

4.4

ERF 4164, CHANTECLAIR AVENUE, ONRUSTRIVIER: OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND APPROVAL OF STREET NAME: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF KM DUCCI FOR CAPE DETAIL CONSTRUCTION (PTY) LTD

4164 HON

H Olivier

12 July 2021

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 12 June 2019 from Messrs Interactive Town & Regional Planning on behalf of the property owner on Erf 4164, Onrustrivier in terms of the Overstrand Municipality By-Law on Land Use Planning, 2015 (By-Law) for the following:

- ❖ Rezoning in terms of Section 16(2)(a) of the above-mentioned By-Law from Agriculture Zone 1: Agriculture (AGR1) to General Residential Zone 1: Town Housing (GR1);
- ❖ Consent use in terms of Section 16(2)(o) of the By-Law to accommodate a retirement village on the property with ten (10) units;
- ❖ Departures in terms of Section 16(2)(b) of the By-Law to relax the following building lines:
 - perimeter street building line from 5m to 3m to accommodate the proposed dwelling units and care facility;
 - northern perimeter street building line from 5m to 0m to accommodate the proposed gatehouse, and
 - western perimeter lateral building line from 3m to 2m to accommodate proposed dwelling units.
- ❖ An application in terms of Section 96 of the By-Law to allocate a name to the new internal street that will be created.

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

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

Erf 4164, Onrustrivier is zoned Agriculture Zone I and is vacant land. The property measures approximately 5171m² in extent.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ The application is for rezoning, consent use, departure and creating a new street name to develop a retirement village with ten (10) units, a gatehouse and care facility to be constructed over the building lines.
- ❖ There are two (2) existing retirement villages in this area along the R43 Main Road.

- ❖ There are no restrictive conditions in the Title Deed.
- ❖ The site is located 5km west of the Hermanus Central Business District (CBD), north of the R43 and Chanteclair Avenue corner.
- ❖ The surrounding land uses are mostly Single Residential and General Residential uses.
- ❖ The properties to the east and west are zoned General Residential 1, to the north Residential Zone 1 and south Resort Zone 1.
- ❖ The Traffic Impact Assessment (TIA) was prepared which recommended site access directly across Yellowwood Avenue from Chanteclair Avenue, and that it would create minimal traffic trips.
Also recommended 7m parking internally in front of units for manoeuvrability and a refuse truck embayment on Chanteclair Avenue west of the entrance to the property.
- ❖ The Engineering Report found the water reticulation system adequate and although the sewerage reticulation system is adequate, some minor pipe upgrades were recommended.
- ❖ It is also recommended that a storm water retention facility be provided on-site to maintain pre-development storm water runoff, for discharge into the channel adjacent to the R43.
- ❖ In line with the SDF, 2006 providing for full range of residential needs for the elderly. It also promotes compaction and densification.
- ❖ In terms of the Overstrand Municipality Spatial Growth Management Strategy, 2010 falls in a "status quo area". The proposal is in line with the calculated 20 units/ha allocation by providing for a density of 19,3 units/ha.
- ❖ In line with the Overstrand Integrated Development Framework, 2014, proposing different lifestyle choices, income groups, and life stages, helping the integration of social and economic facilities, promoting mixed land use and promoting sustainable densification.
- ❖ The establishment of another retirement village adds to the agglomeration advantages of the needs of the people of a specific life stage.
- ❖ Ten (10) single storey units will be provided with an approximate size of 171m² each. A care facility of 90m² will be provided for communal meals, for social facility needs, a medical examination room, a kitchen and bathroom facilities.
- ❖ A gatehouse of 19m² will be constructed.
- ❖ A stacking distance of 12m is provided for at the entrance gate.
- ❖ A 1,8m boundary wall will be constructed and a 20m² refuse area in the north-western corner of the site, surrounded by a 1,8m boundary wall.
- ❖ There will be gardens and open space landscaping to form a linked green corridor, with a 96m² retention pond on the lowest point on the site serving as sound and visual barrier from the R43 Road.
- ❖ Impact on the building line relaxation for the dwelling units and care facility will be minimal as it is mostly next to municipal land and still behind a 1,8m high boundary wall. There will also be a wide road reserve next to the guard house (proposed on the boundary line).
- ❖ The proposal will address the great need for more retirement village housing, which can be seen in the waiting lists in surrounding retirement villages.
- ❖ The application is desirable as it is compatible with surrounding land uses, the slope of the site limit impact on views of surrounding properties, the site has good accessibility, the development will help the economy of the area and also support Hermanus medical-, shopping- and recreational facilities.
- ❖ It will be in line with planning principles as follows:

Spatial Justice

The proposal is compatible with surrounding predominantly retirement village character and in line with the Planning Policies.

Spatial Sustainability

The application will not impact on environmentally sensitive land and will contribute to densification and help limit urban sprawl.

Efficiency

Existing services will be utilised to ensure optimisation of infrastructure.

Spatial Resilience

The proposal is in line with Policy Plans providing for flexible spatial plans to help limit economic or environmental shocks and in this case, providing an essential service towards the aging community.

Good Administration

The Municipality followed a good administrative and public participation process, consulting with all relative parties.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Press	Yes	30 October 2019	6 December 2019
		11 March 2020	14 April 2020
Notices	Yes	30 October 2019	6 December 2019
		11 March 2020	14 April 2020
Ward councillor	Yes	30 October 2019	6 December 2019
Total comments	ONE (1)		
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 (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

It is to be noted that the application was advertised, and notices were served on 30 October 2019. However, due to an error on the electronic data system, an incorrect street address was referred to, and the amended notice was circulated on 11 March 2020 with a closing date of 14 April 2020.

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

Name	Date received	Summary of comments
Fire Department	07/11/2019	No objection.

Building Control Department	31/10/2019	No objection.
Traffic Department	20/11/2019	No objection.
Environmental Management Services	04/08/2020	Must consult with EADP: Environmental.
Telkom	04/12/2019	See Annexure F.
Eskom	05/11/2019	See Annexure G.
Engineering Services	05/12/2019	See Annexure H.
Western Cape Government: Agriculture	22/01/2020	See Annexure I.
Heritage Western Cape	30/01/2020	See Annexure J.
Waste Management	13/11/2019	See Annexure K.
Western Cape Government: Transport & Public Works	14/11/2019	See Annexure L.
Western Cape Government: Environmental Affairs & Development Planning	20/05/2021	See Annexure M.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

One (1) objection was received forthcoming the public participation process (attached as Annexure D). The applicant was also provided with an opportunity to respond to the objections (attached as Annexure E).

The objection, applicant's response and Municipal Town Planner's response can be summarized as follows:

OBJECTION 1

The position of the refuse area is next to the living areas and outside entertainment stoep of Unit 1 Chanteclair. The refuse area will also not have a roof. The refuse area will create odours, increase flies and other insects. The fact that the refuse bins will only be taken to the refuse area once a week does not solve the problems. The wheels of the refuse bins will create a noise. Request an amendment of the placement of the refuse area.

Applicant's response

There was consultation with the objector to resolve her concerns. The Site Development Plan (SDP) was amended and forwarded to her, but no further response was received from the objector.

The new refuse area of 22m² is to be roofed with an inside door to load the refuse area, and an outside door for the Municipality to collect. Refuse trolleys with lids will be used to mitigate possible smells.

Trees will also be placed west of the refuse area to buffer the objector's property from the refuse area.

The refuse area will be moved to be at least 10m from the objector's dwelling. There will also be a 1,8m high boundary wall that further buffers the objector's property from the refuse area.

Also, the retirement village management will ensure hygienic management of the refuse area in the interest of the residents.

The development is small (ten [10] units) with a minimal refuse that will be created. Noise of refuse bins will be limited to a few minutes a week, will be limited in numbers, modern bins will be used, and a roofed refuse area will limit noise.

Town Planner's response

The comments of the objector and applicant are noted.

The applicant proposes amending the SDP by moving the gate house east of the access road into the complex, thereby moving the refuse area further east and away from the objector's property. The proposed landscaping to buffer the refuse area from the objector's property and constructing a roof over the refuse area would surely help to alleviate any impact on the objector's property.

The applicant's opinion that the mitigation measures should sufficiently address the objector's concerns is supported.

It is to be noted that the original refuse area would have been 20m² in extend and only have a screen wall. The proposal to roof the refuse area has an implication that an additional structure will be constructed over the 5m street building line, which did not form part of the application. The Zoning Scheme however makes provision that a refuse area resulting from an approval of a development by a Municipality can be constructed over the building lines without a departure process.

The proposed amendment of the SDP and mitigation by way of landscaping (planting trees) would sufficiently address the objector's concerns.

OBJECTION 2

The refuse area's position and the possible placement of the gate closer to Unit 1 Negester Noord would create vehicle noise, gate noise, human noise and have a negative impact on the property value.

Applicant's response

The argument that the position of the refuse area and access gate will reduce property value is invalid, unsubstantiated, unproven, and based on general assumptions. The objector's property is situated on the boundary of a complex and next to vacant land, should have been considered by the objector with the purchase

of the property. The position of the access point is a fixed position and based on minimum engineering traffic standards. Refuse areas are visually placed on the outgoing side of complex access roads, thus the position of the refuse area is also fixed.

Town Planner's response

The objector and applicant's responses are noted.

The applicant's response that the position of the access gate and refuse area were fixed due to the requirements in the TIA and the placement of the access point, is noted and is a valid comment.

Also, this is a small development which will create limited traffic and therefore not excessive number of vehicles that will travel through the gate each day.

The planting of trees west of the refuse area will mitigate noise and it is also recommended it be planted next to the visitor's parking areas to limit noise even more.

It is considered that with the mitigation measures noise and impact of the refuse area and entrance gate on the objector can be sufficiently mitigated to limit impact and have a limited impact on property values.

It is also to be noted that the development of a vacant piece of land with a retirement village could have a positive impact on property values and could possibly increase property values of surrounding erven.

OBJECTION 3

Will the development be done in phases and how long will it take?

Applicant's response

No comments provided.

Town Planner's response

No detail of phasing of the development was provided. It is also difficult for a developer to indicate how long a development phase of a project will be, as it relies on the needs in the property market.

The questions by the objectors however have no relevance to the consideration of the desirability of the application.

OBJECTION 4

Did not receive the first or second notice by registered mail.

Applicant's response

The notices were sent out twice by the Municipality. Both notices were also advertised, and notices were sent to the Homeowners Association. The objector confirmed on 9 July 2020 she received the second notice forwarded to her.

Town Planner's response

The application was advertised, and notices served on 30 October 2019.

Some members of the public did make enquiries about the development after their receipt of notices.

The objector was informed by another resident about the application and only in the first quarter of 2020 informed the municipal office she did not receive a notice.

It was established that an incorrect street name was indicated in the advertisement and notices. Although the notices had clear site development and locality plans, it was decided to place an amended notice in the newspaper and send the notices to all sixty (60) residents and Homeowners Associations who previously received notices.

A second notice was sent on 11 March 2020 and a correction notice was placed in the local newspaper. The application was also personally e-mailed to the objector, as acknowledged by her.

The Municipality has therefore done a good public participation process and cannot be held responsible for the duties of the postal services.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See Paragraph 7 above.

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

See Paragraph 7 above.

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.

The objectives relating to:

Spatial Justice

N/A

Spatial Sustainability

The application is within the urban edge and will not impact on agricultural land or environmentally sensitive areas. It will also help to alleviate urban sprawl by way of infill planning.

Efficiency

The property is surrounded by an existing road network and services infrastructure and will require no additional infrastructure to be developed. This is an efficient way to utilize existing infrastructure.

Spatial Resilience

The approval of this development and units will ensure additional rates will be obtained by the Municipality to maintain existing infrastructure, thereby lowering the financial pressure on surrounding property owners and the Municipality. It will also provide for different types of housing, as promoted in terms of the Policy Plans to cater for the aged, and help restrict urban sprawl, thereby using existing infrastructure to its optimum.

Good Administration

Good procedure was followed and with a good public participation process. This can clearly be seen in the additional placement of a correction notice to ensure correct information is sent to the public to ensure all interested and affected persons are duly informed about applications.

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 area is indicated for residential purposes in terms of the Overstrand Municipal Wide SDF allocation and is also indicated as a status quo area in terms of the Overstrand Growth Management Strategy, 2010. The status quo for this area is Single Residential erven north and north-east of the site, and higher density Group Housing and Retirement Village up to 20 units/ha directly north of the R43 Main Road. This development proposes a retirement village of a density of 19.3 units/ha. This development is therefore in line with the existing policy and surrounding developments.

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

N/A

10.6 Impact on Municipal engineering services

The area is already serviced, and sufficient bulk capacity exists to accommodate the development. The application is supported by the Engineering Department.

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

N/A

10.8 Existing and proposed zoning comparisons and considerations

There are already a mix of Residential Zone I and General Residential Zoned uses in the area. The proposal is thus compatible with existing zoned erven.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The proposal is to rezone Erf 4164, Onrustrivier from Agricultural Zone I to General Zone II, and a consent use to create a retirement village with ten (10) units and a small care facility.

The erf measures 5171m² in extent and is situated in the neighbourhood of Chanteclair in Onrustrivier. The site is situated on the corner of the R43 Main Road and Chanteclair Drive.

As was motivated in the planning report, a TIA was performed that found the traffic impact minimal, and it recommends access to the site directly opposite Yellowwood Road and the placement of a refuse loading area west of the access to the site.

An Engineering Report was also prepared which found that there is sufficient capacity in the existing infrastructure for water and sewerage provision. It was also recommended a retention pond be constructed in the southern area of the site to control storm water run-off. The proposal was supported by the Municipal Engineering Services Department.

The site is a vacant site overgrown with grass and not environmentally sensitive. The application was circulated to the Western Cape Government : Environmental Affairs and Development Planning – Environmental (EA&DP), and no environmental processes were required.

The application was also circulated to the Western Cape Government : Transport and Public Works due to the property's location next to the R43 Main Road, Eskom, Telkom, Heritage Western Cape and Western Cape Government : Agriculture and all these departments/institutions support the application.

In terms of the Overstrand Municipality Spatial Development Framework, 2006 the area is earmarked for residential purposes and in terms of the Overstrand Municipality Growth Management Strategy, 2010 status quo.

As motivated by the applicant, this area has existing group housing and retirement villages up to a density of 20 units/ha, therefore this proposal of ten (10) retirement village units at a density of 19.3 units/ha is in line with the policy documents. It also provides for different types of housing, combat urban sprawl, and makes use of existing infrastructure to its optimal, which is the aim of the policy documents.

The application also includes applications for building line departures to relax the 5m street building line with Chanteclair Avenue to 3m to accommodate some units and the care facility, and also to relax a portion of the street building line to 0m to accommodate the gatehouse.

It is to be noted that a 5m street building line is excessive, especially considering the fact that there are extremely wide road reserve areas between the site and Chanteclair Avenue. The relaxation to 3m will therefore have no real impact on surrounding properties. The relaxation of the street building line to 0m is only for a relatively small guard house, which will also still be set back approximately 6m from the kerb line and will only be single storey and a 6m wide building. Its impact will be minimal.

It is also proposed to relax the 3m external lateral building line to 2m for three (3) units. This is to ensure the internal road have sufficient width and parking provision. Two (2) of the three (3) units will be adjacent to the internal road on the Negester Noord development, and the third unit should also not have a major impact, as it would only be single storey.

Considering the above, the proposed building relaxation will not have a detrimental effect in surrounding property owners or the surrounding area.

It is to be noted that in the public participation process one (1) objection was received from the owner of Unit 1, Negester Noord to the northwest of the proposed development.

The major concern is the impact of the refuse area and entrance gate east of the objector's property. The objection and response thereon by the applicant were discussed in detail in this report. The amendment of the SDP by moving the security gatehouse to the east of the access point, and the refuse area closer to the access point, the roofing of the refuse area and the planting of trees to buffer the objector's property from the gate and refuse area are considered sufficient measures to mitigate the impact.

It is also to be noted that the refuse area will be roofed. Although no application was made for a departure to allow a roofed refuse room over a building line, the Zoning Scheme makes provision that the Municipality can accommodate such structures.

The application was also circulated to all relevant municipal departments, and no objections were received.

The application also includes the allocation of an internal street name. A name was allocated to the application being "Pincushion Street".

