

WALKERS **W**
INCORPORATED ATTORNEYS
EST. 1828

The Directorate
Infrastructure & Planning
Overstrand Municipality
P O Box 20
HERMANUS
7200



Our reference DJL/SR/4377
Account number
Direct line (021) 464-1485
Direct telefax (021) 462-2256
Direct e-mail denisl@walkers.co.za
Municipal Notice No. 35/2009
3 August 2009

Attention: Mr H Olivier
Per Fax: [028] 313 2093

FILE NO:	<i>Ph 1/52</i>	Your reference
		Date
SCAN NO:	<i>34</i>	
COLLABORATOR NO:	<i>108703</i>	

Dear Sir

- **COMMENTS & OBJECTIONS TO APPLICATION BY WEKITA 1 (PROPRIETARY) LIMITED (The Applicant) (NOTICE 35/2009) IN RESPECT OF PORTION 1 OF THE FARM HOEK VAN DE BERG NO. 572, CALEDON DISTRICT (The Property)**
- **FOR AMENDMENT TO THE GREATER HERMANUS SPACIAL DEVELOPMENT FRAMEWORK**
- **PROPOSED REZONING AND CONSENT USE AND THE CONSTRUCTION OF A PROPOSED SHOPPING CENTRE**

We act on behalf of Sandbaai Development Trust which has a commercial interest in a similar proposed development in the Overstrand Municipal area. We lodge the undermentioned comments and objections to the above applications by the Applicant:

Our client firstly has the following in limine points of objection to the application as a whole. The application is incomplete in at least three respects and the Notice No 35/2009 is accordingly premature.

Firstly a full and complete transport impact assessment is still awaited. See the last paragraph of paragraph 5 of letter dated 11th May 2009 from the Applicant's traffic engineers, EFG Engineering (Pty) Ltd. This specifically states that a shopping centre on the scale applied for requires a full comprehensive transport impact assessment. Such an assessment would in practice provide information as to road improvements and infrastructure necessary to mitigate the impact of the proposed shopping centre. Nothing is presented to the public at this juncture showing the proposed road upgrade that would be required. Without this level of information it is neither possible for a stakeholder to properly assess the impact of the proposal nor to make any informed comment and or objection.

- 4 AUG 2009 TP

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Secondly the Applicant itself admits that the provision for electricity to the site is as at date of the application unknown and that an electrical report from Rawlins Wales and Partners will be made available at a later stage.

Thirdly Applicant's own botanist alludes to the need for further winter and spring surveys to complete the list of plant species. One assumes that only after that has been done could the Applicant conclude whether or not Red Date plant species are existent.

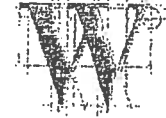
Accordingly the Overstrand Municipal Notice No. 35/2009 has been published prematurely and our client's rights in this regard are fully reserved.

1. GENERAL COMMENTS AND OBJECTIONS

Our client has instructed us, subject to the above reservation of rights, to comment on and object to the proposal under consideration as follows:

LOCALITY

- 1.1 The use of this Hawston site as a Regional Shopping Centre is because of its locality unsuitable and undesirable. The property borders the Hoek Van De Berg Nature Reserve which is Eco Sensitive, as recognized by the Municipality in its own internal Planning, by virtue of the designation of the area as a Nature Reserve. In this respect we enclose a copy of the comments sent to the Environmental Consultant in respect of the EIA process, and request that such comments be treated as though specifically incorporated herein.
- 1.2 Market research shows that the market for a regional centre in this area will be split in half, with half the market being located East of the Hermanus CBD, and surrounding the CBD, and the other half being located to the West of Sandbaai. The positioning of a regional shopping centre in Hawston would require that at least 50% of shoppers would have to travel a lengthy distance of up to 10 km from the CBD, and even further from Voelklip area, along the Main Road being the only artery and access to both the CBD area and surrounds and Hawston. Locating the shopping centre in Hawston will negatively impact on the already overburdened Main Road. The outlying location of the Hawston site makes the location disadvantageous for



the biggest sector of the market. It is important to note that the application contains no information on how the negative impact on road use will be mitigated making it impossible to properly assess and comment further on the application as it now stands.

