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Our Ref 02.065 Cor

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS 7200

FILE NO:	EL 1447-SB
SCAN NO:	41
COLLABORATOR NO:	790942

TP - A Theart
10 June 2015
TP Rina
(H Olivier)

For Attention : Mr R. Kuchar / H. Olivier

Dear Sir

APPLICATION FOR REZONING, SUBDIVISION AND AMENDMENT OF GREATER HERMANUS SPATIAAL DEVELOPMENT FRAMEWORK : ERF 1447 SANDBAAI

As a result of the decision of the Provincial Administration to refer the application back to the Overstrand Municipality for a final decision, we requested a meeting in the above connection with Mr Stefan Muller. However, we were advised to arrange a meeting (make contact) with Mr Riaan Kuchar. The meeting was arranged for 8 April 2015 at Mr Kuchar's office which was attended by the following;

Mr. Riaan Kuchar	Seniour Manager Town Planning
Mr Henk Olivier	Municipal Town Planner
Mr Luke Anderson	Representative ZAMAR Investments
Mr Seth Anderson	Representative ZAMAR Investments
Mr Pieter Engelbrecht	DECA Traffic Consultant
Mr Ken Stead	OVERPLAN Town Planner

The discussions revolved around the reasons why the Mayoral Committee on 25 April 2012 resolved not to recommend approval of the application. It was

12 JUN 2015 TP

pointed out that certain critical information was not taken into account in reaching the decision. Mr Kuchar recommended that a report be prepared highlighting existing information together with further additional information that may have a profound impact on your council's deliberations and decision. Mr Kuchar also confirmed that should the decision be negative, there was the opportunity of appealing the decision in terms of Section 62 of the Local Government : Municipal Systems Act (No 32 of 2000).

The following, as suggested by Mr Kuchar, is the response to the reasons for not recommending the application for approval;

- a) *the proposed development is in direct competition with the existing CBD of Hermanus;*

This statement is incorrect as it is based on the assumption of a 20 000m² Community Centre. In a letter dated 12 April 2012 it was recorded that the area of the centre would be reduced to 12 000m² and developed in two phases, the first phase being ±7 000m² and finally extended to 12 000m². Whilst 20 000m² is what was originally applied for, it was realised that a centre of this magnitude and tenant mix would have a negative effect on the Hermanus CBD. For this reason it was decided to reduce the area of the centre to a total of ±12 000m², which is in line with the Prinsloo Classification Report. Accordingly the Southern Cross Mall may be classified as a Neighbourhood Centre providing convenience goods and would have minimal effect on the Gateway Centre and even less on the CBD 4km away where demand goods such as fashion outlets, kitchen designers etc. are currently provided.

- b) *The access on the R43 Provincial Road is not finalized and needs to be addressed, as it will have a major impact on the traffic in Sandbaai Main Road and financial implications for the Municipality;*

This statement is incorrect as the Department of Transport and Public Works stated in a letter dated 10 June 2009 that it had no objection to

the application provided Alternative A was adopted. Since receipt of the letter, further designs for the intersection have been prepared which take cognizance of the existing Agri-Mark building and include a traffic circle accommodating one or two lanes. This will exceed the traffic requirements of the proposed shopping centre and will result in a substantial improvement of the traffic flow in the area. Copies of the letter of approval from the Department of Transport and plans are included in the annexure to the report.

- c) *the extent of the development is not in line with the Overstrand Retail Study;*

As the intention is to develop the Southern Cross Mall having a total area of $\pm 12\,000\text{m}^2$ and classified in the Prinsloo Classification Report as a Neighbourhood (Convenience) Centre the comments are not applicable. The extent of development in the Parker Retail Study refers to Regional Centres in excess of $25\,000\text{m}^2$.

- d) *the removal of restrictive conditions has not been applied for, this renders the application for consent use for the selling of liquor invalid. The proposed development is thus restricted in terms of retail density as proposed by the Parker Study and will not comply with the recommendations for a Regional Centre;*

In terms of the applicable regulations, the Municipality should have notified the applicant within 14 days of receipt of the application of any aspects / shortcomings that required attention. No such notification other than the agenda item has been received by the applicant. However, it is debatable whether this condition is valid as the functions of the then Sandbaai Township body have been transferred to the Local Authority. Nevertheless, an application for the removal of the restrictive condition has been prepared for submission should this ultimately be required.

The approval of the application should be no more than a formality as the proposed development complies with the Overstrand Spatial Development Framework and the Growth Management Strategy.

