

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

- Municipal Supply Chain Management Regulations (Notice 868 of 30 May 2005)
- Overstrand Municipality Supply Chain Management Policy, as amended

6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

Erven 8959 & 9079 Hermanus had undergone a planning process in 2023 in terms whereof the business premises (Erf 8959 Hermanus) was extended by means of subdivision and consolidation in order to accommodate a proposed development for business purposes (i.e. supermarket) on the to be consolidated erf and the proposed development of recreational facilities (on Remainder Erf 9079 Hermanus).

The decision letter regarding the planning processes is attached marked "Annexure B". Town Planning is in the process of having the Property surveyed and the necessary diagrams (subdivision and consolidation) registered at the Surveyor-General.

The Property is $\pm 5,060\text{m}^2$ (Five Thousand and Sixty Square Metres) in extent, partially vacant and situated on the corner of Schulphoek Boulevard and Mbeki Street, Zwelihle, just South of the R43. The Property is zoned Business Zone 3: Local Business. Services are available in the vicinity of the Property.

As there is a dire need for business properties in close proximity to Mount Pleasant and Zwelihle and as the Property is suited for business purposes, it is recommended that it be made available in the open market by means of a competitive process at a market related purchase price. As part of the proposed alienation, it is recommended that the successful bidder be responsible for the development of the Remainder Erf 9079 Hermanus as a condition of sale (development of the recreational facilities per the decision letter dated 6 July 2023) in lieu of the tendered amount as discussed below under "Financial Implications". The recreational amenities include the following: a netball/basketball court, 2 (two) soccer fields, a skate park, seating, building (toilets), amphitheater, BMX pumptrack, and playparks. A cost estimate for the proposed development of the recreational amenities was conducted by AVDM in May 2023, which amounts to R7,276,050.00 (Seven Million, Two Hundred and Seventy-Six Thousand, Fifty Rand) (VAT Inclusive). A copy of the cost estimate and Master Plan is attached marked "Annexure C".

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

The successful bidder will be responsible for the implementation of the Recreational Masterplan (attached as Annexure B6) on Remainder Erf 9079 Hermanus. Detail costing must be submitted to Council before construction is undertaken, which will be a condition of the deed of sale to be entered into. The cost will be verified by Administration for approval. During the construction phase, detailed invoices on work completed need to be signed by the Engineer and/or Quantity Surveyor appointed by the successful bidder to attend to the work, to confirm that the work was done. Only after receiving the sign-off and the verification that the work in the phase has been completed, will funds be released from Council to the successful bidder whereafter the next phase will commence. The Recreational Masterplan will thus be implemented in phases as far as funds allows for the completion thereof. If there are not sufficient funding available from the sale of Erf 8959 Hermanus and a portion of Erf 9079 Hermanus for the development of the recreational facilities as per the Recreational Master plan, the latter will need to be funded through Council's Capital Budget as and when available.

It must be noted that certain properties on the eastern boundary of the Property are illegally encroaching over their respective erf boundaries onto the Property. Before the tender is advertised, these illegal encroachments will have to be removed by the relevant internal department (refer to the locality map marked "Annexure A").

Evaluation

A. Evaluation in terms of the Administration of Immovable Property Policy of the Overstrand Municipality

The following conditions of said policy apply to this report:

Paragraph 9.1(a): "The Municipality may transfer ownership or otherwise dispose of a non-exempted immovable property only after the Municipal Council has, in terms of sections 14(2)(a) and (b) of the MFMA decided on reasonable grounds that the immovable property is not needed to provide the minimum level of basic municipal services."

The comments received from the relevant officials confirmed that the Property is not needed for the provision of the minimum level of basic municipal services.

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

Paragraph 9.1(b): “The Municipality may transfer ownership or otherwise dispose of a non-exempted immovable property only after the Municipal Council has, in terms of sections 14(2)(a) and (b) of the MFMA considered the fair market value of the immovable property and the economic and community value to be received in exchange for the immovable property in accordance with Section 14(2) of the MFMA.”