2. TRAFFIC IMPACT

Although our client is unable because of the lacuna in the application as dealt with in the in limine points above, to comment constructively on the above potential traffic impact we for your assistance attach a schematic depiction of the traffic impact one can expect based on current market research in the area which shows where shoppers will mainly originate from namely the Hermanus CBD.

3. IMPACT ON HERMANUS CENTRAL BUSINESS DISTRICT

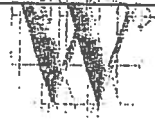
- 3.1 The applicant goes to great lengths in attempting to convince the reader that the Hawston site location will result in a Mall in Hawston having little impact on the existing Hermanus CBD.
- 3.2 However no expert report or other evidence is provided to support these statements. They are merely based on a fallacious assumption that by purely placing extra distance between a decentralised Mall and the CBD, one can relax in the knowledge that the CBD is preserved. Clearly this argument is without substance.
- 3.3 This overly simplistic argument ignores the complex dynamics that all play together to create and/or sustain a CBD. There is no research provided to substantiate the claims or to explain the dynamics pertinent to a CBD.
- 3.4 From a Planning perspective further, it is logical that leapfrog node creation or development will create urban sprawl. Allowing a commercial development in Hawston of this scale would create a commercial sprawl of land use stretching between the Hermanus CBD and towards Hawston.
- 3.5 Sprawl is already evident if one looks at the infill development already occurring along Main road between the CBD and the Sandbaai Node.



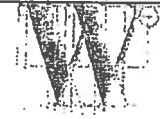
- 3.6 To ignore the existing commercial nodes at the CBD and at Sandbaai, in order to allow the creation of an entirely new node in the remote, position in Hawston contradicts the said principles of the Greater Hermanus Sub-Regional Spatial Development Framework which advocates the "promotion of compaction and densification as opposed to low density sprawl".
- 3.7 Furthermore, the preservation and densification of both the Sandbaai commercial node and the Hermanus CBD are equally important.
- 3.8 A Hawston commercial node of this scale, at this point in the development of Greater Hermanus, would have the effect of draining the existing commercial activity out of both the CBD and Sandbaai, as neither existing node stands to benefit directly. This assumes that retailers would support the remote location in Hawston where there is no existing commerce or densification of housing to support the retail. All indications are that retailers would not support a site this far removed from existing nodes, unsupported by dense, existing residence.
- 3.9 In a town like Hermanus where the Ocean on the South and the mountains to the North, there is but one route in and out of the CBD. The town is a linear plan because of the geographic restrictions. To allow urban sprawl in such a linear town layout only exacerbates the existing traffic problem.
- 3.10 Our client reserves its rights to elaborate on the above, upon presentation by the Applicant of concrete evidence or scientific research to backup its aforesaid sweeping and unsupported statements including the claim that the Hawston site is "ideally located to prevent the deterioration of the CBD".

4. ECONOMIC IMPACT

- 4.1 Whilst our client supports the principle that development gives rise to economic benefits and job creation, our client disputes and challenges the notion proposed by the Applicant that Hawston will derive direct benefit only from a development within Hawston itself.



