

#### 1.2.4 Surrounding Zonings and Land uses

##### Zoning (Refer PLAN NO 3):

The zoning map indicates the different zonings of the erven around the property within a radius of  $\pm 350\text{m}$ . According to this map, most of the erven to the south, west and north are earmarked either for Residential I (Primary use: Dwelling/House) and/or Residential II (Primary use: Group Housing). Both these two zones allow for double storey residential units, and it is therefore important to minimise any visual impact that the development proposal may have on any of these surrounding residential properties. The erven to the east of the property are mostly zoned Industrial Zone I, while some business zonings are evident in the areas east and west of the property along the R43.

##### Land Uses (Refer PLAN NO 4):

###### South:

Bergsig Street with two typical high density private residential villages (Mooizicht Gardens and Ocean Breeze). These developments are only partly developed with a lot of vacant properties still visible. Further south-west lays the low density suburb of Sandbaai, while the high density suburbs of Kwasa-kwasa and Zwelihle are located further south-east.

###### West:

A mixture of high- and medium density residential erven, with a business use (Super Plants) next to the R43 or Main Road. A Guest House is nestled among the residential erven, on the fringe of the study area. All of the above lies between the study area and the Sanbaai Main Road, which serves as the primary residential distributor of the Sandbaai neighbourhood.

###### North:

The R43 or Hermanus Main Road borders the property to the north. This road runs from east to west right through Hermanus and is the primary distributor for all traffic entering or leaving Hermanus. Beyond this road lies a fairly new residential development called "Hemel en Aarde Estate". A prominent Wine Village with restaurant is also located to the north west of the property.

###### East:

A low density industrial area is situated between the property and Skulphoek Street to the east. Beyond this street lays a cemetery and the residential suburb of Mount Pleasant.

### 1.2.5. Topography and gradient

Refer PLAN NO. 5.

The gradient of the study area stretches from the south-western corner, upwards towards the north-eastern corner of the property. This gentle south-western slope is due to the natural fall of the Onrus Mountains towards the sea. Due to the natural gradient of the property, the site carries a good visibility from both the eastbound and the westbound traffic on the R43.

Except for an open channel along the southern boundary, there are no major drainage patterns visible on the site, and it is therefore assumed that most of the mountain run-off water is controlled by the existing roads and storm water systems.

### 1.2.6 Climate

The climate is Mediterranean with most of the rainfall in winter with long hot sunny summer days.

Seasons:

Spring:	September – October;
Summer:	November – March;
Autumn:	April – May;
Winter:	June - August.

Temperature:

Average Summer temperature: 26 degrees C. Summers are pleasant, perfect beach weather often with high temperatures, but being a coastal town, sea breezes lower temperatures in the late afternoon.

Average Winter temperature: 14 degrees C. Although rainfall mainly occurs during winter, the Hermanus region has many mild sunny days, with high winds at times.

Rainfall:

The mean annual rainfall for the Hermanus district is 1540mm.

### **3. SPECIALIST STUDIES**

This Section lists and summarises a number of Specialist Studies undertaken to guide and support the proposed development of a Regional Shopping Centre on the proposed site. It must be noted that only specialist studies that may affect the development from a planning perspective are listed here. Specialist studies that may affect the development from an environmental point of view are included in the Environmental Report compiled by the responsible independent environmental practitioner.

#### **3.1. BOTANICAL IMPACT ASSESSMENT**

Refer ANNEXURE L

**Author:**

The Nature Conservation Corporation.

**Purpose:**

To assess the potential impacts of the proposed Regional Shopping Mall on biodiversity.

**Impact:**

*"No impact are anticipated as a result of this development, as the area is already transformed and therefore of no conservation value and furthermore, is not connected to natural areas or offer linkage to any."*

**Recommendations:**

- *A Construction Environmental Management Plan (CEMP) must be drafted and approved by all relevant authorities. It is to specify mitigation for potential impacts arising from construction such as pollution (dust, noise, potential water pollution etc.), access etc.*
- *An Environmental Control Officer (ECO) is to be appointed to ensure that all construction activities comply with the CEMP and relevant legislation. "*

This document is included in the application for environmental approval and both these two important recommendations will be addressed by the final environmental approval from the Department of Environmental Affairs and Development Planning.

#### **3.2. TRAFFIC IMPACT STUDY**

Refer ANNEXURE M

**Author:**

ITS Engineers

**Purpose:**

To determine the impact on the surrounding road network and to evaluate the operations of the proposed accesses and internal site circulation.

**Recommendations:**

*"The existing road network can accommodate the proposed development provided that the following upgrades and improvements are in place:*

- *The dualling of Main Road (R43) from the Hemel-en-Aarde intersection to Mimosa Street needs to be completed in addition to the other mitigations to have an effect.*
- *Installation of a traffic signal at Main Road/Swartdam Street intersection.*
- *Building a Left-in, Left-out at Development Access 1.*
- *Upgrade/widening of Skulphoek Street from Main Road to Adam Street to at least two lanes per direction.*
- *Constructing a 2-lane roundabout at the Skulphoek Street/Adam Street intersection.*
- *Possible widening of Adam Street to a single lane roadway with shoulders and a sidewalk on at least the northern side.*
- *Widening of Bergsig Road at Development Access 3.*
- *Upgrade of the Bergsig Street/Main Street intersection to a single lane roundabout.*
- *Provide sidewalks along site frontages, the major access roads to the site and along defined pedestrian routes on site.*
- *Identify possible location on site for minibus-taxi drop-of points.*
- *Although, the proposed widening of Main Road and the improvements of the intersections along Main Road will be able to accommodate the background traffic growth plus the additional site traffic, the extension and improvement of Bergsig Street to link to Church Street to the east will significantly improve traffic operations on the network. Bergsig Street will not only provide better access to the development for many local residents, but it will also provide a comfortable alternative road to/from the Hermanus CBD".*

The above recommendations are explained in detail by means of diagrams, pictures and figures under Annexure M.