HCB Valuation and Services (Pty) Ltd determined the market related value of the Property on 12 March 2024 at an amount of R900.00/m² (NINE HUNDRED RAND PER SQUARE METRE) (VAT Excluded) which amounts to a total estimated value of R4,554,000.00 (FOUR MILLION FIVE HUNDRED AND FIFTY-FOUR THOUSAND RAND) (VAT Excluded).

Paragraph 9.1(c): “The Municipality may transfer ownership or otherwise dispose of a non-exempted immovable property only after the Municipal Council has, in terms of sections 14(2)(a) and (b) of the MFMA has as a consequence to 9.1(a) and (b) above approved in principle that the immovable property may be transferred or disposed of, and the method of disposal or transfer.”

The purpose of this report is to request in principle approval from Council for the alienation of the Property by means a competitive process.

Paragraph 15.1: “The transfer of immovable property must, except in the case of non-viable immovable property, be affected by means of competitive process, which may include a public or closed tender, auction or proposal call.”

It is recommended that the Property be alienated by means of a competitive process.

Paragraph 28: “All costs pertaining to a transaction shall be borne by the successful bidder/purchaser, e.g. survey, advertisements, valuation, rezoning, relocation or provision of services where necessary, etc. The Municipality may, however, waive its right to claim the costs should it be to its advantage to bear the costs.”

The successful bidder will be liable for all costs pertaining to the transaction, excluding the cost for the valuation of the Property. Costs for the successful bidder will include, but is not limited to, a Section 14 advertisement, transfer costs, connection of services and any other related costs pertaining to the transaction.

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

Paragraph 29: “Should existing services need to be relocated or secured by means of the registration of a servitude in favour of the Municipality as a result of the alienation of the immovable property, all related costs shall be for the account of the successful bidder/purchaser.”

An electrical service servitude must be registered to accommodate the electrical services on the Property.

Paragraph 32. “Save with prior approval, the immovable property alienated may only be used for the purpose for which it was originally sold and purposes permitted by town planning scheme regulations pertaining to such purposes.”

A clause to this effect will be included in any deed of sale to be entered into between the Municipality and the successful bidder.

Paragraph 34: “A 10% deposit of the agreed/tendered purchase price will be due and payable by the purchaser/successful bidder within 10 days of date of request in writing thereof by the Municipality.”

A clause to this effect will be included in any deed of sale to be entered into between the Municipality and the successful bidder.

Paragraph 35: “Interest on the purchase price, as from date of signature of the deed of sale, must be charged by the Municipality should payment or transfer be delayed due to an action or failure on the part of the successful bidder/ purchaser.”

A clause to this effect will be included in the deed of sale to be entered into between the Municipality and the successful bidder.

B. Advertisement/Notification

The necessary advertisement in terms of Section 14 of the MFMA will be published after the tender is duly awarded. The successful bidder will be liable for the costs of the Section 14 advertisement.

Conclusion

It is recommended that the Property be alienated for business purposes by means of a competitive process, at not less than the market related value.

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

Furthermore, it is recommended that the successful bidder be liable for all costs, excluding the costs for the valuation of the Property. Subsequent costs will entail the aforementioned Section 14 advertisement, transfer and related costs and connection of services. The successful bidder will also be responsible for the development of the Remainder Erf 9079 Hermaus to accommodate the proposed recreational facilities.

7. Financial Implications

The Municipality stands to gain a market related purchase price to the minimum amount of R900.00/m² (NINE HUNDRED RAND PER SQUARE METRE) (VAT Excluded) for the Property.

The full tender amount will be paid to the Municipality on date of registration. The total purchase price will be made available for the development of the recreational facilities (as per the decision letter dated 6 July 2023) to be made available to the successful bidder in the form of progress payments, for which strict procedures will be put in place and monitored.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Divisional Manager: Expenditure, Fleet and Assets - Mr H Vorster

“The full extent of Erven 8959 & 9079 Zwelihle, situated on the corner of Mbeki Street and Schulphoek Boulevard, are currently reflected as Public Space in the fixed asset register for PPE: Land at a carrying value of R50’000-00 and R90’000-00 respectively as at 30 June 2023. Once the proposed alienation of the consolidated portions has been concluded, it will have to be written out of the fixed asset register at the applicable selling price in order to account for the actual gain / (loss) on the disposal of a portion of an asset.

