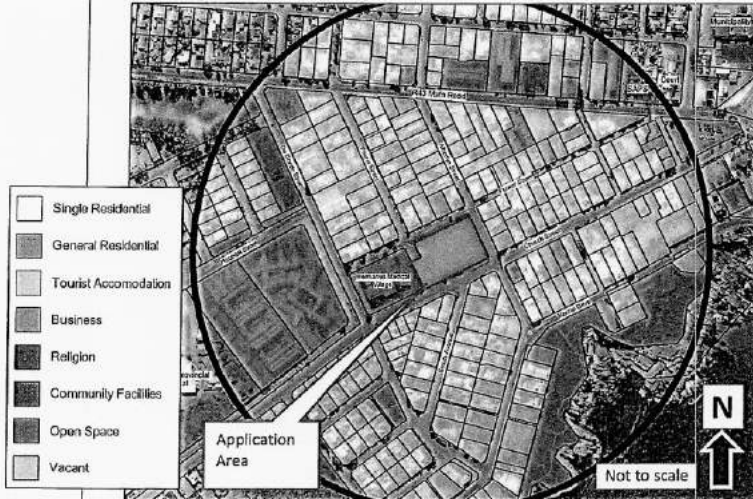


Figure 5: Google Image illustrating the residential land-use activities of the application area and surrounding properties

d. Zoning: The application area, Erf 384 Hermanus and the portion of Fourie Street is zoned Open Space Zone 2. The surrounding erven are Residential Zone 1, General Residential Zone 3, Community Zone 1 and Business Zone 2. This subject application involves the rezoning of the application area to Community Zone 1: Community Facilities with a consent use for Institutional purposes. The proposal is considered consistent with the zoning / activities of the area.

Refer to the Extract of Hermanus Zoning plan attached as Annexure G.

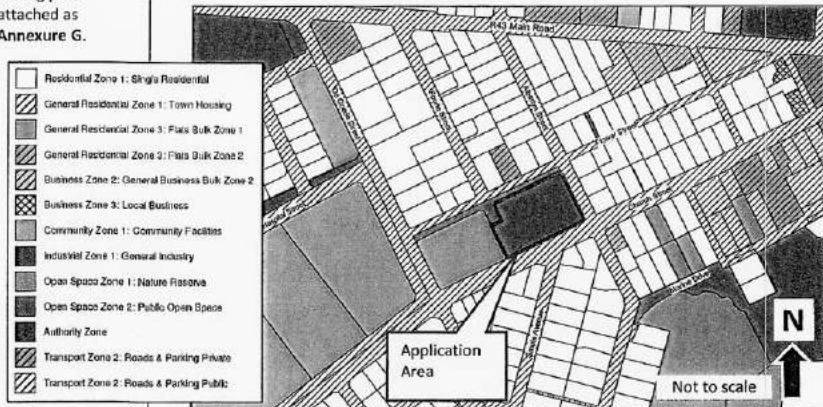
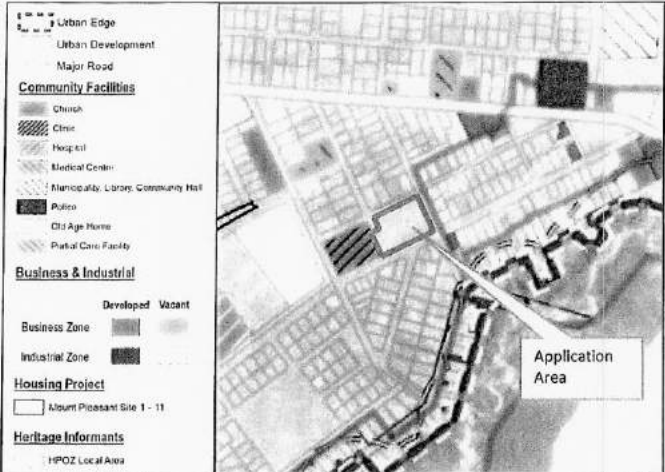


Figure 6: Extract from the Overstrand Municipality: Online zoning viewer

<p>e. Laws and policies relevant to the consideration of the application and forward planning and land use documents</p>	<p>The following policy is applicable to the application area.</p> <p>i. Overstrand Municipality Spatial Development Framework, 2020</p> <p>The application area falls within an Urban Development area.</p>  <p>Figure 7: Spatial Development Framework Spatial Proposals Plan</p> <p>The proposal for a medical and related facilities on the application area is not in accordance with the Overstrand Municipality Spatial Development Framework, 2020 which proposes "Urban Development".</p> <p>The application area is proposed to be developed for "Community Facilities" for which there is a growing need within the Overstrand region and of which the location adjacent and close to other existing Community Facilities ensures the suitability of the application area for the development of the proposed medical and related facilities.</p> <p><u>Subsequently, this application for the deviation of the Overstrand Municipality Spatial Development Framework, 2020 to permit "Community Facilities" on the application area.</u></p> <p>ii. Overstrand Municipality Growth Management Strategy, 2010</p> <p>The Overstrand Growth Management Strategy defines, explains, and uses densification as a growth management tool to positively redress and counteract the effects of urban sprawl to promote the longer-term sustainability of the Overstrand Municipality and its sub-regions' environmental quality.</p> <p>The following extracts from this document with regards to envisaged land-uses for the area as well as the population composition of the Overstrand region, are applicable to the application proposal.</p>
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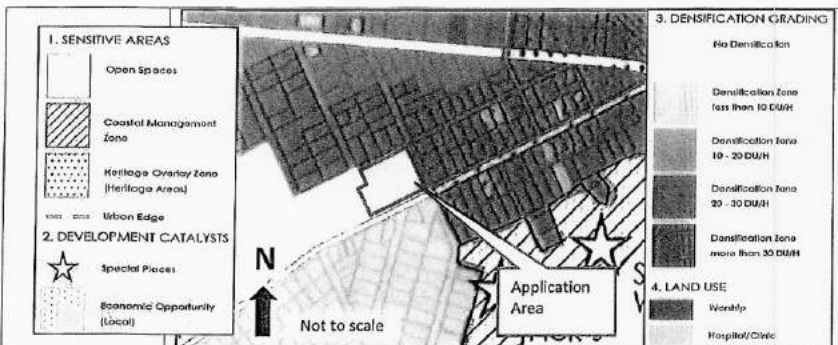