- e) *the Retail Study clearly indicates that should any big commercial development be considered with a minimum extent of 25 000m² in order to access the secondary buying power needed for a successful venture.*

This statement does not apply as whilst mention was made of an area of 20 000m² in the original application, we have on numerous occasions mentioned that the proposed development of the Southern Cross Mall is for an Neighbourhood Centre with an area of ±12 000m². This may constitute a condition of approval when being considered by Council.

- f) *that stormwater will firstly have to be dealt with in detailed investigation, due to the extent of the problem;*

This statement is not applicable and is incorrect as a detailed investigation was initiated by the consulting civil engineers and a report together with plans was submitted to the engineer's department for consideration. The town engineer in fact submitted his report to the town planning department stating that he approved the proposal. For your information, a copy of the original report and plans are also enclosed together with the engineers report to council which indicates that the storm-water proposal is in order.

Other Relevant Considerations

Hermanus CBD Regional Centre

In terms of the location criteria contained in the Prinsloo Classification Report the average radius of the primary trade area for a "Regional Type" Centre is 5 – 8 km with a median travel time of 14 – 20min. However, due to the physical features dominant in the area (Sea and Mountains) Hermanus has developed in a "linear" pattern with the result that the distances and travel times will

need to be adjusted to ensure a successful centre. In other words in order for a centre of this size (50,000m² - 100 000m²) to be successful it should not have significant competition within the primary trade area, which would extend past Voelklip in the East and past Vermont in the West.

The Hermanus CBD is certainly quite unique. It is one of the very few remaining CBDs in the Western Cape where the CBD has a regional type tenant mix and is the central point of the primary trade area.

In terms of the Prinsloo Classification Report, the Hermanus CBD would most closely fit into the category of a Regional Centre and due to its comparable tenant mix and the fact that it slots into all the other classification criteria, this is the logical classification.

In terms of the Prinsloo Classification Report, the tenant mix required for a Regional classification is strikingly similar to that of the Hermanus CBD which is anchored by a large Checkers, Woolworths and Pick n Pay. It also has the following clothing / fashion stores such as Edgars, Woolworths, Mr Price, Fochini and Truworhts and other clothing nationals like Ackermans, Jet, Miladys, Pick n Pay Clothing, Fashion, Pep, Tekkie Town, Sneakers Edition, Sportsene and Total Sports as well as several other independent bouquets, all to cater for extensive comparative shopping.

Further to these the CBD has several other national chains such as Mr Price Home, @Home, American Swiss, CNA, Musica, Clicks etc.

The CBD also has many restaurants that serve not only the locals but also the tourist trade, and includes Spur, Wimpy, Oscars, Ocean Basket, KFC, Steers, Burgundy and numerous other restaurant establishments.

The CBD boasts of other services such as medical facilities, the main Bank branches such as ABSA, FNB, Standard Bank, Ned Bank and Capitec and other office related services.

The CBD also accommodates a number of Hotels such as, The Marine, The Windsor, Whale Coast Hotel, Quarters Hotel, Harbour House Hotel and other large accommodation establishments.

The above-mentioned uses all contribute to the making of a successful and vibrant CBD and if they are duplicated anywhere near to the CBD could result in a negative impact on the CBD. From the above, it can be accepted that the Hermanus CBD is already a Regional Shopping Node which needs to be supported, however, with the recent approval of the "Retail Africa" mall in Sandbaai by the Council, it would seem that the support is no longer evident or a priority for the Local Authority.

Please find enclosed herewith a copy of a plan showing the layout of the CBD and existing Land Uses

New Regional Mall

The "Retail Africa" application for developing a Regional Shopping Centre has now been approved by Council, subject to certain conditions. This was a crucial decision, which regrettably may have a negative impact on the Hermanus CBD. If one studies the Land Uses in the CBD and the proposed Mall (see plan attached) the following outlets have been indicated; Clicks, Pep, Jét, Mr Price, Truworths, Foschines, @home, plus Checkers and Woolworths. All of these retail outlets are already in the CBD (see plan attached). The question asked is how will the CBD be affected by the "Mall" development? Hermanus CBD is special and a unique destination as it has all that the tourist, local residents and out of town shoppers need. Why threaten it with a duplication of Land Uses? The Ratepayers Association have plans for the revitalisation of part of the CBD and these are now at risk?