- 4.2 Job opportunities and increased revenue are a direct result of the capital expenditure invested in the region, and not as a result of the location of a Centre.
- 4.3 While the beneficial location may be a knock on effect of the economic impact, the economic impact is quantified and measured by means of the amount of capital investment in the area, which according to economic theories and models gives rise to direct (onsite) and indirect (off site) economic benefits. On site benefits, which would result from development at any specific site, include job creation at the development itself, wherever it is located. There is no guarantee nor scientific evidence presented to show that only Hawston residents would gain employment at a Mall in Hawston, similarly it cannot be argued that only persons resident within the Hermanus CBD or surrounds, gain employment from the CBD commercial activity. Off site economic benefits which occur from any capital investment, regardless of the location, include the benefits derived from employees going home and spending their newly earned incomes, and the resultant benefits to commerce and industry in that location. Clearly the economic impact of any shopping centre has a ripple effect and the impact cannot be quantified by means of delineating a particular immediate vicinity, nor will one location vis a vis another in close proximity, increase or decrease the economic impact.
- 4.4 No independent evidence or research is presented by the Applicant linking the overall economic impact of a development in a Region to its proximity to a specific village or town.
5. **LAYOUT**
- 5.1 It is unclear from the current layout, where the Milkwood Trees are located, and what appropriate buffer zones will be used to protect them.
- 5.2 The 30m buffer proposed is not clearly marked up on the Layout. Further it is submitted that a 30m buffer must be completely housed within the Applicant's site boundaries, and should not constitute any servitude areas. Utilising servitude areas will not guarantee the preservation of the "Fynbos buffer". The "Fynbos buffer" must be surveyed and registered as a green servitude over the Applicant property.



5.3 It is submitted that this application is incomplete without a property "Tree Survey" to enable the Local Authority to determine the position of the Milkwood Trees, and assess the Layout and Site Development Plan in accordance therewith.

6. POLICY

6.1 To change the planning objectives for the current application site from "natural open space" and "part of a green corridor" to a "commercial" land use is a significant departure, especially considering the adjacent existing Nature Reserve.

6.2 The Local Authority should be guided by its SDF as a planning tool as to where to approve developments, which should at least be compatible with proposed land uses as per current policy.

6.3 The Local Authority would need exceptionally good reason to make such a radical departure which on the application presented does not exist.

7. VISUAL IMPACT

7.1 The locality of the application site is critical to the visual aesthetics of the entrance to Hermanus, and in keeping with the natural beauty prevailing in the immediate vicinity.

7.2 Mere bald statements that visual impact will be limited do not suffice. No expert study or research is provided to independently verify this. Again such inadequacy renders it impossible for the Local Authority and any interested party to properly consider and comment on the proposal at this juncture which again illustrates that the aforesaid notice is premature and our client's rights remain fully reserved.

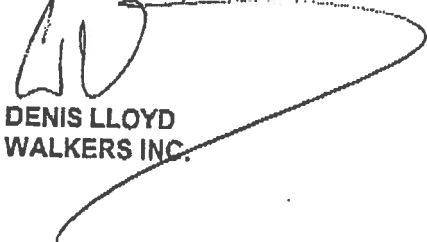
Page 7

**8. ENVIRONMENTAL GROUNDS**

- 8.1 We refer to the attached comments to the EIA process, which are specifically incorporated herein.
- 8.2 We further comment that any buffer or green zones that may be imposed in the development parameters, should be registered as "Green Servitudes" to ensure real and effective protection of green areas and to ensure real preservation.
- 8.3 Also the storm water issue is specifically highlighted as a sensitive environmental issue in the report. Runoff will impact negatively on the Paddevlei wetland.

Kindly acknowledge receipt.

Yours faithfully



DENIS LLOYD
WALKERS INC.

WALKERS



INCORPORATED

ATTORNEYS

EST. 1828

Mark Berry Environmental Consultants
P O Box 1456
GORDON'S BAY
7151

Per Telefax: (021) 856 1148

Per e-mail: mberry@telkomsa.net

Our reference DJL/sr/4377
Account number
Direct line (021) 464-1485
Direct telefax (021) 462-2256
Direct e-mail denisl@walkers.co.za
Your reference
Date 29 June 2009

Dear Sir

RE: PROPOSED REGIONAL SHOPPING CENTRE, HAWSTON

We refer to previous correspondence and confirm that we act on the instructions of Sandbaai Development Trust. For the purposes of transparency, we advise that the Trust is an entity that has an interest in other commercial development in the Hermanus area.

On behalf of our client Sandbaai Development Trust, we at this stage lodge the undermentioned comments to the draft BAR.