Figure 8: Extract from the Overstrand Municipality Growth Management Strategy, 2010 reflecting the envisaged land-uses for the area.

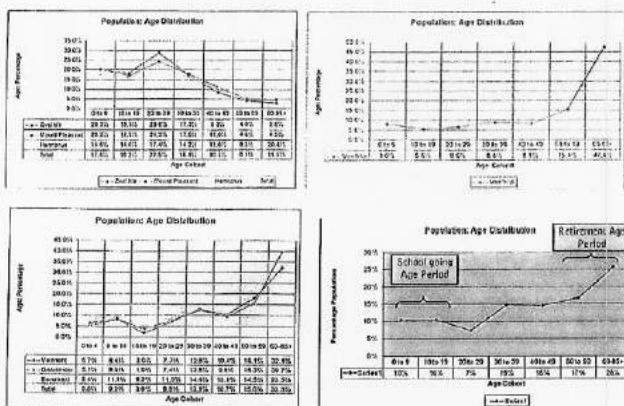

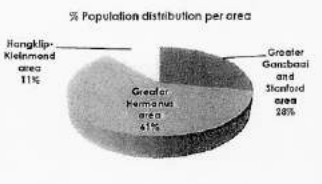
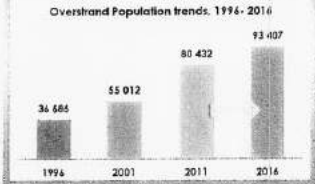


Figure 9: Population Age Distribution for the Greater Hermanus Area excluding Hawston

It is evident from the graphs in Figure 8 above that in Hermanus East 62,8% of the population are 50 years and older, in Hermanus Central, excluding Mount Pleasant and Zwelihle, 28.7%; in Hermanus West, 48.9%; and in Fisherhaven 43% of the population are respectively 50 years and older.

This trend where a significant portion of the population is represented by the elderly, is mostly indicative of the rest of the Overstrand region as well.

The application area is currently an Open Space area and accordingly envisaged for Open Space in future as well in terms of the Overstrand Municipality Growth Management Strategy, 2010. The Open Space area is not optimally utilized and the objective is to obtain land-use rights to construct and operate medical and related facilities, for which there is a growing need within the Overstrand region.

	<p><u>Subsequently, the amendment of the Overstrand Municipality Growth Management Strategy, 2010 to accommodate medical and related community facilities on the application area is required.</u></p> <p>iii. Overstrand Integrated Development Plan, 2017/2018 – 2021/2022</p>  <p>The purpose of the Integrated Development Plan (IDP) is to address the development needs of the Overstrand communities and the organisation within clearly defined strategic objectives and measurable key performance indicators.</p> <p>STRATEGIC ANALYSIS In-migration In the 2016 Stats SA Community survey the top three main reasons for moving to the Overstrand were look for paid work (2.47%), followed by retirement (1.77%) and moving as a household with a household member (for health...) (1.65%).</p>  <p>Figure 10: Percentage Population Distribution</p>  <p>Figure 11: Total Population Trends</p> <p><u>The application proposal is considered consistent with the Overstrand Integrated Development Plan, 2017/2018 – 2021/2022.</u></p>
<p>f. Supporting Studies</p> <p>Refer to Annexure J and K for the Services Report and Traffic Impact Statement</p>	<p>As part of the evaluation of this application report a Civil Services Report and a Traffic Impact Statement were conducted by Messrs HHO Consulting Engineers.</p> <p>Civil Services:</p> <p>The following conclusions and recommendations were made by Messrs HHO Consulting Engineers as part of the Civil Services Report:</p> <p>The impact of the proposed development on stormwater, potable water and foul sewer infrastructure was investigated and assessed. Daily demands for foul sewer and potable water were calculated using The Guidelines for Human Settlement & Planning (Red Book). The demands associated with the proposed development were then compared to the current available capacity.</p> <p>The Overstrand Municipality has no mandatory requirements regarding on-site treatment or attenuation of stormwater runoff. However, due to the high proportion of proposed hard landscaping described above, consideration should be given by the developer to the implementation of stormwater management technologies.</p> <p>The existing water network as indicated by GLS Consulting could accommodate the additional AADD of 32.7kℓ/d, as well as a peak water demand of 0.91ℓ/s.</p> <p>The existing Hermanus Foul Sewer Pump Station 4 as indicated by GLS Consulting could likely accommodate an additional AADD of 29.8kℓ/d or peak foul sewer demand of 0.69ℓ/s, although this information was not available to the author and therefore could not be confirmed.</p> <p>The future developer would be liable to the Overstrand Municipality for Development Charges, service connection fees and associated costs.</p>