**3.3. ENGINEERS SERVICES REPORT**

Refer ANNEXURE N

**Author:**

Engineering Services Report: Partnership de Villiers Consulting Engineers

Electrical Services Report: Quad Africa Consulting

Stormwater:

Capacity in existing system: Yes

*"A new pipe will be installed from the site boundary to connect up to the existing Council system in Main Road."*

A Stormwater Master Plan which discusses the existing and proposed drainage systems is also included under Annexure N.

Sewer:

Capacity in existing system: Yes

*"The proposed development will tie into the Council's sewer line in the south eastern corner of the site."*

Water:

Capacity in existing system: Yes (existing reservoir storage system)

*"The following pipe upgrades are part of the Water Master Plan and will need to be installed in order for the proposed development to have sufficient water: a 690m long 250mm dia pipe in Main Road, from the R43 to End Street, a 660m long 160mm dia pipe along the southern boundary of the R43 and a 200m long 110mm dia pipe connecting the 160mm dia pipe along the R43 and the 75mm dia pipe in Bergsig Street."*

Electricity:

Capacity: *"The initial survey by the Overberg Municipality reported that the existing Hermanus electrical network is at capacity – upgrading needed. Also refer Par. 2.5 above.*

*The existing 30 MVA - 66kV ESKOM (Hermanus) distribution point must be upgraded. Parallel to the ESKOM installation contract period, and accepting that binding contractual obligations exist between parties, the proposed Retail Africa Project 11kV reticulation, transformation, switchgear and infrastructure can be procured and installed."*

### **3.4. GEOTECHNICAL INVESTIGATION**

Refer ANNEXURE O

**Author:**

SRK Consulting Engineers and Scientists

**Purpose:**

To determine the soil profile and consequently make recommendations regarding the construction of the proposed development.

**Soil Profile:**

0-1m: Loose fine to medium sand

1m and deeper: Very dense ferricrete or medium dense fine to medium sand or clayey/silty sand.

Detailed soil profiles of the 18 test pits are attached to the Geotechnical Investigation: ANNEXURE O. No rock excavation is anticipated during the construction phase.

**Recommendations:**

- *Summer construction;*
- *Prevent storm water from discharging onto site from adjacent areas;*
- *Area to be filled, as well as area where in situ sand is present at the proposed platform level must be compacted un situ using a heavy vibrator roller;*
- *Sand fill derived from cut should be placed beneath the building footprint and compacted in 200mm layers to 100% mod AASHTO compaction;*
- *A view needs to be taken whether to stockpile the ferricrete layer for possible later use within roads/parking areas;*
- *Clayey sand to be used within fills beneath parking areas rather than buildings.*

### **3.5 VISUAL IMPACT ASSESSMENT**

This document is included in the environmental application (Basic Assessment). It describes the visual impact of the proposed development as **mixed/moderate** on the landscape with high local visibility. The Visual Impact Assessment also makes recommendations in terms of possible construction and operational phase impacts, but for the purpose of this Land Use Application we will only concentrate on the recommendations made in terms of Planning and Design.

**Author:**

New World Associates

**Purpose:**

To assess the visual impact of the proposed development.

**Recommendations (Planning and Design):**

- **ARCHITECTURAL STYLE:**  
Use local architectural style and employ Vernacular details in the detailing of the scheme.
- **BUILDING COLOUR AND ROOFSCAPE:**  
Building colours to be in the medium tone range, not white. Roofs should not be uniform in colour and from a mid-dark tonal range.
- **ROOF GARDENS:**

Should be utilised on flat areas where possible.

➤ **LANDSCAPE PLAN:**

Permeable paving in the parking bays. Berm design needs to be configured to a naturalistic form.

➤ **LIGHTING:**

Design lighting to be subtle, but safe where necessary. Pole tops or bollards in the parking bays is preferred and should be louvred, with "fun" lighting near the mall itself.

It is the intention of the developer to extent and enhance the pleasant setting created by the Hemel & Aarde Tourist Centre. In order to achieve this, the developer will implement and manage the recommendations made by the Visual Impact Assessment.

### **3.6 VALUERS REPORT**

Refer ANNEXURE P

The Valuers Report gives an educated perspective from a local point of view on the proposed development (measured against alternative land uses) and discusses the desirability of a regional shopping centre at the proposed location. The points noted under the conclusions segment of this section only discusses some of the observations made by the Valuers Report.

**Author:**

H Owen Wiggins

**Purpose:**

To report on desirability of the above proposed mall and the impact on the immediate surrounding property values, especially also the neighbouring guest houses.

**Conclusion:**

- The proposed shopping centre will stimulate development.
- With regard to guest houses the principle is that *"business brings business"*.
- The proposal will increased property values.
- This development will keep some traffic out of the C.B.D.

*"If the benefits to the community through these developments are weighed up against each other, I submit the most benefit to the community will be the development of the subject property as a shopping centre", H Owen Wiggins.*

## 5. CONCLUSION & CONTACT LIST

This section summarise some factors to be considered by the Overstrand Municipality when considering this Land Use application to prepare the Land Use rights in support of the establishment of a regional shopping centre on erven 1499, 1450, 1452 and 1734, Sandbaai.

- The site is situated within the Urban Edge of Hermanus.
- It lies within an already developed area where services are available and the land is identified by the Overstrand Spatial Development Framework as part of a commercial node. It is bordered on the east side by low density industrial uses, on the west by smaller commercial uses, and to the south by medium density residential uses.
- Bergsig Road, which has been earmarked as a future link road/alternative route between the R43 and the Hermanus CBD to alleviate the current traffic congestion, runs along the southern boundary of the site. As such, the Regional mall development would be an appropriate land use situated in between the two main corridors entering Hermanus.
- The site is about 4km west of the existing Hermanus CBD, and as such, it would alleviate the pressures on additional large and bulky more commercial land uses within Hermanus CBD, which will destroy the existing village atmosphere and sense of place.
- Although suitably decentralised, the site is still close enough to also attract the high and middle end of the Hermanus market, which is vital for the sustainability of the Mall.
- The site is also closely situated to the high density, lower income area between Sandbaai and Hermanus, thereby providing excellent job opportunities to those permanent residents.
- The developer is experienced as a strategic property analyst and is therefore considered an expert in understanding the umbilical link between a Regional mall, the Hermanus Town centre and surrounding smaller towns.
- The specialist studies as attached to this document support the proposed development.
- Detailed building plans will only be submitted to the local building department, once this land use application has been approved.