1. EAP:

It is noted that Mr. Berry is the appointed botanical specialist on the project by the owner. In terms of the EIA regulations, the environmental assessment practitioner appointed in terms of those regulations should ideally be a fully independent member of the project team and should not be responsible for conducting surveys that ultimately influence the direction of the application. Please furnish reasons why it is believed that no conflict exists.

2. Heritage Report:

There appear to be derelict dwellings on the site. Section 38 of the National Heritage Act may be triggered. Please comment on why a suitable heritage study to inform on the development should not be a requirement.



3. Botanical Study:

Our client again highlights its serious concern at the potential conflict of interest and lack of independent peer review of the findings.

- a) Milkwood Trees are protected species, and several large ones are found on the site. The site also immediately borders the Hoek Van De Berg Private Nature Reserve and a Conservancy. How does the applicant intend to accommodate all the large Milkwood trees in the development layout? Where is the plotting of the trees?
- b) Conservation Status – The statement in paragraph 5 of the Botanical Assessment, which reads that "None of the latter will be significantly affected by the proposal" is noted with concern. Has this been independently peer reviewed?
- c) How will provision be made for the maintenance of the conceptual ecological link between the Paddavlei in Hawston and Wermont Soutpan, and between the Onrus Mountains and coast? Please elaborate on the proposal in paragraph 7. Please provide a conceptual layout showing the corridors proposed. And if so, please let us have copies. Please obtain the comments of CapeNature and let us have these.

4. Conservancy Status of the Site:

- a) The site is within a potentially sensitive environment given the surrounding land use and our client understands that the adjacent site has a successful vegetation rehabilitation programme in place. It is thus concerning that the botanical report brushes off the sensitivity on the site due to the presence of alien vegetation. One questions the impartiality of the said botanical report. Please comment.
- b) The site borders the Mudge Point Conservancy and as such appears to be an inappropriate location for a Regional Shopping Centre. Please comment.

5. Visual Sensitivity:

The site is visually sensitive as it is on the R43 which is the main gateway to Hermanus, borders a conservancy and nestles on a hill slope, yet no independent and impartial Visual Impact Study has been done. Our client requests that the visual impacts of the proposed development are assessed in terms of the DEA&DP specialist guidelines to allow informed decision-making and



allow I&AP's to provide informed comment. Please let us have these. We further request clarity on whether or not the site is within the Urban Edge and proof thereof.

6. **Wetland:**

There is only a brief letter dealing with the Wetland issues. This appears to misrepresent the context of the site. Our client requires that a proper Wet Environments Assessment, in accordance with the DEA&DP specialist guidelines be undertaken to allow informed decision making and informed stakeholder comment.

7. **Traffic Impact:**

A development of this nature will have significant traffic impact. Our client is surprised to note that no traffic assessment has been prepared. All interested parties need to have sight of such a report to allow an informed decision and thereafter be afforded the opportunity to comment on the proposal.

8. **Bulk Services:**

It is well known that bulk services are a cornerstone in determining whether or not a development is viable. Our client therefore requires information from an independent engineer or independent engineers and a letter from the local authority confirming capacity to handle the proposed development before it will be in a position to comment on this proposal as a whole.

9. **Noise Impact:**

A development of this nature would have significant noise impact on an otherwise sleepy hollow town (Hawston). Our client requires sight of a noise impact study conducted by an independent professional. If this is available, please let us have this, if not, it needs to be obtained and made available.

10. **Sewer Capacity:**

There does not appear to be any finality or certainty about the sewer capacity. The report merely states that applications for funding for additional capacity have been made. Who has applied for this? What are the implications? This is an important aspect and the development can neither be



properly considered and commented on by interested parties nor approved until this aspect is clarified and interested parties afforded a reasonable opportunity to comment.

11. **Retail Need Statement:**

An independent expert report that underpins the retail need is absent. Interested parties need sight of such a report in order to better enable them to comment properly and usefully on the proposal.