	<p>Approximately 8% of the site should be set aside for a stormwater attenuation facility. This should be situated at the lowest part of the developed property.</p> <p>Subsequently the following recommendations are made:</p> <ul style="list-style-type: none"> • The future developer is unlikely to have to apply to the Overstrand Municipality for any additional water supply or sewerage accommodation. • An updated Stormwater Management Plan (SWMP) should be compiled and submitted to the Overstrand Municipality for approval. • Notwithstanding the absence of a stormwater attenuation requirement, it is recommended that the developer considers the implementation of stormwater management technologies such as permeable paving, swales, or other SUDS interventions to mitigate against potential excessive stormwater runoff. Provision for attenuation in the form of an attenuation pond (at approximately 8% of the total site area) is recommended for consideration. • Water saving measures should be implemented in the future development, which should aim to be environmentally sensitive and sustainable. • At SDP stage approximately 8% of the site should be set aside for a stormwater attenuation facility. This should be situated at the lowest part of the developed property. <p>Traffic Impact Statement:</p> <p>In the traffic statement it was concluded that the rezoning of Erf 384 to Community Use Zone 1 to accommodate development on the site is likely to result in a similar development to that on the adjoining property (Medical Village). On the basis of an assumed likely establishment of land uses on the site, i.e. mainly medical related (80%), and apartments (20%), the projected traffic impact of such a development could be determined.</p> <p>The following findings are highlighted :</p> <ul style="list-style-type: none"> • Peak hour traffic flows on the local road network are low, with the higher order streets in Church Street (Class 4) and De Goede Street (Class 5A), carrying relatively higher flows. • Access to the site is proposed off the extension of Fourie Street, and forms a natural extension of the existing junction with Flower Street. • The number of peak hour trips (60 AM; 52 PM) projected by the development is low, and is not anticipated to have any significant impact on the levels of service on any of the road links or intersections. • Fourie Street is however likely to experience a relatively high increase in traffic flows (25 – 30 veh/hr) during peak hours, but this is off a very low base (<25 veh/hr). Delays at its intersection with the R43 can be mitigated for eastbound vehicles by routing along Church Street.
<p>g. Environmental Assessment</p> <p>Refer to Annexure L for confirmation of no listed EIA triggers</p>	<p>Messrs Lornay Environmental Consultants have conducted an environmental scan on the property and indications are that no environmental regulation listed triggers were found. This was confirmed by the Department of Environmental Affairs and Development Planning: Development Management in a letter dated 19 October 2020 that the proposed development does not trigger any listed activity in terms of the EIA Regulations, 2014 (as amended)- refer to Annexure L.</p>
<p>h. Heritage</p> <p>Refer to Annexure M for a letter of support from Heritage Western Cape.</p>	<p>A Heritage application was submitted by Messrs Lornay Environmental Consultants to Heritage Western Cape in terms of Section 38(1) of the National Heritage Resources Act (Act 25 of 1999). Heritage Western Cape confirmed in a letter dated 16 October 2020 that the proposed development of the erf is believed not to impact on heritage resources- refer to Annexure M.</p>

4. Motivation

Motivation for the application:

Refer to Annexure H for the Site Plan and Annexure K for the southern neighbour's consent.

a. Introduction and Background

The 7338m² application area falls within the ownership of the Overstrand municipality and is currently zoned Open Space Zone 2: Public Open Space and includes a portion of Fourie Street. Furthermore, the subject erf currently serves as vacant land and is not optimally utilized.

The owner envisages to establish land-use rights for medical and associated facilities on the application area whereafter the property with the newly acquired rights is envisaged to be sold onto suitable developers through the prescribed statutory municipal processes and accordingly plan and construct the subject site. Prior to the construction phase, the developer will be required to submit a detailed site development plan as well as building plans for approval. The layout of the plan should inter alia accommodate any protected plants on the property if found conservation worthy.

Currently the application area is zoned for Open Space Zone 2: Public open space but also consists of a portion of Fourie Street and therefore requires the following applications to allow for medical and related facilities, namely:

- Closure of the existing public open space
- Closure the affected portion of Fourie Street
- Amendment of the Overstrand Municipality Spatial Development Framework, 2020
- Departure from the Overstrand Municipality Growth Management Strategy, 2010
- Rezoning the application area to Community Zone 1: Community Facilities with a consent for institutional purposes

b. Desirability

The proposed application to obtain land-use rights for a Community Zone: Community Facility to accommodate medical and related community facilities on the application area is considered most desirable for the following reasons:

i. Overstrand Population Composition, Growth and Need

As explained and illustrated below, a significant portion of the Overstrand population consists of elderly people who are generally associated with a deterioration of their health and an increased presence of conditions requiring medical assistance.

The population of the Overstrand region inter alia the elderly cohort is anticipated to increase further through natural growth and in-migration, which is foreseen to increase the need for quality medical services in future.

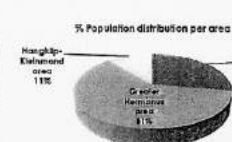
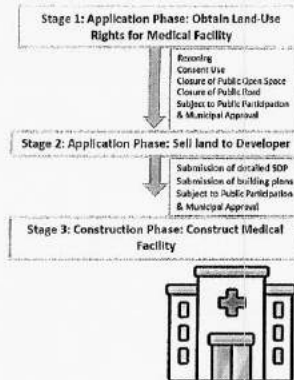


Figure 13: Percentage Population

Population Distribution

According to the Overstrand Integrated Development Plan, 2017/2018 – 2021/2022 the largest concentration of the Overstrand population, which is 61%, is located within the Greater Hermanus Area, where the application area is located. Refer to Figure 12 to the left.



❖ Population Composition

The population composition within Greater Hermanus and the larger Overstrand region is characterized by a significant number of elderly people, as illustrated in the various representative population age distribution graphs in Figure 13 below.