Considering the above, the application is in line with the Planning Policy, will not have a negative effect on the existing character of the area, and will not have a negative impact on surrounding properties or land use rights, and is therefore desirable.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) to rezone Erf 4164, Onrustrivier from Agriculture Zone 1: Agriculture (AGR1) to General Residential Zone 1 : Town Housing (GR1), **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(o) of the By-Law on Erf 4164, Onrustrivier for a consent use to accommodate a retirement village on the property with ten (10) units, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(b) of the By-Law on Erf 4164, Onrustrivier for departures to relax the following building lines:
 - perimeter street building line from 5m to 3m to accommodate the proposed dwelling units and care facility;
 - northern perimeter street building line from 5m to 0m to accommodate the proposed gatehouse, and
 - western perimeter lateral building line from 3m to 2m to accommodate proposed dwelling units,

be approved, subject to compliance with placements of buildings as indicated on the Site Development Plan mentioned in Condition 1.(a), in terms of Section 61 of the By-Law;
4. that the above approvals in Points 1., 2. And 3. be subject to the following conditions:
 - (a) that the development be in line with Site Development Plan Number arne2019/4164onrus dated 21 May 2019 providing for ten (10) units and associated buildings;
 - (b) that a minimum of 2 (two) parking bays be provided at each unit, to municipal standards and satisfaction;
 - (c) that the application does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (d) that the Architectural Design Guidelines in line with Zoning Scheme parameters and the indicated unit types, be submitted for the development to address the style of the units that will be constructed, submitted to the satisfaction of the Senior Manager : Town & Spatial Planning in consultation with the Building Control department;
 - (e) that all the conditions of Telkom (attached as Annexure F), be complied with;
 - (f) that all the conditions imposed by Eskom (attached as Annexure G), be complied with;

- (g) that all conditions in the Services Report (attached as Annexure H), be complied with;
 - (h) that the conditions imposed by the Waste Management Department (attached as Annexure K), be complied with;
 - (i) that this is only an approval in terms of the relevant By-Law and not an approval in terms of any other legislation;
 - (j) that the refuse area be roofed and limited to a height of 3m;
 - (k) that a landscape plan be submitted showing the trees to be planted between the refuse area, visitors' parking area and the complex boundary;
 - (l) that a Body Corporate be established with compulsory membership for all property owners within the development;
 - (m) that the Constitution of the Body Corporate be submitted to the Municipality and that the following aspects *inter alia* be addressed in this document:
 - the approval of building plans by an "estate architect" prior to submission thereof the Municipality, and
 - that the Constitution clarifies at what stage the responsibility would be transferred from the developer to the Body Corporate to deal with approval of plans and all other internal matters.
5. that the application to allocate a street name for the internal street in terms of Section 96 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015, **be approved**.
6. that the applicant and objector 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.

14. REASONS FOR RECOMMENDATION

- ❖ The property's location and accessibility make it ideal to be developed for retirement village purposes.
- ❖ The development fits in with the character of the area as there are already retirement villages and group housing developments north of the R43 Main Road in this area.
- ❖ The development will be in line with the SDF, 2006 and GMS, 2010 which earmarks this area for residential use and status quo respectively.
- ❖ The area is fully serviced and there is sufficient infrastructure capacity to accommodate the development.
- ❖ The proposed departures are of such a scale that it would not have a negative effect on the character of the area, nor the surrounding property owners.
- ❖ The application is supported by all relevant state departments, institutions and municipal departments.
- ❖ The applicant duly addressed the objection received and the mitigating factors to move the refuse yard, to roof the refuse yard and to plant screening trees to buffer the objector's property, are considered sufficient mitigating measures.
- ❖ The application is in line with the SPLUMA and LUPA Planning Principles.

- ❖ The application is in line with the character of the area, is in line with Planning Policies and would not have a negative impact on surrounding property owners and is therefore desirable.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan (old and revised)
Annexure D:	Objection received
Annexure E:	Applicant's comments on objection
Annexure F:	Comments: Telkom
Annexure G:	Comments: Eskom
Annexure H:	Services Report
Annexure I:	Western Cape Government: Agriculture
Annexure J:	Heritage Western Cape
Annexure K:	Comments: Waste Management
Annexure L:	Western Cape Government: Transport & Public Works
Annexure M:	Western Cape Government: Environmental Affairs and Development Planning (Environmental)

SIGNATURES

AUTHOR:

Name: **HENK OLIVIER**

SACPLAN Reg No: **B/8128/2004**

Signature: _____

Date: _____

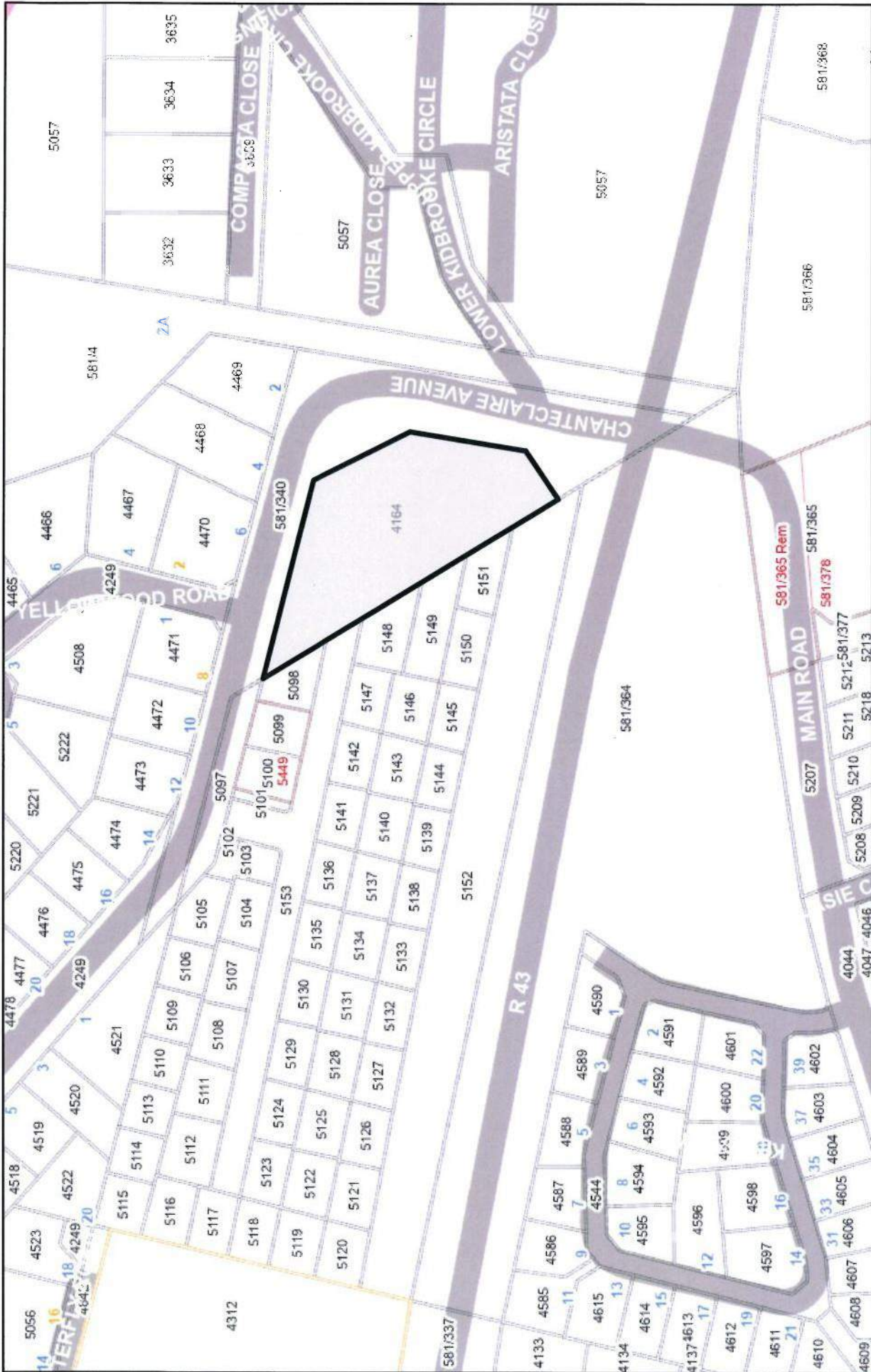
REGISTERED PLANNER

Name: **H VAN DER STOEP**

SACPLAN Reg No: **A/1708/2013**

Signature: _____

Date: _____



Locality Map
Erf 4164 Onrus River

Date: 2019/10/25

1. Introduction

a. Brief
 Refer to **Annexure A** for the Power of Attorney.
 Interactive Town and Regional Planning was appointed by the new owner of the property, Robertsville Winefarm Trust to prepare and submit an application for the rezoning from Agricultural Zone 1 to General Residential Zone 1, a consent use for a retirement village and building line departures for the northern, eastern and western building lines of the Erf 4164, Onrusrivier, in terms of the relevant legislation.
 The land is currently in the process of being transferred from Cape Detail Construction Pty Ltd to Robertsville Winefarm Trust and the title deed reflecting the new owner will be provided as soon as the transfer is finalized.

b. Development Objective
 The development objective is to establish a retirement estate with required facilities aligned with the general character of the area. The proposed development consists of 10 retirement units, a basic care facility and a guardhouse.

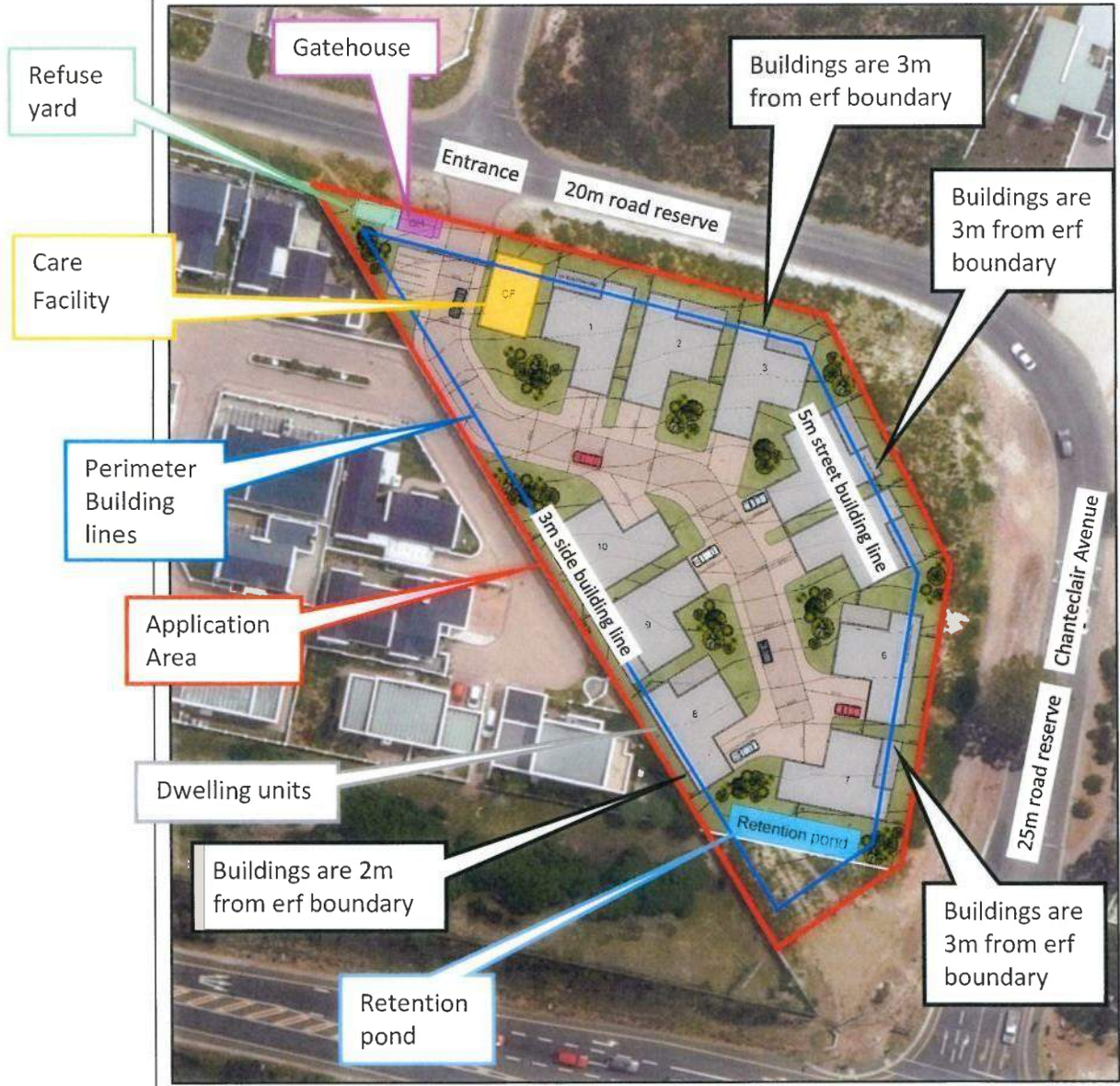


Figure 1: Development Proposal

c. Background & Application Proposal

The application area of 5174 m² is currently zoned for Agricultural Zone 1 situated within the urban edge between two existing retirement villages on either side of the property and forms part of a corridor of retirement villages along the R43 Main Road.

The following aerial photos reflect the application site:

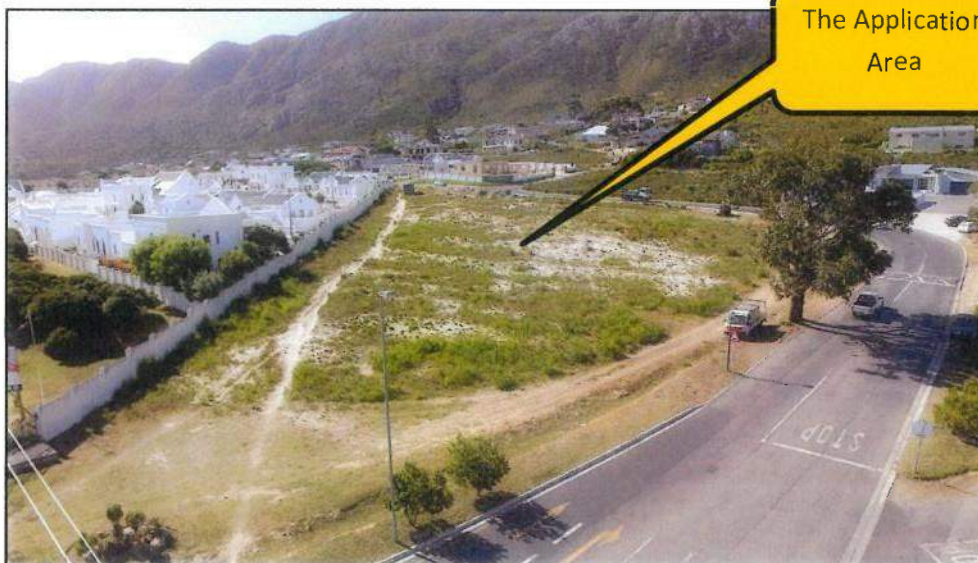


Figure 2: Photo of the application area



Figure 3: Areal map showing the application area (Source: Cape Farm Mapper website).

The **application proposal** includes:

- A rezoning of the property from Agricultural Zone 1 to General Residential Zone 1 to accommodate the 10 proposed retirement units.
- A consent use to accommodate a retirement village which includes a basic care facility.
- Building line departures to accommodate the proposed dwelling units, care facility and guardhouse which will exceed the street and side building lines.

2. The Application					
a. Analysis: Title Deed		The Conveyancer Monica Korf issued a certificate confirming that no restrictive title deed conditions exist against the proposal on Erf 4164 Onrusrivier.			
Refer to Annexure D for the Conveyancer Certificate.					
b. Analysis: Development Criteria:					
The development parameters for Erf 4164 Onrusrivier, Hermanus as per the Overstrand Zoning Scheme Regulations, 2015, are summarised as follows:					
Parameters	Existing Zoning:	Proposed Zoning:	Development Proposal	Comments & proposed Actions	
Zoning	Agricultural Zone 1: Agricultural (AGR1)	General Residential Zone 1: Town Housing (GR1)	General Residential Zone 1: Town Housing (GR1)	Application is made for the rezoning from Agricultural Zone 1 to General Residential Zone 1	
Primary Use	Dwelling house, day care centre, guest rooms, home occupation;	Dwelling house, town housing, private, road, private open space;	Retirement dwellings	Consistent	
Consent Uses	Additional dwelling units, agricultural industry, animal care centre, aquaculture, crèche, farm shop/stall, guest house, hotel, institution, intensive animal farming, intensive horticulture, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, rooftop base station, service trade, tourist accommodation, tourist facilities, transmission tower, utility services, wellness centre, 4 x 4 trail.	Crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation	Retirement village	Application is made for the consent use of a retirement village.	
Floor Space	5000m ²	n.a.	n.a.	n.a. - Consistent	
Density	n.a.	35du/ha	19.3du/ha	Consistent	
Coverage	50%	50%	35%	Consistent	
Height	8m (12m for agricultural buildings)	8m	Single storey not exceeding 8m	Consistent	
Building lines	Street	4m	5m	3m	Application is made to relax the street building lines to 3m & 0m to allow for the dwelling, care facility and gatehouse
	Side	4m	3m	2m	Application is made to relax the side building line to 2m
	Rear	4m	3m	n.a.	Consistent
Parking	2 bays per dwelling unit	2 bays per dwelling unit	27 bays i.e. 2.7 per unit	Consistent	

<p>c. Application:</p> <p>The application form is attached as Annexure D.</p>	<p>Application is subsequently made in terms of the Overstrand By-Law on Municipal Land Use Planning 2015, for:</p> <ul style="list-style-type: none">• the rezoning of Erf 4164, Onrusrivier from Agriculture Zone 1: Agriculture (AGR1) to General Residential Zone 1: Town Housing (GR1) in terms of Chapter IV, Section 16(2)(a).• a consent use for a retirement village on Erf 4164, Onrusrivier in terms of Chapter IV, Section 16(2)(o).• a departure to relax the perimeter street building lines from 5m to 3m to allow for the proposed dwelling units and care facility in terms of Chapter IV, Section 16(2)(b).• a departure to relax the northern perimeter street building line from 5m to 0m to allow for the proposed gatehouse in terms of Chapter IV, Section 16(2)(b).• a departure to relax the western perimeter side building line from 3m to 2m to allow for the proposed dwelling units in terms of Chapter IV, Section 16(2)(b).
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3. Contextual Site Information

a. **Property Description**

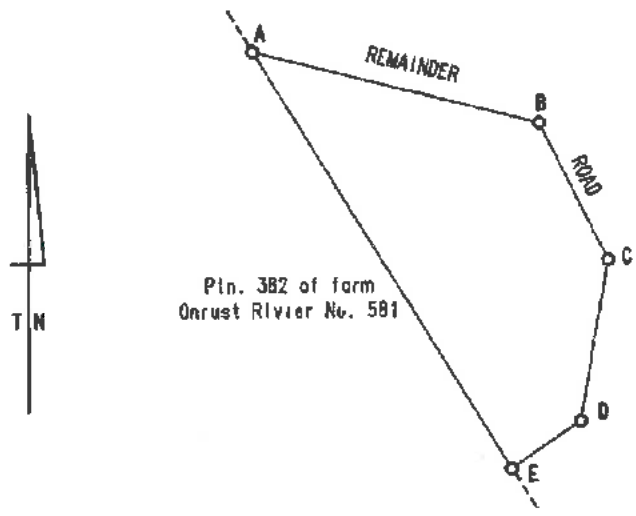
Refer to **Annexure E** for the SG Diagrams, **Annexure B** for the Title Deed of Erf 4164 Onrusrivier And **Annexure M** for the title deeds and list of owners of Milkwood Estate.