12. **Fynbos Corridor:**

The Fynbos corridor links should not be shared with the Road Reserves as there is no way of then ensuring those links are maintained. The Road Reserves are already set aside for use as road and accordingly this revised land use application must cater for the mitigation of the impacts within its own site. Furthermore, where is the proof that the Road Authorities will allow this, and will undertake to manage and maintain these corridors? The same comments apply to the Municipal Land on the SW side. Please provide details as to the Green strandveld corridors that should be established on the access road – width? Position?

13. **Further missing information:**

Despite the BAR stating that such information is attached, the following was not provided:


- a) Plans of preferred layout alternative and 2nd alternative
- b) Description of PPP process
- c) Registered I&As and comments
- d) Response to comments
- e) Town Planning Report
- f) Heritage Report
- g) Services Reports

14. **River wetland and stormwater runoff:**

Our client, as an interested party, needs information about the river/wetland and the stormwater runoff that currently runs from the site under consideration into the Paddavlei wetland. Again, please provide this so that meaningful and useful comment can be forthcoming.

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Yours faithfully



DENIS LLOYD
WALKERS INC.

CC The Department of Environmental Affairs and Development Planning
Attention: Directorate: Intergrated Environmental Management (Region A2)
Private Bag X9086
Cape Town
8000
DEA&DP Ref No: E12/2/3/1-E4/5-0016/09

PL n
Town and Regional Planners
Stads-en Streetsbeplanners
ctive

TOWN & REGIONAL PLANNERS
STADS & STREEKSBEPLANNERS

6 Magnolia St / Str
PO Box / Posbus 296
HERMANUS
7200

Tel: (028) 313 1673

Fax / Faks: (028) 312 1351

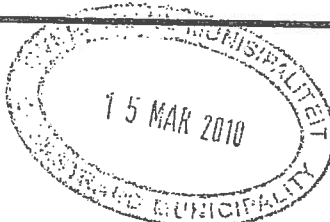
Email: planactive@hermanus.co.za

Website: www.planactive.co.za

PA80032/PJ

15 MARCH 2010

THE MUNICIPAL MANAGER
OVERSTRAND MUNICIPALITY
PO BOX 20
HERMANUS
7200



TP - H Olivier

FOR ATTENTION: MR. HENK OLIVIER

Sir

FILE NO:	PH 1/STR
SCAN NO:	72
COLLABORATOR NO:	139895

PORTION 1 OF FARM NO. 572, HOEK VAN DE BERG
• PROPOSED REGIONAL SHOPPING CENTRE

Your letter with attached objections dated 13 August 2009 has reference.

Firstly it is very important to take note of the fact that commercial interest and competition is not a valid reason to object to a development proposal. We are strongly convinced that certain objections are based on competition and not in line with the principles as set out by the Ordinance.

The objections can be summarized as follow, together with our comments relevant to each issue:

A full and complete transport impact assessment was not submitted.

A comprehensive Transport Impact Assessment was submitted to the Overstrand Municipality on 17 June 2009. This report has been submitted to the Services Department of the municipality as well as to the District Roads Engineer for their thorough expert evaluation. Approval was granted accordingly.

The botanist will have to conduct further winter and spring surveys to determine existence of red date species.

Divine Inspiration Trading 329 (Pty) Ltd. trading as Plan Active
Reg. No. 2006/030921/07
Vat. No. 4770250340

John Mc Lachlan: Ndip (Town Planning) Tech Witwatersrand; MSAPI
Pauline Spronk: B (Soc Sc) US, BA Hon (UNISA)
Peejee Lerm: B. Art et Scien Cum Laude (Town Planning) UNW; SACTRP
Meriké Schalkwyk: B. Art et Scien Cum Laude (Town Planning) UNW; SACTRP

The botanist already conducted a follow up survey and an updated report was consequently submitted with the EIA to the Department of Environmental Affairs and Development Planning.

The municipal notice has been published prematurely.

The Land Use Planning Ordinance, 15 of 1985, determines that the municipality should advertise an application within 14 days of submitting the application. The application was advertised accordingly and further information was provided to the municipality upon request.

The locality of the proposed retail centre is undesirable and borders the Hoek van de Berg Nature Reserve.

