



## water affairs

Department:  
Water Affairs  
**REPUBLIC OF SOUTH AFRICA**



TR

Western Cape Region / Wes-Kaapstreek,

Private Bag / Privaatsak X16, Sanlamhof, 7532, 17 Strand Street / Strandweg, Bellville, 7530

Enquiries/Navrae: Mr Deugald Jephtha

Tel: (021) 950 7123

Reference/Verwysing: 16/2/7/G400/A/8

Fax: (021) 950 7224

Email: [JephthaD@dwaf.gov.za](mailto:JephthaD@dwaf.gov.za)

01 December 2009

The Municipal Manager

PO Box 20

HERMANUS

7200

Attention: Mr H Olivier

FILE NO	PH 1/572
SCAN NO	02
COLLABORATION NO	126879

Dear Sir

**PORTION 1 OF THE FARM HOEK VAN DIE 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.**

Our previous correspondence, dated 14 August 2009, similarly referenced, requested the following information:

- A copy of the formal Bulk Services Agreement from Overstrand Municipality.
- A detailed Stormwater Plan along with the relevant mitigation measures for the routing of storm water to the Paddavlei wetland area.

This Department received the following documents dated 27 October 2009:

- *Services agreement with Overstrand Municipality.*
- *Services report with specific reference to storm water management, detail of storm water management and potential mitigation and a stormwater plan.*
- *Wetlands report by Freshwater Consultants.*

Based on the information supplied therein the Department can now support the above mentioned development. The Applicant can continue with the project.

Please do not hesitate to contact the abovementioned official, should you have any further queries.

Yours Faithfully

  
CHIEF DIRECTOR: WESTERN CAPE

Date: 2009-12-03

Cc: Plan Active



DEPARTMENT  
of AGRICULTURE

Provincial Government of the Western Cape

Our Reference : 20/9/2/4/2/575  
Your Reference : PA80032/PJ  
Enquiries : JH Smit

PlanActive  
PO Box 296  
HERMANUS  
7200

Att: PJ Lerm

**REZONING AND SUBDIVISION: DIVISION CALEDON  
PORTION 1 OF THE FARM NO 572**

Your letter of 27 May 2009 has reference.

The Department of Agriculture: Western Cape would like to thank you for the opportunity to comment on the above proposed development.

In the application the following statements are made:

- "The land is situated within the urban edge of Greater Hermanus and classified as Core Urban Area."
- The property is currently zoned: "Undetermined".

In principle the Department of Agriculture: Western Cape has no objection in terms of land use for the purpose of agriculture to the proposed change of land use in order to accommodate the proposed Milkwood Mall on the above-mentioned property.

There are however a number of conditions:

1. All the newly created units approved for township development must be zoned to any non-agricultural zoning according to the Local Government's zoning scheme and regulations.
2. All the newly created units approved for township development must be incorporated into the town area and linked up to the municipality's bulk services.



TP - sold memo



FILE NO:	PA 1 / 572
DATE:	
COLLECTOR'S ID:	105657



Privaatsak X1 / Private Bag X1, Elsenburg 7607  
Tel: (021) 808 5093 • Faks/Fax: (021) 808 5092 • Webwerf/Website: www.elsenburg.com  
LANDBOU-ONTWIKKELINGSENTRA / AGRICULTURAL DEVELOPMENT CENTRES:  
ELSENBURG • GEORGE • MOORREESBURG • OUDTSHOORN • VREDENDAL

Please take note:

- That this is only a recommendation to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970 and the Land Use Planning Ordinance 15 of 1985 and that the applicant must provide the local government as well as the National Department of Agriculture with copies of the application.
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



**AS ROUX Pr Eng**  
**DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT**  
**2009-06-15**

Copies:

Directorate Land Use and Sustainable Resource Management  
National Department of Agriculture  
Private Bag X 120  
PRETORIA  
0001

Overstrand Municipality  
PO Box 26  
GANSBAAI  
7220



Privaatsak X1 / Private Bag X1, Elsenburg 7607  
Tel: (021) 808 5093 • Faks/Fax: (021) 808 5092 • Webwerf/Website: [www.elsenburg.com](http://www.elsenburg.com)  
**LANDBOU-ONTWIKKELINGSENTRA / AGRICULTURAL DEVELOPMENT CENTRES:**  
**ELSENBURG • GEORGE • MOORREESBURG • OUDTSHOORN • VREDENDAL**



agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria (Tshwane), 0001  
Delpen Building, c/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management  
Tel: 012-319-7678 Fax: 012-329-5938 e-mail:  
Enquiries: Help Desk Ref: 2009\_06\_0313

Messrs Plan Active  
PO Box 296  
HERMANUS  
7200

2009 -12- 18

Dear Sirs

**PROPOSED REZONING AND CONSENT USE: PORTION 1 OF THE FARM HOEK  
VAN DE BERG NO 572; DIVISION CALEDON, WESTERN CAPE PROVINCE**

Your letter PA80032/PJ dated 21 August 2009 refers.