Against this background and the supplementary plans and specialists reports we request that this application be approved by Council in order to allow the developer and owner to proceed with the next step of the Hermanus Regional Mall development.

The Chairpersons  
 Villa Anadia, Monte Mare,  
 Bergzicht, Carlene.  
 C/O Unit 8, Villa Anadia,  
 Bergsig Street,  
 Sandbaai  
 HERMANUS.  
 7200

S. Muller  
 Director: Infrastructure and Planning  
 Overstrand Municipality  
 P.O. Box 993  
 HERMANUS 7200



S muller  
 TP

Dear Sir/Madam

RE: Consent Use of Erven 1449, 1450, 1452, and 1734.

I refer to your letter of 22<sup>nd</sup> May, 2009, concerning the consent use of the above erven.

A meeting of the chairpersons of Villa Anadia, Monte Mare, Bergzicht, and Carlene security complexes was held on Wednesday 10<sup>th</sup> June, 2009 to discuss any issues that may arise from the change from "Residential Area" and "Agricultural Area" to "Commercial Node" of the above erven.

The following were agreed to:

1. Considering the planning that takes into account the separation of dwellings in The Bergzicht and Timbali complexes from the main shopping area and the service area, by means of a Boma to be planted with trees and shrubs, and an extensive parking area; taking into account the proposed plans to alleviate traffic congestion by widening alterations to the R43, and the proposal to extend Bergsig Street through to Church Street; and in the light of the placing of the consolidated erven adjacent to an existing Commercial/Light Industrial Node, the chairpersons agreed that a change of zoning would be largely acceptable and beneficial to the complexes they represent, and to the suburb of Sandbaai as a whole.


FILE NO: ERVEN 1449, 1450,
1452 & 1734 SB
SCAN NO:
COLLABORATOR NO:
107125

2. Clearly there will be concerns that will need to be addressed in the future, but these are not relevant to the zone changes proposed in your letter.


It is agreed, therefore, that the zone changes should be supported.

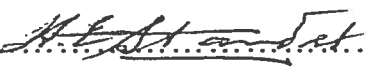
The chairpersons express their appreciation of the information being placed before them timeously, so that a proper response can be formulated after consultation. They request that future developments also be presented when they become relevant.

Yours truly,

Chairperson, Villa Anadia 

Chairperson, Monte Mare 

Chairperson, Bergzicht 

Chairperson, Carlone 

# Home Owners Association

(Association incorporated under section 21)

Registration Number 2004/035502/08

**Managing Agents: Happidaze Property Administrators,**

216 Main Road - Box 748, Hermanus, 7200

E-mail: happidaze@telkomsa.net Tel/Fax 028 312 1049

13 July 2009

The Municipal Manager  
Overstrand Municipality  
PO Box 748  
Hermanus  
7200



By hand.

Attention: Mr H Olivier (Town Planner)

Dear Mr Olivier,

**Re: Your letter of 22 May 2009 regarding the rezoning of 1449, 1450 1452 and 1734, Sandbaai**

Thank you for the opportunity to comment on the proposed rezoning of these erven and the proposed development of a Shopping Centre.

In principle the Monte Mare Home Owner's Association is not opposed to the proposals as mentioned in the letter of 22 May 2009, and it is our opinion that such a development could help to enhance and improve the infrastructure of our neighbourhood.

We do, however, have some reservations about the development of such a centre in the proximity of our complex.

**1. Traffic**

Bergsig Street is narrow and carries some heavy traffic, both passenger and heavy delivery vehicles as well as pedestrians. We note that the plans indicate a partial widening of this street. Unfortunately this widening is shown to be on the side which is available for pedestrians.

**2. Noise**

Deliveries to centres such as this one are accompanied with high traffic noise levels, and are normally done in the early hours of the morning. From the plans it is not clear which entrance will be used for deliveries to the centre, and we are concerned that this would be done via Bergsig Street which will mean that the residential complexes in the vicinity would be subjected to unacceptable noise levels.

**3. Lighting**

Currently there are no street lights in Bergsig Street and we feel that proper street lighting should be installed in this street.

**4. Bottle Store.**

We are not enthusiastic about a bottle store close the residential complexes, as there is already a number of bottle stores within easy access from Sandbaai.

**5. Miscellaneous**

We note that an application for a "Consent Use" contains amongst others "a place of assembly", "a place of instruction", "an institution", "service trade". As we are not certain what is meant by these terms, and what effect they will have on the vicinity, we would like to have a more detailed description of them and what the developer envisages.

We confirm that the application in question was discussed at our last Annual General Meeting, and a copy of this letter will be sent to all owners.

Yours faithfully,

C J Theron  
Chairperson  
Tel: 028 316 3812  
e-mail: ctheron@limbo.co.za

FILE NO: Erven 1449, 1450, 1452 & 1734 SB
SCAN NO:
COLLABORATOR NO: 107184

FAX : (028) 313-2093

412  
NO. PAGES : 1

DATE : 29/05/2009



ERF 1794 COBALT CLOSE BODY CORPORATE  
c/o SOTRAN TRADING 148 CC  
P.O. BOX 199  
ONRUS RIVER  
7201

TP

MUNICIPAL MANAGER  
OVERSTRAND MUNICIPALITY  
P.O. BOX 20  
HERMANUS  
7200

erven 1449, 1450  
1452 & 1734 SB

SCAN NO:

43

COLLABORATOR NO: 102518

ATTENTION : Mr. H. Olivier

Dear Sir

**ERVEN 1449, 1450, 1452 & 1734, SANDBAAI : AMENDMENT OF GREATER HERMANUS & OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORKS : PROPOSED CONSOLIDATION, REZONING & CONSENT USE : PROPOSED SHOPPING CENTRE**

Your registered notice, File Reference : 1449, 1450, 1452 & 1734, HSB, dated 22/05/2009, has reference.