Firstly note that Hoek van de Berg is a private nature reserve and not proclaimed as a nature reserve in terms of Nature Conservation legislation. The owner of this land is subsequently also initiating a development and the proposed shopping centre will be in character with proposals on Hoek van de Berg.

The proposed locality will cause shoppers to travel a lengthy distance of 10 km from the Hermanus CBD and surrounding areas via the only main arteria in the R43 road.

The distance of 10 km is merely lengthy when compared to distances traveled in metropolitan areas for similar purposes. Currently residents of the area drive 80 km to Somerset West to visit a retail centre and thus 10 km will be considered as a very short distance.

Traffic will mainly originate from the Hermanus CBD, a schematic depiction is attached.

No schematic depiction was attached. A much broader target area is anticipated than just the Hermanus CBD area. A detailed Traffic Impact Assessment was conducted and approval was obtained from the District Roads Engineer accordingly.

Extra distance between the mall and the Hermanus CBD will not contribute to preserve the CBD and no substantial research is provided to support this argument.

Firstly it is important to take note that distance will definitely play a roll in preserving the Hermanus CBD. Existing retailers in the CBD will be able to operate a second branch in this mall without closing down their business in the CBD, while the same is not evident in the case of the proposal for the Sandbaai site.

Furthermore the Hawston (Milkwood) Mall will not host any tourism related small shops and will focus on national and line shops. Thus none of the existing smaller businesses will be drawn from the CBD of Hermanus. The existing Gateway Centre should also be considered and the potential effect of the Sandbaai proposal on this development might be totally detrimental.

Leapfrog node creation will create urban sprawl.

This is a very insignificant statement seeing that the proposed Milkwood Mall is situated within the existing Urban Edge of the Greater Hermanus. Urban sprawl is the outward growth of an urban area beyond its existing boundaries.

Compaction and densification should be promoted as opposed to low-density urban sprawl.

Kindly refer to the previous comment regarding the definition of urban sprawl. The area between Vermont and Hawston is due to be developed in the future and thus compaction will still occur within the existing urban edge of the Greater Hermanus. Provincial Policy dedicates itself to higher density residential development of 25 units per hectare. This objective is a potential future achievement in the Hawston area much more so than closer to town.

The Hawston commercial node will drain existing commercial activity out of the Hermanus CBD as well as the Sandbaai node.

The intention of the Milkwood Mall will not be to draw existing retailers from the Hermanus CBD, but rather to establish new and second retailers focused on the Overberg region. The character of the Hermanus CBD should be preserved and enhanced by pedestrian friendly and tourism orientated activities, such as the new Market Square development, which will contribute to the sustainable future of the CBD.

The Sandbaai Node is not intended to host national and line retailers. The Engen site is built around the fuel station, nursery, car rental and future agri-market while the Hemel & Aarde Village across the R43 is considered a tourism hub rather than commercial. The proposed Sandbaai Retail Centre should be seen as out of character in an area earmarked for residential development.

No evidence is provided that Hawston residents would gain job opportunities at the Hawston mall.

The proposed development will be dedicated to provide job opportunities to previously disadvantaged individuals. Procurement requirements will be idealized through principle agreements with contractors to employ 70% local people in the construction phases, while 80% local employment is proposed during the operation of the centre.

Milk wood trees are not clearly indicated and protection measures stipulated. The trees should be surveyed.

The Milkwood trees have been surveyed by professional land surveyors and are clearly indicated on the site development plan. Smaller trees will be re-established in the landscaped 30-metre buffer zone in accordance to stipulations by Cape Nature, while the bigger trees are incorporated into the design of the centre.

The fynbos buffer must be surveyed and registered as a green servitude over the applicant property.

It is important to note that a botanical survey was conducted and a botanical report was attached to the application. Fynbos occurs within the road reserve, but there are no fynbos on the subject property and thus this request is not relevant.

The revision of the policy documents to change the site from natural open space to commercial is a significant departure and unlikely to be justified.