There is no objection against the alienation.”

Manager: Facilities, Hall & Building Maintenance – Ms B Plaaitjies

“Thank you for the feedback; I do not have any objections.”

Principal Technologist Civil: Civil Engineering Services – Mr T Marx

“We do not have any objection wrt this application.”

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

Building Control Officer: Building Control Department – Mr G Coetzee

“No objection from Building Control.”

Assistant Chief: Fire & Health & Safety – Mr E Solomons

“The fire department has no objection to compliance with the provisions of SANS 10400 A:2016, 10400-T:2020 and the By-Law relating fire safety.”

Environmental Audit Officer – Heloise Bester

“This office has no objection to the alienation, of abovementioned municipal property.”

Senior Town Planner – Ms H van der Stoep

“The property is zoned Business Zone III: Local Business. Uses will be limited in line with the zoning and per the decision letter (dated 6 July 2023). It is recommended that the property be sold and not leased. This is to ensure that the investor can then construct high quality buildings on the site due to its highly visual position near to the R43.

It is to be noted that the purchaser will still have to develop both erven in question. Erf 8959 consolidated with a portion of Erf 9079 Zwelihle will be developed per the decision letter (dated 6 July 2023) and it is recommended that as a condition of sale, the purchaser will develop the Remainder Erf 9079 Zwelihle on behalf of the municipality per the decision letter (dated 6 July 2023).”

Senior Superintendent Projects: Electrical Department - Mr J Klem

“The comments of the Electrical department stay the same as before.”
“The Electrical department does not have any objections towards the subdivision of the erven. There are 60 Amp single phase available on each erf. There is capacity available for upgrade on the erven, but the cost thereof will be for the account of the developer. In case of erf 8959 a mini substation will have to be installed. Please contact the Electrical department with an application for the required capacity.”

Senior Superintendent: Operations Traffic Services - Mr P de Gruchy

“The Traffic department will have no objection towards the subdivision of Erf 8959 and 9079.”

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

Divisional Manager: Property Administration – Ms A Le Roux

Although the mentioned properties are situated in Zwelihle, the correct descriptions in terms of the Title deed are Hermanus. There is no objection against the proposed alienation, provided that the relevant department:

- (a) Ensures that the diagrams are registered at the Surveyor-General before the tender is advertised.
- (b) Strictly monitors the progress of the proposed development on the Remainder of Erf 9079 Hermanus, with regards specific to the payments to be made.
- (c) Ensures that the necessary information is provided to the Assets Department for the regular updating of the Fixed asset register in accordance with the capital budget to be spent.

10. Annexures

- Annexure A: Locality Map
- Annexure B: Decision letter dated 6 July 2023
- Annexure C: Recreational Facilities Cost Estimate

RECOMMENDATION TO THE COUNCIL:

1. that the alienation of Erf 8959 Hermanus and a portion of Erf 9079 Hermanus to be consolidated, jointly $\pm 5,060\text{m}^2$ (FIVE THOUSAND AND SIXTY SQUARE METRES) in extent for mainly business purposes, with a consent use for a place of instruction/institution, by means of a competitive process at a market related price **be approved in principle**;
2. that the successful bidder/purchaser comply with the conditions of approval stipulated in the Decision Letter (dated 6 July 2023) and a condition of sale be imposed that the successful bidder/purchaser be responsible for the development of Remainder Erf 9079 Hermanus in order to accommodate the proposed recreational facilities as per the Decision Letter dated 6 July 2023 in lieu of the purchase price;
3. that all the costs pertaining to the transaction, for example the transfer and related costs, water, services connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidder/purchaser;
4. that an electrical services servitude be registered in favour of the Municipality at the cost of the successful bidder/purchaser;

**AGENDA of the
Portfolio Committee : Planning and Development
1 October 2024
(Also the agenda for the Mayoral Committee Meeting : 16 October 2024)**