The general locality of the proposed development and the concept of the provision of a shopping centre is circumstantially sound.

The proposed shopping centre attests of significant magnitude/ impact and is situated in a fast developing/ evolving commercial/ mixed use node generally attesting of ad-hoc individual development approvals to date.

Full support will be tendered should sound long-term forward/ spatial planning principles and considerations first be urgently addressed and implemented over an appropriate study area as part of the amendment of the relevant SDFs' which must obviously include/ be preceded with public participation at an appropriate scale and level.

Yours faithfully

K.E. Oettler : Chairman  
ERF 1794 COBALT CLOSE BODY CORPORATE

**COPY** : Chairman/ Committee, Hermanus Business Park Property Owners Association  
c/o Happidaze Property Administrators : Fax : (028) 312-1049

29 MAY 2009

Home Address: 21 Parowdise Place, Duff Street, PAROW, 7500  
 Telephone number: 021 932 5756, 021 483 4777 or 084 895 0009

For Attention: Mr H Olivier <sup>TP</sup>  
 Infrastructure & Planning  
 HERMANUS



Re: 1449, 1450, 1452, 1734 HSB

1. The above matter refers.
2. As investors on the Hemel en Aarde Estate; Erf 8180, we endorse the proposed development and trust that it will bring about a positive spill over to the community of Hermanus and surrounding areas.
3. If we may, we would like to note the following for research and record purposes:
  - 3.1 **Your 3.2 (Traffic Impact Study)**
    - 3.1.1 Because of the extent of the proposed Mall, would it not be feasible to rather extend the dual road from Onrus or Berghof or Milk Wood Estate?
    - 3.1.2 If consideration can be given to the erection of at least 2 Foot Bridges in the area of Mount Pleasant and about 100 meters from the Hemel en Aarde Estate Intersection.  
 This should make the crossing safer for Children, Elderly Persons as well as Persons with a Disability.
    - 3.1.3 If the new infrastructure could put greater emphasis on Bicycles and Scooters as this is a growing trend as a mode of transport.
  - 3.2 **Your 3.5 (Visual Impact Assessment)**
    - 3.2.1 That the architectural guidelines be enforced vigorously in order to ensure that the theme of the Mall complements the surrounding developments in all respects.
4. General Remarks  
 If the proposed Mall could be benchmarked against;  
The Garden Route Mall in George or Somerset Mall, we should have no reason to doubt the valuator's report.
5. Our best wishes accompany your endeavours.

Yours sincerely

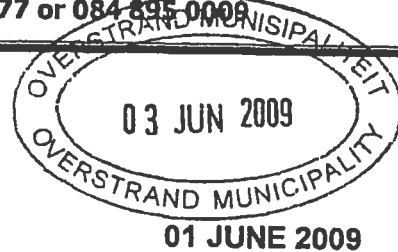
CE & LL LEKAY

01/06/2009

FILE NO:	erven 1449, 1450, 1452 etc
SCAN NO:	38
COLLABORATOR NO:	102996

Home Address: 21 Parowdise Place, Duff Street, PAROW, 7500  
 Telephone number: 021 932 5756, 021 483 4777 or 084 895 0009

**For Attention:** Mr H Olivier <sup>TP</sup>  
 Infrastructure & Planning  
 HERMANUS



**Re: 1449, 1450, 1452, 1734 HSB**

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5. Our best wishes accompany your endeavours.

Yours sincerely

CE & LL LEKAY

01/06/2009

FILE NO:	emer 1449, 1450, 1452 etc
SCAN NO:	
COLLABORATOR NO:	102996

415



J A W Louw  
19 Mitchell street,  
HERMANUS  
TEL 028 3131747/ FAX 028 3121287 TP

Mr Henk Olivier  
Town Planning Department  
The Overstrand Municipality  
Magnolia street  
HERMANUS

2009=07=09

BY HAND

Dear Mr Olivier

RE: DEVELOPMENT BY RETAIL AFRICA ON ERVEN 1449,1450,1452,1734 & ERF 243 SANDBAAI FOR REGIONAL SHOPPING COMPLEX.

- 1 REGISTRATION OF CONCERN REGARDING ACCESS ROAD
- 2 PROPOSAL TO PURCHASE ERF 1550.

Firstly, I wish to thank you for the meeting you kindly had with me at your offices [12h00 Wednesday 8th July 2009] and the convivial and informed manner you dealt with my enquiries in above matter.

1  
I represent myself and three others in this letter.  
We, in this context, are Gibson Quarry Cottage CC [owner; erf 1659 a neighbouring erf to the proposed development] Inn Africa Lodge CC [a guesthouse on erf 1659] the writer hereof and his wife, Kathryn Celliers Louw, personally and being the only members of said close corporations.

We are [together with some 20 others] registered as Interested and Affected Parties with Sillito Environmental Consulting CC [ contact; Mr Fabio Venturi] who are the appointed agents for the developers. We attach copy of a self explanatory letter in this regard sent last year October, to Stillito Environmental Consultants.

When we phoned Mr Venturi recently, he confirmed that the **original access point three**, along the panhandle that we call Aloe lane, has been moved along down Bergzicht road. The latest BAR plans confirm this as we indeed noticed in your office. This is excellent news and we thank the Town Planning and Traffic Departments for their role in this.

We depend on the municipality Town Planning department to allow the development subject to the retention of our access to our property. In this regard Erf 1550 tapers off just before our entrance but a sliver of Erf 1452 has been used even before we bought Erf 1659, to get access.

FILE NO: Erven 1449, 1450,
1452 & 1734 Erf 243 SB
SCAN NO:
COLLABORATOR NO:
107098

TP 14 JUL 2009

2

The original access number three to the development that was envisaged by the Developers is currently a narrow, single lane cul - de - sac, leading ONLY to erf 1659. As there will be no other persons requiring access via this lane, we would be the only persons using this lane.