Property	Extent	Title Deed	Registered Owner
4164 Onrusrivier	5174m ²	T67375/2010	Cape Detail Construction Pty Ltd
4164 Onrusrivier	5174m ²	In the process of transfer	Robertsville Winefarm Trust, IT No 12971/ 2006

The following Surveyor General Plans reflect the application site:

SPROM, LORTON AND ASSOCIATES			CO-ORDINATES		S.G. No. 1848/1996
SIDES Metres	ANGLES OF DIRECTION	Y System	X System	Lo 19	
	Constants	± 0,00	+3 800 000,00		
A B	80,08	284 31 50	A - 17 207,63	+ 8 621,42	Approved <i>R. Lortan</i> Surveyor-General 1996 - 4 - 2
B C	42,25	333 41 00	B - 17 285,15	+ 8 641,51	
C D	45,10	9 39 50	C - 17 303,88	+ 8 679,38	
D E	22,78	55 48 30	D - 17 296,31	+ 8 723,84	
E A	134,73	148 46 40	E - 17 277,47	+ 8 736,64	
40AC19			⊕ - 17 420,61	+ 8 803,02	
41AC19			⊕ - 17 644,23	+ 8 862,51	

Descriptions of Beacons
All beacons are: 12mm iron peg



Scale 1: 1 500

The figure A B C D E represents 5 171 Square Metres of land, being **ERF 4164 ONRUSRIVIER**

situate in Greater Hermanus Transitional Local Council Administrative District of Caledon Province Western Cape Surveyed in November, December 1995 and January, February 1996 by me *R. Lortan*
RM Lortan (0931) Professional Land Surveyor

This diagram is annexed to No. T 99338/2003 dated i.f.o. Registrar of Deeds	The original diagram is No. 800/68 annexed to D/T No 1969. 27312 (Pln 310/581) (Form 581/340)	File No. 2204 581 S.R. No. E 142/1996 Comp. A1-3CB/X33(439) A1-3CB/X34(440)
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Figure 4: 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 north of the Onrusrivier residential suburb and forms part of the Chanteclair residential development. The application area is located approximately 5km west of the Hermanus CBD.

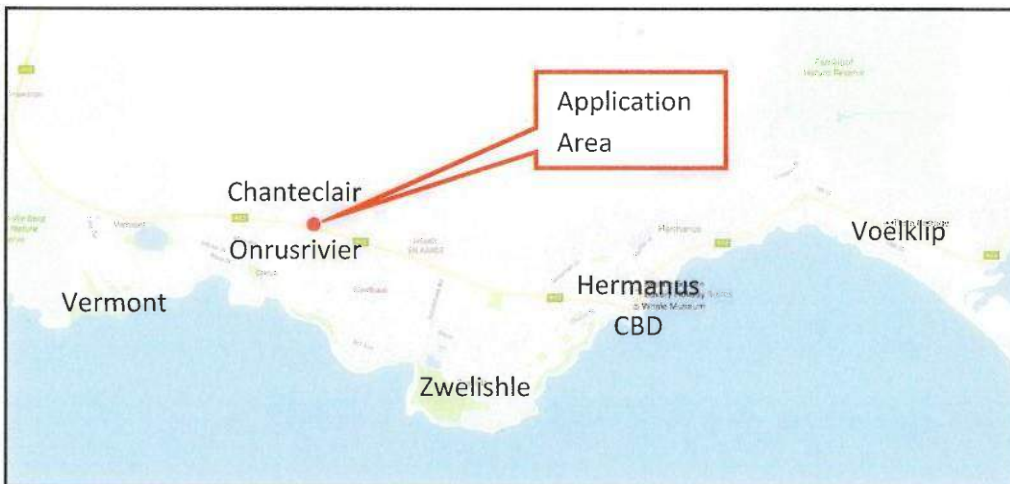


Figure 5: Locality Plan – Regional Context

Local Context:

Within the local context the application area is located on the north-western quadrant of the R43 Provincial Road and the Chanteclair intersection and between the existing Milkwood Estate and Kidbrooke Place Retirement Village.

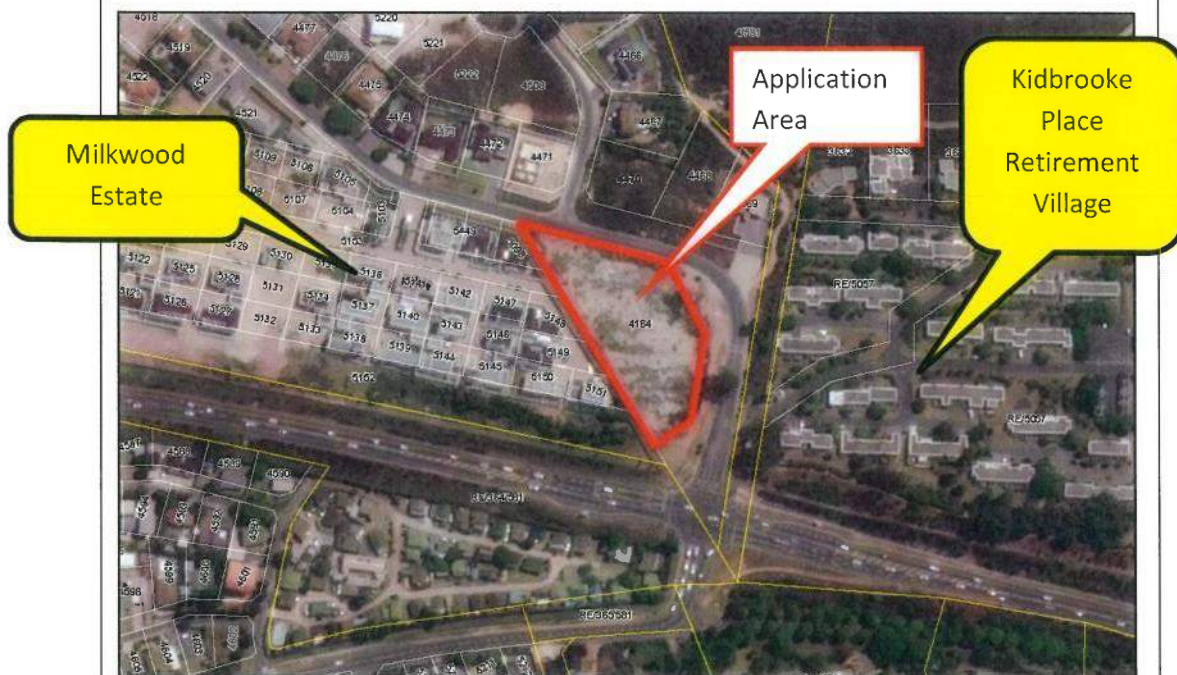


Figure 6: Locality Plan – Local Context



Figure 7: Photograph showing the Application Area

c. Land Use:

Refer to the Land Use Plan attached as **Annexure H**.

Erf 4164 Onrusrivier is vacant. The surrounding land-uses consist predominantly of general residential and single residential properties. These general residential developments to the east, west and south of the application site, flanking the R43 Provincial road consist mostly of existing retirement villages.

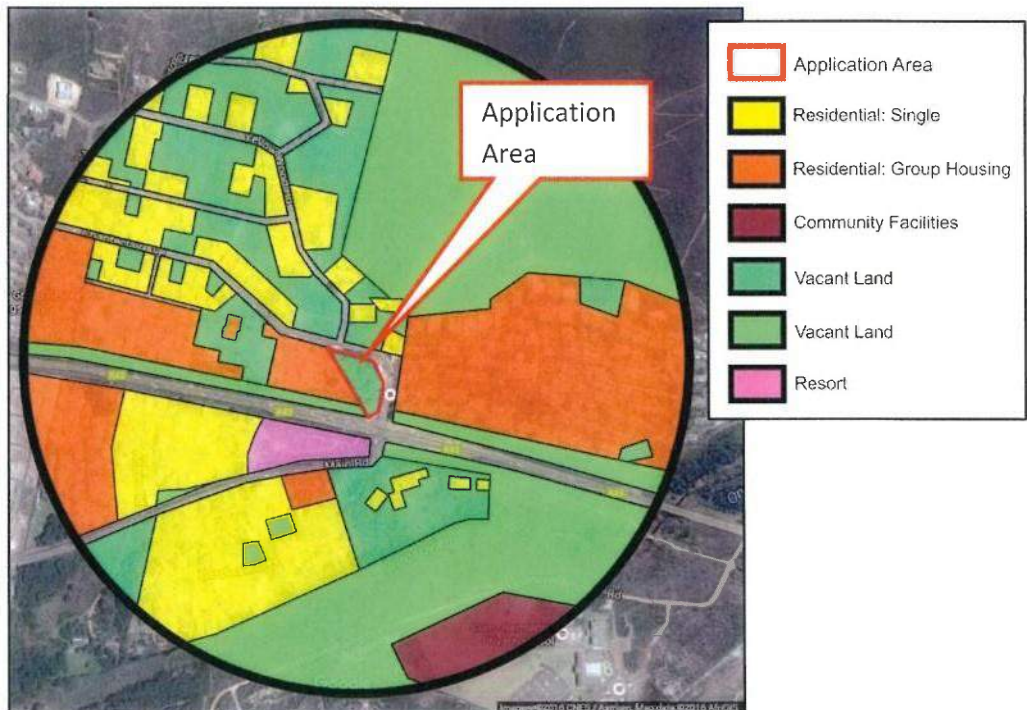
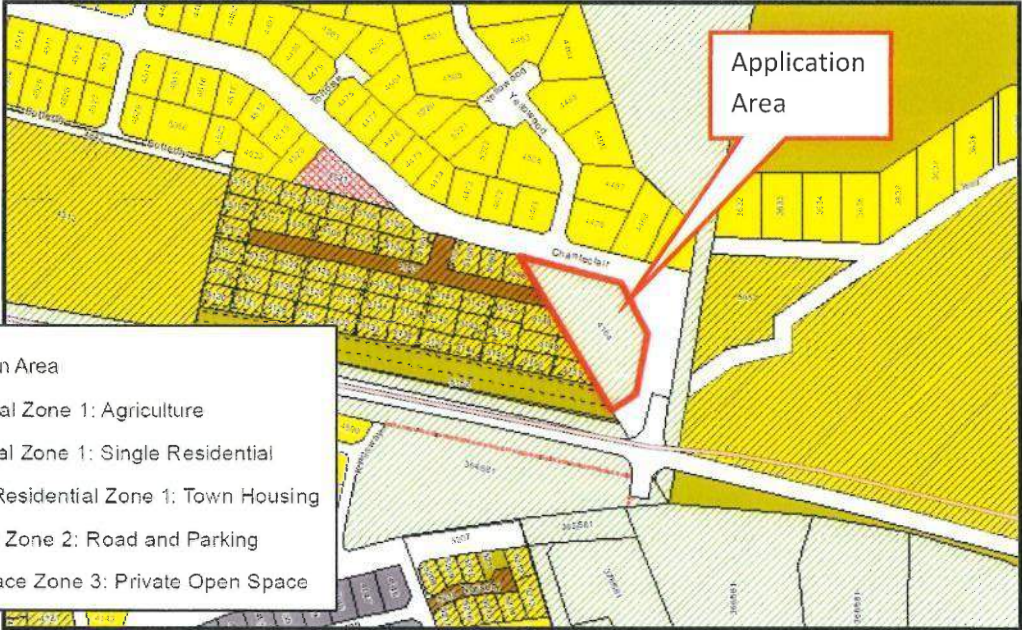


Figure 8: Google Image illustrating the residential land-use activities of the application area and surrounding properties

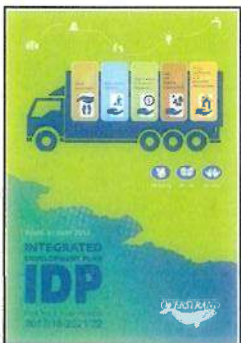
<p>d. Zoning:</p> <p>Refer to the Extract of Hermanus Final Zoning 2014 map attached as Annexure G.</p>	<p>The application area, Erf 4164, Onrusrivier is zoned Agricultural Zone 1: Agriculture. Application is made for the rezoning of Erf 4164 Onrusrivier to General Residential Zone 1 and Council's consent for a retirement village on Erf 4164.</p> <p>The erven to the west and east of the application area are zoned General Residential Zone 1: Town Housing.</p>  <p>Figure 9: Extract from the Overstrand Municipality: Hermanus Final Zoning 2014 map</p>
<p>e. Traffic Study</p> <p>Refer to the Annexure K for the Traffic Study.</p>	<p>A Traffic Impact Assessment was compiled by DECA Consulting Engineers which had the following conclusions:</p> <ul style="list-style-type: none"> • The property is located on the north-western corner of the R43 / Chanteclair Avenue intersection in Onrusrivier; • The development will consist of 10 residential units and a care facility; • The Chanteclair Avenue access will be located directly opposite Yellowwood Road; • The development will generate 6 trips during each of the morning and afternoon peak hours; • The new trips will have a negligible impact on the operation of the Chanteclair Avenue / Yellowwood Road and R43 / Chanteclair Avenue intersections; • Sufficient parking will be provided. <p>The recommendations made in the report are summarised below:</p> <ul style="list-style-type: none"> • Care should be taken that at least 7 metres are left unobstructed behind the driveways to each unit. This means that barrier kerbs or plants should not be placed within the 7 metres required as manoeuvring space; • A refuse truck embayment should be provided on Chanteclair Road just west of the entrance, should one be deemed necessary by the Municipality.

<p>f. Civil Services Report</p> <p>Refer to Annexure L for the Civil Services Report.</p>	<p>A Civil Engineering Services Report was compiled by DECA Consulting Engineers which had the following conclusions:</p> <ul style="list-style-type: none"> • That the existing water reticulation system has adequate capacity to accommodate the proposed development and be connected to the existing reticulation system • That the existing sewage reticulation system has adequate capacity to accommodate the proposed development and be connected to the existing reticulation system • That although adequate capacity exists in the sewerage reticulation system, the existing 90 mm outfall sewer between Chanteclair Avenue and Antrim Road be upgraded to a diameter of 160 mm to prevent pipe blockages, which can be installed (in agreement with the Municipality) in lieu of development contributions; • That an attenuation facility be provided in order to maintain the pre-development stormwater runoff; • That the stormwater runoff from the proposed attenuation facility be discharged in to the existing channel adjacent to the R43 and that approval be obtained from the Provincial Roads Engineer; • That the roads be provided according to the site plan; • That the in-situ material be tested in order to confirm the required specification of the sub-grade of the roads; • That access to the development be provided according to TIA by DECA Consulting Engineers.
<p>g. Spatial Planning Policy</p>	<p>The application area is subject to inter alia the following planning policies:</p> <ul style="list-style-type: none"> • The Overstrand Municipal Wide Spatial Development Framework, 2006 • Integrated Development Plan, 2017/18-2021/22 (IDP) • The Overstrand Municipality Spatial Growth Management Strategy, 2010 • The Overstrand Integrated Development Framework, 2014 <p>I. <u>The Overstrand Municipal Wide Spatial Development Framework, 2006</u></p> <div data-bbox="416 1151 671 1498" data-label="Image"> </div> <p>Based on the Overstrand Municipal Wide Spatial Development Framework, 2006 a housing policy is motivated on the projected population growth, ensuring optimal usage of land as shown in the following extracts from the said document:</p> <p>“5.5.5 Housing policy (i) Motivation</p> <p>The projected <u>population growth</u> in Overstrand municipality will increase pressure on the demand for housing. The SDF is <i>inter alia</i> concerned with the <u>optimum use of land</u> within the context of the study area. An appropriate balance thereof needs to be achieved between densities, which control the location and amount of land used for residential development and the need to provide satisfactory residential environments and the protection of the natural attributes of the area’s setting. Furthermore, <u>a full range of residential needs</u> must be catered for. The needs of the poor, youth, the single and the <u>elderly</u> are becoming more prevalent and therefore must be addressed in future residential policies.”</p> <p>Mention is specifically made in the Overstrand Municipal Wide Spatial Development Framework, 2006 that the full range of residential needs for the <u>elderly</u> need to be provided.</p> <p>In addition to the above, densification is encouraged within defined urban areas as per the extract here-below of the said policy document:</p> <p>“6.1.1 Overarching spatial planning principles</p>

Compaction and densification:

Growth should be managed so as to ensure that development pressures are, wherever possible, directed and absorbed within the defined urban areas. Appropriate densification specific to each urban area must be encouraged to limit unwanted sprawl into the rural hinterland.”