5. that the funds received by the Municipality for the sale of the (to be) consolidated property be paid into Councils account on dated of registration of the transfer and allocated to the development of the recreational facilities proposed on the Remainder of Erf 9079 Hermanus by the successful bidder, to be released for the to the successful bidder in phases in accordance with a progress and pre-sign-off processes of the administration during implementation of the development of recreational facilities;
6. that a condition be included in the Title Deed of the Property that it may only be used for business purposes, with a consent use for a place of instruction/institution, as per the Overstrand Zoning Scheme Regulations; and
7. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :	R KUCHAR
TARGET DATE FOR IMPLEMENTATION :	6 NOVEMBER 2024
TARGET DATE TO INFORM APPLICANT :	N/A
TARGET DATE TO INFORM OBJECTOR :	N/A

**AGENDA of the
Portfolio Committee Meeting : Planning & Development
1 October 2024
(Also the Agenda for the Mayoral Committee : 16 October 2024)**

**3.
IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 8959 HERMANUS
(SITUATED ON THE CORNER OF SCHULPHOEK BOULEVARD AND MBEKI
ROAD, ZWELIHLE) AND A PORTION OF ERF 9079 HERMANUS (SITUATED IN
SCHULPHOEK BOULEVARD) TO BE CONSOLIDATED (JOINTLY ±5,060M² IN
EXTENT), BY MEANS OF A COMPETITIVE PROCESS**

R Kuchar

Divisional Manager: Town & Spatial Planning

13 September 2024

(028) 313 8900

**THIS MATTER SERVED BEFORE THE PLANNING & DEVELOPMENT PORTFOLIO
COMMITTEE ON 1 OCTOBER 2024, WHICH COMMITTEE RECOMMENDED AS
FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

1. that the alienation of Erf 8959 Hermanus and a portion of Erf 9079 Hermanus to be consolidated, jointly ±5,060m² (FIVE THOUSAND AND SIXTY SQUARE METRES) in extent for mainly business purposes, with a consent use for a place of instruction/institution, by means of a competitive process at a market related price **be approved in principle**;
2. that the successful bidder/purchaser comply with the conditions of approval stipulated in the Decision Letter (dated 6 July 2023) and a condition of sale be imposed that the successful bidder/purchaser be responsible for the development of Remainder Erf 9079 Hermanus in order to accommodate the proposed recreational facilities as per the Decision Letter dated 6 July 2023 in lieu of the purchase price;
3. that all the costs pertaining to the transaction, for example the transfer and related costs, water, services connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidder/purchaser;
4. that an electrical services servitude be registered in favour of the Municipality at the cost of the successful bidder/purchaser;
5. that the funds received by the Municipality for the sale of the (to be) consolidated property be paid into Councils account on dated of registration of the transfer and allocated to the development of the recreational facilities proposed on the Remainder of Erf 9079 Hermanus by the successful bidder, to be released for the to the successful bidder in phases in accordance with a progress and pre-sign-off processes of the administration during implementation of the development of recreational facilities;

**AGENDA of the
Portfolio Committee Meeting : Planning & Development
1 October 2024
(Also the Agenda for the Mayoral Committee : 16 October 2024)**

6. that a condition be included in the Title Deed of the Property that it may only be used for business purposes, with a consent use for a place of instruction/institution, as per the Overstrand Zoning Scheme Regulations; and
7. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :	R KUCHAR
TARGET DATE FOR IMPLEMENTATION :	6 NOVEMBER 2024
TARGET DATE TO INFORM APPLICANT :	N/A
TARGET DATE TO INFORM OBJECTOR :	N/A

OFFICE OF THE DIRECTOR: INFRASTRUCTURE & PLANNING
TOWN & SPATIAL PLANNING



ENQUIRIES | NAVRAE: H van der Stoep (Senior Town Planner)
FILE REF | LEERWERW: 8959 & 9079 HZW
APP ID | AANSOEK ID: 4242/2022
DATE | DATUM: 6 July 2023

Overstrand Municipality
PO Box 20
HERMANUS
7200

Dear Sir / Madam

DECISION LETTER TO APPLICANT

ERVEN 8959 & 9079, ZWELIHLE, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC PLACE, REZONING, CONSOLIDATION & CONSENT USE: OVERSTRAND MUNICIPALITY