**We would therefore like to purchase this road from the municipality with the following motivation;**

### 2.1 ACCESS AND MAINTENANCE

We [here including our neighbour Mr Conradie of erf 1452, already always cut the grass verges and otherwise maintain this road. Inn Africa staff have filled some potholes with concrete over the years and trim the grass regularly. In the past SEVEN years we have lived there on erf 1659. there has never, in our experience, been any maintenance of that road, by the Overstrand Municipality. [O M]

### 2.2 NO UTILITY USE OF THE ROAD BY O M OR OTHERS

We have to take our refuse bags to Bergzicht street for collection. Again, the road is not even used to collect our refuse bags by the O M. This road is not used by any other member of the public either.

### 2.3 SECURITY

The road often has vagrants or suspicious persons on it and it is a security concern for ourselves and Bergzicht complex. Criminals have in the past gained access to Bergzicht by climbing over the wall from this road. We propose to make this road secure, with palisade fencing, interspaced with solid walls and landscaped verges.

### 2.4 BEAUTIFICATION

We further believe that owning the panhandle will allow us to landscape it and maintain it better, improving the immediate environment of Bergzicht and the proposed development and for ourselves and to the advantage of Sandbaai.

### 2.5 SECURE PARKING

We could also use some space for overflow parking when we host events such as weddings. Securing the road will allow safety for the vehicles parked alongside it.

We thank you for your attention herein and look forward to your comments in this regard before we apply to the Overstrand Municipality formally.

Yours faithfully,

  
ADRIAN LOUW



Bergzicht 53 TP- 17 JUL 2009  
 Bergsigstraat  
 Sandbaai 7200  
 Tel.no. 028 316 2152  
 7 Julie 2009

Die Stadsbeplanner  
 Overstrand Munisipaliteit  
 Posbus 20  
 Hermanus 7200

Geagte mnr. H. Olivier

FILE NO: ERWE 1449, 1450, 1450, 1452 & 1734
SCAN NO:
COLLABORATOR NO: 107240

I.S. VOORGESTELDE INKOPIESENTRUM - ERWE 1449, 1450, 1452 EN 1734 BERGSIGSTRAAT EN R43 HOOPPAD

Ek is woonagtig langs Bergsigstraat in Bergzightkompleks die afgelope 3 jaar en beleef eersterangs die groot frustrasie van 'n baie besige deurpad met al sy verkeersprobleme, weens die feit dat dit aangrensend is aan 'n Besigheidspark.

Die probleme wat nou ervaar word in Bergsigstraat is 'n direkte uitvloeisel van 'n Besigheidspark tans tussen twee woningsareas nl. Mount Pleasant en Sandbaai.

'n Verkeerstelling was op 6 November 2008 gehou deur 'n inwoner gedurende spitstyd nl. 07hoo-08hoo. Daar was 675 voertuie aangeteken waarvan 634 ligte voertuie en 41 swaar voertuie (3.5ton en bo). Hierdie swaar voertuie word gehoor vanaf 06hoo tot 18hoo deur die dag, 6 dae 'n week. Toegang vanaf Bergsigstraat na Mbekistraat in Mount Pleasant en vanaf die Industriële gebied na Bergsigstraat word tans deur baie swaar voertuie gebruik as 'n deurgangroete wat die R43 vermy. Hierdie baie swaar voertuie nl. Sement (32ton) en sand en klipvragmotors van + 20 ton, brandstoftenkwaens, "Diggerloaders", trekkers, vragmotors met dubbelbakke wat dolosse vervoer, veroorsaak baie geraas, besoedeling asook klippe en sand wat gereeld in die pad val en dit verder beskadig.

Dit is onverstaanbaar dat in die hele Sandbaai geen voorsieing gemaak was vir behoorlike deurgangroetes na die Skulphoekpad nie om die verkeersdrukte in Bergsigstraat te verlig. Met al die ontwikkelings in die area sal alternatiewe roetes vanaf Sandbaai oopgemaak moet word na Skulphoekpad bv. Myrtlestr. en Vyfdelaan. Bergsigstraat bestaan meestal uit komplekse en wat Bergzightkompleks betref ondervind inwoners wat meestal afgetrede persone is groot probleme tans om sekere tye van die dag in en uit Bergsigstraat by ons hekke uit en in te kom. Die meeste swaarvoertuie, aflewingsvoertuie se bestuurders is ongeduldig as verkeer opbou voor die hekke en ry oor die sypaadjies en druk hulle hoeters.

'n Verdere Inkopiesentrum langsaan Bergzightkompleks sal bogemelde probleme net verder vererger, deur aflewingsvoertuie en vragmotors, 7 dae 'n week.

Die afgetrede inwoners het in hierdie straat gekoop eerstens vir rustigheid en veiligheid en met die beoogde drankwinkel en vermaaklikheidsentrum sal dit 'n toename van geraas, ongewenste elemente en misdaad toeneem. Tans ondervind ons alreeds rommelstrooiery teenaan ons kompleks se mure van voetgangers wat Bergsigstraat gebruik. Wat die inpakstudie betref soos uiteengesit in die Munisipaliteit se skrywe kom 'n mens agter dat hulle gebrekkige kennis van ons woningsareas het. Hulle bly nie hier nie derhalwe affekteer so 'n

groot ontwikkeling nie hulle lewenswyse nie.

'n Groter behoefte bestaan in Sandbaai vir nog aftree-orde, waar daar waglyste voor bestaan, wat bekostigbaar is en wat nie botsende belange sal hê in 'n woningsarea.

Om Bergsigstraat oop te maak na Onrus sal hierdie probleem net nog verder vererger en 'n tweede R43 op ons voorstoep teweeg bring.

Wat erf 1447 Sandbaai, betref, oorkant die Engenmotorhawe sal 'n winkelkompleks beter inskakel by die omgeliggende besighede.