With reference to the above-mentioned matter I wish to inform you that this Department has no objection to the proposed rezoning to Business Zone 1 and Consent Use to accommodate a supermarket, place of entertainment and liquor store on a portion measuring approximately 3,8 hectares of the total property.

Please note that this comment does not exempt any person from any provision of any other law, and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

Yours faithfully

DELEGATE OF THE MINISTER: LAND USE AND SOIL MANAGEMENT



S Muller

Network Infrastructure Provisioning  
Wayleave Management  
WESTERN REGION

Telkom SA Limited  
10 Jan Smuts Drive  
Pinelands 7405

Enquiries: Ihlam Peters

Tel: (021) 414-5614  
Fax: (021) 414-5772  
E-mail: [williaml@telkom.co.za](mailto:williaml@telkom.co.za)

Our Ref. No: LT/10105/IP/09

Your Ref. No: Ptn 1 of Farm 572, HHW

14 August 2009

Attention: S Muller  
OVERSTRAND MUNICIPALITY  
PO BOX 26  
GANSBAAI  
7220

Dear Sir or Madam:

**RE: PTN 1 OF THE FARM HOEK VAN DIE BERG NO. 572, CALEDON**

Your notification dated 05 June 2009 refers.

In reference to the Electronic Communications Act no. 36 of 2005.

No telecommunication infrastructure owned by Telkom SA is affected.

Please contact Graham Willemse at 082 825 3391 at least 48 hours before commencement of work.

Approval of the proposed is valid for 12 months. If construction has not yet commenced within this time period then the file must be resubmitted for approval. Any changes and deviations from the original planning during construction must be immediately communicated to this office.

Yours Faithfully

  
Operations Manager  
Ron Bruiners

FILE NO:	PH 1/572
SCAN NO:	35
COLLABORATOR NO:	110610

**Directors:** ST Arnold (Chairman), RJ September (Chief Executive Officer), B du Plessis, RJ Huntley, VB Lawrence\*, PCS Luthuli, KST Matthews, B Molefe, E Spio-Garbrah\*\*  
**Company Secretary:** SF Linford  
\*American \*\*Ghanaian



# OVERBERG

DISTRIKSMUNISIPALITEIT  
DISTRICT MUNICIPALITY  
UMASIPALA WESITHILI



*MELD ASB/PLEASE QUOTE*

*Ons Verw./Our Ref.:*

*Navrae/Enquiries:* R. SWART

*Bylyn/Ext.:*

Privaatsak: X22

Private Bag:

BREDASDORP

7280

Tel.: (028) 4251157

Faks/Fax: (028) 4251014

Health Department  
Hermanus office  
Wybo New mark Street 1  
ONRUS  
7201

028 3840 111 (T)

028 3840 241 (F)

24 JUNE 2009

## COMMENTS ON THE PROPOSAL: Ptn 1/572 HAWSTON

### Water

The municipality must give a written undertaking that the water source is sufficient to supply this new development.

### Sewerage

The municipality must give a written undertaking that the sewerage plant will be able to handle the extra load.

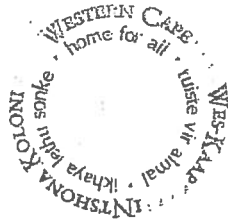
### Waste

Written agreement must be entered into with local municipality for the removal of waste if the municipality will remove the waste.

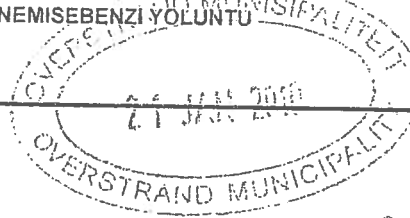
Refuse areas and refuse bins to comply with municipal solid waste management by-law.

### Certificates of acceptability

All food premises will have to apply for a certificate of acceptability from the Overberg District Municipality.



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



Reference:  
Verwysing: 13/3/5/1-21/76 (Job 17365)  
Isalathiso:

Enquiries:  
Navrae: Ms GD Swanepoel  
Imibuzo:

The Municipal Manager  
Overstrand Municipality  
P O Box 20  
HERMANUS  
7200

FILE NO:	Pth 1/572
SCAN NO:	13
COLLABORATOR NO:	129503

Attention: Mr H Olivier

Dear Sir

**PORTION 1 OF FARM HOEK VAN DIE BERG NO 572, CALEDON DISTRICT, SITUATED NEXT TO THE R43 MAI ROAD AND ADJACENT TO HAWSTON, OVERSTRAND MUNICIPALITY 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**

1. Your letter to the District Roads Engineer, Suider-Paarl, dated 7 June 2009 refers.
2. Herewith we confirm receipt of the Transport Impact Assessment (TIA) done by Messrs EFG Engineers dated June 2009.
3. Based on the above TIA this Branch offers no objection to the proposed rezoning of Portion 1 the Farm Hoek van die Berg no 572 to a Regional Shopping Centre in terms of Section 17 of the Land Use Planning Ordinance, 1985 (no 15 of 1985), subject to the following conditions:
  - 3.1 The Gross Leasable Area (GLA) for the proposed shopping centre will not exceed 39 000 m<sup>2</sup>.
  - 3.2 The provision of a minimum of 2 032 parking bays for the shopping centre.
  - 3.3 The main access to the shopping centre will be via a signalised access, 1 km east of the R43/Disa Street intersection inside the eastern boundary of the proposed development.