II. Integrated Development Plan, 2017/18-2021/22 (IDP)



As part of the IDP the following relevant and appropriate vision on the housing strategy is provided:

“5. HOUSING STRATEGY

The main vision is not only to eradicate the current housing backlog, but to develop and plan for future integrated communities and settlements that would be able to sustain the growing needs for housing in such a way that all people will benefit from the housing developments. Thus it is imperative for clear and concise goals and objectives to be set out firmly supported by the vision.

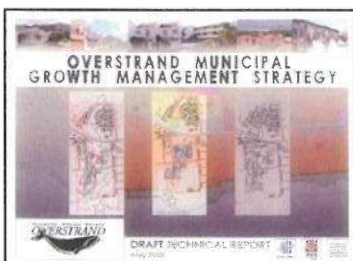
The intention is to achieve the following three goals in order to realize the vision of sustainable and integrated human settlements:

- Accelerated delivery of housing opportunities
- A sense of ownership, rights and responsibilities amongst beneficiaries.
- Optimal and sustainable use of resources

Specific objectives highlighted includes inter alia the following which is relevant to the proposed development:

- Objective 5: Provide a fair allocation of housing opportunities.
- Objective 7: Enhancing supply of new rental housing opportunities and encourage improved property management of rental stock.
- Objective 9: Implement Overstrand Municipal Growth Management Strategy”

III. Overstrand Municipality Spatial Growth Management Strategy – 2010 (OMSGMS)



In terms of the Overstrand Growth Management Strategy, the application area falls within a “no densification area/ status quo area” as illustrated in the extract from the OMSGMS:

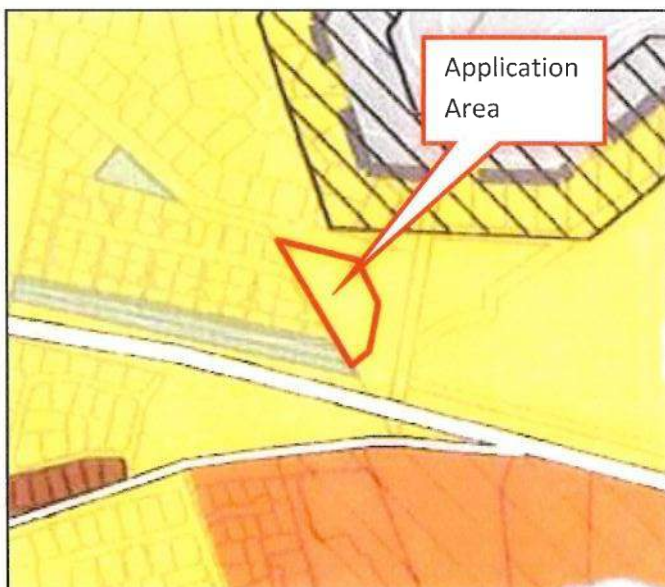


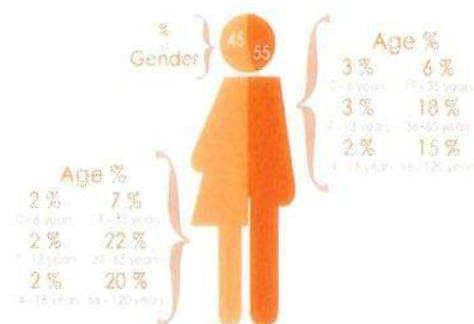
Figure 10: Extract from the Overstrand Municipality: Growth Management Strategy

The interpretation of the “no densification area/status quo area” implies approximate similar densities to that of the surrounding properties.

The application proposal of 19.3 dwelling units per hectare is aligned with the current density of the adjacent properties which is calculated at 20 dwelling units per hectare.

Based on the extract of the document a large percentage of the population falls within the target market of the proposed development of 65 years and older. According to the latest information from the Overstrand Website approximately 35% of the residents of Onrusrivier and Vermont are older than 65 years in age.

Onrus & Vermont



“7.4.7 Hermanus West

A: Contextual Overview

(iii) Population Composite: Age Distribution
(Source: Statistics South Africa, 2001)

The Hermanus West area is well represented by residents within the age cohorts of 50 years and older.”

The following table is an extract of the Growth Management Strategy: Hermanus West illustrating that over 50% of the population of Onrusrivier is over the age of 50 years and 39.7% of the population is 60 years and older.

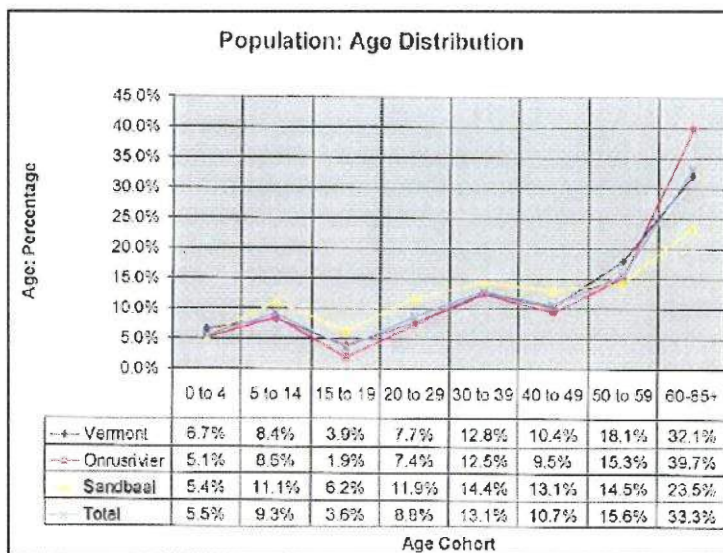


Figure 11: Extract of the Growth Management Strategy: Hermanus West

In terms of the local area and character of the area as part of the density analysis, the vicinity of the application area is described as follows:

“B: Local Area Character and Density Analysis

(i) Land use pattern (refer to Land Use Plan: Sheet B)

A salient characteristic of the Hermanus West area is the group housing developments that have taken place along the R43 Provincial Road where several retirement villages are now established.

Densification constraints are related to the need to respect the R43 scenic route and the coastline.

Opportunities for densification occur at points of intersection such as at the main entrance points from the R43 into Vermont and Onrusrivier along main movement routes such as the old main road through Onrusrivier.

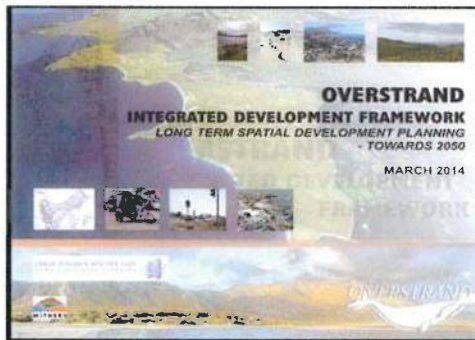
(i) The following general densification strategy principles are proposed for Hermanus West:

- To provide a structural framework to guide growth away from sensitive environmental interfaces such as the mountainside and coastline and towards existing and potential development nodes and activity spines.
- To provide increased thresholds to increase choice and diversity in land use activities and more mixed-use environments in appropriate locations to contrast with the predominantly suburban quality of the built form."

A2 Scenic Route Interface:

- Design controls should be implemented to ensure that developments on either side of the scenic route do not turn their backs onto the route but respond positively to it.
- Landscaping interventions which exhibit local plant species should be encouraged."

IV. The Overstrand Integrated Development Framework, 2014



"Overstrand Towards 2050 – an Integrated Development Framework (IDF) sets the strategic direction for the Overstrand’s growth and development for the next 30-40 years by amalgamating the current five-year planning cycle with a long term integrated spatial vision. It outlines a broad set of principles, spatial directions, policies, frameworks, plans and actions."

This document is used as an overall strategic guide for land use planning, service infrastructure planning and environmental management for the area.

The Development Framework provides the strategic spatial direction for development and conservation in the long term. Spatial form has a profound impact on the sustainability, economic performance, manageability, functionality, liveability and attraction of a region.

The Development Framework addresses the Overstrand’s urban, rural and natural environments on a strategic level, but also focuses on the local level, where it is required, as result of key challenges identified. It addresses these environments in an integrated fashion, taking into consideration how land use, transportation planning, infrastructure, services, housing and facility provision should be coordinated to contribute positively to a sustainable, prosperous, liveable, and memorable environment.

Specific proposals / "Key Actions" for the Greater Hermanus (West) area includes inter alia the following:

"Key policies directing future management and development

LO 3 (i) Progressively ensure housing provision for different lifestyle choices, income groups, life stages, household sizes, including adequate provision of affordable housing options and opportunities for the aging.

LO 3 (iii) All housing developments should be planned within the context of creating sustainable human settlements where housing areas are integrated with social and economic facilities.

	<p>LO 4 (ii) Buildings that accommodate <u>community activities</u>, as well as education, health and entrepreneurial development and business and skills training, should be located at points of highest access in urban settlements.</p> <p>LO 4 (iv) Ensure that <u>mixed-use densification of land uses</u> is achieved when managing urban growth.</p> <p>LO 7 (ii) <u>Encourage the development of natural open space systems within urban and rural settlements.</u></p> <p>EO 2 (ii) Ensure that development is <u>confined within urban edges and growth is managed based on sustainable densification principles.</u>"</p> <p>The proposed retirement village is aligned with the key actions / policies of the Overstrand Integrated Development Framework, 2014.</p> <p><u>Conclusion:</u></p> <p>The development of the retirement village on Erf 4164 Onrusrivier with 10 separate dwelling units, a basic care facility and security guardhouse, will contribute towards a wider range of residential facilities and choices, life stages and income groups, providing accommodation for the growing elderly population, densification at 19.3 dwelling units per hectare, counter act urban sprawl, eradicate the housing backlog for the elderly, accelerate housing opportunities, optimise use of resources (land and services), implement the OMGMS, make provision for the scenic route along the R43, accommodate a care facility within the development and confine the development growth within the urban edge.</p> <p>Subsequently the proposed development is considered fully consistent with the requirements of the spatial development policies of the Overstrand Municipality.</p>
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4. Motivation	
<p>Motivation for the application:</p> <p>Refer to Annexure I for the Site Plan.</p>	<p>I. Introduction:</p> <p>The objective of this application is to acquire the required land-use rights (General Residential Zone 1) and consent to allow for the establishment of a retirement village on Erf 4164 Onrusrivier in terms of the relevant land-use planning legislation.</p> <p>The motivation for this application is dealt with in the following points of discussion:</p> <ul style="list-style-type: none"> • The origin and background of the land, • Urban Planning theory for the development, • The development and application proposal • Vision of the different policies for the area and the application site, • The need and desirability for the development on the application site, • Foreseen impact of the proposed envisaged development, and • Conclusion <p>I. Origin and background of the application site</p> <p>The application site currently forms part of the existing development belt along the R43 Provincial Road where several group housing developments and mostly retirement villages have established over the last 20 years. The application site is located directly between the Milkwood Retirement Village (also known as the Negester North development) and the Kidbrooke Place Retirement Village.</p> <p>In its current position, being located at the R43 Provincial Road and Chanteclair Drive / Onrus Main Road intersection, the application site is prominently located as part of the gateway to and from Hermanus town.</p> <p>I. Urban Planning theory for the development of the land</p> <p>The application site is located within a middle-to-up market socio-economic area characterised by established retirement developments adjacent to it.</p> <p>The proposed development is intended to provide for a retirement village which will be entirely compatible with the surrounding land-use activities.</p> <p>The need for the proposed rezoning and consent for a retirement village is motivated on the basis of the rapidly growing need for retirement housing and employment opportunities. In this case specifically also for those people dependant on elderly care and medical support. Although mostly conventional housing structures are established within the surrounding suburbs, the proposal provides for housing needs of the elderly (over fifty) aligned with the latest development trends and demand. The establishment of another retirement village adds to the agglomeration advantages of the needs for the people of this specific life stage.</p> <p>In the light of the above it is important to understand that a city or town is a complex functional system of mutual linked urban components such as residential, commercial, industrial, public services, educational, recreational and transport land-uses. For the optimal and harmonious functioning of these different land-uses it is most important that the different characteristics in terms of erf sizes, residential units and types, land values, building values, floor area, building design, land ownership and socio-economic population characteristics are taken into account when urban areas are planned. This contributes to particular land-use patterns, population and morphological structures. These components should be orderly sited to obtain the most balanced and efficient utilization, functioning and development of land. Land is a scarce resource. Therefore, it is imperative that every portion of land be utilized effectively and optimally.</p>

Normative directives in layout planning have however tended to change as technological innovation, rates of urbanisation, economic growth, and environmental destruction has altered the context within which urban development occurs. It can thus be argued that within the South African context the development of urban settlements should be motivated by the satisfaction of human needs and for an improvement in human conditions, the sustainable relationship between urban settlements and their surrounding land-uses (natural and built) and for the most efficient use of resources.

In compliance with the above, the application site makes provision for 10 dwelling units with a basic supporting care facility. This proposed application will contribute positively towards the complex functioning of the town and provide for optimal land-use, provide for a balanced and efficient utilisation, functioning and development of land and thereby augmenting the character of the area.

In support of the above, the following planning principles are applied:

Medium-density development is proposed in an attempt to address the backlog in retirement housing needs. This development is foreseen to contribute towards an age-phased place-making facility for people above the age of fifty.

The above approach will provide for efficient, sustainable and equitable retirement housing development in an environment that offers the opportunity for residents to live within a lifestyle of relaxed leisure and basic health care, comfort and security and live life to the fullest.

II. Endorsement of the proposed development through the different planning policies relevant to the area.

The following three spatial development policy documents endorses the proposed development for the application:

- The Overstrand Municipal Wide Spatial Development Framework, 2006

A housing policy motivated on the projected population growth, ensuring optimal usage of land is proposed with specific reference to provide for a full range of residential needs for the elderly. Furthermore, the SDF states that housing development / growth should be managed through appropriate densification within predetermined areas to limit urban sprawl.

- Integrated Development Plan, 2017/18-2021/22 (IDP)

The IDP's vision is to eradicate the current housing backlog for all communities through inter alia the implementation of the Overstrand Municipal Growth Management Strategy.

- The Overstrand Municipality Spatial Growth Management Strategy, 2010.

Residential development with similar densities to the adjacent properties is encouraged for the area. In terms of the Overstrand Growth Management Strategy, the application area falls within a "Status Quo Area" which implies approximate similar densities to that of the surrounding properties.

The application proposal of 19.3 dwelling units per hectare is aligned with the current density of the adjacent properties which is calculated at 20 dwelling units per hectare.

- The Overstrand Integrated Development Framework, 2014

The IDF promotes housing for a variety of lifestyle choices, income groups and life stages with enhancing community facilities and mixed-use densification within the current urban edge.

The development proposal for Erf 4164 Onrusrivier is consistent with the above spatial development proposals.

III. The Development and Application Proposals

The proposal is for a retirement village consisting of 10 dwelling units on a 5174m² erf which equals a 19.3 dwelling units per ha density and which is compatible with adjacent properties with a density of 20 dwelling units per ha, being situated within a “no densification area/ status quo area”. More specifically, 3 units are proposed along the western boundary, 3 units along the northern boundary and 4 units along the eastern boundary, a basic care facility east of the entrance, a security guardhouse at the entrance to the application erf and a refuse yard adjacent to the guardhouse in the north-western corner.