Recommendation

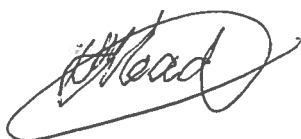
The Southern Cross application site complies with the Spatial Development Framework and the Spatial Growth Management Strategy for Hermanus. Access to the site from the R43 and visibility are excellent as the intersection has already been constructed with turning lanes and adequate intersection lighting. The access off Main Road has also been approved without having to pass through residential areas.

Whilst the development of the "Retail Africa" Mall (30 000m²) has been approved by Council with a large spectrum of "fashion" outlets the proposal of the "Southern Cross" Mall is focussed on the convenience shopper in the region and should not pose a threat, especially if developed in two phases, the first being ±7 000m², being the first phase (see plan). The Retail Africa Mall motivation was that the proposed mall would draw shoppers from the Secondary Trade Area and not the Primary Trade Area.

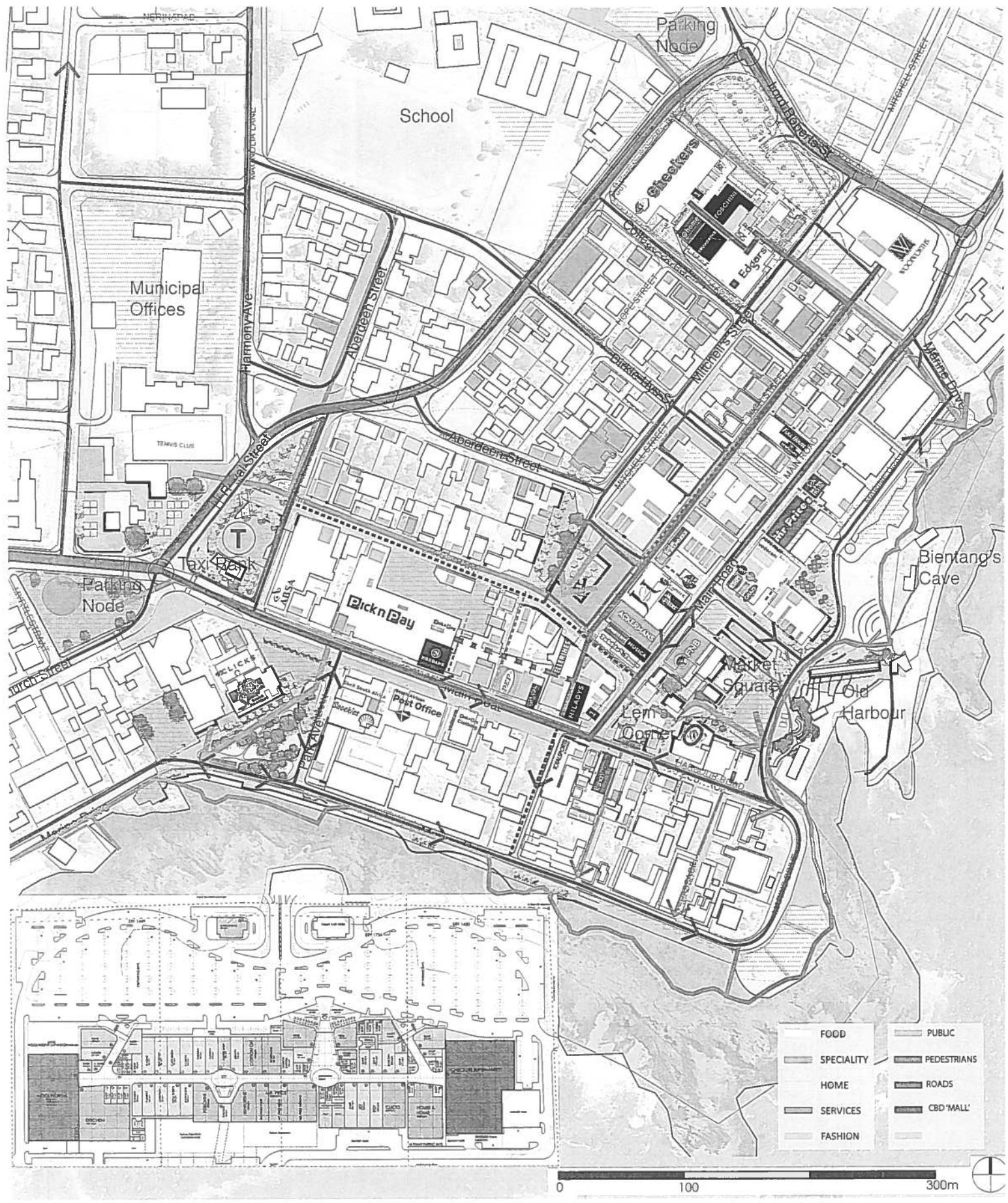
This application poses negligible risks to the existing retail facilities in Hermanus CBD, or the proposed Retail Africa Mall. Due to the fact that the Parker Retail Study does not apply to the Southern Cross application and that the Retail Africa Mall is focussed on the secondary trade area, the application for a Neighbourhood Convenience Centre comprising a phased development with an eventual maximum of ±12 000m² retail floor space should therefore be recommended for approval. The council was not in a position to take an informed decision on the previous submission to council as it was not in possession of all the facts.