- 3.4 The following infrastructure must be provided:
- 3.4.1 A 2,0m wide stand alone pedestrian walkway and cycle way along the southern side of the R43 between George Viljoen Street and the main signalised access to the shopping centre.
  - 3.4.2 The provision of functional public transport facilities as part of the development of the parking area for the shopping centre in close collaboration with the relevant public transport stakeholders in the area.
  - 3.4.3 The provision of a right turn median acceleration lane with painted medians and rumble strips at the R43/R44 intersection.
  - 3.4.4 The provision of a separate right turn lane at the R43/China Marais Road Intersection from the north (Cape Town) similar to the existing R43/George Viljoen Street intersection.
  - 3.4.5 The signalisation of the R43/George Viljoen Street intersection together with associated street lighting
  - 3.4.6 The construction of a secondary access to the proposed development to tie in with the existing road that leads to the beach and harbour. The geometric layout of the intersection of this road and the R43 will comprise a separate right turn lane on the western approach and a continuous left turn lane on the eastbound approach. The exit lane from the access road will be a left only with a median being constructed to ensure no right turning movements are possible. The realization of a servitude right of way to access this road is a matter for the Developer and the Local Authority.
  - 3.4.7 The primary access to the development, approximately 1km east of Disa Street shall comprise the following:
    - 3.4.7.1 Traffic signals and related street lighting
    - 3.4.7.2 A separate right turn lane and an auxiliary through lane on the western approach
    - 3.4.7.3 A separate left turn lane on the westbound approach of the R43
    - 3.4.7.4 An acceleration lane to permit a double right turn out of the development towards Hermanus
    - 3.4.7.5 A left turn out of the development towards Cape Town
  - 3.4.8 The provision of a separate right turn lane on Lynx Avenue at the R43/Lynx Avenue intersection.
  - 3.4.9 The upgrading of the R43/Vermont Avenue intersection to a signalised intersection with the provision of the necessary turning lanes on the R43 and appropriate street lighting. A separate right turn lane on Vermont Avenue must also be provided.
  - 3.4.10 The provision of a left turn lane on the eastern approach to the R43/Onrus Main Road intersection.
- 3.5 All designs for the abovementioned must be approved by this Branch.
- 4 This Branch will not make any funds available for the required infrastructure improvements listed above.

Yours faithfully



EXECUTIVE MANAGER: ROADS & TRANSPORT MANAGEMENT

Date: 18 Feb 2010

TOWN & REGIONAL PLANNERS  
STADS & STREEKSBEPLANNERS

Plan  
Town and Regional Planners  
Stads- en Streeksbeplanners  
ctive

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

Tel: (028) 313 1673  
Fax / Faks: (028) 312 1351

Email: planactive@hermanus.co.za

**YOUR REFERENCE : 170 HHW**

**OUR REFERENCE : PA80032**

16 SEPTEMBER 2011



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

**FOR ATTENTION: HENK OLIVIER**

FILE NO:	PA80032
SCAN NO:	46
COLLABORATOR NO:	273116

Sir

**HAWSTON MALL: PORTION 1 OF THE FARM HOEK VAN DER BERG NO 572**

Attached, please find an updated service report from a meeting between Rawlins Wales & Partners with Eskom.

Yours faithfully

  
P. SPRONK



*Rawlins Wales & Partners*  
Cape Town Office

*Consulting Electrical Engineers*  
Block D Greenford Office Estate  
Punters Way Kenilworth 7708  
PO Box 2109 Clareinch 7740  
Tel: 021 674 0870 Fax: 021 674 0871  
e-mail: cape@rwp.co.za

## Hermanus Milkwood Centre

### APPLICATION FOR ZONING OF FARM 572, PORTION 1, HAWSTON

#### ELECTRICAL AND TELECOMMUNICATIONS SERVICES REPORT (Rev 01)

#### 1. BRIEF

RWP Cape were appointed by the Client to investigate and report on the services requirements and availability for the zoning of Farm 572, portion 1, Hawston to retail for the proposed Hermanus Milkwood Shopping Centre.

The proposed development is for an approximately 38 000m<sup>2</sup> (lettable area) retail shopping centre and is located on the West side of the R43 between Hawston and Vermont.

The construction of the development will be phased with an initial lettable area of approximately 25 000m<sup>2</sup>.

The scope of investigation was to cover the following:

- 1.1 To determine estimated electrical load requirements for the proposed development.
- 1.2 To determine existing electrical services in the area.
- 1.3 To determine the availability of power for the site.
- 1.4 To investigate alternate energy sources for the site.
- 1.5 To determine the availability of telecommunication services to the site.

#### 2. ELECTRICAL LOAD REQUIREMENTS

The load requirements are based, in general, on GLA and a usual mix of retail tenants including anchor tenants. The load requirements have been split into the following sections:

##### 2.1 Peak loading (in kVA)

The SANS 204: Energy Efficiency in Buildings recommendation for shopping centres in this region is an average maximum demand over the year of 85VA/m<sup>2</sup> based on the full area of the facility including malls, plantrooms etc. (Gross Construction Area which in this case is estimated at 43 700m<sup>2</sup>). This equates to an average maximum demand of 3.71MVA.