The Spatial Development Framework indicates this site as natural open space based on visual observations and generalized conclusions. No environmental, botanical or wetland research was done prior to the determination of this status. The proposed application was accompanied by a botanical study as well as a wetland and ground water report and an EIA is currently undertaken.

The relevance of the proposed land use should be viewed in the light of concrete evidence relating to environmental characteristics determined in these studies. Furthermore we draw your attention to the latest input from Cape Nature clearly indicating that the site has no conservation potential and that the proposed development can be supported.

A visual impact study should be provided.

A visual impact study has been conducted by Bruce Eitzen. This report will be submitted to Heritage Western Cape for their approval.

Yours faithfully



PJ LERM
PLAN ACTIVE



DEPARTMENT OF ECONOMIC DEVELOPMENT & TOURISM
DEPARTEMENT VAN EKONOMIESE ONTWIKKELING & TOERISME
ISEBE LOPHÜHLISO LWEZOQOQOSHO NEZOKHENKETHO

Reference: 2009/1228
Verwysing:
Isalathiso:

Enquiries: Mark Lakay
Navrae: (021) 483 4717
Imibuzo:

RE: PORTION 1 OF THE FARM HOEK VAN DE BERG NO 572, CALEDON DISTRICT, SITUATED NEXT TO THE R43 MAIN ROAD AND ADJACENT TO HAWSTON, OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF THE GREATER HERMANUS SPATIAL DEVELOPMENT FRAMEWORK AND THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, PROPOSED REZONING AND CONSENT USE: PROPOSED SHOPPING CENTRE

Dear Mr Müller
Director: Infrastructure and Planning
Fax: 028 313 2093

PO BOX 20
Hermanus
7200

In response to your letter dated 10 June 2009 regarding the notice of the proposed amendment of the Greater Hermanus and Overstrand Municipal Spatial Development Framework, the consolidation and rezoning for the proposed shopping centre, we would have no objections if the following was considered:

- The proposed extension is considered with regard to the current and long term spatial perspective of the area
- That the proposed shopping centre has been considered with regard to the strategic objectives and vision of the Overstrand Local Economic Development Strategy
- That the safety and economic welfare of members of the immediate community has been considered and that access to the suggested economic activity has been considered
- And that due processes have been followed and that the municipality has involved other relevant government departments

Regards

Mr Mark Lakay
Deputy Director: Local Economic Relations
Date: 06/07/2009

10de Verdieping, Waldorfgebou, St. George's Wandellaan, KAAPSTAD 8001
Postbus 979, KAAPSTAD 8000

10^{de} Floor, Waldorf Building, 80 St. George's Mall, CAPE TOWN 8001
P O Box 979, CAPE TOWN 8000

☎ (021) 483-4717 ☎ (021) 483-4892
E-pos/E-mail: mlakay@ngwc.gov.za

Enquiries: Shaun Dyers
e-mail: shdyers@hwc.gov.za
Tel: (021) 483 9689
Date: 3 February 2011



RECORD OF DECISION
Heritage Western Cape Built Environment and Landscapes Committee

Heritage Western Cape hereby notifies:

Ron Martin
7 Suikerbossie Street
Forest Village
7100

of its Comments and Recommendations in terms of
Section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999)

For: Proposed Development.

At: Ptn 1 of Farm 572, Hawston, Hermanus.

It was noted that:

- The site forms part of a gateway along a scenic route.
- The site forms part of a landscape of high significance in terms of an uninterrupted continuity between mountain, foot slope and coastline.
- The proposed development serves to block or interrupt the continuity of this landscape.
- The ecological significance of the property needs to be clarified in terms of environmental information.
- That the VIA suggested mitigation but neither VIA nor HIA refer to the significance of the site or what the mitigation suggested would accomplish.

DECISIONS, COMMENTS AND RECOMMENDATIONS:

The proposed development is not supported in terms of its high negative impact on a scenic route and landscape of high heritage significance.

Please feel free to contact this office for any other information.