1. The application received on 21 June 2022 refers.
2. You are hereby notified in terms of Section 62 of the Overstrand By-law on Municipal Land Use Planning of the decision made by the Municipal Planning Tribunal on 29 June 2023.
3. The Resolution in terms of Section 61 of the Overstrand By-Law on Municipal Land Use Planning, with conditions, are as follows:

RESOLVED:

1. that the application in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide the Erf 9079, Zwelihle (11751m²) into two (2) portions namely: Portion A (±2353m²) and the Remainder (±9398m²), **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16.(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the closure of a portion of public place (PortionA), **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16.(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to rezone Portion A from Open Space Zone 2: Public Open Space to Business Zone 3: Local Business, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(e) of the Overstrand Municipality Amended By-law on Municipal Land Use Planning, 2020 to consolidate Portion A (±2 353m²) with Erf 8959, Zwelihle (2 707m²) to create a consolidated erf (±5 060m²), **be approved** in terms of the provisions of Section 61 of the By-Law;
5. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amended By-law on Municipal Land Use Planning, 2020 for consent use for a Place of Instruction/Institution on the Newly Consolidated Erf, Zwelihle (±5 060m²) to accommodate a public library on the first floor, **be approved** in terms of the provisions of Section 61 of the By-Law;

Tel: 028 313 8990 | Fax: 028 313 2093 | E-mail: korena@overstrand.gov.za
PO Box 20 | **HERMANUS 7200**
www.overstrand.gov.za

6. *that the application in terms of Section 16(2)(c) of the Overstrand Municipality Amended By-law on Municipal Land Use Planning, 2020 for consent use to develop recreational and associated community facilities, as seen fit by the Overstrand Municipality applicable to this zone, on the Remainder Erf 9079, Zwellhle (±9398m²) be approved in terms of the provisions of Section 61 of the By-Law;*
7. *that the approvals in Points 1 to 6 above be subject to the following conditions:*
- (a) *that an amended Site Development Plan for the Newly Consolidated Erf (±5060m²), with a parking layout plan, be submitted to the Town Planning Department for approval;*
 - (b) *that the amended Site Development Plan design take into consideration and incorporate the planned traffic circle at the intersection of Schuiphoek Boulevard & Mbeki Road;*
 - (c) *that all the conditions of approval imposed by the Electrical Department be complied with;*
 - (d) *that all the conditions of approval imposed by the Engineering Services Department be complied with;*
 - (e) *that all the conditions of approval imposed by the Environmental Management Services be complied with;*
 - (f) *that the building plan be approved after consultation with the Local Heritage & Aesthetic Committee;*
 - (g) *that the conditions imposed by the horticulturalist be complied with; and*
 - (h) *that this approval does not absolve the applicant/owner from compliance with any other relevant legislation.*
8. *that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions."*
4. Reasons for the above decision are as follows:
- ✦ No objections were received from the public or Organs of State during the public participation process.
 - ✦ The area is already earmarked for the proposed land uses in terms of the Overstrand Municipality Spatial Development Framework, 2020.
 - ✦ This application will assist with the increase in opportunities and improvement in quality of life for the area of Zwellhle and the immediate surrounding area.
 - ✦ The proposed development is in line with the SPLUMA and LUPA Planning Principles.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of Section 78(2) of the By-law.
- 5.1 The appeal form must be completed and should be directed to the Appeal Authority (Executive Mayor) and received **within 21 days of notification** of this decision together with proof of payment of the appeal fee (R3712-00).
- 5.2 The appeal form is available at request or alternatively on the Municipal website (www.overstrand.gov.za).
- 5.3 Contact details are as follows:
- | | |
|-------------------|--|
| Physical address: | 16 Paterson Street, Hermanus, 7200 |
| Postal address: | PO Box 20, Hermanus, 7200 |
| E-mail address: | lorretta@overstrand.gov.za |
6. Kindly note that the rights are still not in place until the prescribed 21 days of registration of this letter have passed and it is confirmed by our offices that there has been no appeal received against the proposal.