## Hermanus Milkwood Centre | Electrical Services Report

The peak loading on the proposed shopping centre (maximum demand) is estimated to be 4.2MVA. This is a summer peak and represents a load of 96.1 VA/m<sup>2</sup> GCA. We estimate the winter peak to be about 20% less which is 3.15MVA which is 72.1 VA/m<sup>2</sup> GCA.

The estimated average maximum demand is 3.675MVA, which gives an average maximum demand of 84.1 VA/m<sup>2</sup> which is in line with the SANS 204 recommendation.

In order to meet these estimated maximum demands energy saving measures will need to be specified in terms of the fittings, equipment and plant selected by tenants and for the Centre.

## 2.2 Energy Consumption

The energy consumption is likely to be in line with SANS 204 at 240kWh/m<sup>2</sup> per annum. This will be approximately 874 000 kWh per month.

## 2.3 Phase 1 Requirements

Phase 1 of the development is estimated at 25 000m<sup>2</sup> GLA or 28 750m<sup>2</sup> GCA. The estimated peak demand for this phase is 2.8MVA. In order to meet the SANS 204 requirements the selection of equipment and plant by the anchor tenant will have to be energy efficient.

## 3. EXISTING ELECTRICAL SERVICES

The local authority for the Hawston area is the Overstrand Municipality. The electricity supply authority for the area is Eskom. The area is fed from Eskom's Hawston step-down substation.

## 4. AVAILABILITY OF POWER FOR THE SITE

At a meeting with Douglas Duke of Eskom Planning at the end of May 2011 Eskom confirmed as follows:

- 4.1 The Eskom step-down at Hawston has between 2 and 3 MVA power available
- 4.2 The substation building has sufficient space to accommodate additional switchgear to feed the proposed shopping centre.
- 4.3 In addition Eskom are in process of upgrading the power supplies to the Botrivier regional substation and the Hawston substation. The estimated time frame for these upgrades is 3 to 5 years which is within the planning and construction time lines for the full retail centre.

We attach the plan received from Eskom showing the position of the substation relative to the site and their proposed cable route to the development.

Cabling to the development will be underground and would run in existing Eskom cable routes and servitudes. The cabling would be done by the Developers nominated contractor to Eskom standards and approval and will be handed over to Eskom on completion.

## Hermanus Milkwood Centre | Electrical Services Report

**5. TELECOMMUNICATIONS LINKS**

The site for the retail centre has existing telecommunications infrastructure as follows:

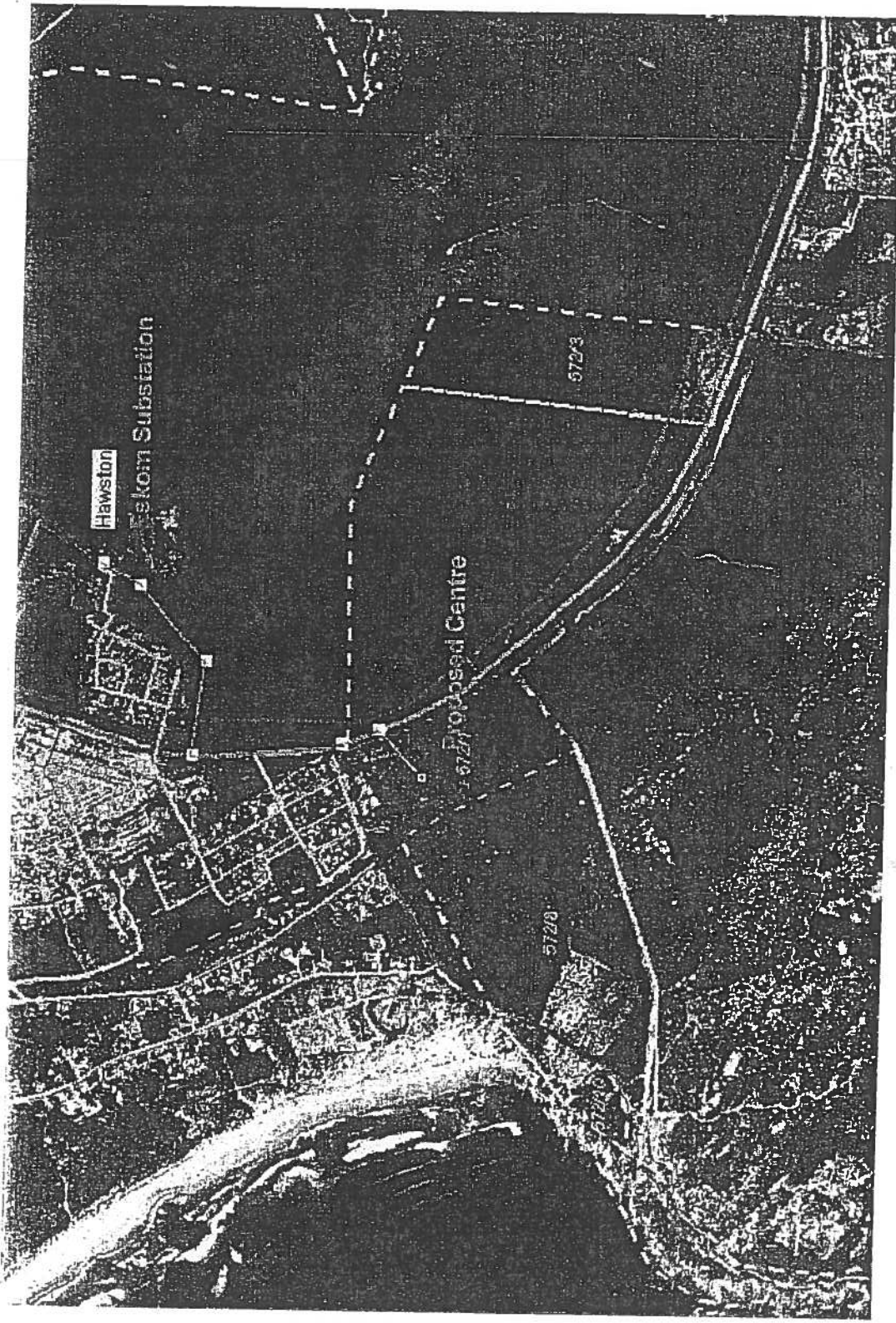
- 5.1 Telkom have a fibre optic cable running adjacent to the R43 which has capacity to incorporate the retail centre usage.
- 5.2 Vodacom have an existing tower infrastructure in the area which has sufficient capacity to incorporate the retail centre usage.