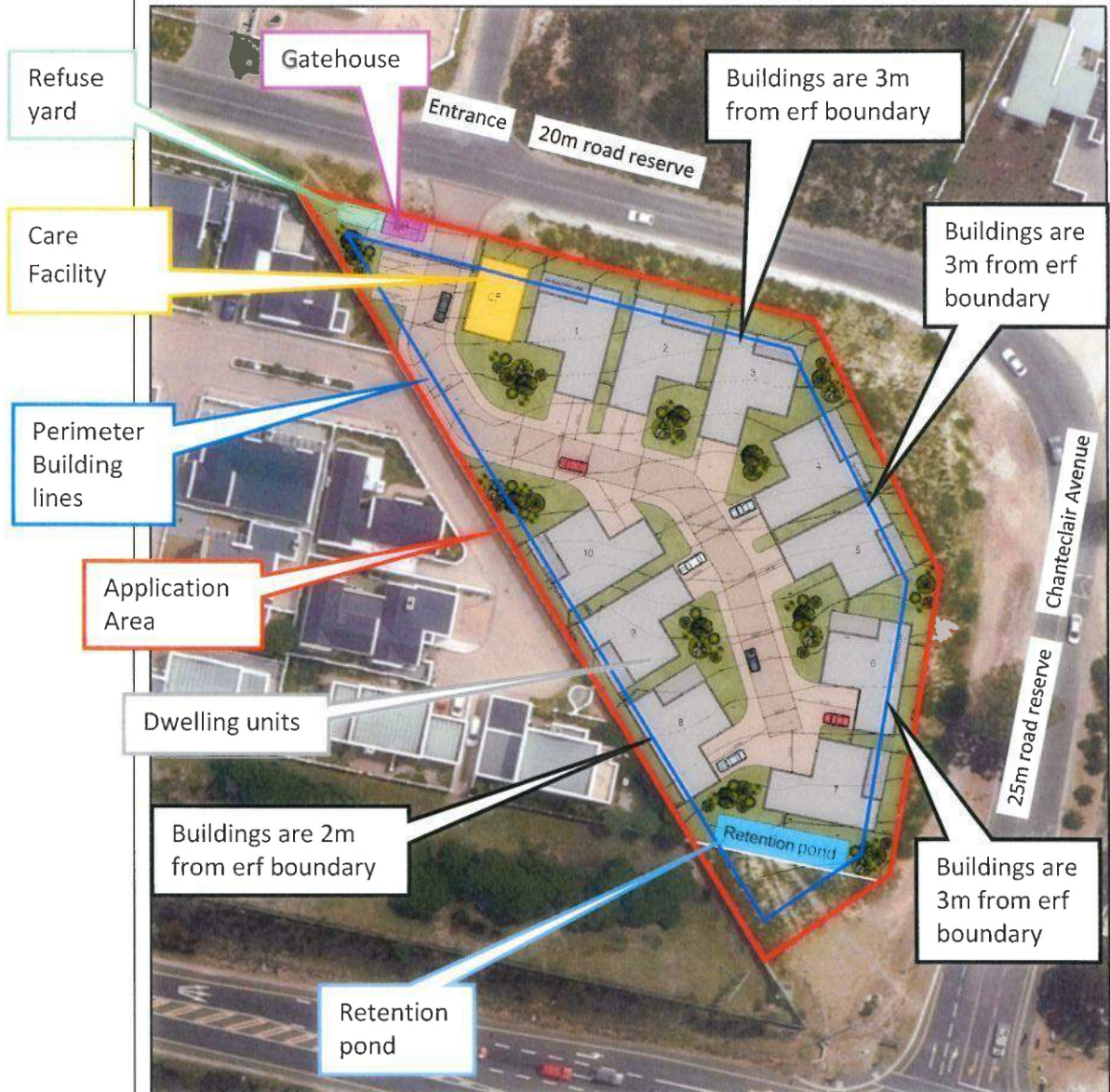
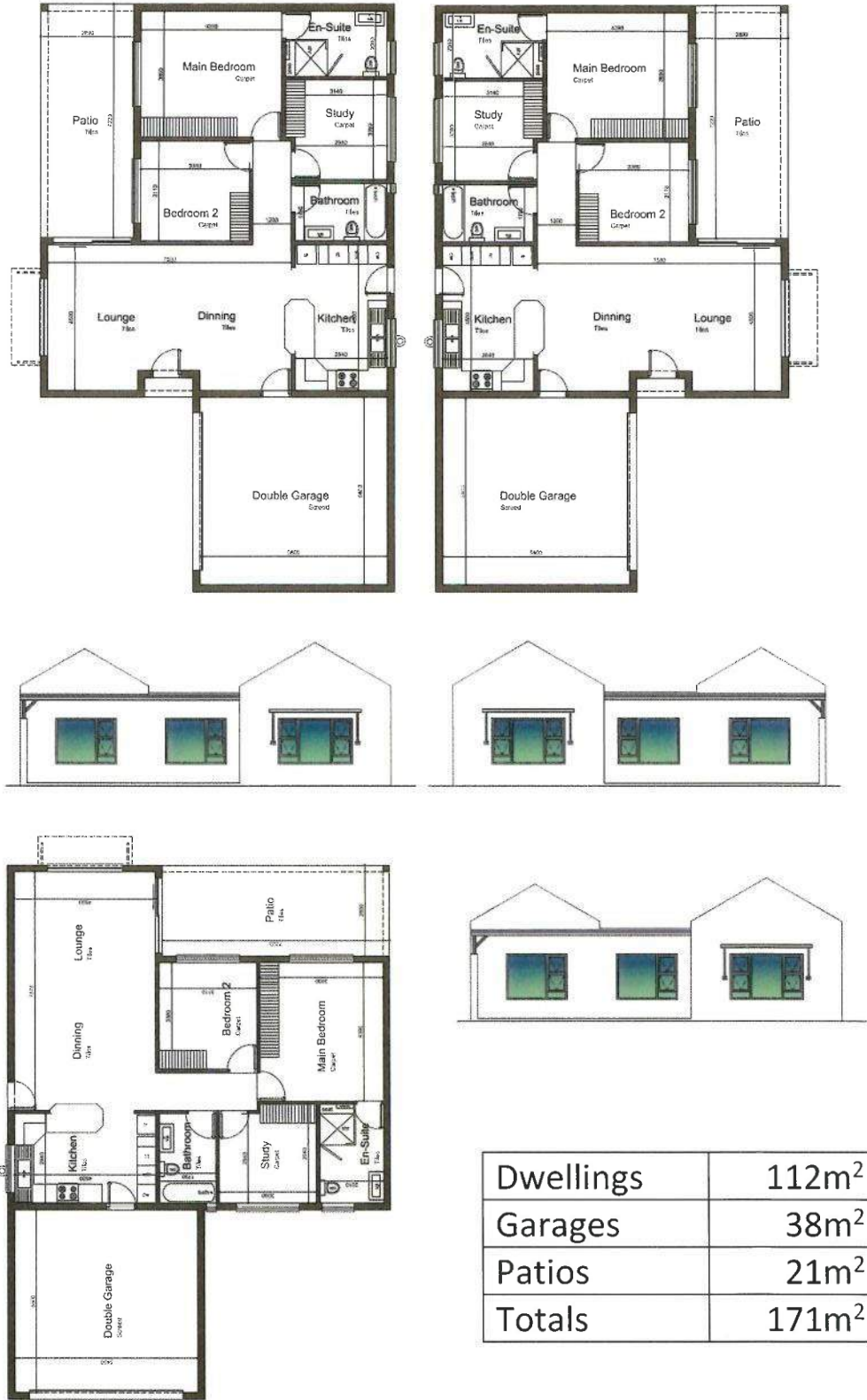


Figure 12: Development Proposal

The development proposal requires the following applications:

- i. Rezoning to General Residential 1 and Consent Use for a Retirement Village that accommodates 10 dwelling units, a basic care facility and a security guardhouse**

Dwelling Unit typologies proposed for the development (subject to non-material changes)



Dwellings	112m ²
Garages	38m ²
Patios	21m ²
Totals	171m ²

Figure 13: Typology plan extracts

Each dwelling unit proposed consist of one-storey high and consists of two bedrooms, two bathrooms of which the one is en-suite, a lounge, a dining room and a kitchen, a study as well as a double garage and a patio all with a total extent of approximately 170m². Provision in general is made in front of the double garage of each dwelling unit for two vehicles to park. Provision is also made that each dwelling unit has its own garden with grass and a variety of trees. All dwelling units are at least 2m apart as required by the Zoning Scheme. The dwelling units are positioned in such a way to maximize exposure to the northern sun and mountain and ocean views to the north and south respectively.

Basic Care Facility



The basic care facility with an extent of 87m² is located to the north of the application area and adjacent to and east of the entrance.

The care-facility will be used as a multi-functional facility for activities like communal meals and as a social facility and has a kitchen where meals may be prepared for residents, two bathrooms for staff, a medical examination room where residents can receive basic medical care and a patio at the front of the building.

Regarding the provision of meals to the residents, an application will be submitted for a "Certificate of Acceptability" (COA) to the Municipal Health Department, in accordance with their requirements.

The disposal of any medical waste which may result, will be managed according to the requirements of the Municipal Health Department and an application will be submitted for a "Medical Waste Certificate".

Guardhouse



The 19m² guardhouse which monitors incoming and outgoing vehicles is proposed to be situated adjacent to and west of the entrance to the retirement village and consists of a guardhouse office and an en-suite bathroom.

Access, Transport and Parking

Proposed access to and from the development is on Chanteclair Avenue directly opposite Yellow Wood Street on the north-western side of the application area and adjacent to the guardhouse. A 12m stacking distance is provided for between the road and security gate.

The road reserve is 8m and the proposed road surface area is proposed to have a width of 5m. The distances from garages to the road kerb is at least 5m. The road will also have sidewalks that will be easy to drive up onto. Manoeuvring space for all vehicles is sufficient.

Two parking bays for residents and visitors respectively are provided at each dwelling unit. Three parking bays for visitors are provided near the entrance and along the western boundary, adjacent to the guardhouse and opposite the care facility.

Boundary wall

A boundary wall of 1,8m high is proposed to surround the entire development for security and privacy purposes and will further serve as a sound barrier from the R43 and Chanteclair Avenue.

Refuse Area

A refuse area of approximately 20m² will be provided in the north-western corner adjacent to the guardhouse and collection will take place on the street frontage, otherwise known as the Remainder. The refuse area is to be screened off from neighbouring stands by means of a 1,8m high brick wall.

Open Space, Landscaping and Water Retention Pond,

Proposed landscaping of gardens and open space will contribute to beautifying the area and will consist of a variety of trees and soft landscaping, such as evergreen grass.

Garden and open space landscaping beautifies the area, forms a visual as well as a sound buffer from the R43 Provincial Road and serves as a recreational area for the residents.

Each garden is proposed to consist of evergreen grass which surrounds the stands with a variety of trees at the front of the garden.

Open space consisting of evergreen grass and a variety of trees is proposed near the entrance on the western side adjacent to the visitors' parking area and around the care-facility to the east of the entrance as well as incorporates the retention pond in the south-western corner of the application area.

Gardens and open spaces are linked, forming a continuous green corridor which surrounds the development.

The 96m² retention pond is proposed at the lowest point of Erf 4164 Onrusrivier to accommodate the stormwater resulting from the development. The retention pond furthermore serves as a sound and visual buffer for the R43 Road and as a beautifying feature for the development.

ii. Building line relaxation to accommodate dwelling units, basic care-facility and guardhouse which exceed the eastern perimeter street building line, northern perimeter street building line and western perimeter side building line

Dwelling units exceeding the northern, eastern and western building lines

On the northern side, the three dwelling units exceed the 5m building line by 2m and the northern street building line therefore needs to be relaxed to 3m.

On the western side, the three dwelling units exceed the 3m side building line by 1m and the western side building line needs to be relaxed to 2m from the western erf boundary.

On the eastern side the four dwelling units exceed the 5m street building line with 2m and a relaxation to 3m is required.

The Care-Facility exceeding northern street building line

The care facility exceeds the northern 5m street building line by 2m which thus needs to be relaxed to 3m.

Guardhouse is built outside the northern building line

The guardhouse is built outside of the northern 5 m street building line and right up to northern erf boundary, thus to 0m and therefore a building line relaxation from 5m to 0m is required.

Impact of relaxation of eastern, western and northern building lines

Relaxation of the eastern building line will have no impact on adjacent land and the dwelling units will not be impacted either, as the adjacent land is a strip of vacant municipal land (part of the road reserve) between the application area and the existing road and there is a proposed 1,8m boundary wall which ensures privacy and security and which will also serve as a sound barrier.

Relaxation of the western building line will cause neither visual nor physical intrusion on or by the adjacent Milkwood Retirement Village as the 1,8m boundary wall ensures privacy and security and serves as a sound barrier for dwelling units in both retirement villages. Furthermore, the internal road for the Milkwood Retirement Village runs most of the way along the boundary wall, which ensures a larger buffer zone between the dwelling units of the two neighbouring developments.

Relaxation of the northern building line by the dwelling houses and care-facility will not impact on or be impacted by the adjacent road reserve as there is a strip of vacant municipal land between the erf boundary and the road reserve and the 1,8m boundary wall ensures privacy and security and serves as a sound barrier. The slope will further serve as mitigation between the road and the proposed dwelling units, care facility and guard house along the northern boundary.

Neither the road reserve nor the guardhouse will be impacted by erecting the guardhouse outside the 5m building line and up to the erf boundary, due to the nature of the guardhouse as a security access point.

IV. The need and desirability

i. The Need

In this section of the report the acceptability and demand of the proposed land-use is discussed. The term "desirability" in the land use planning context, is defined as the degree of acceptability of the land use on the location it is proposed.

A rapidly growing need for retirement housing and employment opportunities is experienced, specifically for people dependant on elderly care and medical support.

Although a number of similar types of development have already established in the same area, **the establishment of another retirement village adds to the agglomeration advantages of the needs for the people of this specific life stage. Waiting lists at the existing retirement villages are also evident of this need for retirement villages.**

i. The Desirability

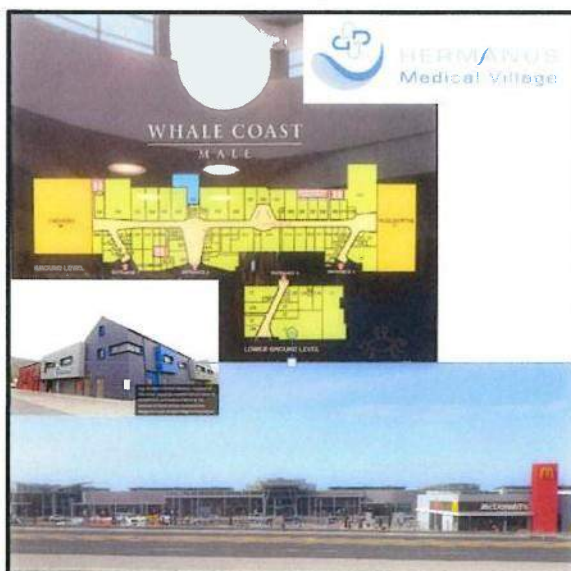
With the application area being located at the north-western quadrant of the R43 Provincial Road and Chanteclair Drive intersection and other retirement villages both east and west, and

even to the south of the site south of the R43 Provincial Road, the development proposal is considered as an infill development completely compatible with the adjoining land-uses. Similarly, the density of the development is also aligned and compatible with the adjoining land-uses, although it is on a smaller scale due to the extent of the application area.

The fact that the application site will be developed on a relatively steep slope will contribute thereto that the application site will not materially impact on views from existing built properties.

The proposed development will enjoy good accessibility being located adjacent to the R43 Provincial Road and the main access road, Chanteclair Avenue providing access to the residential suburb.

The roads providing access to the proposed development operates at a high Level of Service (LOS) as determined in the traffic impact statement (TIS) compiled by the professional traffic engineering company DECA Consulting Engineers. Furthermore, it was found that the new trips



of the proposed development will have a negligible impact on the operation of the Chanteclair Avenue / Yellow Wood Road and R43 Provincial Road / Chanteclair Avenue intersections.

The proposed development of the property, being a retirement village, will contribute towards the economy of the town by inter alia increasing buying power. Furthermore, the specific facilities provided for the elderly at existing retirement villages will also increase their potential as well as the existing medical facilities in Hermanus including the Hermanus Day Hospital.

The Whale Coast Mall, located approximately 1,5 km from the application site where a variety of supporting facilities is provided and this proposed retirement village will mutually complement each other in the sense of providing shopping facilities in close proximity and obtaining additional buying power /support from the proposed development.

The proposed development will also benefit the existing and proposed recreational facilities envisaged for Hermanus.

According to the services report, sufficient bulk and link services are available to accommodate the proposed development.