We trust that despite the approval of the Retail Africa Mall focussed on the secondary trade area, that council would consider the approval of a "Convenience" centre serving the locals within the primary trade area.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'K M Stead', enclosed within a large, loopy circular flourish.

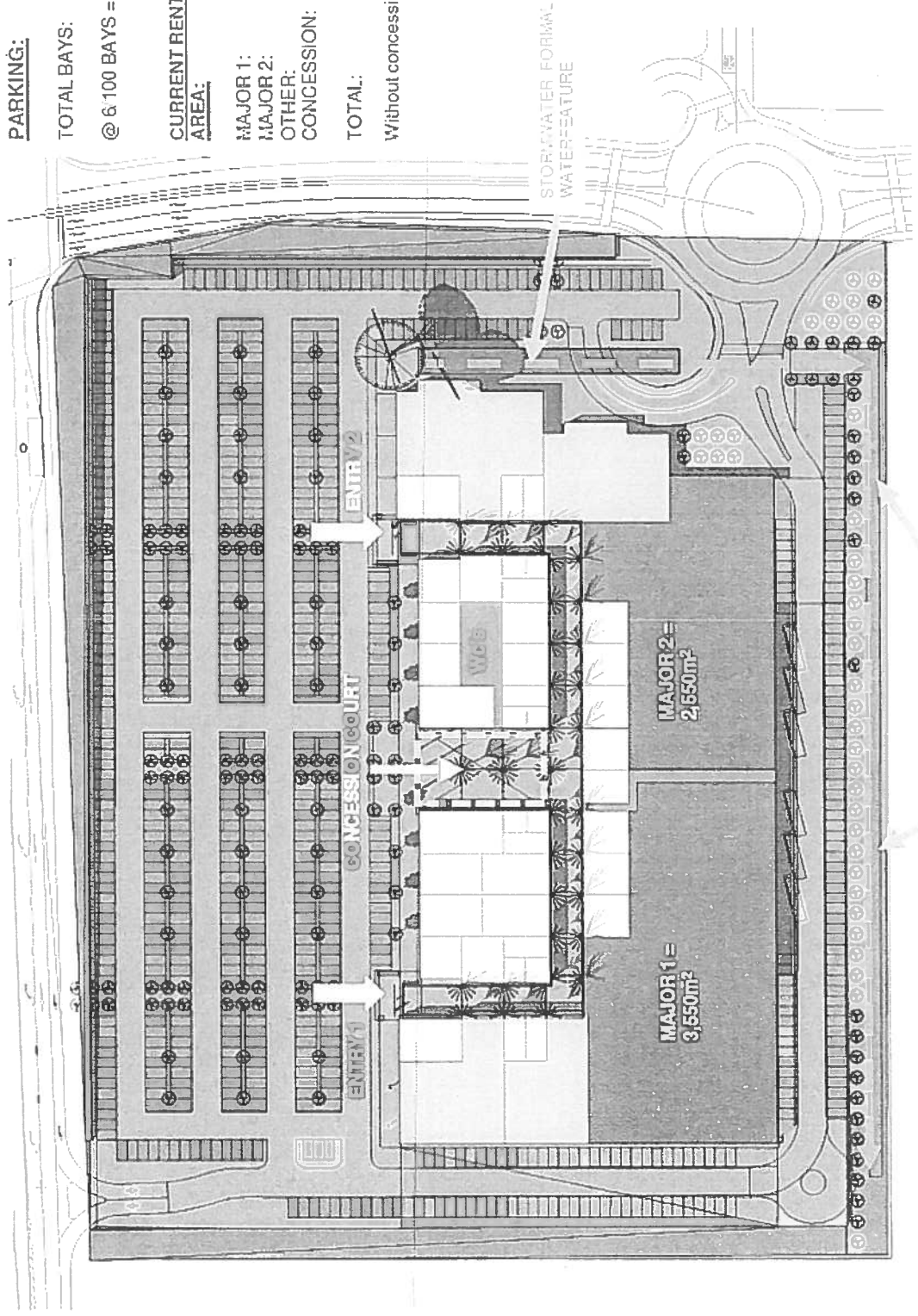
K M Stead



SOUTHERN CROSS

PARKING:
 TOTAL BAYS: 747 bays
 @ 6 100 BAYS = 12,450M2

CURRENT RENTABLE AREA:
 MAJOR 1: 3,550m²
 MAJOR 2: 2,550m²
 OTHER: 6,300m²
 CONCESSION: 600m²
TOTAL: 13,000m²
 Without concession: 12,400m²



vivid architects



ANNEXURE

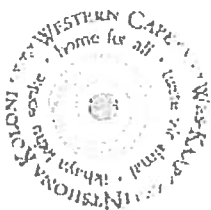
RE

DEPARTMENT OF TRANSPORT

APPROVAL / COMMENTS

AND

ACCESS PLANS



DEPARTMENT OF TRANSPORT AND PUBLIC WORKS
 DEPARTEMENT VAN VERVOER EN OPENBARE WERKE
 ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU



Reference: 13/3/01-21/73 (JOB 17207)

Verwysing:
 Isalathiso:

Enquiries: Ms GD Swarepoel
 Navrae:
 Imbuzo:

The Senior Town Planner
 Overstrand Municipality
 PO Box 20
 HERMANUS
 7200

Attention: Mrs L Swarts

Madam

ERF 1447, C/O R43 AND SANDBAAI MAIN ROAD, SANDBAAI, OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF THE GREATER HERMANUS SPATIAL DEVELOPMENT FRAMEWORK AND PROPOSED SUBDIVISION, REZONING AND CONSENT USE

1. Your letter 1447, HSB dated 6 February 2009 to the District Roads Engineer, Paarl refers
2. This Branch offers no objections to the application, provided that:
 - 2.1 The site is developed as per ICE Group's CONCEPTUAL Proposed Layout, Alternative A, Drawing BC/1221/01A dated December 2008.
 - 2.2 The Overstrand Municipality's roads department applies in writing to deproclaim Minor Road 4008 (Sandbaai Main Road) to a municipal street.
 - 2.3 The Overstrand Municipality confirms in writing that they will continue with the considered closure of the existing entrance off Minor Road 4008 to the Engen filling station, and to relocate that access to the Timbali Village access servitude (across the future entrance to the proposed shopping mall).
 - 2.4 Any structure that will be erected within the 5,0m Building Line, as per Roads Ordinance 19 of 1976, must be approved in writing by the District Roads Engineer, Paarl.
3. Note that without overdeveloping this large erf, a shopping mall with ample parking bays (minimum parking requirements being exceeded) is created. Due to the ease of obtaining parking, passenger vehicles could be attracted; therefore this Branch deviate from approving

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 ☎ Paribus 2653, KAAPSTAD 6000