Whilst we are not sure of the capacity of the other cellular providers and we know Neotel does not currently have services in the area, these may be available over the 3 to 4 year time line.

**6. CONCLUSION**

In conclusion we note that whilst the required services are not available at the proposed development site, Eskom has sufficient capacity at the local step-down substation for Phase 1 of the development and will have sufficient power for the extended development by the time Phase 2 is developed.

Hermanus Milkwood Centre | Electrical Services Report



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REZONING AND CONSENT USE: PTN 1 OF FARM 572,  
HAWSTON**

Stormwater (SW)	:	According to the master plan by the developer
Electricity	:	No capacity available
Sewer	:	According to CES Report
Water	:	According to CES Report
Roads and traffic	:	According to the TIA report

**Conditions:**

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

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

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

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

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

The contribution according to the current policy (2011/2012) is as follows:

Water (W7A)	R 19 500.00 x 155 =	R 3 022 500.00
Sewerage (SEW5A)	R 15 650.00 x 155 =	R 2 425 750.00
Roads & SW(RDST1)	R 5 100.00 x 155 =	R 790 500.00
<b>TOTAL (inclusive of VAT)</b>	<b>=</b>	<b><u>R 6 238 750.00</u></b>

Note:

**1.3 The above figures are estimates**

2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;

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

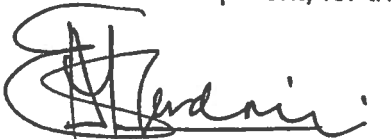
6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
  - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
  - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
  - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
11. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for works of Civil Engineering Construction – 2004, of 12 months, and
13. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the

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

14. that the developer furnish the Council with a bank guarantee equal to 2.5% of the value of the provided municipal civil and electrical services as certified by the independent professional engineer/technologist. The guarantee shall be to the satisfaction of the Director: Infrastructure and Planning and valid for the 12 months maintenance period which commences from date of the Certificate of Completion;
15. that the Home Owners Association be responsible for the operational costs and maintenance of street lighting, electrical reticulation and metering and all internal services;
16. that the developer provide bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
17. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be proved with the following:
  - a. properly ventilated;
  - b. a cement floor;
  - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
  - d. is a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
18. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Director: Infrastructure and Planning;
19. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
20. that the above stormwater management plan include the following:
  - 20.1 pre-development run-off from the catchment area;
  - 20.2 post-development run-off from catchment area;
  - 20.3 existing stormwater reticulation system and the capacity thereof;
  - 20.4 connection of internal stormwater reticulation system;
  - 20.5 overland escape routes
21. that the sewer reticulation system be upgraded according to the report by messers GLS Consulting engineers at the developer cost;