V. Planning Principles

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

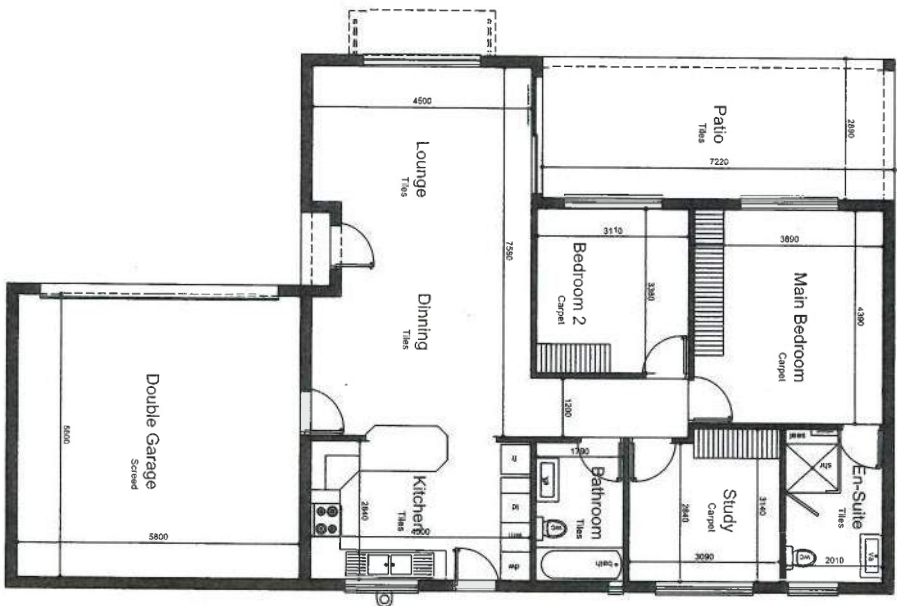
	<p>i. Spatial justice:</p> <p>The application area forms part of a corridor of group housing developments predominantly used for retirement villages. The development proposal will augment this development trend with a retirement centre which target market is largely aimed at people older than 50 years in age. Therefore, the most suitable and compatible land-use for the application area is considered to be a land-use related to housing for the elderly which this development proposal is most consistent with.</p> <p>The application proposal for the retirement centre is supported specifically by The Overstrand Municipal Wide Spatial Development Framework, 2006 where recommendations are made to optimise use of land and cater for the full range of residential needs which inter alia include the needs for the elderly in order to provide for the projected population growth. This development will also contribute towards densification as encouraged by the said Spatial Development Framework.</p> <p>The application proposal is also fully consistent with the Integrated Development Plan, 2017/18 - 2021/22 (IDP) with specific reference to eradicating the current housing backlog, and in this instance for the elderly with requirements for higher care.</p> <p>In terms of the Overstrand Municipal Spatial Growth Management Strategy, 2010, the application area is proposed to accommodate similar densities than found within the subject Planning Unit. Following discussions with the Overstrand Planning Department a density for the application site of 19.3 dwelling units is supported which is consistent with the proposed zoning being applied for and that of adjacent property, Milkwood Estate and Erf 5057 Hermanus which forms part of the Kidbrooke Place Retirement Village; the developments developed parallel along the R43 Provincial Road.</p> <p>The application proposal, consisting of the rezoning from Agricultural Zone 1 to General Residential Zone 1 on Erf 4164 Onrusrivier with a consent application for a retirement village, is consistent with the development criteria of the Overstrand By-Law on Municipal Land Use Planning, 2015.</p> <p>The application site, being proposed for a Retirement Centre can subsequently be spatially justified.</p> <p>ii. Spatial sustainability:</p> <p>In terms of spatial sustainability the proposed land-use, a retirement village, will be spatially compact and economically and administratively feasible to accommodate and considered beneficial to the competent local authority.</p> <p>Although the application is located on existing "Agricultural" zoned land, the said land is too small to accommodate an economically feasible agricultural unit (5174 m²) and also considering that the application area is located within an existing urban area.</p> <p>The application area is not burdened by any environmental constraints. Invasive Eucalyptus trees were present on the application area, but were since removed.</p> <p>The proposed retirement centre is anticipated to promote and contribute towards the local economy of the town through increased buying power.</p> <p>Furthermore, the application area will contribute towards densification and limit urban sprawl within an area of general homogeneous communities.</p>
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	<p>In conclusion, the proposed development will contribute towards the basic needs of the citizens of the Overstrand area and supply in the long-term social, economic and environmental needs of the specific target market.</p> <p>Given the above, the proposed development is considered spatially sustainable.</p> <p>iii. Efficiency:</p> <p>The proposed development will contribute towards the optimisation of the existing infrastructure whereby the integration with the adjacent land-uses will be augmented and agglomeration benefits be created. Thereby increasing secondary employment and economic opportunities within a denser and more compact area.</p> <p>iv. Good administration:</p> <p>This application is fully consistent with the general science of land-use planning by ensuring the land economy is enhanced and the relevant land-use legislation respected by following the process prescribed in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015.</p> <p>The latter is also considered part and parcel of good administration where inter alia consultive planning practices is pursued and financial, social and environmental matters are positively contributed towards and enhanced.</p> <p>v. Spatial resilience:</p> <p>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 the communities most likely to suffer the impact of economic and environmental shocks given that the proposed operation is considered as an essential service towards the aging community.</p>
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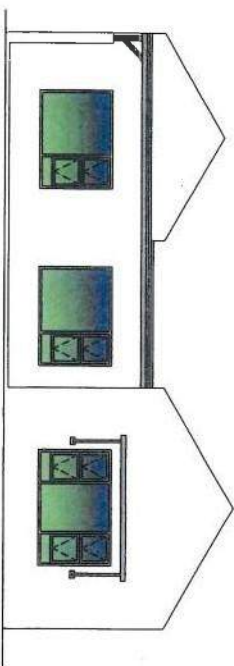
5. Conclusion

The application as motivated in this report is regarded desirable within its local context and well-integrated within the existing community land-use activities. It is therefore recommended that this rezoning application in terms of Chapter IV, Section 16(2)(a), (b) and (o) of the Overstrand By-Law on Municipal Land Use Planning 2015 be approved:

- the rezoning of Erf 4164, Onrusrivier from Agriculture Zone 1: Agriculture (AGR1) to General Residential Zone 1: Town Housing (GR1) in terms of Chapter IV, Section 16(2)(a).
- a consent use for a retirement village on Erf 4164, Onrusrivier in terms of Chapter IV, Section 16(2)(o).
- a departure to relax the perimeter street building lines from 5m to 3m to allow for the proposed dwelling units and care facility in terms of Chapter IV, Section 16(2)(b).
- a departure to relax the northern perimeter street building line from 5m to 0m to allow for the proposed gatehouse in terms of Chapter IV, Section 16(2)(b).
- a departure to relax the western perimeter side building line from 3m to 2m to allow for the proposed dwelling units in terms of Chapter IV, Section 16(2)(b).



GROUND STOREY
scale 1:100



ELEVATION
scale 1:100

S. HOATHER & PARTNERS
ARCHITECTURAL SERVICES
AN AFFILIATION WITH ISA
SARON HOATHER
ARCHITECT
ARNE COOPER
071 457 4256
shoather@woodmail.co.za

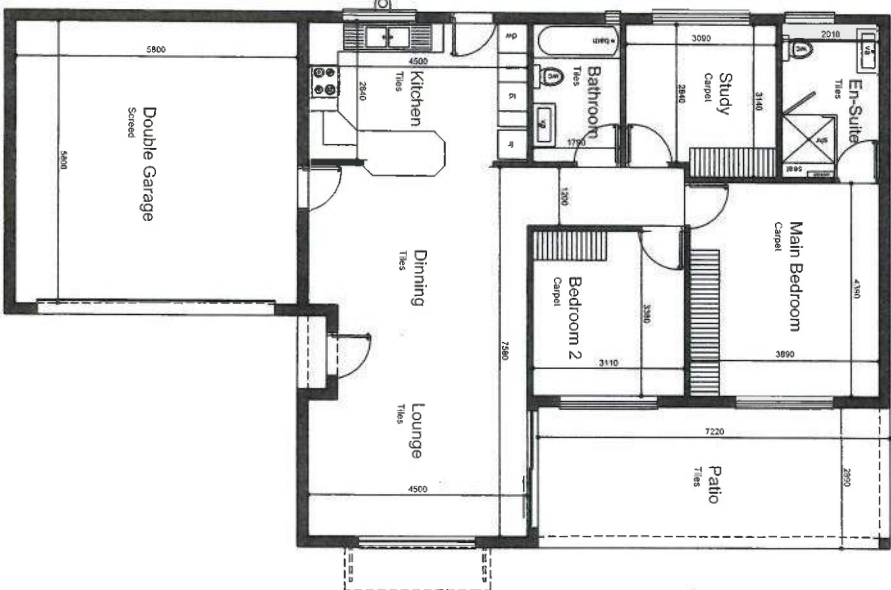
Sketch Plan on
ERP 4164
Ontus
for Belvedere Trust
OWNER

Area Schedule

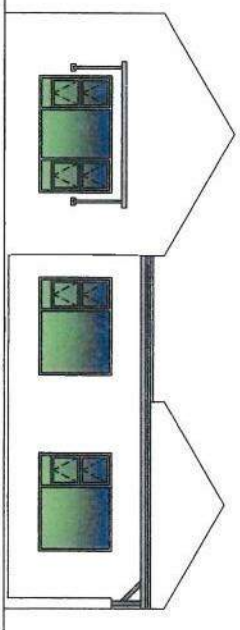
GROUND FLOOR	
Dwelling	111.84m ²
Garage	38.25m ²
Patio	20.86m ²
TOTAL	170.95m²

25 MONROE ROAD
RANDSPRUIT
PANDANUNG
2184

GROUND STOREY
scale 1:100



ELEVATION
scale 1:100

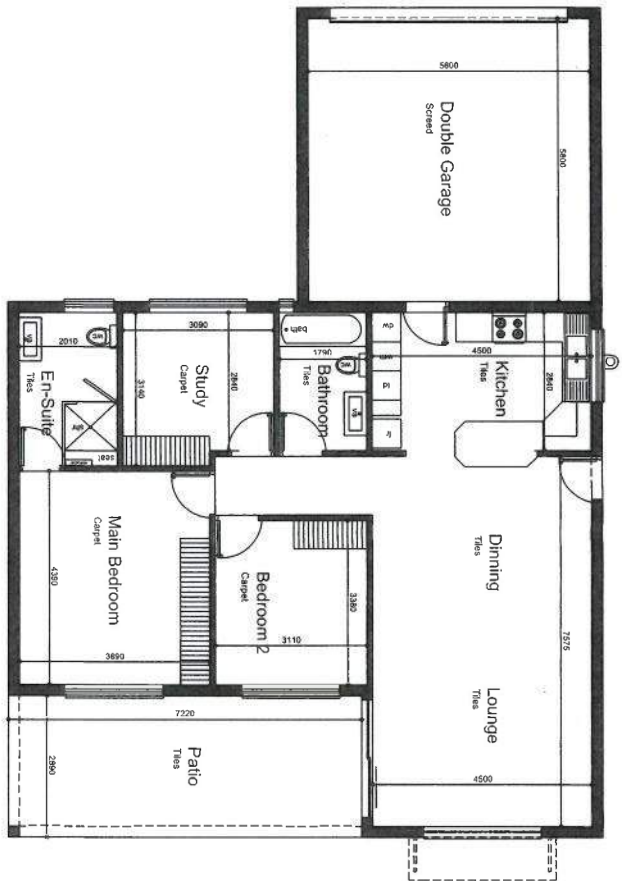


S.HOATHER & PARTNERS
ARCHITECTURAL SERVICES
AN APPLICATION WITH ISA
R.D. NO. 67227
RANDBURGH
RANDBURGH
2194
STATION STR. (CORNER) 60.3A
074 457 2258
082 332 4109
ANNE COOPER
OWNER

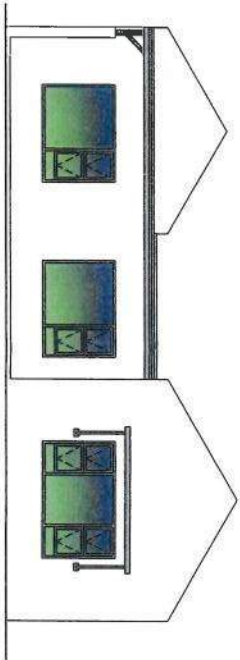
Sketch Plan on
ERF 4164
Oritrus
FOR Belvedere Trust
OWNER

Area Schedule

GROUND FLOOR	
Dwelling	111,84m ²
Garage	38,25m ²
Patio	20,86m ²
TOTAL	170,95m²



GROUND STOREY
scale 1:100



ELEVATION
scale 1:100

S. HOATHER & PARTNERS
ARCHITECTURAL SERVICES
 ARCHITECTURE WITH A REGIONAL FLAVOUR
 SHARON HOATHER
 082 232 4109
 15 MANOR ROAD
 RANDPARKRIDGE
 JOHANNESBURG
 2013
 shoath@postnetmail.co.za

Sketch Plan on
 ERF 4164
 Omrus
 for Belvedere Trust
 OWNER

Area Schedule

GROUND FLOOR	
Dwelling	111,84m ²
Garage	38,25m ²
Patio	20,86m ²
TOTAL	170,95m²

Annexure C

1/2

From:
 To: Henk Olivier <holivier@overstrand.gov.za>
 CC: <loretta@overstrand.gov.za>
 Date: 11/04/2020 01:52 PM
 Subject: BESWAAR TEEN LIGGING VAN BEPLANDE VULLISAREA OP ERF 4164



TP. N. (hoort
 C.H. Olivier)

Geagte mnr Olivier

In opvolg van my besoek aan u en re munisipale kennisgewing:

Ek maak TEN STERKSTE beswaar teen die ligging van die beplande vullisarea op die beoogde ontwikkeling op erf 4164.

My woonadres is Negester-Noord Nr 1, Chanteclair, Onrus-Noord op erf 5098. My huis is dus direk langs die beplande ontwikkeling op erf 4164.

My leefarea op die buite-stoep is teen die grensmuur tussen genoemde twee erwe, asook my eetkamer, sitkamer, hoofslaapkamer en tuin. Dit beteken dat ek in praktyk n vulliskamer as bure gaan hê indien die beplanning voortgaan met die vulliskamer direk langs my leefareas.

Verstaan ek reg dat die beplande vulliskamer sonder n dak gaan wees?

Ek versoek u asb om my ERNSTIGE EN DRINGENDE beswaar in ag te neem. Die rede hiervoor is dat ek GEENSINS n vullisarea NABY my huis wil hê nie. Daar gaan verseker stank, vlieë en ander insekte of maaiers wees. Verhoogde risiko van stank is ook weggooidoeke van pasiënte in die versorgingsoord. Dit is bloot idealisties om te redeneer dat trollies een maal per week na die vullisarea gebring word en dit op die dag van vullisverwydering. Die praktyk bewys juis die teenoorgestelde, veral as inwoners met vakansie gaan of juis afval soos vis of hoender nie op hul eie erwe wil berg vir solank soos miskien n week voor munisipale vullisverwydering nie!

Bydraend tot my beswaar is die klank wat trollies veroorsaak op harde oppervlakke soos teer of plaveisel.

Nog n bydraende faktor van my beswaar is dat ons soos reeds bewys, nie gevrywaar is teen werkers wat staak nie. Dit vererger juis die berging van vullis en die stankprobleem en die probleem van lewende organismes wat daar uitbroei.

Waar gaan mediese afval gestort word? Wat is die reëls daaromtrent soos byvoorbeeld die afstand daarvan van woonhuise af.

Ek versoek asb dringend dat die ontwikkelaars planne gewysig word: ek wil GEENSINS n vullisarea naby my huis hê nie; nie met of sonder n dak nie.

Dit gaan die waarde van my eiendom verseker negatief beïnvloed, so ook as die toegangshek moontlik nader aan my geskuif sou word. Die geraas van hek, motors wat stop en wegtrek, stemme wat gehoor word is van my redes tot kommer en beswaar indien dit oorweeg sou word.

Ek maak dit duidelik dat ek nie teen die ontwikkeling as sulks gekant is nie en wens die betrokke partye seën toe vir die pad vorentoe.

Gaan die eenhede in een fase gebou word? Hoe lank gaan die voornemende bou- en ontwikkelingsproses duur?

n Laaste opmerking: ek het tot en met die grendelperiode steeds geen geregistreerde kennisgewing van die beoogde ontwikkeling ontvang nie, soos ook die geval was in 2019. Mnr Olivier het dit wel vanjaar per e-pos vir my gestuur. Baie dankie.

FILE NO:	OF 4164 ✓
	Olivier
SCAN NO:	HON 4164
COLLABORATOR NO:	1413643

Ek vertrou dat die betrokke partye my beswaar ernstig sal opneem en n ander uitweg sal vind as wat tans beplan word.

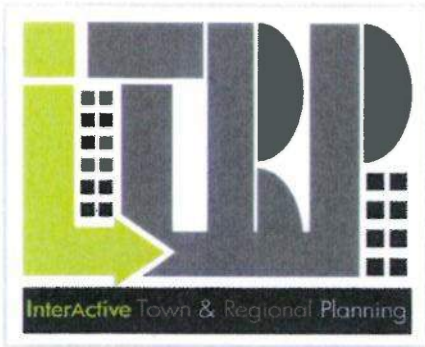
Baie dankie vir u dringende aandag aan hierdie sensitiewe saak vir my.

By voorbaat baie dankie.

Vriendelike groete.

Tel nr:

Sent from my iPhone



InterActive Town & Regional Planning

PO Box 980

Hermanus

7200

Reference: Erf 4164 Onrus

Date: 7 July 2020

ERF 4164, ONRUSRIVIER: RESPONSE TO OBJECTION

The letter received from the Overstrand Municipality dated 1 July 2020, requesting written response to the objections received from **Me SR Van Niekerk**, refers.

The methodology used to respond to the objections consist of a summary of the application proposal, a summary of the objections followed by a response to the objections and a conclusion.