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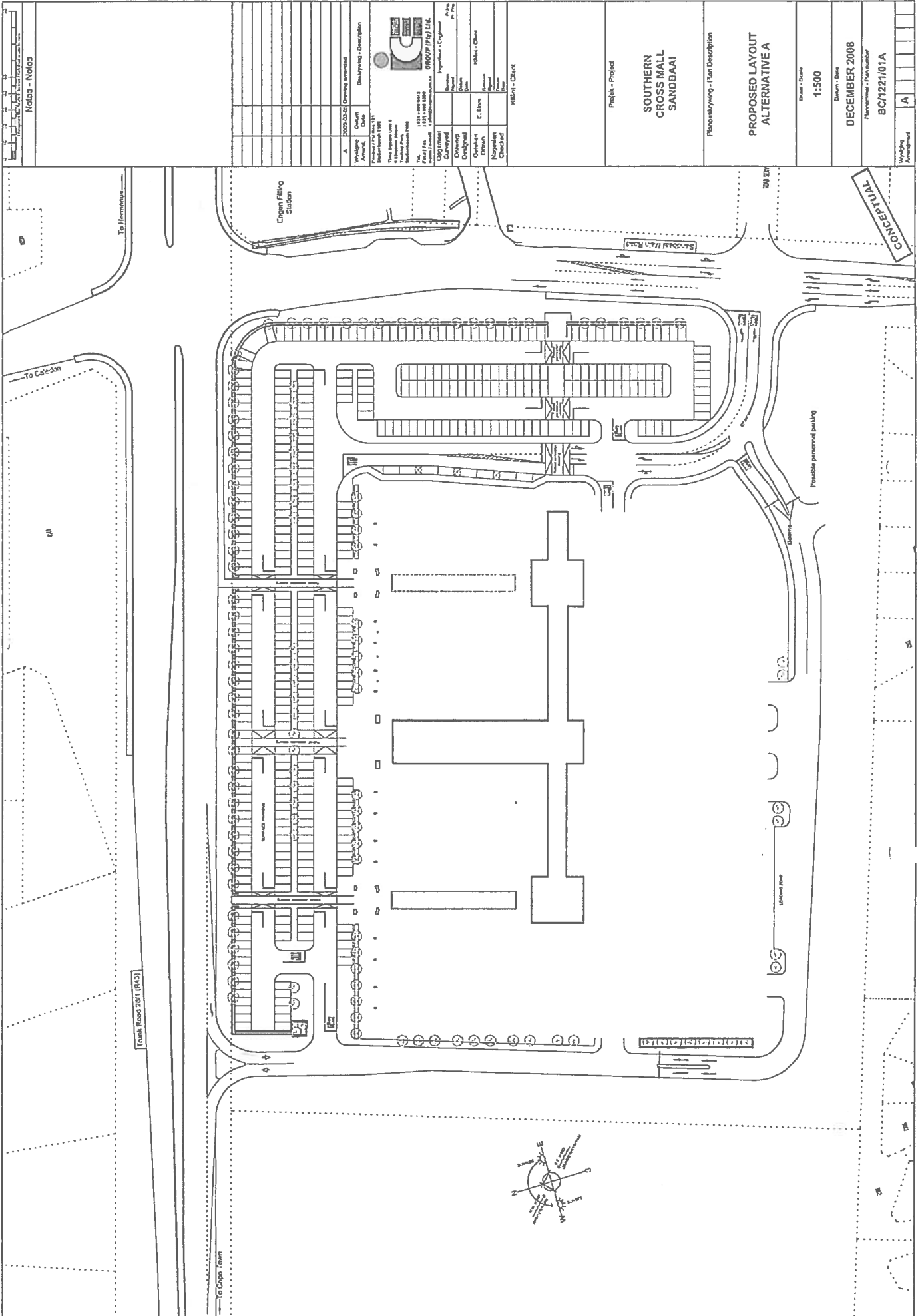
only one access on the lower order road (Sandbaai Main Road), as that could create traffic congestion when lots of vehicles converge at the south eastern corner. The consulting engineers proposed a suitable and safe second access on Trunk Road 28 section 1, but the approval thereof will not be accepted as a created precedent.

Yours faithfully



EXECUTIVE MANAGER: ROAD AND TRANSPORT MANAGEMENT

Date: 10. Jun. 2009



Notes - Notes

Rev	Description	Date
A	FOR QUOTE	2008/12/08
B	FOR QUOTE	2008/12/08
C	FOR QUOTE	2008/12/08
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Project - Project
SOUTHERN CROSS MALL SANDBAAI

Phase/Description - Phase Description
PROPOSED LAYOUT ALTERNATIVE A

Drawn - Date
 1:500

Drawn - Date
 DECEMBER 2008

Phase/Description - Phase number
 BC/1221/01A

Rev	Description	Date
A	FOR QUOTE	2008/12/08
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Project - Project
SOUTHERN CROSS MALL SANDBAAI

Phase/Description - Phase Description
PROPOSED LAYOUT ALTERNATIVE A

Drawn - Date
 1:500

Drawn - Date
 DECEMBER 2008

Phase/Description - Phase number
 BC/1221/01A

Rev	Description	Date
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Project - Project
SOUTHERN CROSS MALL SANDBAAI

Phase/Description - Phase Description
PROPOSED LAYOUT ALTERNATIVE A

Drawn - Date
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Drawn - Date
 DECEMBER 2008