22. that should additional capacity not be available at the Waste Water Works as specified in a letter dated 26 August 2009, the developer be responsible for the upgrading of the additional capacity, at the Hawston Waste Water Works , for the proposed development;
23. that the water reticulation system be upgraded according to the report by messers GLS Consulting engineers at the developers cost;
24. that the recommendation as per the report by messers The Freshwater Consulting Group be considered in the stormwater management plan by the developer;
25. that the following conditions of the District Road Engineer, with the exception of condition 3.4.6, as set out in their letter dated 13 January 2010 be complied to, at the developer's cost, see further comment in condition 26;
  - 25.1 the Gross Leasable Area (GLA) for the proposed shopping centre will not exceed 39 000 m<sup>2</sup>;
  - 25.2 that 'n minimum of 2032 parking bays for the shopping centre be provided;
  - 25.3 that the main access to the shopping centre will be via a signalised access, 1km east of the R43/Disa Street intersection inside the eastern boundary of the proposed development;
  - 25.4 that a 2,0m wide stand alone pedestrian walkway and cycle way along the southern side of the R43 between George Viljoen Street and the main signalised access to the shopping centre be provided;
  - 25.5 that a functional public transport facilities be provided, as part of the development of the parking area for the shopping centre in close collaboration with the relevant public transport stakeholders in the area;
  - 25.6 that a right turn median acceleration lane with painted medians and rumble strips at the R43/R44 intersection be provided;
  - 25.7 that a separate right turn lane at the R43/China Marais Road Intersection from the north (Cape Town) similar to the existing R43/George Viljoen Street intersection be provided;
  - 25.8 the signalisation of the R43/George Viljoen Street intersection together with associated street lighting;

- 25.9 that condition 3.4.6 as stipulated by the Department of Transport and Public Works, not be supported by the Municipality;
- 25.10 that the primary access to the development approximately 1km east of Disa Street shall comprise the following;
- 25.10.1 Traffic signals and related street lighting;
  - 25.10.2 A separate right turn lane and an auxiliary through lane on the western approach;
  - 25.10.3 A separate left turn lane on the westbound approach of the R43;
  - 25.10.4 An acceleration lane to permit a double right turn out of the development towards Hermanus;
  - 25.10.5 A left turn out of the development towards Cape Town;
- 25.11 that a separate right turn lane on Lynx Avenue at the R43/Lynx Avenue intersection be provided;
- 25.12 that the R43/Vermont Avenue intersection be upgraded to a signalised intersection with the provision of the necessary turning lanes on the R43 and appropriate street lighting. A separate right turn lane on Vermont Avenue must also be provided;
- 25.13 that a left turn lane on the eastern approach to the R43/Onrus Main Road be provided;
- 25.14 that all designs for the abovementioned be approved by the Department of Transport and Public Works;
26. that R43//Harbour Road be considered as an alternative for a secondary access to the proposed development and that Harbour Road be upgraded at the developer's cost;
27. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.

  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

23/3/2012  
DATE

OVERSTRAND  
HERITAGE & AESTHETICS COMMITTEE

MINUTES OF MEETING

**DATE:** Thursday, 25 June 2009  
**TIME:** 14h15  
**VENUE:** "GLASKAS" – Library Building, Municipality Hermanus

**PRESENT:** Mrs E Spaarwater (in the chair)  
Ms E du Toit  
Mr A Greeff  
Mrs W Hofmeyr  
Ms M Honicke  
Mrs N Lloyd  
Mr N Saayman  
Ms M Wolters

**In attendance:** Mr J Simson - Building Services Manager

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**5.2 HAWSTON: PORTION FARM - ERF 572, WELLITA ONE (PTY) LTD**

Mrs Spronk presented initial concepts for the proposed development. The Committee commented that this is a very beautiful site with mountain views to the north and sea views to the south, and should therefore be handled with sensitivity in fitting with the Overberg area. The Committee made the following additional comments:-

- The building should be site and context responsive and not necessarily a general mall format.
- The building façade should be fragmented.
- The shopping mall route should be more fragmented and more meandering rather than strictly directional.
- Attention should be given to the greening and fragmenting of the parking area.
- The roofscape is very important.
- Due to the sensitivity of the Overberg environment, green building technology is recommended and should be overseen by a green building consultant.

**NEXT MEETING:** Thursday, 30 July 2009 at 2.15 pm

Minutes: M Honicke



**SYMINGTON & DE KOK**  
ATTORNEYS • PROKUREURS • AMAGQWETHA  
*Solutions that fit • Oplossings wat pas • Izisombululo ezilungileyo*

TO WHOM IT MAY CONCERN

DATE/DATUM

2009-04-28

VAT/BTW REG NO. 4620106841

YOUR REF/U VERW

OUR REF/ONS VERW

MC JACOBS/MJ/MGP2115

**CONVEYANCER'S CERTIFICATE**

I, the undersigned,

**MICHAEL CORNELIUS JACOBS**

Conveyancer practising as such at Bellville, herewith certify as follows:

1. Messrs Plan Active has indicated to us that they are acting on behalf of **Wekita One (Pty) Ltd**, with **Registration No. 1997/007478/07** to obtain approval for the development of a shopping centre, including commercial and entertainment uses, on the property referred to in paragraph 2 below and of which the said **Wekita One (Pty) Ltd** is the registered owner. It is our instruction to advise Plan Active as to whether or not any restrictive conditions in the title deed prohibit such development.
2. The necessary search has been conducted at the Cape Town Deeds Registry regarding the following property, including both current and earlier title deeds / pivot deeds, namely -

**Portion 1 of the farm HOEK VAN DE BERG No. 572**  
**in the Overstrand Municipality**  
**Caledon Division**  
**Western Cape Province**

**In extent 13,1629 (Thirteen Comma One Six Two Nine) Hectares**

**First transferred by Deed of Transfer No. T1801/1949 with Diagram No. 7383/1947 annexed thereto and held by Deed of Transfer No. T7630/2009**