A. Summary of the application

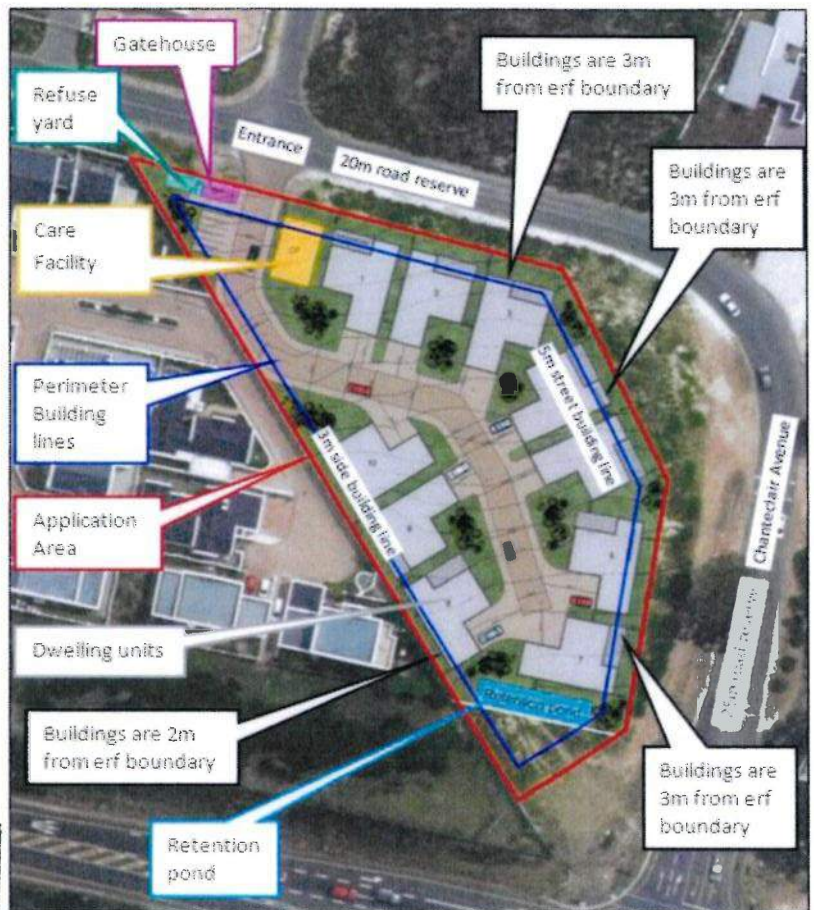
The **application proposal** consists of (1) a rezoning of the property from Agricultural Zone 1 to General Residential Zone 1 to accommodate 10 retirement units, (2) a consent use to accommodate a retirement village which includes a basic care facility and (3) building line departures to accommodate the proposed dwelling units, care facility and guardhouse which will exceed the street and side building lines.

The application proposal is shown in the adjacent sketch:

B. Summary of objections

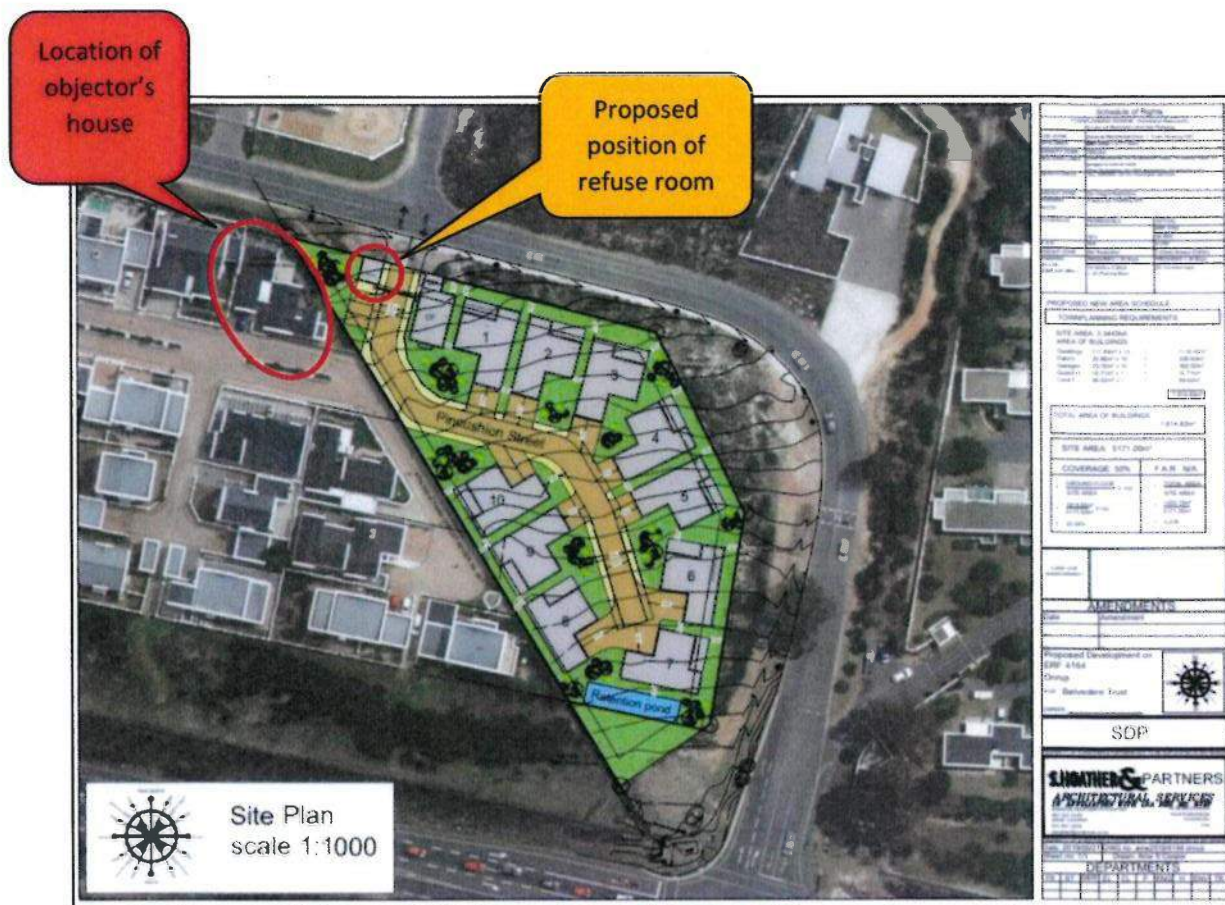
An objection was received from Me SR van Niekerk residing directly to the west of the access road to the application site.

The location of the objector's property is shown in the following plan:



FILE NO: EL 4164 - HON
SCAN NO: 07
COLLABORATOR NO: 1429527

TP
10 JUL 2020



The objection from Me SR van Niekerk can be summarized and interpreted as follows:

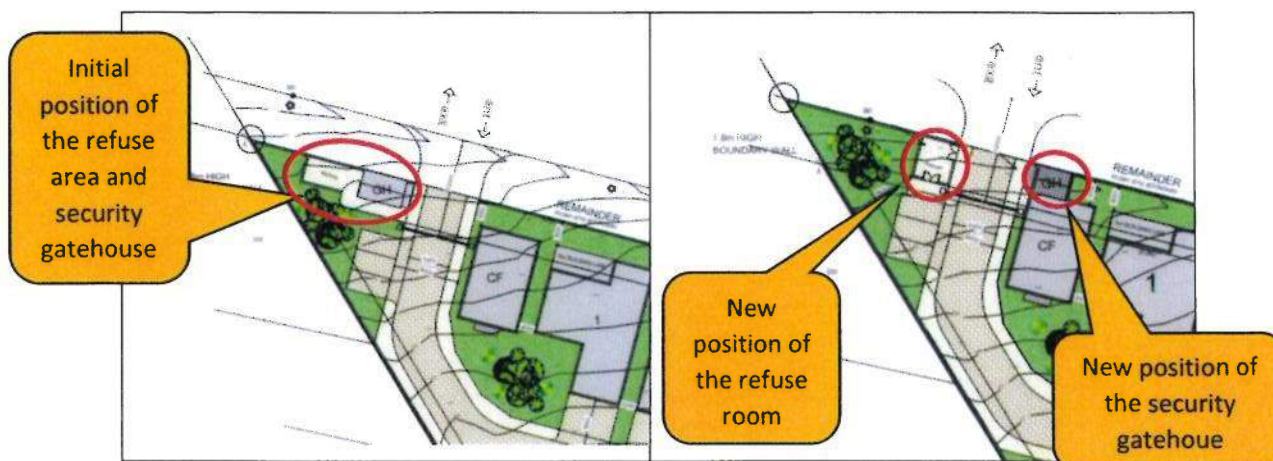
The objector emphasizes that she is in favour of the development, but strongly objects to the position of the refuse area on the premises.

The reasons for the objection are summarized as follow:

- The objector does not want the refuse area close to her house,
- The reasons provided for not wanting the refuse area in the proposed location are the following:
 - It will attract flies, insects and cause smells,
 - cause noise of trolleys on the refuse removal days,
 - The refuse room on the application site is practically the “neighbour” of the objector being close to her outside living area as well as the main living rooms.
- The objector also mentioned that the noise resulting from the access gate (mechanical movement of sliding gate or booms), voices of visitors / residents at the gate and entering and departing vehicles will cause an additional nuisance.
- The location of the refuse area and gate will reduce the value of her property.
- The objector also mentioned that she has no registered notice received.

C. Response to the points of objections

In response to the objector's objections, we confirm that the objector was contacted and proposals to resolve her concerns were taken proposed. The amendments are illustrated here-below involving the relocation of the refuse area further away from the objector's property and the relocation of the security gatehouse to the eastern side of the access road:

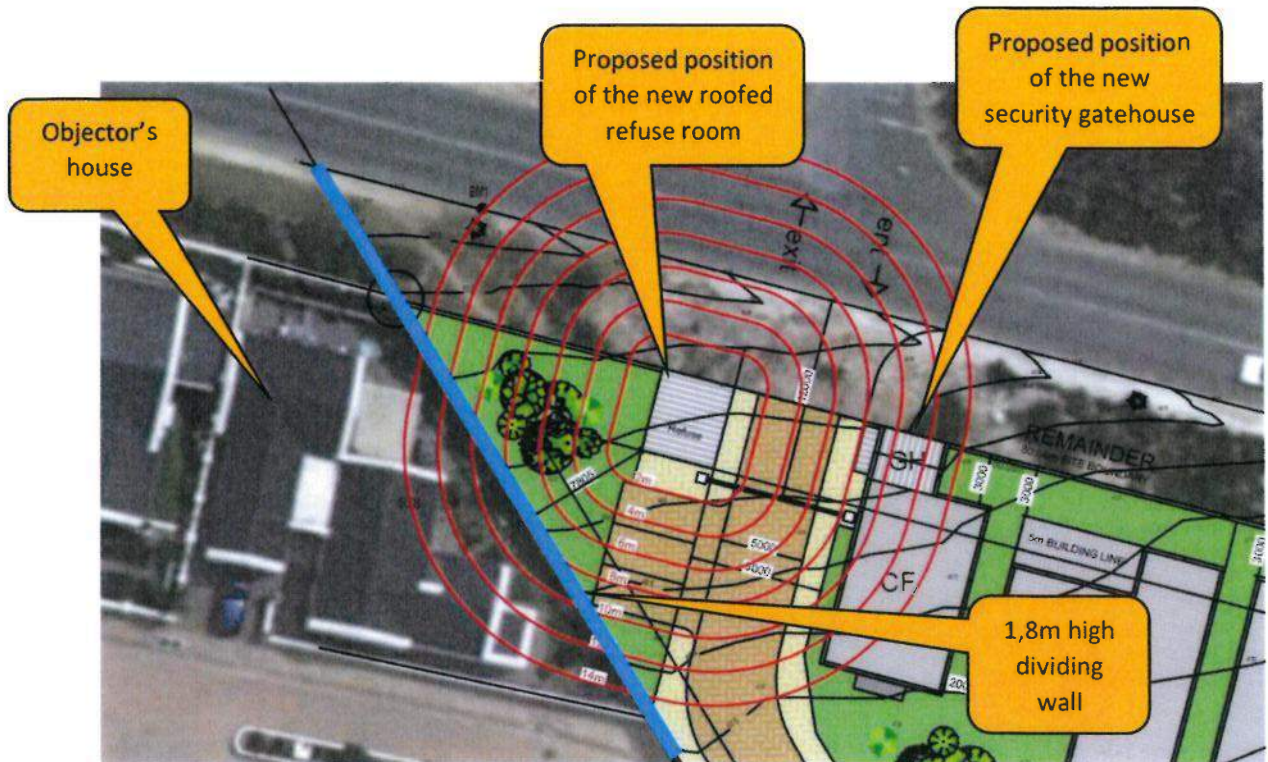


The proposal was forwarded to the objector but she did not formally respond to the proposed changes in the position of the refuse area and gatehouse.

The new proposed refuse area is proposed to be a roofed area of approximately 22m² with a door to load from the inside the development and collected by the municipality from the outside along the access road. The refuse room is intended to accommodate refuse trolleys (wheelie bins) with lids on and thereby mitigating any possibilities of noxious smells.

As shown in the site development plan it is also proposed to plant trees on the western side which will also assist in enhancing the area / buffer between the objector's property and the essential access and refuse facilities.

Evident from the following plan is that the new position of the refuse area will be at least 10m away from the nearest point from the objector's dwelling house. It should furthermore be noted that a 1,8m high wall also buffers the objector's property from the refuse area with proposed trees mitigating the possibility of any noxious smells and noise from the refuse room and gatehouse respectively.



The following factors should also be taken into consideration:

- The proposed development a proposed retirement village will be under the management of a care association ensuring in the interest of the development's own resident's and that the refuse will be hygienically and orderly managed.
- The proposed development is a relatively small development with only 10 units (with probably only 1 or 2 persons per unit) being occupied by retired residents and therefore most likely to generate minimal refuse.
- The possible potential noise from the refuse bins which may be audible from the objector's house are most likely to be limited to a few minutes a week given the low number of units, modern refuse trolleys, a well managed municipal refuse removal system and an enclosed refuse building with a roof .

The argument of the objector that the position of the refuse room and access gate will reduce the value of her property is considered invalid, unsubstantiated, unproven and based on generalized assumptions.

It should also be noted that the location of a property on the boundary of vacant land is always subject to uncertainty of adjacent land-uses. The is something the objector should have been well aware of and taken into consideration when she purchased the property.

Cognizance should also be taken by the decision makers that the position of the access point to Erf 4164 Onrus is from a traffic point of view is fixed position (opposite Yellow Wood Road based

on minimum engineering traffic standards). In general, a refuse area / room of a residential complex is normally located at the outgoing side of the complex's access road. Therefore, the position of the refuse can subsequently also be considered as a fixed point.

With regards to the objector's comments relating to the notices it should be noticed that the notices were actually sent out twice due to a technical mistake by the local authority. The notices were also advertised in the local newspapers as well as sent to the homeowner's association in accordance with the statutory public participation processes. During a telephone discussion with the objector on 9 July 2020 she indicated that she actually now received the notice. The delay is most likely due to the Post Office not being fully operational during the national Covid-19 lockdown period. In essence notices were sent out in compliance with the requirements of the municipal planning by-law.

D. Conclusion

To conclude, the objections provided **do not** represent valid reasons to reject the application.

Concerted efforts were made to accommodate the objector to which no formal response was received.

The proposed development is considered a sound low impact development, fully aligned and complementary with the general character of the area.

The decision-makers favourable consideration will be appreciated.

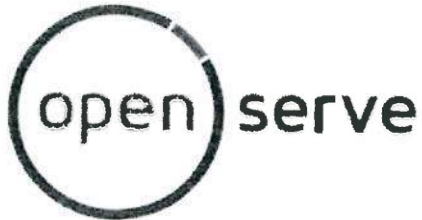
Should more information in this regard be required please do not hesitate to contact me.

Regards



Andre Wiehahn Pr Pln A/927/1996

B Art et Sc (Town and Regional Planning)

Annexure F
1/4TP - A Theart
(Holivier)

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404Candice Spammer
Tel: 021 414 5582
Fax: 086 480 0617
Email: spammec1@telkom.co.zaOur Ref.: WWIP_WONR4285_19
Your Ref.: 4164 HON 3163

4 December 2019

Attention: S Muller

Overstrand Municipality
HERMANUS**PLANT AFFECTED – COPPER:****APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND APPROVAL OF STREET NAME: ERF 4164, BUTTERFLY ROAD, CHANTECLAIR, ONRUS RIVER**With reference to your application received October 2019.

As important cables and other infrastructure are affected, please contact our representative Frederik Swart at 028 514 1199 / 081 363 7815 / FrederikS@openserve.co.za 48 hours prior to commencement of construction work.

I hereby inform you that OpenServe approves the proposed work indicated on your drawing in principle. This approval is valid for **12 MONTHS ONLY**, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001

FILE NO: EL 4164 - Hon
SCAN NO:
COLLABORATOR NO: 1364123

- 9 DEC 2019

As per sketch attached, OpenServe infrastructure **WILL BE AFFECTED**, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should OpenServe infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All OpenServe rights remain reserved.

Yours faithfully



For Selwyn Bowers
Operations Manager
Wayleave Management: Western Region



This wayleave, Reference Number WWIP WONR4285 19 is valid for 12 months from date here of and is subject to the following conditions:

1. No mechanical plant or vibrator type compactors may be used within three metres of any Open Serve plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and Frederik Swart at telephone number 081 363 7815 and email adress FrederikS@openserve.co.za must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of Open Serve Plant will be indicated on site.
3. A written request must be submitted to Open Serve for consideration should the applicant require our plant to be relocated. The cost of such relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existance of the indicated plant and to notify Open Serve immediately should the applicant locate any Open Serve plant which is not indicated on the plans.
5. Should the applicant expose any Open Serve plant, the safeguard thereof will be the applicant's full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for the damage or loss as a result thereof.

Date: 04 December 2019

By: C. Spammer

For Wayleave Management
Western Cape

Legend	
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	



TP- N. (Heart)
(C.H. Oliver)

Overstrand Municipality

Date: 2019/11/05

Loretta@overstrand.gov.za

Enquiries:

WayleavesWesternOU@eskom.co.za

WAYLEAVE APPLICATION: Rezoning and approval of street name : ERF 4164, BUTTERFLY ROAD, CHANTECLAIR, ONRUS RIVER : Hermanus

YOUR REF: HON 4164 (3163/2019)

ESKOM REF: 02816-19

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. **Eskom services are affected by your proposed works and the following must be noted:**

- Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
- Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- There may be LV overhead services / connections not indicated on this drawing.
- The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Caledon

Dirk Swart

028 214 5710

SwartDi@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Sabelo Potela on 084 745 8990 / PotelaS@eskom.co.za.