'n Basiese mensereg word hier aangetas deur blootgestel te word aan baie geraas en besoedeling en is onaanvaarbaar.

Aangeheg is 'n petisielys van inwoners van Bergzightkompleks wat gekant is teen hierdie winkelkompleks.

Die uwe



C.F.S. VAN BREDA

NUWE WINKELKOMPLEKS LANGS BERGZICHTKOMPLEKS, IN BERGSIGSTRAAT  
NEW SHOPPINGCENTRE NEXT TO BERZICHTCOMPLEX, IN BERGSIG STREET

PETISIE: Hiermee die handtekeninge van inwoners in die Bergzichtkompleks wat gekant is teen die nuwe ontwikkeling van 'n winkelkompleks, reg langs hierdie kompleks.

PETITION: Herewith the signatures of owners in Berzightcomplex that is against the development of a shoppingcentre, next to this complex.

Naam/Name	Adres/Address	Handtekening/Signature
C.F. VAN BREDA.	BERGZICHT NR 53	
J.J. VAN BREDA	BERGZICHT NR. 53	
P.S. KUNZE.	" No. 47	
J.E. LEIBBRANDT	" No 51	
D.J. LEIBBRANDT	" No. 51	
A. NIEUWLAND	No 7	
A. van Zyl	" No. 10	
"	"	
B.B. SEGAL	" No 50	
A. MUIER	" NO 48/11/21	
M. COETSER FAM TRUST	BERGZICHT NR 43	
THOMAS COETSER	" 43	
Thunus van Jaagant	" 45	
J. van Opperhagen	" 34	
Kelso van Selinger	" 39	
J. MvdMouw	" 37	
K. Wentzel	" 33	
T. Voigt	" 17	
L.A. Nel	" 17	
J.J. ARANGES	" 19	
I.E. MEYER	" 24	
M. de GROOT	" 25.	
J.F. GELDENHUY	" 26	
D.C. SMIT	" N° 30	
T. VISSER	" 54	
A.H.F. Visser	" 54	
Bh NEL	" 42	
Barbara Edward	" 49	
Teresa Westra	" 27	
C. Clark	" 52	
A. V. R.	" 5	
J. M. R.	" 36	

420

10 July 2009

3 Wagtail Road  
 Hemel en Aarde Estate  
 Hermanus  
 7200

The Director Infrastructure & Planning  
 Overstrand Municipality  
 P O Box 20  
 Hermanus 7200



Dear Sir

**PROPOSED SHOPPING CENTRE : ERVEN 1449, 1450, 1452 AND 1734 SANDBAAI,  
 SITUATED BETWEEN R43 AND BERGSIG STREET : OVERSTRAND MUNICIPAL AREA**

In response to a notice that has come to me by way of the estate manager's office, I would like to submit my objection to the proposed shopping centre on the above erven. My reasons are as follows:

We live in the eastern area of the estate overlooking the above erven and I certainly don't like the idea of overlooking an extensive parking and shopping centre. It is certainly not a view that I would relish, and I'm sure it would have a negative affect on the value of our property.

Furthermore I like to sleep in a darkish bedroom without bright street lights illuminating my room; the proposed parking area will obviously be extensively illuminated' lighting up the night sky for kilometres from the area and causing me much stress. The traffic lights that will have to be erected will further aggravate the situation.

The traffic and noise that will be generated from the proposed shopping centre will be intolerable and have a negative effect on this pleasant restful residential area.

FILE NO:	Erven 1449, 1450, 1452 1734 Sandbaai
SCAN NO:	2
COLLABORATOR NO:	106993

From a house wife's view, I doubt if there is sufficient demand for two shopping centres in this area, with this one being double the size of the first one proposed on erf 1447 Sandbaai. I also prefer the location of the centre on erf 1447, as the access is convenient especially for residents on the estate; they can just drive down the road, over the interchange and into the centre. The other advantage is that in bad weather we women can drive into the underground parking without getting wet and do our shopping in peace under cover; this is not the case with the large open unprotected parking area on the larger site. The centre on erf 1447 sandbaai is opposite business such as the Hemel & Aarde Village, the Engen garage, Plant Park where no residents are to be found.

I hope that you will consider my objection being a woman who is concerned about what is happening in our area.

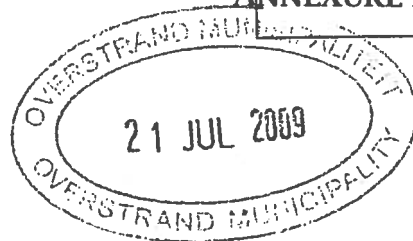
Yours sincerely



Mrs Christine Stead

B. Eckard (Mrs)

Erf 1670  
49 Bergzicht  
Sandbaai 7200  
028 2164102



TP

Mr S Mueller  
Director: Infrastructure & Planning  
Overstrand Municipality  
Fax: 028 3132093

Sir

re: Proposed Shopping Centre R43/Bergsig St

As I am an affected property owner to high extent (erf 1670 is situated directly on the wall next to the planned access to the lower parking) I am extremely unhappy with the situation. I know money counts, in the end [redacted] the Mall will be built.

But, as in my case, I lost my only security, the erven, for my old age. I do not receive any pension, the little cash I live off is eaten up by inflation, lower interest rates, ruthless food & electricity price increases. My daughter, living in C.T., and I are only family and, to make ends meet I tried to sell my property and team up with my daughter in C.T. Well, I do not have to explain the reaction of the few potential buyers I had – not with the shopping centre next door. We are trapped, and over night I might have property but it lost its value. I have been told to sit it out – well, I do believe old age does not give me much chance.

As some neighbors did the effort to sign up comments I do not want to go into that. I bought into a residential area, not into a „Commercial Node“. What about the years of building noise, dirt, whatever we have to endure. Is the Council planning to relocate us and/or pay compensation? Is a „NOISE RETAINING WALL“ planned to at least safeguard the many private properties?