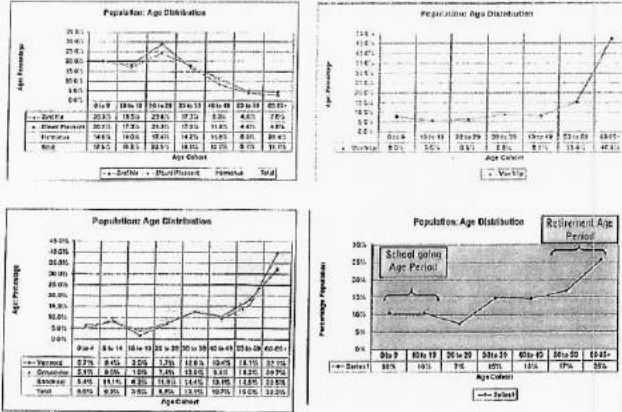


Figure 14: Population Age Distribution for the Greater Hermanus Area excluding Hawston

According to the World Health Organization, common conditions in older age include hearing loss, cataracts and refractive errors, back and neck pain and osteoarthritis, chronic obstructive pulmonary disease, diabetes, depression, and dementia. Furthermore, as people age, they are more likely to experience several conditions at the same time.

Therefore, there is a direct relation between ageing and deteriorating health condition.

❖ Population Growth

The table below illustrates the actual population growth of the different areas within the Overstrand region since 2016 as well as the anticipated growth up and till 2031.

	Rooibos	Pringle Bay	Bethys Bay (Plus Silver Sands 2003)	Kleinmond	Fishermans	Hawston	Greater Hermanus	Stadsief	Greater Gansbaai	Pearly Beach
2016	264,0	942,1	1.711,5	576,7	867,0	886,7	45.189,9	5615,2	1.882,4	1.207,1
2017	176,1	879,1	1.706,5	879,8	898,1	904,4	48.816,3	5794,5	1.765,8	1.197,0
2019	289,1	1.005,4	1.865,4	1.021,0	716,4	1.016,7	51.025,0	5.993,4	1.809,4	1.272,8
2020	208,1	1.018,6	1.847,5	614,8	646,6	879,6	49.455,4	6.171,7	1.849,4	1.109,0
2021	218,2	1.072,8	2.022,2	627,6	702,0	1.029,2	49.002,4	5.180,2	2.015,9	1.147,7
2022	234,3	1.109,2	2.133,7	680,1	879,7	1.011,6	48.706,9	6.579,7	2.133,1	1.186,8
2023	251,7	1.144,8	2.216,1	673,0	879,2	1.007,8	47.781,4	7.184,4	2.269,3	1.242,0
2024	270,4	1.182,4	2.311,6	678,5	1.118,1	1.009,0	47.839,9	7.900,1	2.347,8	1.301,4
2025	290,3	1.231,6	2.415,4	688,3	1.153,3	1.012,1	48.428,6	7.224,5	2.479,3	1.311,0
2026	311,8	1.261,8	2.521,7	7.014,3	1.199,4	1.020,4	48.826,2	7.415,0	2.579,6	1.314,8
2027	334,8	1.303,0	2.632,0	7.142,3	1.245,1	1.027,8	49.197,8	7.594,7	2.676,0	1.322,9
2028	359,6	1.346,0	2.746,4	7.278,3	1.291,2	1.034,0	49.549,7	7.761,4	2.771,1	1.328,8
2029	386,2	1.391,0	2.869,4	7.398,8	1.340,0	1.037,0	49.781,3	8.116,5	2.914,1	1.364,1
2030	414,8	1.437,9	2.991,6	7.522,2	1.390,3	1.045,8	49.996,7	8.456,6	3.110,3	1.414,2
2031	445,0	1.488,4	3.117,4	7.555,7	1.441,8	1.052,7	50.195,7	8.779,4	3.274,1	1.471,9
2031	478,5	1.533,3	3.251,0	7.584,1	1.495,1	1.059,3	50.366,3	9.066,7	3.424,4	1.540,8

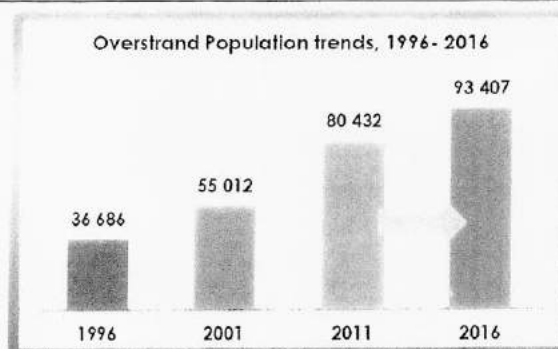


Figure 15: Population Growth within the Overstrand Region

The above table and graph represents an average population growth of 3.2% which is considered substantial resulting that the provision of community facilities including medical facilities need to be provided for accordingly to prevent any backlog in facilities.

Furthermore, according to the Overstrand Integrated Development Plan, 2017/2018 – 2021/2022, the 2016 Stats SA Community survey revealed the top three main reasons for moving to the Overstrand as follows namely; to look for paid work (2.47%), retirement (1.77%) and moving as a household with a household member (for health) (1.65%).

The proposal therefore emphasise the importance of such required facility for inter alia the current and future elderly population within the Overstrand region .

ii. Locational Factors

According to the Overstrand SDF, 2020, medical and related facilities, among others, should be located at points of highest access in urban settlements.