Phase/Description - Phase number
 BC/1221/01A

Rev	Description	Date
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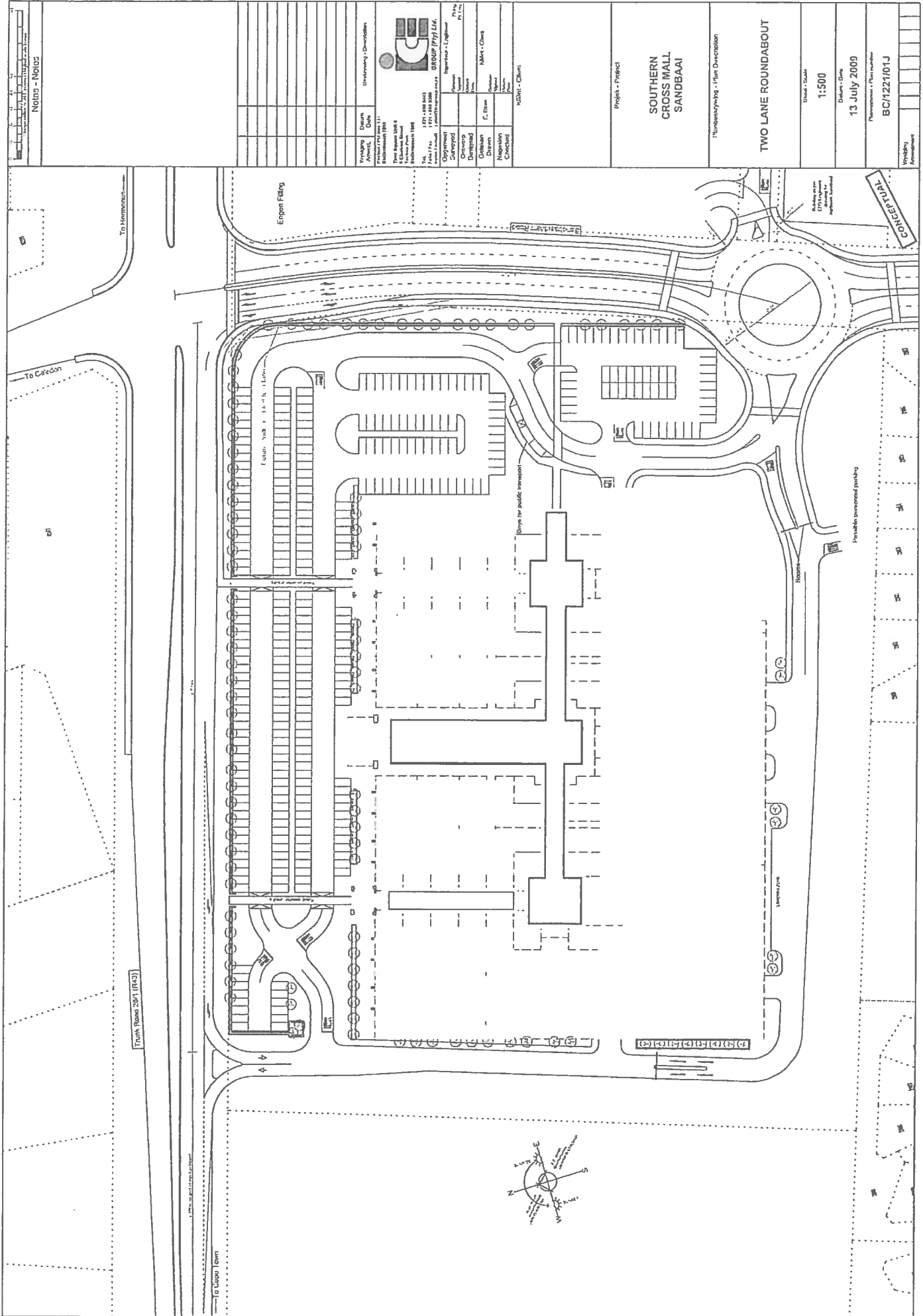
Project - Project
SOUTHERN CROSS MALL SANDBAAI

Phase/Description - Phase Description
PROPOSED LAYOUT ALTERNATIVE A

Drawn - Date
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Drawn - Date
 DECEMBER 2008

Phase/Description - Phase number
 BC/1221/01A



NOTES - NOTES

Final Report 2011 (R4.3)

10 Ujara Drive

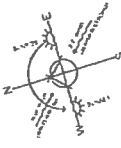
Erigen Flats

Future use: 13-14, 15-16

Garage for public transport

Possible personal parking

CONCEPTUAL



Architectural Firm Information:

Architect: [Firm Name]

Project: SOUTHERN CROSS MALL SANDBAAI

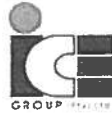
Scale: 1:500

Date: 13 July 2009

Project Number: BC/1221/01J

Project - Project	SOUTHERN CROSS MALL SANDBAAI
Project - Description	Two Lane Roundabout
Scale - Scale	1:500
Date - Date	13 July 2009
Project - Project Number	BC/1221/01J

ANNEXURE
RE
ICE
ENGINEERING SERVICES REPORT
AND PLANS



**ENGINEERING SERVICES REPORT FOR:
ERF 1447 SANDBAAI**

SEPTEMBER 2008

Prepared By:



GROUP (Pty) Ltd.