**BELLVILLE \***  
GROUND FLOOR/GRONDVLOER, VINEYARDS SQUARE SOUTH  
THE VINEYARDS OFFICE ESTATE, 99 JIP DE JAGER DRIVE/RYLAAN  
TYGERVALLEI, BELLVILLE, WESTERN CAPE/WES-KAAP  
TEL: (021) 913 3137

www.symok.co.za

P.O. BOX/POSBUS 5281  
TYGERVALLEI, 7536  
DOCEX 50, TYGERBERG  
FAX/FAKS (021) 913 3240

**ALSO AT/OOK TE**  
**BLOEMFONTEIN**  
TEL: (051) 505 6600

**HERMANUS \***  
TEL: (028) 312 2255

**PORT ELIZABETH**  
TEL: (041) 360 0852

PARTNERS/VENNOTE: STEVE COETZEE \*, PHILIP JACOBS, LEON STRATING, GERHARD VAN GRAAN, DE BUYS HUMAN, HEIN CARSHAGEN, THEUNS WOLMARANS, ETIENNE VAN ZYL, CHRISTIE BEUKES, GILES REHBOCK, PIERRE JOUBERT, ANGELO RAYNARD, WILIAM RAMOTHELLO, PETER TSOTETSI, BRENDA MOHALE, JANINE FOUCHÉ \*, ELNA POHL, TONIE O'REILLY, MC JACOBS \*

ASSOCIATES/ASSOSIATE: PIET SWANEPOEL

ASSISTED BY/BYGESTAAN DEUR: SONETTE OOSTHUIZEN, LELANIE VAN BLERK, MONIQUE ROUSSEAU, WP PIETERS, KLITZ MAIBI, GWEN JOHNSTONE, CHRIS DE JAGER \*, DIEPERINK MOLLER  
FIN. MANAGER/BESTUURDER RIJANA NEL ADMIN. MANAGER/BESTUURDER WILLEM ENGELBRECHT IF MANAGER/BESTUURDER FRANCOIS HORN

Certified as BBEE compliant cert no DEXOP00087

3. In respect of the abovementioned search, it was found that the property referred to in paragraph 2 above is subject to the following restrictive conditions, namely -

*"B. SUBJECT to the following special conditions contained in the said Deed of Transfer No 1801/1949, imposed by John McFarlane for the benefit of himself and his successors in title as owners of the remaining extent of the farm Hoek van de Berg held by Deed of Transfer No 10230 dated 1<sup>st</sup> July 1946, namely:*

*"2. The Transferor reserves to himself and his successors in title of the remaining extent of such farm the sole right to all Hotel and Liquor Licences and the Transferee and his successors in title shall not erect any Hotel nor hold any Liquor Licence on the property hereby transferred nor on any portion thereof without the written consent of the Transferor or his Successors in Title."*

*C. SUBJECT FURTHER to the terms of a Servitude endorsed on 24 October 1973 on Deed of Transfer No T24163/1969:*

*"By Not. Deed No 533/1973 dd. 22/9/1973, Portion 1 of the farm Hoek van de Berg No 572 meas. 13,1629 ha held hereunder is subject to the following conditions:*

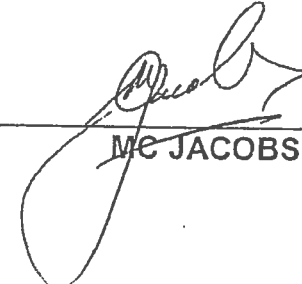
- (1) an area 224 m<sup>2</sup> in extent represented by the figure ABCD on servitude diagram 9732/71 annexed thereto,*
- (2) a road 5m wide, the North Western boundary of which is represented by the line AJ on said Diagram and*
- (3) a pipe- and powerline 2m wide, the North Western boundary of which is represented by the line EF., FG and GE on said diagram in favour of the Divisional Council of Caledon. With ancillary rights as will more fully appear from said Not. Deed."*

4. Please find attached hereto copies of Sub-divisional Diagram S.G. No. 7383/1947 marked Annexure "A" and Servitude Diagram S.G. No. 9732/1971 marked Annexure "B" for reference purposes.

5. No mention is made in the said Deed of Transfer that the restrictive conditions contained therein were either imposed by the Administrator of the Cape of Good Hope, or that his consent will be required to uplift and remove same from the title deed and accordingly the said Administrator's consent should thus not be required.

6. Having due regard to the above, we are of the opinion that, save for the restrictive conditions referred to in paragraph 3 above, the property referred to in paragraph 2 above is not subject to any other restrictive conditions prohibiting it from being developed as a shopping centre.

Signed at BELLVILLE on the 28<sup>th</sup> day of APRIL 2009.

  
MC JACOBS

TOWN & REGIONAL PLANNERS  
STADS & STREEKSBEPLANNERS

PL n  
Town and Regional Planners  
Stads-en Streeksbeplanners  
ctive

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

Tel: (028) 313 1673  
Fax / Faks: (028) 312 1351  
Email: planactive@hermanus.co.za

**YOUR REFERENCE : 170 HHW**

**OUR REFERENCE : PA80032**

4 AUGUST 2011



TP

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

2011-08-15  
Ontvang by TP

**FOR ATTENTION: HENK OLIVIER**

Sir

**HAWSTON MALL: PORTION 1 OF THE FARM HOEK VAN DER BERG NO 572**

Your letter dated 22 June 2011 refers.