❖ Central Location of the Application Area

The application area is centrally located within the Greater Hermanus area, in close proximity and linked to the R43 regional road to the north by Albertyn and Fourie Streets. Furthermore, the application area is also centrally located within the Overstrand region with the R43 also linking the rest of the coastal towns to the east and the west of the Greater Hermanus area. Hermanus is furthermore in relatively close proximity to the inland towns of Grabouw, Botrivier, Caledon, Napier and Bredasdorp which gain access along various regional roads which link up with the R43 regional road to Hermanus.

Within Hermanus Central and more specifically Westcliff, the application area is located in close proximity to the Huis Lettie Theron Old-Age home and Fynbos Park retirement village, representing a potential portion of the current target market.

Within Hermanus West to the south and along the R43, a conglomeration of retirement villages are located, which represent a potentially significant portion of the target market and compliments the proposed location for a medical facility.

❖ Benefits of the Agglomeration of Medical Facilities

The concentration of existing medical facilities namely, the Hermanus Medical Village (Day Hospital and Hermanus Oncology), the Provincial Hospital and the Mediclinic adjacent and in close proximity to the proposed medical and related centre, will ensure benefits of agglomeration.

Provision of health care services is a complex and technical process. Providing the highest-quality health care requires the coordinated efforts of highly skilled labour whose training and experience enable practitioners to combine rapidly-changing technology with the need for individualized personal communication for the best outcome. The changing nature of the technology and the centrality of finding the most skilled labour, as well as maintaining the skills of existing health care workers, suggests that health care service provision is likely to exhibit significant economies of agglomeration.

Having multiple providers of clinical health care and related services located near one another can provide all the advantages usually associated with localization economies.

A common labour pool provides a rewarding environment for skilled workers to offer their services. It provides them with opportunities to learn from one another. Having the clinic where physicians meet patients near the hospitals where patients receive care that requires specialized services, and having both near laboratory or research facilities can help physicians and other health care providers work more efficiently and make use of the latest discoveries and technological improvements.

Sharing economies include sharing of infrastructure, facilities, suppliers, and workers. Infrastructure, especially network-based infrastructure, is characterized by large returns to scale. Transport and telecommunications infrastructure become more valuable as the density of the network increases.

iii. Existing Zoning and Land-use



The existing zoning of the application area as Public Open Space is meant for the use of the area for a public park.

The spontaneous utilization of the existing land is low.

Figure 16: An illustration of a defensible Park in a High-Density Residential Area

❖ Insubstantial Utilisation

The insubstantial utilisation of the open space could be attributed to being surrounded mostly by single residential properties with their own recreational areas as well as being located close to the vast open spaces along the coast with good and well maintained footpaths resulting to be a preferred recreational area for local residents and visitors.

Furthermore, the area represents a vacant piece of land rather than a beautiful park with planted grass and trees, benches and a play area for example. The establishing and maintaining such a park would implicate further expenses for the municipality and a strain on the available water resources, which are threatened by climate change. Such a park would be more viable if surrounded by higher density living units, where residents do not have access to their own yards or the ocean nearby.

❖ Land Availability

Land is scarce commodity and should be optimally utilized which is currently not the case as the area represents vacant, underutilized land which should be developed for a land-use that will contribute to the needs of the surrounding communities and with which the proposed medical and related facilities is consistent.

❖ Potential for Crime

A vacant piece of land with no real purpose can potentially attract vagrant which increases the opportunity for crime within the area, especially as this area is not regarded as defensible space with constant neighbourhood surveillance.

	<p>iv. Economic Factors</p> <p>The proposal will stimulate the local economy of the area in the following ways:</p> <ul style="list-style-type: none"> ❖ Employment Creation <p>The proposal is foreseen to create much needed temporary and permanent skilled and unskilled employment opportunities, with the further opportunity to improve education, knowledge and levels of skill.</p> <p>This, in turn, is foreseen to lead to socio-economic upliftment of the community.</p> <ul style="list-style-type: none"> ❖ Agglomeration Economies <p>Sharing economies include sharing of infrastructure, facilities, suppliers, workers and knowledge. Infrastructure, especially network-based infrastructure, is characterized by large returns to scale. Transport and telecommunications infrastructure become more valuable as the density of the network increases.</p> <ul style="list-style-type: none"> ❖ Benefits of Medical Tourism <p>Medical Tourism can be defined as the process of traveling outside the country of residence for the purpose of receiving medical care. Growth in the popularity of medical tourism has captured the attention of policy-makers, researchers and the media. Originally, the term referred to the travel of patients from less-developed countries to developed nations in pursuit of the treatments not available in their homeland.</p> <p>Today we are experiencing both qualitative and quantitative shifts in patient mobility, as people travel from richer to less-developed countries in order to access health services. Such shift is mostly driven by the relative low-cost of treatments in less developed nations, the availability of inexpensive flights and increased marketing and online consumer information about the availability of medical services.</p> <p>What really puts the word "tourism" in medical tourism concept is that people often stay in the foreign country after the medical procedure. Travelers can thus take advantage of their visit by sightseeing, taking day trips or participating in any other traditional tourism activities.</p> <p>Determining factors of the success of medical tourism are travelling and medical cost, quality of medical services and the available categories of medical services provided.</p> <p>c. Planning Principles</p> <p>In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:</p> <ul style="list-style-type: none"> i. Spatial Justice which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land. <p>Possible results of the development</p> <p>The proposal represents a specialized and highly required facility for inter alia the significant current and future aging population cohort within the Overstrand region.</p> <p>Furthermore, the proposal will also create employment opportunities within the skilled and unskilled labour force, contributing to uplifting the socio-economic status of the local community.</p> <p>The opportunity for medical tourism is foreseen furthermore to lead to the stimulation of the local economy and potentially increase the threshold of existing businesses and tourist facilities, possibly creating additional employment opportunities.</p> <p>The proposal is also considered beneficial to the competent local authority.</p> <p>The application proposal is consistent with spatial justice.</p>
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	<p>ii. Spatial Sustainability which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.</p> <p>Possible results of the development The application area is located within the urban edge and does not consist of valuable agricultural land, environmentally sensitive, biodiversity rich areas or scenic and cultural landscapes, which are required to be protected.</p> <p>The current zoning and use of the application area is unsuitable to its location and therefore represents low utilisation rates, whereas the proposed zoning and land-use is <u>ideally suited</u> to the i) location of the application area adjacent and close to other private and public health-care facilities and central to the Greater Hermanus and Overstrand region as well as ii) to the existing and growing need, inter alia among the significant portion of aging members of the local population, which exists for services such as those to be offered by the proposed medical facility.</p> <p>The application proposal can thus be deemed to be spatially sustainable.</p> <p>iii. Efficiency which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.</p> <p>Possible results of the development Establishing the rights to develop medical and related facilities on the application area represents the first step in optimizing the land which is a scarce resource and which is currently under-utilised.</p> <p>The proposal contributes to the agglomeration effect by being located adjacent and close to other medical facilities. Sharing economies include sharing of infrastructure, facilities, suppliers, workers and knowledge. Infrastructure, especially network-based infrastructure, is characterized by large returns to scale. Transport and telecommunications infrastructure become more valuable as the density of the network increases. The agglomeration effect therefore increases the cost-efficiency and feasibility of the proposal.</p> <p>Furthermore, the proposal is efficiently located close to an existing old age home and retirement village as well as in relation to the regional R43 road connecting it with its wider potential surrounding markets.</p> <p>The proposed use of the application area will also efficiently reduce the risk of increased crime within the neighbourhood due to currently representing a vacant and non-defensible space.</p> <p>The application proposal is consistent with the efficiency principle.</p> <p>iv. Spatial Resilience which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.</p> <p>Possible results of the development The application proposal is consistent with the flexibility of the spatial plans, policy and land use management systems of the Overstrand Municipality in order to attribute to the communities most likely to suffer the impact of economic and environmental shocks given that the proposed operation is considered as a specialized and much needed service towards inter alia the aging community.</p>
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34/40