Yours faithfully


For Accounting Officer: Heritage Western Cape

www.capegateway.gov.za/culture_sport

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: Private Bag X9067, Cape Town, 8001 • Tel: +27 (0)86 742 142 • Fax: +27 (0)21 483 9642 • E-mail: hwc@pgwc.gov.za
Street Address: Protea Assurance Gebou, Groenemarkplein, Kaapstad, 8000 • Posadres: Privaatsak X9067, Kaapstad, 8001 • Tel: +27 (0)86 742 142 • Fax: +27 (0)21 483 9642 • E-pos: hwc@pgwc.gov.za



OVERSTRAND MUNICIPALITY
P.O. Box 20
HERMANUS
7200

S Müller
TP

Date:
19.06.2009

Enquires:
Ms Rochelle McPherson
Tel: 021 980 3042
Fax: 021 980 3053

HERMANUS ADMINISTRATION

Attention: S. Muller

PORTION 1 OF THE FARM HOEK VAN DE BERG NO. 572, CALEDON DISTRICT, SITUATED NEXT TO THE R43 MAIN ROAD AND ADJACENT TO HAWSTON, OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF THE GREATER HERMANUS SPATIAL DEVELOPMENT FRAMEWORK AND THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, PROPOSED REZONING AND CONSENT USE: PROPOSED SHOPPING CENTRE.

YOUR REF: Ptn 1 of Farm 572, HHW
OUR REF: 00503/09

I refer to your letter dated 05 June 2009 and would like to comment as follows.

Eskom has no objection to the proposal provided that the following requests are adhere to:

1. Should it be necessary to relocate / lower any of the existing Eskom services for possible future needs of applicant at least 3 months notice in writing is required and the cost will be entirely for the account of the Developer.
2. Eskom's right on the properties not to be affected.

Yours faithfully


Rochelle McPherson
LAND DEVELOPMENT (BRACKENFELL)

FILE NO:	<i>Ptn 1/572</i>
	<i>157.10/10</i>
	<i>66</i>
	<i>105545</i>

Western Region
60 Voortrekker Road PO Box 2100 Bellville 7535 SA
Tel 00 27 (0)86 003 7566 www.eskom.co.za

Directors: RM Godsell (Chairman) PJ Maroga (Chief Executive) LCZ Cele SD Dube LG Josefsson (Swedish) HB Lee (Korean) WE Lucas-Bull PM Makwana J Mirenge (Rwandan) JRD Modise AJ Morgan U Nene
Company Secretary: TN Msomi
Eskom Holdings Limited Reg No 2002/015527/06





SCIENTIFIC SERVICES

postal Private Bag X5014 Stellenbosch 7599
 physical Assegaaibosch Nature Reserve Jonkershoek
 website www.capenature.co.za
 enquiries Samantha Ralston
 telephone +27 21 866 8000 fax +27 21 866 1523
 email landuse@capenature.co.za
 reference SSD.../7/2/ 572-1_gen_hawston
 date 24 December 2009

Mark Berry
 Mark Berry Environmental Consultants
 PO Box 1456
 Gordons Bay
 7151

Email: mberry@telkomsa.net

Dear Mark

Re: Proposed Shopping Centre on Portion 1 of farm 572, Hawston

DEA&DP ref: E12/2/3/1-E4/4-0016/09

Our previous correspondence regarding the above application refers. CapeNature visited the site on 15 December 2009. On inspection it was confirmed that the site is heavily degraded and unlikely to contribute to biodiversity pattern targets. Rehabilitation would require substantial inputs above and beyond simple management of invasive alien plants.

The site's ecological value lies primarily in maintaining connectivity between the Onrus Mountains and the coast as well as between Paddavlei and Vermont Soutpan. The loss of this is considered to be of medium negative significance and can be mitigated to some degree by the allowing for ecological corridors and landscaping with indigenous species. The adjacent Hoek van de Berg Nature Reserve reduces the potential for cumulative negative impacts as this protects the mountain to sea corridor.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that might be received.

Yours sincerely

Samantha Ralston
 For: Manager (Scientific Services)