Yours faithfully

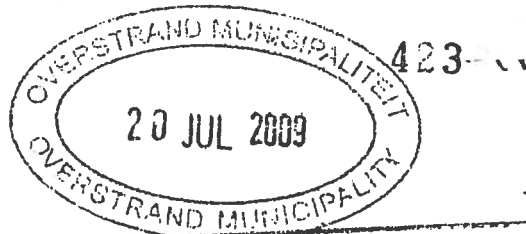
B. Eckard

21. July 2009

FILE NO: <i>erven 1449, 1450 etc</i>
SCAN NO: <i>13</i>
COLLABORATOR NO: <i>107493</i>

TP

21 JUL 2009



MRS FR ERASMUS  
ERF: 8355  
HEMEL & AARDE ESTATE  
P O BOX 394  
SUNNINGHILL  
2157

FILE NO: <i>erven 1449 etc</i>
SCAN NO: <i>40</i>
COLLABORATOR NO: <i>107317</i>

20 JULY 2009

THE DIRECTOR  
INFRASTRUCTURE & PLANNING  
OVERSTRAND MUNICIPALITY  
HERMANUS ADMINISTRATION  
P O BOX 20  
HERMANUS  
7200

ATTENTION:  
S MÜLLER/MR TT OLIVIER  
REF: 1449, 1450, 1452 & 1734. HSB  
FAX: (028) 313-2093

Dear Sir

Re: **ERVEN 1449, 1450, 1452 & 1734: PROPOSED AMENDMENT OF THE GREATER HERMANUS SPATIAL DEVELOPMENT FRAMEWORK AND THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, PROPOSED CONSOLIDATION, REZONING AND CONSENT USE; PROPOSED SHOPPING CENTRE**

Your notice of 22 May 2009 refers.

I am the owner of property Erf: 8355 in the Hemel & Aarde Estate just north of the proposed development as identified on page 8 of the document attached to your notice.

I object to the amendment of the Greater Hermanus Spatial Development Framework in order to change the reservation of Erven 1449, 1450, 1452 and 1734, Sandbaai from "Urban Area" to "Commercial Node".

I furthermore object to the amendment of the Overstrand Municipal Spatial Development Framework in order to change the reservation of Erven 1449 and 1452 Sandbaai from "Residential" to "Commercial".

Further to the above, I also object to the rezoning of Erf 1452 Sandbaai from Institutional Zone 1 to Business Zone 1 and Erven 1449, 1450 and 1734 Sandbaai from Agricultural Zone 1 to Business Zone 1 and the consolidation of the erven to create a shopping centre.

I object to the granting of consent use in respect of the said properties in order to allow a super market, bottle store, place of entertainment, a place of assembly, a place of instruction, an institution and service trade on the proposed consolidated property.

TP  
20 JUL 2009

The proposed changes in land use, rezoning and application for consent use flies in the face of the original intent for the development of this specific area and will have the effect of changing the nature of the area permanently and to the detriment of land owners like myself who do not wish residential use to simply change to commercial as envisaged in the said application.

My investment in Hemel & Aarde Estate was a very specific and conscious decision based on the tranquil residential nature of this area and I do not wish to have this changed.

I dispute the bald averments of H Owen Wiggins quoted in the supporting documents regarding the desirability of this development and the impact on the immediate surrounding property values. Clearly, the value of a tranquil residential environment will be severely compromised by the kind of development envisaged for these erven. Not only will there be a dramatic increase in traffic, but also in light, air, and noise pollution. This is exactly the opposite of what I envisaged when I invested in Hemel & Aarde. This development could in fact be described as opportunistic given the fact that so many people have actually invested in the tranquil, residential area for this specific reason.

The recommendations flowing from the traffic impact study on page 24 is exactly what I do not regard as desirable. I also do not see the need to attract people and traffic from the Hermanus CBD to my doorstep at Hemel & Aarde.

Should you deem it meet to consider these applications notwithstanding objections, I would wish to be granted an opportunity to expand these written objections and to present oral argument regarding this matter.

I trust that my objections will receive your favourable consideration.

Yours faithfully,



MRS FR ERASMUS



TP

FILE NO:	EL 1449 etc
SCAN NO:	41
COLLABORATOR NO:	107322

426

20/7

Beswaar teen voorgenome ontwikkeling op ewer 1449, 1450, 1452 en 1734 Sandbaai (Nemarus).

By ontwikkeling gaan die verkeersdrukk op R43 verhoog wat reeds veral in seisoen 'n eranne probleem is.

Die grootte van die ontwikkeling pas nie in die beeld van Nemarus nie. Die visuele inpak gaan die van 'n besige, groot stad gee (veral verwee die ligging as ingang na Nemarus vanaf Kaapstad, Stellerbosch, Somerset-Wes-ers Indier daar voortgegaan word met lig. ontwikkeling sal Nemarus nie meer die karaktervolle dorp wees wat Suidelardse en Sirelandse Beleggers gek het nie en loop die dorp gewas in toeriste te verloor.

replande ontwikkelings sluit 'n verdere nie wikebestimmings in wat dit finansieel onmoontlik sal maak vir elke sirkel om 'n bestaan te maak.

Nemarus staan bekend as 'n "Office Dop"

en daar is slegs tydens spits <sup>127</sup> tye geroeg voete om die kuddige wikkels toe te laat om 'n bestaan te maak. Die Sakelamer van Hermanus het re verniet 'n gesege dat "n Besigheidsmaatskappij Hermanus burre met 'n BMW er verlaas kom na 'n jaar met 'n tweedehardse Volle Ons het in 2008 in die Kemel-er-aarde Estate ingetrek (erf 8311). Motivering om hier te bly is: 1. Die see er uitsig op die see. 2. Die sekuriteit. 3. Die rustige klein dorpse karakter van Hermanus.

Bg. Ontwikkeling (meer gepasde beskrywing is ingesluit) <sup>(1)</sup> steel ons uitsig op die see veroorsaak 'n hoë risiko vir diefstal en alle ander vorme van misdade er <sup>(3)</sup> verknag die karakter van Hermanus.