**iCE Group Consulting Engineers
P.O. Box 1273
HERMANUS
7200**

**Tel : (028) 312 2292
Fax: (028) 312 2325**



1. INTRODUCTION

iCE Group (Overberg) Consulting Engineers were appointed by the developer Zamar Investments (Pty) Ltd to compile a preliminary engineering services report for the provision of civil engineering services required for the proposed 20 000m² shopping Centre on Erf 1447, Sandbaai. Erf 1447, Sandbaai will therefore; for the purpose of this report hereinafter be referred to as "the site".

2. SITE DESCRIPTION

The site is situated to the west of the Sandbaai Main Road/R43 intersection in Sandbaai.

Please find the locality plan attached hereto as Annexure A.

The site is approximately 4.9ha in extent and the natural drainage pattern is from north to south.

3. GEOTECHNICAL INFORMATION

The site is underlain by quartzite sandstone of the Peninsula Formation of the Table Mountain Group. A variable of wind-blown sand and residual soil consisting of quartz sand overlies the solid rock. No trial holes were dug to date but a full geotechnical investigation will be conducted, prior to the detail design process. No rock should however be encountered.

4. SERVICES

The extent of the existing services was obtained from the Overstrand Municipality, and through various site investigations. The position of the existing services is indicated on the plan attached hereto as Annexure C.

The design of services will be in accordance with the "Guidelines for the provision of Engineering Services for Residential Townships" (Blue book), the UTG7 publication "Geometric Design of Urban Local Residential Streets", the TRH4 and the specific standards of the Local Authority.

4.1 Sewage

The proposed internal sewerage reticulation system will consist of a 110mm dia. Gravity small bore uPVC system, which will discharge into a small bore tank, sufficient in size for 80 Equivalent Units (EU).

The internal sewerage system will be connected to the existing 160mm dia. sewerage reticulation system along Sandbaai Main Road, provided that the topography allows for a sufficient gradient to be obtained. Should a sufficient gradient however not be available, the internal system is proposed to be connected to the existing 110mm dia. Sewerage system north of Bergsig Street.

The above two alternatives are indicated on the attached layout plan (Annexure B, Figure 1) as Option 1 and Option 2, Option 1 being the connection in Main Road and Option 2 the connection north of Bergsig Street.



It should be noted that according to the report prepared by the Municipality's consulting engineers (CES Consulting engineers), sufficient capacity is available in the existing sewerage reticulation system as well as the sewage treatment works.

The following design criteria will be applicable to the envisaged sewerage reticulation system requirements:

Establishment	=	20 000 m ² Shopping Centre
Average Daily Flow	=	400 l/day per 100m ² GLA
Development size	=	20 000 m ²
Average daily flow	=	80 000 l/day
Peak Factor	=	2.5
Peak Dry Weather Flow	=	200 000 l/day
Extraneous flow	=	30%
Peak Wet Weather Flow	=	260 000 l/day
	=	3.000 l/sec

4.2 Water

The proposed internal water reticulation system will consist of a 110mm dia. uPVC water main. Due to capacity constraints in the existing external water reticulation network, it is proposed to provide new 250 mm dia. Water main from the existing 400mm dia. on the R43/Main road intersection to the Main road/Bergsig street intersection. Further to the above, it is proposed to provide a 160mm dia. ring main from the proposed 250mm dia. water main in the R43/ Main road intersection, around the proposed development and be connected to the existing 160mm dia. water main in Bergsig Street. All of the above proposals are indicated in the attached layout plan (Annexure B, Figure 2).

The following design criteria will be applicable to the envisaged water reticulation system requirements:

Annual Average Demand	=	400 l/day per 100m ² GLA
Development Size	=	20 000 m ²
Average Daily Demand	=	80 000 l/day
No. of equivalent units	=	80
Peak factor	=	10
Instantaneous peak flow	=	800 000 l/day
Fire-risk category	=	Moderate Risk
Min. Hydrant flow rate	=	1 500 l/min per hydrant
Min. Hydrant spacing	=	180m