Distribution Division - Western Region [Land Development]
Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA
Tel +27 86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30

FILE NO:	OF 4164 ✓ Onsrivier
SCAN NO:	HON 4164
COLLABORATOR NO:	1352233

TP - 6 NOV 2019

2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of **300mm** with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.

3. O.H. Line Services:

- a) No work or no machinery nearer than the following **distances from the conductors:**

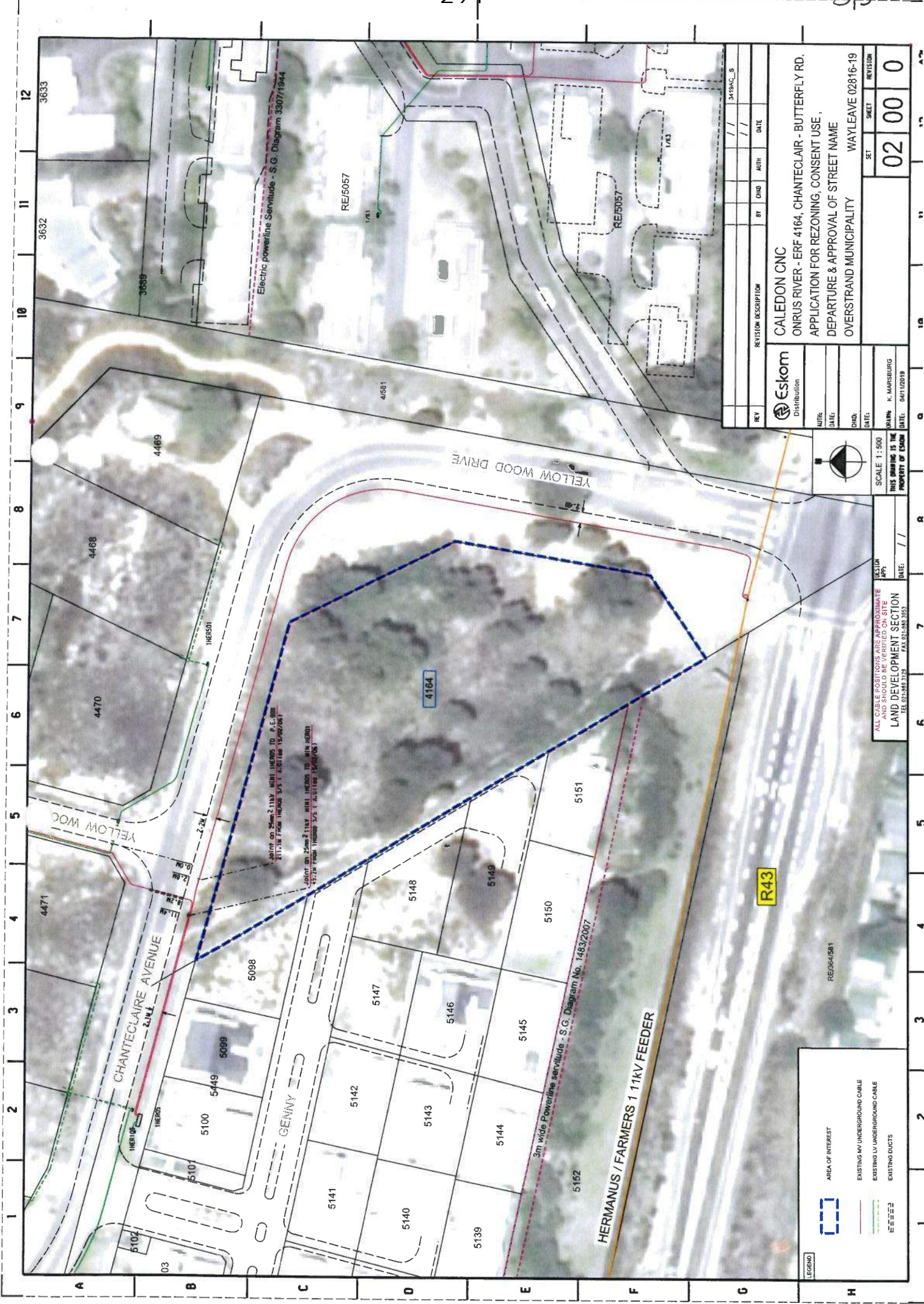
Voltage	Not closer than:
11kV	3.0 m
66kV	3.2 m
132kV	3.8 m

4. NOTE

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



Electric powerline Servitude - S.G. Diagram 33077/1944

JOINT on 25mm² 11kV. MIN. HEADS TO 4164/001
 15.24 FROM 110000 3/5 1. R. 51100 11/00/001

JOINT on 25mm² 11kV. MIN. HEADS TO P.E. BOX
 21.24 FROM 110000 3/5 1. R. 51100 11/00/001

3m wide Powerline servitude - S.G. Diagram No. 1483/2007

HERMANUS / FARMERS 1 11KV FEEDER

R43

LEGEND

	AREA OF INTEREST
	EXISTING MV UNDERGROUND CABLE
	EXISTING LV UNDERGROUND CABLE
	EXISTING DUCTS

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

34794C_S



SCALE 1 : 500
 THIS DRAWING IS THE PROPERTY OF Eskom



ALL CABLE SECTIONS MUST BE APPROXIMATE
 ALL CABLES SHOULD BE INSTALLED TO THE
 LAND DEVELOPMENT SECTION
 DATE: / /

SET	SHEET	REVISION
	02	00
	00	0

CALEDON CNC
 ONRUS RIVER - ERF 4164, CHANTECLAIR - BUTTERFLY RD.
 APPLICATION FOR REZONING, CONSENT USE,
 DEPARTURE & APPROVAL OF STREET NAME
 OVERSTRAND MUNICIPALITY WAYLEAVE 02816-19

DATE: / /

DATE: / /

DATE: / /

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, CONSENT USE, DEPARTURE & APPROVAL
OF STREET NAME: ERF 4164, ONRUS RIVER (3163/2019)**

Stormwater (SW)	:	According to the master plan by the developer
Electricity	:	Eskom supply area
Water	:	According to GLS Report
Sewer	:	According to GLS Report
Roads and traffic	:	According to the TIA report

Conditions:

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer 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. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

1.1 Developments containing Sectional Title Units/ Commercial Buildings
(non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

1.2 Developments with free standing properties (property that is subdivided and plots to be sold individually).

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (**2019/2020**) is as follows:

Freehold erven:

Water	R 22 925.00 x 7.348	= R 168 452.90
Sewerage	R 15 457.00 x 7.348	= R 113 578.04
Stormwater	R 7 997.00 x 3.447333	= R 27 568.32
Solid Waste	R 1 386.00 x 9.0	= R 12 474.00
Road	R 6 931.00 x 11.4538462	= R 79 386.61
TOTAL (inclusive of VAT)		= R 401 459.87

Note:

- 1.3 The above figures are estimates
2. that the developer at his 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;

- 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
 - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
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 the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property:
 - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
 - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
 - 4.3 the insurance to be to an amount which shall not be less than that required by the CESA
 - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
 5. 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:
 - 5.1 way-leaves must be obtained from the Operational Manager;
 - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;

6. that the developer 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:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
 - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. 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;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SANS 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;
9. 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;
10. 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
11. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the CESA and which insurance shall be valid for the relevant contract and maintenance period;
12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for works of Civil Engineering Construction – 2010, of 12 months, and
13. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the

Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;

14. that the developer furnish the Council with a bank guarantee equal to 2.5% of the value of the provided municipal civil and electrical services as certified by the independent professional engineer/technologist. The guarantee shall be to the satisfaction of the Director: Infrastructure and Planning and valid for the 12 months maintenance period which commences from date of the Certificate of Completion;
15. that the Home Owners Association be responsible for the operational costs and maintenance of street lighting, electrical reticulation and metering and all internal services;
16. that the developer provide bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
17. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be proved with the following:
 - a. properly ventilated;
 - b. a cement floor;
 - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
 - d. at a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
18. that the refuse collection area be constructed in accordance with the requirements of the Overberg District Municipality;
19. 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;
20. that the above stormwater management plan include the following:
 - 20.1. pre-development run-off from the catchment area;
 - 20.2. post-development run-off from catchment area;
 - 20.3. existing stormwater reticulation system and the capacity thereof;
 - 20.4. connection of internal stormwater reticulation system;
overland escape routes;
21. that the connection to the stormwater reticulation system be provided according to the stormwater management plan, by the developer and approved by Overstrand Municipality;

22. that the internal water reticulation system be connected to the existing 200mm diameter water pipe on the eastern side of the development as by messers GLS report;
23. that no off-street parking will be allowed;
24. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.

p.p. D. Hendriks

DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

05/12/2019

DATE

Annexure I
TP - D. Theart
(H. Olivier).

Cor Van Der Walt
LandUse Management
Email: LandUse.Elsenburg@elsenburg.com
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/4/5/039
YOUR REFERENCE : 4164 HON
ENQUIRIES : Cor van der Walt

Overstrand Municipality
PO Box 20
HERMANUS
7200

FILE NO:	21 4164
	Olivier
SCAN NO:	HON 4164
COLLABORATOR NO:	1382177

Att: H Olivier

**APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND APPROVAL OF STREET
NAME: DIVISION HERMANUS
ERF NO 4164**

Your application of 30 October 2019 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection against the proposed application.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely


Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT
2020-01-22

REGISTERED MAIL

Our Ref: HM/HERMANUS/ONRUSRIVIER/ERF 4164
 Case No.: 20011704AS0117E
 Enquiries: Andrew September
 E-mail: andrew.september@westerncape.gov.za
 Tel: 021 483 9543
 Date: 30 January 2020

Andre Wiehahn
 PO Box 980
 Hermanus
 7200



TP. A. (Heart)
 (Hollie)

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 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED RESIDENTIAL DEVELOPMENT ON ERF 4164, ONRUS, HERMANUS, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 20011704AS0117E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 17 January 2020.

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

This decision is subject to an appeal period of 14 working days. The appeal period shall be taken from the date above. It should be noted that for an appeal to be deemed valid it must refer to the decision, it must be submitted by the due date and it must set out the grounds of the appeal. Appeals must be addressed to the official named above and it is the responsibility of the appellant to confirm that the appeal has been received within the appeal period.

Applicants are strongly advised to review and adhere to the time limits contained the Standard Operational Procedure (SOP) between DEADP and HWC. The SOP can be found using the following link <http://www.hwc.org.za/node/293>

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.

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


 Dr Mxolisi Dlamuka
 Chief Executive Officer, Heritage Western Cape

FILE NO:	af 4164
	Onrusrivier
SCAN NO:	03
COLLABORATOR NO:	1380389

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: P.O. Box 1656, Cape Town, 8000
 • Tel: +27 (0)21 483 5959 • E-mail: ceheritage@westerncape.gov.za

Straatadres: Protea Assuransie gebou, Groenemarkplein, Kaapstad, 8000 • Posadres: Postbus 1656, Kaapstad, 8000
 • Tel: +27 (0)21 483 5959 • E-pos: ceheritage@westerncape.gov.za

Idifesi yendawo: kumqungatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • Idifesi yeposi: Inombolo yebhalisi

TP



File reference:	4164 HON (3163/2019)
Date:	30 October 2019
	LI

INTERNAL MEMORANDUM

From	:	Town Planning Department
Town Planner	:	Henk Olivier

TO:

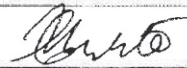
<u>Area Manager</u>	<u>Building Department</u>	<u>District Health</u>	<u>Electrical Department</u>
<u>Environmental Officer</u>	<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>
<u>Operational Services</u>	<u>Traffic Department</u>	<u>Ward Councillor (Cllr. J. Orban)</u>	<u>Waste Management</u>

Applicant	INTERACTIVE TOWN & REGIONAL PLANNING (obo JM DUCCI for CAPE DETAIL CONSTRUCTION PTY LTD)
Property Details	ERF 4164, BUTTERFLY ROAD, CHANTECLAIR, ONRUS RIVER
Application Description	APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND APPROVAL OF STREET NAME

ATTACHMENTS :

1.	Notice	<i>Should the information be insufficient for you to make an informative comment, please list any additional documentation that you would require to make informed comments.</i>
2.	Locality Plan	
3.	Motivation	
4.	Site Development Plan	

YOUR DEPARTMENT'S COMMENTS:

No objection form Solid Waste Planning.	
The refuse storage area must comply with part U of the national building regulations.	
Provision needs to be made for a refuse truck embayment on Chanter Clair Road just west of the entrance as well as an access gate in the outer boundary wall to allow for the refuse to be easily collected.	
Signature:	
Date:	13/11/2019

Please provide your comments (with specific reference to any conditions of approval that should be imposed) in the space provided above or in a separate Memo by not later than the date stipulated below. If you require an extension of time for submission of comments, kindly request this in writing. Should no comments be received, it will be assumed that you have no objection to the proposal and where appropriate, the Mayoral Committee will be informed accordingly.

- Building Control Department to confirm that all structures on the property/ies are in accordance with the approved building plans.

COMMENTS REQUIRED BY:	6 December 2019
-----------------------	-----------------



ROAD NETWORK MANAGEMENT
 Email: Grace.Swanepoel@westerncape.gov.za
 tel: +27 21 483 4669
 Rm 335, 9 Dorp Street, Cape Town, 8001
 PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-21/198 (Job 15029)

ENQUIRIES: Ms GD Swanepoel

DATE: 14 November 2019

The Municipal Manager
 Overstrand Municipality
 PO Box 20
HERMANUS
 7200

Attention: Mr H Olivier

Dear Sir

FILE NO: <u>OT 1111</u> ✓
<u>Onrusrivier</u>
SCAN NO: <u>HON 4164</u>
COLLABORATOR NO: <u>1359605</u>

ERF 4164, CHANTECLAIR ROAD, ONRUSRIVIER: APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND APPROVAL OF STREET NAME

1. Your letter 4164 HON dated 30 October 2019 refers.
2. The subject property is located in Onrusrivier and is proposed to take access off Chanteclair Avenue (a municipal road).
3. This application is for Rezoning, Consent Use, Departure and approval of a street name in order to develop a 10 unit retirement complex.
4. It is noted that the Traffic Impact Statement undertaken by DECA Consulting Engineers concludes that the development will have a negligible impact on the network.
5. This Branch offers no objection to the application in terms of the Land Use Planning Act, No 3 of 2014.

Yours faithfully


SW CARSTENS
 For **CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**

304 Annexure M 1/2

TP - A Theart
(Holliver)
P Aplon



Department of Environmental Affairs and Development Planning
D'mitri Matthews
Development Management
D'mitri.Matthews@westerncape.gov.za | Tel: 021 483 8350

REFERENCE: 16/3/3/6/E2/26/1115/21
DATE: 20/5/2021

The Municipal Manager
Overstrand Municipality
P. O. Box 20
HERMANUS
7200

Attention: Ms. P. Aplon

Dear Madam

FILE NO: EL 4164 - HON ✓
SCAN NO: HON 4164
COLLABORATOR NO:
1542107

Tel.: (028) 316 3724
Email: paplon@overstrand.gov.za

RE: APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED), WITH RESPECT TO THE PROPOSED APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND APPROVAL OF STREET NAME ON ERF NO. 4164, CHANTECLAIR, ONRUSRVIER

1. The electronic correspondences dated 14 April 2021 and 17 May 2021, refer.
2. Following the review of the new information contained in the electronic correspondence, this Department notes the following:
 - 2.1 The application proposal includes:
 - 2.1.1 A rezoning of the property from Agricultural Zone 1 to General Residential Zone 1 to accommodate the 10 proposed retirement units.
 - 2.1.2 A consent use to accommodate a retirement village which includes a basic care facility.
 - 2.1.3 Building line departures to accommodate the proposed dwelling units, care facility and guardhouse which will exceed the street and side building lines.
3. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 and 3 of 7 April 2017. Be advised that, based on the information provided, the proposed development on the abovementioned property, **does not** constitute any listed activities as defined in terms of the NEMA EIA Regulations 2014 (as amended). Environmental Authorisation is therefore not required prior to the proposed development.
4. The above-mentioned is based on the following:
 - 4.1 The site is located within the urban area and is 5174m².
 - 4.2 The site no longer contains indigenous vegetation, therefore there will be no clearance of indigenous vegetation.

TP 24 MAY 2021

- 4.3 The site contains no watercourses.
5. However, should any future development of the consolidated portions trigger any listed activity in terms of the EIA Regulations, 2014 (as amended), an application form for Environmental Authorisation must be submitted to the Competent Authority and the Environmental Authorisation obtained prior to the development proposal being commenced with on the proposed site. The relevant application forms are available on this Department's website: www.westerncape.gov.za/eadp.
 6. You are further reminded of your general duty of care towards the environment in terms of section 28(1) of NEMA which states:
"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
 7. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
 8. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.
 9. This Department reserves the right to revise or withdraw its comments and request further information based on any information received.

Yours faithfully

Marbe
pp Coetzee

Digitally signed
by Marbe Coetzee
Date: 2021.05.20
21:26:58 +02'00'

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc to: (1) Mr. A. Wiehan (InterActive Town & Regional Planning)

Email: wiehahn.a@gmail.com