Hiervoor smek ek almal betrokke om te Gauteng na Hermanus (te) bring re.

Naomi Pretorius  
 (G. Pretorius)  
 Eredaars van erf 8311  
 Kemel er aarde Estate (wat meerklik na 'n vel op aarde gaan verander.) ... 20-7-2009.

Posbus 1639  
Hermanus  
7200  
2009-07-07



TP

Beste Mnr./Me.

**Beplande ontwikkeling: Erwe 1449, 1450, 1452 en 1734**

As eienaar van erf 8367 in die Hemel en Aarde Estate wil ek graag beswaar aanteken teen die beplande ontwikkeling.

Die beplande ontwikkeling sal ons affekteer op die volgende maniere:

1. Die verkeer in die hoofpad sal toeneem en die lawaai sal ons rustige verblyf in die Estate versteur.
2. Die verkeer sal stadiger vloei en die werkendes sal dus nog vroeër moet vertrek vanaf die Estate.
3. Die uitsig van die eienaars van 'n enkelverdiepinghuis in die "streetscapes" word beïnvloed en ons mag volgens die oorspronklike planne nie dubbelverdiepinghuise op dié erwe bou nie. Ek twyfel dus of dit die waarde van ons eiendom sal verhoog.
4. Die rommel wat rondwaai kan uiters onsmaklik raak.

Ek glo dat 'n beplande winkelsentrum tot voordeel van die dorp die dorp sal wees, maar die genoemde area is beslis nie die mees geskikte een nie en ek sal graag op hoogte van sake gehou wil word t.ov die planne aangesien dit my direk raak.

Die uwe  
C. Mostert

*Mostert*

- 7 JUL 2009

TP

FILE NO: Erwe 1449, 1450, 1452
1734 SB
SCAN NO:
02
COLLABORATOR NO:
106632

**Johannes Hamman**

J N Hamman, Kleinklippieskloof, 9e Straat 112, Voëlklip, Posbus 2232, Hermanus 7200  
Tel +27 028 314 0336, Faks +27 028 314 1853, Sel +27 083 658 0718, E-pos [johannes@hamman.co.za](mailto:johannes@hamman.co.za)

8 June 2009

Director: Infrastructure & Planning  
Overstrand Municipality  
PO Box 20  
HERMANUS  
7200



TP

erven 1449, 1450 etc

CAN NO:	09
CO-OPERATOR NO:	103951

Sir

**ERVEN 1449, 1450, 1452 & 1734 SANDBAAI  
PROPOSED SHOPPING CENTRE**

Reference is made to the notice dated 22 May 2009.

I, in my personal capacity, as well as on behalf of Hermanus Petro Holdings (Pty) Limited (Reg. No. 2002/005164/07), the owner of Erf 2064, Sandbaai, of which company I am an indirect shareholder and beneficiary, would like to object to the proposed development.

Together with the notice we were furnished with extracts from the motivation report of the Land Use Application (pages 5-9, 23-27 & page 36). This is not acceptable as the above-mentioned extracts merely give the background and overview of the application. Need & desirability is not addressed as well as the core of the development entailing the proposed coverage, height, bulk and potential detrimental effect on the Hermanus Business District.

**Upon viewing the full documentation objection is made on the following grounds:**

1. The proposed development is situated in the center of a **residential area**. The shopping centre will generate the movement of extensive traffic through areas and streets that were not planned and designed to accommodate these traffic volumes.

Residential developments along Bergsig Street will be affected negatively by the following aspects of the proposed development:

- Movement of high volumes of traffic through the residential area;
  - Noise pollution from loading facilities indicated right adjacent to an existing residential development;
  - Movement of delivery trucks and heavy vehicles will have a detrimental effect on roads infrastructure as well as the noise levels in the area.
2. Please refer to page 9 of the motivational report. What relevance does **climate data** of seasons; temperature and rainfall have to the viability and desirability of the proposed development? How does this affect the land use planning application?
  3. Reference is made to the Traffic Impact Assessment (TIA) as Annexure M to the application documentation:

*M*

- The upgrade of several roads including Schulphoek Street, Adam Street and Bergsig Road will be critical in order to make the proposed development viable in terms of access and traffic movement.

Did the developer consider the impact that these upgradings might have on private properties of Sandbaai residents and industrial erven?

- Traffic counts were conducted at peak time(pm) on Fridays and Saturdays. Local residents are all aware that the busiest peak times on the R43 as well as Bergsig Street is rather between 07:00 am and 08:00 am in the morning and after 17:00 in the afternoon (definitely not between 16:00 and 17:00). The peak lunch traffic hour between 13:00 and 14:00 was not even considered. Due to these facts it is obvious that the TIA is not sufficient and does not reflect the true circumstances.
- The TIA makes provision for Acces No. 1 from the R43, potentially a full access, otherwise only a left- in left- out. The first option cannot be considered due to the following reasons, and the second will not be sufficient to serve the proposed centre:
  - Engen has an existing left-in access, which is merely 200/300 metres further along the R43;
  - The Sandbaai traffic intersection is also very close to the site and the short offset between the intersection and access point should be evaluated by an independent traffic expert;
  - A right turn from Onrus towards Hermanus will cause a massive stacking of vehicles attempting to cross lanes into the site;
  - The new CTM traffic light is situated only 300 metres further along the R43;
  - The proposed access will not be safe and will be ineffective.
- The Site Development Plan included in the TIA makes provision for taxi drop-off points along the Main Road (R43) and a pedestrian crossing over the R43.

It is obvious that this proposal will cause havoc with the traffic on the R43. Taxi's stopping and entering the road from the drop-offs will lead to even more traffic congestion. Pedestrians crossing the R43 from the taxi drop-off to the northeast of the road will pose serious safety threats.

- The proposed service road is adjacent to a residential development and loading areas will generate extreme noise pollution to the residents of these residential properties.

4. The proposed shopping centre is located merely 4 kilometres from the central business area of Hermanus and less than 2 kilometres from the Gateway Centre.