Yours faithfully



S MÜLLER
DIRECTOR : INFRASTRUCTURE AND PLANNING





613



AVDM

PROYECTO DE CONSTRUCCION DE UN COMPLEJO RESIDENCIAL EN LA ZONA DE LA CIUDAD DE LA PAZ

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PROYECTO DE CONSTRUCCION DE UN COMPLEJO RESIDENCIAL EN LA ZONA DE LA CIUDAD DE LA PAZ

Loretta Gillion

From: Jamie Klem
Sent: Monday, 17 October 2022 14:43
To: Loretta Gillion; Brady Minnaar
Subject: RE: Erven 8959 & 9079, Zwellihle, Hermanus: Request for Comment

Sir / Madam

The Electrical department does not have any objections towards the subdivision of the erven. There are 60 Amp single phase available on each erf. There is capacity available for upgrade on the erven, but the cost thereof will be for the account of the developer. In case of erf 8959 a mini substation will have to be installed.

Please contact the Electrical department with an application for the required capacity.

Regards,

Jamie Klem
 Snr Superintendent(Projects)
 Overstrand Municipality
 T: 028 316 5625 / E jklem@overstrand.gov.za

From: J Klem
Sent: Monday, 19 September 2022 15:47
To: K Du Plessis <kduplessis@overstrand.gov.za>
Subject: FW: Erven 8959 & 9079, Zwellihle, Hermanus: Request for Comment

Hallo Dup,

Kan ons hierdie bespreek asb.

Groete.

Jamie Klem
 Snr Superintendent(Projects)
 Overstrand Municipality
 T: 028 316 5625 / E jklem@overstrand.gov.za

From: Brady Minnaar <bminnaar@overstrand.gov.za>
Sent: Friday, 16 September 2022 10:39
To: A Wyngaard <awyngaard@overstrand.gov.za>; L Coetzee <lcoetzee@overstrand.gov.za>; Neville Dreyer <ndreyer@den.or.gov.za>; J Klem <jklem@overstrand.gov.za>; E Solomons <esolomons@overstrand.gov.za>; Elizabeth Lowings <elowings@overstrand.gov.za>; T Marx <tmarx@overstrand.gov.za>; Y Smith <ysmith@overstrand.gov.za>; P Aplon <paplon@overstrand.gov.za>; C Mitchell <cmitchell@overstrand.gov.za>; Masiibongwe Sihlahla <msihlahla@overstrand.gov.za>; B Andrew <randrew@overstrand.gov.za>
Cc: L Gillion <lgillion@overstrand.gov.za>; T Fisher <tfisher@overstrand.gov.za>; **M Mantyi** <mmantyi@overstrand.gov.za>
Subject: Erven 8959 & 9079, Zwellihle, Hermanus: Request for Comment

Good day,

I trust that all is well.

Attached please find an internal memo for your attention. Kindly provide your department's comments directly to Loretta Gillion (lgillion@overstrand.gov.za) on or before **21 October 2022**.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC PLACE,
REZONING, CONSOLIDATION & CONSENT USE: ERVEN 8959 & 9079,
ZWELIHLE (4242/2022)**

Stormwater (SW)	:	In Order
Electricity	:	In Order
Water	:	In Order
Sewer	:	In Order
Roads and traffic	:	In Order

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Operational Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erven 8059 & 9079, Zwelihle, unobstructed;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that no on-street parking be allowed.

Dennis Hendriks
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

02/03/2023
DATE

Loretta Gillion

9/13

From: R Andrew
Sent: Friday, 16 September 2022 12:22
To: Brady Minnaar
Cc: L Gillion; T Fisher; M Mantyi; D Hendriks; H van der Stoep; T Marx
Subject: RE: Erven 8959 & 9075, Zwelihle, Hermanus: Request for Comment

Good Day,

We've provided extensive input to the Town Planning and Property Management department. The current layout is not supported:

- a) No provision has been made for the planned traffic circle at the intersection of Schulphoek /Mbeki Street.
- b) No street access will be allowed in Mbeki Street.
- c) Street access in Schulphoek should be adequately spaced and planned.