18/19

	<p>In addition, the proposal will contribute to the local economy and will not impact on any existing agricultural or environmentally sensitive land.</p> <p>The application proposal is consistent with the principle of spatial resilience.</p> <p>v. Good Administration which, in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.</p> <p>Possible results of the development</p> <p>Consultative practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the relevant government tiers and the general public to participate in the eventual decision-making process.</p> <p>The application proposal is consistent with the principle of good administration.</p>
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5. Conclusion

The application as motivated in this report is regarded as desirable and well-integrated within the existing community land-use activities within its local context in terms of the following aspects:

- Overstrand Population Composition, Growth and Need,
- Locational Beneficial Factors,
- Undesirable Existing Zoning and Land-use Rights,
- Economic Beneficial Factors and the
- Deterioration of the Quality of Public Healthcare Facilities

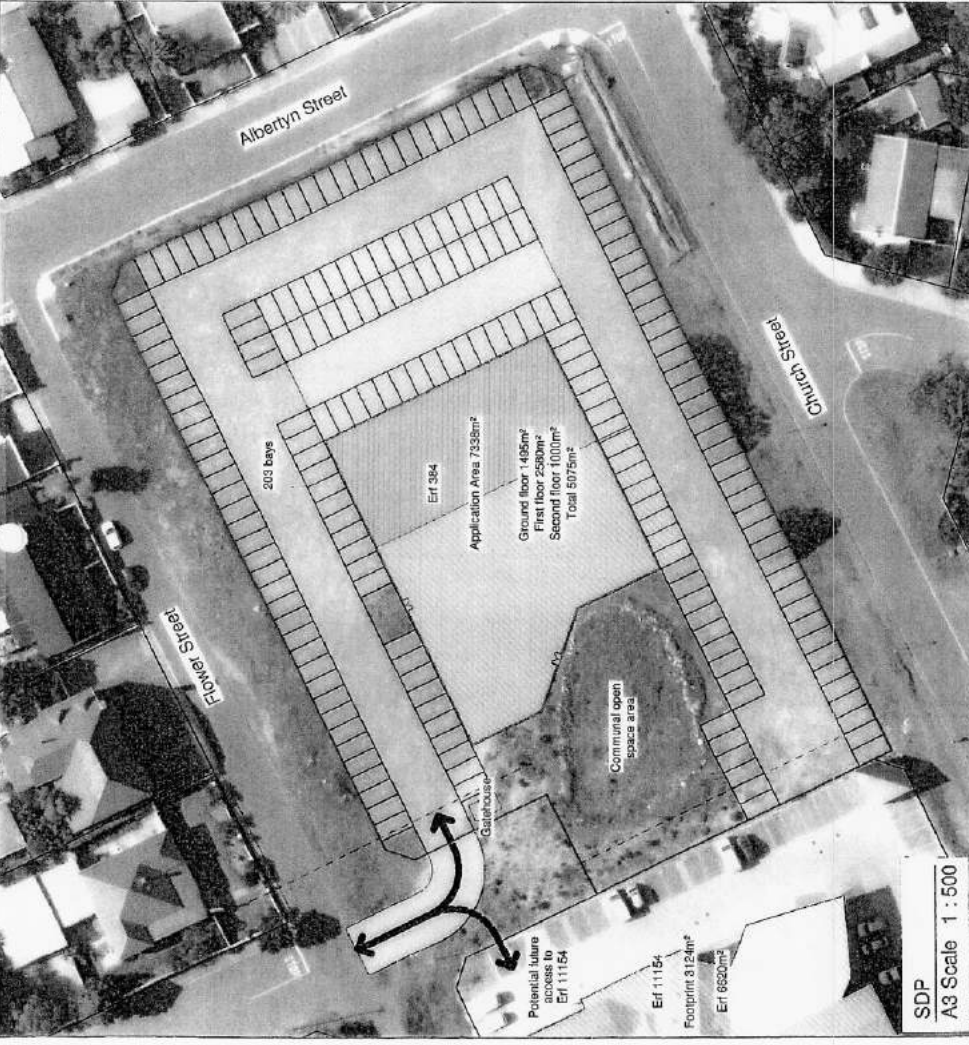
It is therefore recommended that the application be approved in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020 and the Municipal Systems Act, Act 32 of 2000, as follows:

- The Deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.
- Amendment of the Overstrand Municipality Growth Management Strategy, 2010 in terms of the Municipal Systems Act, Act 32 of 2000.
- Closure of a portion of a public road (Fourie Street) represented by Figure GHJ here-below in terms of Chapter IV, Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.
- Closure of a public open space (Erf 384 Hermanus) in terms of Chapter IV, Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.
- The rezoning of Erf 384 Hermanus represented by Figure ABCDEFG here-below from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road represented by Figure GHJ here-above from Open Space Zone 2 to Community Zone 1: Community Facilities in terms of Chapter IV, Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.
- Consent use for Institutional use in terms of Chapter IV, Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020.



Figure 17: Closure of Public Road & Public Open Space

PROJECT Erf 384 Westcliff, Hermanus	
TITLE Site Development Plan	
<input type="checkbox"/> Application Area	
Parameters Zoning Primary Use Consent Use Floor Factor Coverage Height Building Lines Parking	Criteria Community Zone 1: Community Facilities Clinic Hospital 2 60% 10.5m 5m 4 bays per 100m ² GLA
Proposal Community Zone 1: Community Facilities Clinic Hospital +/- 0.35 +/- 35% +/- 10m / single story 5m 4 bays per 100m ² GLA	36/40



SECURITY I hereby declare that the information provided in this application is true and correct to the best of my knowledge and belief. I understand that any false information provided may result in the application being refused and I may be liable for prosecution.	APPLICANT Name: _____ Address: _____ Contact: _____ Date: _____
APPROVALS Municipality: _____ Date: _____ Signature: _____	ANNEXURE C Interactive Town & Regional Planning 2014

37/40

ANNEXURE D



Our Ref: HM/ OVERBERG / OVERSTRAND/ HERMANUS/ ERF 384
Case No.: 200930065B0930E
Enquiries: Stephanie-Anne Barnard
E-mail: stephanie.barnard@westerncape.gov.za
Tel: 021 483 5959
Date: 16 October 2020

Overstrand Municipality
Magnolia Street
Hermanus
7200
c.groenewald@overstrand.gov.za

TP. n/thead
(17.01.10)

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 606T, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED ESTABLISHMENT OF A MEDICAL FACILITY ON ERF 384,
HERMANUS, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25
OF 1999)

CASE NUMBER: 200930065B0930E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 30
September 2020. This matter was discussed at the Heritage Officers meeting held on 8 October 2020.

You are hereby notified that, since there is no reason to believe that the proposed establishment of a
medical facility on Erf 384, Hermanus will impact on heritage resources, no further action under Section
38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials,
archaeological material and paleontological material be discovered during the execution of the
activities above, all works must be stopped immediately and Heritage Western Cape must be notified
without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other
applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

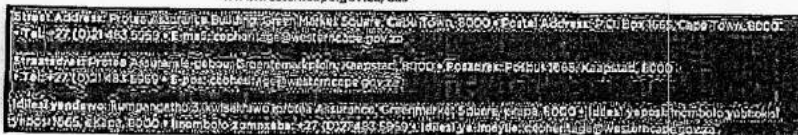
Yours faithfully

Signature of Dr. Mxalisi Dlamuka
pp.
Dr. Mxalisi Dlamuka
Chief Executive Officer, Heritage Western Cape

FILE NO: Gf 384
Nodahl Hermanus
SCAN NO: HWC 384
COLLABORATOR NO: 1474016

WZBZ AGN Z TP

www.westerncape.gov.za/cas





HERITAGE AND AESTHETICS COMMITTEE

ANNEXURE E

MINUTES OF MEETING

Date: Thursday - 10 December 2020

Time: 14h00 – 15h30

Ms K. Smuts (Chairman)

Mr N. Clark (Vice-chair)

Mr A. Greeff

Mrs L. Fick

Mr A. Finlayson

Mr E. Grobler

Mr B. Jones

In Attendance:

Mr G. Coetzee (BCO) & Elizabeth Lowings (Administrator)

- 6.6 **HERMANUS : ERF 384 : 37 FLOWER STREET : WESTCLIFF : INTERACTIVE TOWN AND REGIONAL PLANNERS : PROPOSED REZONING / CONSENT USE / CLOSURE OF PUBLIC ROAD & AMENDMENT OF OM SDG (COMMONAGE) : T/P APPLICATION.**

DISCUSSED

Comment

As 5075 m² are involved, this triggers an HIA. Commonage from Church Street to Flower Street for a width of minimum 30m to be maintained. A maximum 2 storeys would be supported, not three (3) as proposed. The environmentally sensitive area is to be protected / be a no-go area during the construction period.

Action

Submit the HIA.