Attached, please find the company resolution as per your request.

Yours faithfully

**P. SPRONK**

FILE NO:	Pln 1/572
SCAN NO:	50
COLLABORATOR NO:	261433

COMPANY RESOLUTION

Minutes of a meeting of the directors of

UVA PROPERTIES (PTY) LTD

Held at: Cape Town

Dated: 1 August

## RESOLVED:

1. That the company, as successors in title, consents to the obtaining of a liquor licence on Portion 1 of the farm Hoek van de Berg No 572 (Milkwood Mall) as per the following condition contained in Title Deed 7630/2009:
  - B. Subject to the following special conditions contained in the said Deed of Transfer No 1801/1949, imposed by John McFarlane for the benefit of himself and his successors in title as owners of the remaining extent of the farm Hoek van de Berg held by Deed of Transfer No 10230 dated 1st July 1946, namely:
    - "2. The Transferor reserves to himself and his successors in title of the remaining extent of such farm the sole right to all Hotel and Liquor Licences and the Transferee and his successors in title shall not erect any Hotel nor hold any Liquor Licence on the property hereby transferred nor on any portion thereof without the written consent of the Transferor or his Successors in Title."
2. That Dr. J. Raimondo in his capacity as director be and is hereby authorised to grant all powers of attorney and to sign all documents that may be required in connection with the required consent.



-----  
DIRECTOR

**Frank Raimondo**

**From:** "Frank Raimondo" <fraimondo@iafrica.com>  
**To:** "Spronk & Associates" <sa@maxitec.co.za>  
**Cc:** "michael deacon" <mpd@equityestates.co.za>  
**Sent:** Wednesday, May 20, 2009 9:48 AM  
**Subject:** Re: HERMANUS MILKWOOD MALL

Dear Mrs.Spronk,

I confirm receipt of your letter dated 18th May addressed to Saddle Path Properties 79 ( Pty ) Ltd on behalf of Hermanus Milkwood Mall.

The remaining extent of the farm Hoek van de Berg is owned by Uva Properties (Pty) Ltd.

I am a director of Uva Properties.

As agreed with Mr.van Zyl I hereby confirm that we have no objection to liquor licenses being obtained for portion 1 of the farm Hoek van de Berg.

I shall send the original copy of this letter to you by post.

With kind regards,

Frank Raimondo

*Frank Raimondo*  
 20<sup>th</sup> MAY 2009.

F. E. RAIMONDO  
 12 EXETER AVE  
 BISHOPSCOURT  
 CAPE TOWN 7700

for Uva Properties Pty Ltd and also Saddle Path Properties Pty Ltd.

----- Original Message -----

**From:** Spronk & Associates  
**To:** Frank Raimondo  
**Sent:** Wednesday, May 20, 2009 9:20 AM  
**Subject:** HERMANUS MILKWOOD MALL

Good morning

Attached, please find the letters of application for the consent to obtain liquor licences.

Just to keep you informed: Curro school signed an agreement for a portion of land in Sandbaai (on the commonage between Habonim and Sandbaai Township).

Kind regards.

Pauline Spronk

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.329 / Virus Database: 270.12.34/2122 - Release Date: 05/19/09 06:21:00

Navraag: Riaan Kuchai  
Enquiries:

Leë verwysing: 170 HHW  
File Reference:

Datum: 23 Julie 2010  
Date:



KANTOOR VAN DIE MUNISIPALE BESTUURDER  
OFFICE OF THE MUNICIPAL MANAGER

Mnr Lambertus van Zyl  
Suite 1  
Privaatsak X22  
TYGERVALLEI  
7536

GEREGISTREERDE POS

Meneer

**TOEGANG OOR ERF 170 HAWSTON**

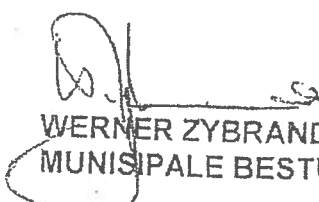
U navraag ten opsigte van bogemelde aangeleentheid verwys.

Die versoek ten einde 'n nuwe toegang na Hawston te voorsien, sowel as 'n pad oor 'n gedeelte van Erf 170, Hawston te konstrueer ten einde toegang tot Gedeelte 1 van die Plaas 572 te verkry, is in beginsel aanvaar onderhewig aan die volgende voorwaardes:

- a) dat die ontwikkelaar alle nodige toestemmings by die Provinsiale Padingenieur asook die Departement Omgewingsake verkry,
- b) dat alle koste verbonde aan die konstruksie vir die ontwikkeling sal wees.
- c) dat alle bestaande toegange na Hawston behoue bly.

Ek hoop u vind bogemelde in orde.

Die uwe

  
**WERNER ZYBRANDS**  
**MUNISIPALE BESTUURDER**