Regards

Caro Andrew
Manager: Engineering Services
Tel: (028) 313 5973
Fax: (028) 313 0760
E: randrew@overstrand.gov.za



From: Brady Minnaar <bminnaar@overstrand.gov.za>
Sent: Friday, 16 September 2022 10:39
To: A Wyngaard <awyngaard@overstrand.gov.za>; L Coetzee <lcoetzee@overstrand.gov.za>; Neville Dreyer <ndreyer@odm.org.za>; J Klem <jklem@overstrand.gov.za>; E Solomons <esolomons@overstrand.gov.za>; Elizabeth Lowings <elowings@overstrand.gov.za>; T Marx <tmarx@overstrand.gov.za>; Y Smith <ysmith@overstrand.gov.za>; P Apion <papion@overstrand.gov.za>; C Mitchell <cmitchell@overstrand.gov.za>; Masibongwe Sihlahla <msihlahla@overstrand.gov.za>; R Andrew <randrew@overstrand.gov.za>
Cc: L Gillion <loretta@overstrand.gov.za>; T Fisher <tfisher@overstrand.gov.za>; M Mantyi <mmantyi@overstrand.gov.za>
Subject: Erven 8959 & 9079, Zwelihle, Hermanus: Request for Comment

Good day,

I trust that all is well.

Attached please find an internal memo for your attention. Kindly provide your department's comments directly to Loretta Gillion (loretta@overstrand.gov.za) on or before **21 October 2022**.

The application is for the following:

- Subdivision
- Closure of a public place
- Rezoning
- Consolidation

10/13

Memo



To: Brady Mirzai (Town & Spatial Planning)

From: Heloise Fortune (Environmental Management)

CC: Penelope Apion (Environmental Management)

Date: 19 July 2022

Re: Application for Erven 8959 (supermarket & library) & 9079 (community park) Zwelihle.

The Environmental Management Section has the following comments on the above-mentioned application. The Development does not trigger any Environmental Overlay Zones or National Environmental Management Act listed activities.

Green technologies must be considered in all aspects during the design phase as listed below.

Noise management:

- Adjacent landowners must be considered during receiving and offloading of goods as well as activities taking place in the community park section.
- Absorptive noise barriers in the form of landscaping berms must be implemented along the boundaries of the development or where deemed appropriate.
- Renewable energy technologies must be considered. If generators will be used it must be installed in a quiet box to reduce noise levels, or alternative noise mitigation measures must be put in place.
- Roads must be surfaced with low noise 'porous tar' as far as possible to reduce the noise of the tyre/road interactions when vehicles are traveling along such roads.

Energy saving technologies:

- Energy saving technologies such as compact fluorescent light bulbs (CFC's) and Light Emitting Diodes (LED's) and other appropriate energy efficient lighting alternatives must be used in the development (as far as practicably possible).
- All installed geysers must be covered with geyser "blankets" to improve the efficiency of the geyser. All electric geyser thermostats must be set at the most optimal temperature.

Waste management:

- An integrated waste management approach, which is based on waste minimisation and incorporates reduce, recycling, re-use, and disposal, where appropriate, must be employed.
- Recycling containers for community park.

Water management:

- The applicant must submit a Stormwater management plan
- Water saving technologies such as rainwater harvesting technologies, drip irrigation technologies for all landscaped areas including sport fields in the community park.
- No surface or ground water may be polluted due to any actions on the site.

Landscaping:

- Green landscaping (sustainable/eco-landscaping). Use plants and trees indigenous to the region.

Visual impact:

- Subtle lighting that is not in conflict with the surrounding residential areas must be implemented. Excessive flood lighting must be avoided.
- The physical structures must be painted in suitable colours in the medium tone range to blend in with the surroundings.

11/13

Playpark Section:

- For the playpark section in the community park a nature-based playpark such as advertised here can be considered <https://www.naturebasedplay.com.au/>

The benefits of urban green spaces are well researched, and it is acknowledged that these areas contribute to an improved sense of spiritual, emotional, intellectual, social, and physical well-being. From an environmental management/conservation perspective, Urban Green Areas encourage the community to become connected with nature thereby fostering a relationship to other environmental issues (for e.g., can be utilized by schools and the community for environmental educational projects to deal with dumping and littering) and a better appreciation for the nature in general.