NEXT MEETINGS:

21st JANUARY 2021 & 11th FEBRUARY 2021.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, CONSENT USE, CLOSURE OF A PUBLIC
PLACE AND AMENDMENT OF THE OVERSTRAND MUNICIPAL, SPATIAL
DEVELOPMENT FRAMEWORK, 2020 AND GROWTH MANAGEMENT
STRATEGY, 2010: ERF 398, WESTCLIFF**

Water	:	According to GLS Report
Sewer	:	According to GLS Report
Roads and traffic	:	Refer to comments
Stormwater (SW)	:	According to the SW master plan
Electricity	:	According to master plan

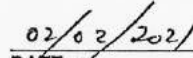
Conditions:

1. that a Bulk Services Contribution Levy (BICL) be paid by the developer(s) to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually.
2. that the developer(s) at his/her cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
 - 4.1 way-leaves must be obtained from the Operational Manager;
 - 4.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
5. that the developer(s) may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
6. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
7. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be

used as the standard design and construction criteria with which such plans must comply;

8. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
9. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
10. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
11. that the developers(s) provide for individual water and electricity meters at each consumption point;
12. that an investigation be done by the developer to determine the availability and capacity for water and sewer at his cost, by the municipality's consulting engineers GLS Consulting;
13. that the electricity reticulation and supply be provided according to the master plan by the developer;
14. that the developer appoint a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;
15. that the developer may apply for a temporary water connection at Overstrand Municipality's Finance Department, before commencement of construction; The connection to the main water line can only be done by the Operational Department, after payment of the connection fee, by the developer;
16. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

KANTOOR VAN DIE DIREKTEUR: INFRASTRUKTUUR & BEPLANNING
OFFICE OF THE DIRECTOR: INFRASTRUCTURE & PLANNING



NAVRAE | ENQUIRIES: H van der Stoep
LEËRVERWYSING | FILE REFERENCE: 11018 HWC
DATE | DATUM: 25 February 2021

Messrs InterActive Town- and Regional Planning
Attention : *Andre Wiefahn*
PO Box 980
HERMANUS
7200

REGISTERED MAIL
info@iatro.co.za

Dear Sir

DECISION LETTER TO APPLICANT

ERF 384, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: PROPOSED REZONING, SUBDIVISION, CLOSURE OF PUBLIC PLACE, CONSENT USE, AMENDMENT OF THE OVERSTRAND MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK, 2020 AND THE OVERSTRAND GROWTH MANAGEMENT STRATEGY, 2020: MESSRS INTERACTIVE TOWN- AND REGIONAL PLANNING ON BEHALF OF OVERSTRAND MUNICIPALITY

1. The application received on 23 October 2020 refers.
2. You are hereby notified in terms of Section 62 of the Overstrand By-law on Municipal Land Use Planning of the decision made by the Authorised Official on 18 February 2021.
3. The Resolution in terms of Section 61 of the Overstrand By-Law on Municipal Land Use Planning, with conditions, are as follows:

RESOLVED

1. *that the application in terms of Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 384, Hermans for the following:*
 - *the deviation of the Overstrand Municipality Spatial Development Framework, 2020 in terms of Section 10 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law);*
 - *closure of a portion of a public road (Fourie Street) in terms of Chapter IV, Section 16(2)(n) of the By-Law;*
 - *closure of a public open space (Erf 384, Hermanus) in terms of Chapter IV, Section 16(2)(n) of the By-Law;*
 - *rezoning of Erf 384, Hermanus represented by Figure ABCDEFG here-below from Open Space Zone 2 to Community Zone 1: Community Facilities and the portion of the closed road from Open Space Zone 2 to Community Zone 1: Community Facilities in terms of Chapter IV, Section 16(2)(a) of the By-Law, and*
 - *consent use for Institutional use in terms of Chapter IV, Section 16(2)(o) of the By-Law.*

be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:

- (a) *that this approval is only for the development of medical related facilities;*
- (b) *that the approval is restricted to two (2) storeys;*

Tel: 028 313 8900 | Fax: 028 313 8128 | E-mail: alida@overstrand.gov.za
PO Box 20 | HERMANUS 7200
www.overstrand.gov.za



- (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (d) that there be compliance with all relevant Health and Fire regulations;
 - (e) that all the conditions in the Services Report (attached as Annexure F), be complied with;
 - (f) that the applicable tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (g) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (h) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

4. Reasons for the above decision are as follows:

- ❖ The change use will have no impact on the surrounding area, since it is in line with the surrounding uses.
- ❖ The application is a natural extension of medical related infrastructure and services prevalent in the area.
- ❖ The diversification of medical services creates employment opportunities but also contribute to medical tourism
- ❖ Surrounding accommodation establishment do benefit from the medical services provided by Hermanus.

5. You are hereby informed of your right to appeal to the Appeal Authority in terms of Section 78(2) of the By-law.

5.1 The appeal form must be completed and should be directed to the Appeal Authority (Executive Mayor) and received within 21 days of notification of this decision together with proof of payment of the appeal fee (R3351-00).

5.2 The appeal form is available at request or alternatively on the Municipal website (www.overstrand.gov.za).

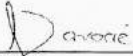
5.3 Contact details are as follows:

Physical address : 16 Paterson Straet, Hermanus, 7200
 Postal address : PO Box 20, Hermanus, 7200
 E-mail address : alida@overstrand.gov.za



6. Kindly note that the rights are still not in place until the prescribed 21 days of registration of this letter have passed and it is confirmed by our offices that there has been no appeal received against the proposal.

Yours faithfully



S MÜLLER

DIRECTOR : INFRASTRUCTURE AND PLANNING