Other suggestions for the area are recycling containers, and benches/seating for picnicking.

**Kind regards,**

A handwritten signature in black ink, appearing to read 'Holoise Fortune', is written over a horizontal line.

Holoise Fortune

13/13

File reference: 8958 & 9079 HDW
4242/2022
Date: 16 September 2022
BM



INTERNAL MEMORANDUM

From : Town Planning Department
Town Planner : H. Boshoff (Town Planner)

TO:

<u>Area Manager</u>	<u>Building Control Department</u>	<u>District Health</u>	<u>Electrical Department</u>	<u>Environmental Officer</u>
<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>	<u>Operational Services</u>	Property Administration
<u>Tourism</u>	<u>Traffic Department</u>	<u>Ward Councillor</u>	<u>Waste Management</u>	

Applicant	OVERSTRAND MUNICIPALITY
Property Details	ERVEN 8958 & 9079, SCHULPHOEK BOULEVARD, ZWELIHLE
Application Description	APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC PLACE, REZONING, CONSOLIDATION & CONSENT USE


ATTACHMENTS:

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

YOUR DEPARTMENT'S COMMENTS:

IMPLICATION CONTROL: NO OBJECTION - ALL BUILDINGS TO COMPLY WITH NBE AND ALL OTHER APPLICABLE LAW.

HERITAGE: NO COMMENT IS 21/9/22 FINAL DECISION TO BE SCRUTINIZED BY COMMITTEE.

Signature:  Date: 20/9/22 2021

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

COMMENTS REQUIRED BY: 21 OCTOBER 2022

File reference: ER58 & 9079 HZV
4242/022
Date: 16 September 2022
888



INTERNAL MEMORANDUM

From : Town Planning Department
Town Planner : H. Boshoff (Town Planner)

TO:

<u>Area Manager</u>	<u>Building Control Department</u>	<u>District Health</u>	<u>Electrical Department</u>	<u>Environmental Officer</u>
<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>	<u>Operational Services</u>	Property Administration
<u>Tourism</u>	<u>Traffic Department</u>	<u>Ward Councillor</u>	<u>Waste Management</u>	

Applicant	OVERSTRAND MUNICIPALITY
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YOUR DEPARTMENT'S COMMENTS:

Where the established trees taken into consideration when drawing up the plans?
It must be noted that approval must be given by the Area Manager if any trees on Municipal Property are to be removed.

Signature: *L. Rainbird* Date: 03/11/2022

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

COMMENTS REQUIRED BY: 21 OCTOBER 2022

		
ZWELIHLE - SCHULPHOEK RECREATIONAL SPORTS FACILITIES		
		MAY 2024
COST ESTIMATE		
Summary of Sections		
No.	DESCRIPTION	AMOUNT
1	PRELIMINARY & GENERAL (15%)	R 674,000.00
2	PATHWAYS	R 105,000.00
3	NETBALL/BASKETBALL COURT	R 600,000.00
4	SOCCER FIELDS (X2)	R 1,640,000.00
5	SKATEPARK	R 279,000.00
6	SEATING	R 214,000.00
7	BUILDING - TOILETS	R 424,000.00
8	AMPHITHEATER	R 524,000.00
9	BMX PUMPTRACK	R 122,000.00
10	PLAYPARKS	R 265,000.00
11	LANDSCAPING	R 318,000.00
	TOTAL	R 5,165,000.00
12	CONTINGENCIES ($\pm 10\%$)	R 517,000.00
	TOTAL	R 5,682,000.00
13	NORMAL ENGINEERING FEES	
	CIVIL PROFESSIONAL FEES	R 825,000.00
14	TOPOGRAPHICAL SURVEY	R 20,000.00
	TOTAL ENGINEERING FEES	R 645,000.00
	TOTAL CIVIL CONSTRUCTION COST (Excl. VAT)	R 6,327,000.00
15	ADD VAT (15%)	R 949,050.00
	TOTAL (Incl. VAT)	R 7,276,050.00