

In Robertson is daar baie plek vir besighede. Die nuwe Checkers sentrum wat alreeds in 'n gevorderde stadium van bou is benodig nog huurders en sal verseker Woolworths met ope arms verwelkom asook enige ander winkel. Die uitleg daar is van so aard dat daar genoeg parkering sal wees vir kliente en genoeg ruimte vir trokke om te beweeg. Die beplande winkels sal ook finansieel beter doen by die Checkers sentrum want daar sal meer voete beweeg.

Ek is ten sterkste teen hierdie beplande ontwikkeling op die hoek van Konstitusie- en Paul Krugerstraat

By voorbaat dank

MC Burger

MC Burger

Sel 0834112258

Epos gcb@obwireless.co.za

Ek wil graag weet hoe julle kliënte wat in Konstitusiestraat gaan parkeer daar gaan weg hou. weet voor my huis gaan parkeer.

As hulle weer skante van Konstitusiestraat gaan parkeer, wat gaan gebeur, moet die vragmotor in middel van pad ry. Wat vrek onveilig is.

Daar word 'n nuwe mall gebou. Daar is baie ander moontlikhede vir Woolworths, nou moet ons wat 30/40 jaar plus in Konstitusiestraat bly ontwrig word om 'n besigheid (Woolworths) te akkomodeer.

Ek praat namens 7 Eiendomme in Konstitusiestraat wat deur die ontwikkeling negatief geraak word.

Ek hoop om van die Stadsbeplannings departement te hoor.

Kobus van Tonder (vantonder-fietse7@gmail.com)

K. van Tonder

Konstitusiestraat 48 (asook Konstitusiestraat 30) (ERF 1025)
 084 626 1881 (1029) Konstitusiestraat 34 (A van Tonder)
 (ERF 1041) (1049) Konstitusiestraat 17 (AJ van Tonder)
 (2592) Konstitusiestraat 17 A (AJ van Tonder)
 (1046) Konstitusiestraat 19 (AJ van Tonder)
 (1035) Konstitusiestraat 44 (J van Tonder)

BESWAAR 6 ①

47

(ERF 1039)

Paul Krugerstr. 5
Robertson
6705

29 Julie 2019

Aan: die Bestuurder: Stadsbeplanning

Insake: Voorgestelde wysiging van hersiening en afwyking van erf 1043, H/V Paul Kruger- en Konstitusiestraat, Robertson

Parkering wat einde van die maand klaar in Kapsaal is in Paul Kruger-, Konstitusiestraat, aan beide kante. Van almal wat by Spar, KFC en omliggende besighede wil wees, dan wil julle hê daar moet 'n vragmotor by 'n aflaa sone in Konstitusiestraat indraai. Wat as die eienaars van die nabygeleë huise, asook kliënte van KFC en Spar aan beide kante van Konstitusiestraat parkeer, hoe moet 'n vragmotor in so 'n nau straat by 'n aflaa sone dan indraai? En dit is nie net voertuie wat parkeer nie, wat van al die ander vragmotorbestuurders en busse wat op 'n gereelde basis die hele Paul Krugerstraat tot by No. 7 en No. 6 aan beide kante en soms voor residensiële wonings kom parkeer om KFC of Spar toe te gaan, juis oor 'n tekort aan parkering? Jul 25 parkeerplekke gaan deur KFC en Spar se kliënte in 'n oorgeweldig groot word. Spar se ondergrondse en boonste parkering is nie eers geroep nie. Spar se vragmotors wat reeds van saggens vroeg in Paul Krugerstraat wag om almal af te laai is reeds 'n probleem, wat nog van Clicks, Foch, en (44.

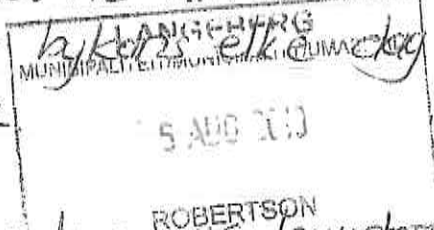
al die ander besigheede se vragmotars wat dan ook nog moet kom, om af te laai.

Daar is reeds te veel druk op die twee strate na en van Spar en KFC. Dan wil julle nou nog die uitgang van die trokke in Paul Krugerstraat maak. Hoe wil julle 'n trok/vragmotor daar uitsukkel "nie julle nie", die trok/drywer sit daarmee 'n Groot vragmotor draai nie saas 'n motor nie.

Kom kyk vir 'n maand of twee, elke lieue dag, hoe die verkeer tussen Paul Kruger- en Konstitusiestrate verloop, asook waar voertuie oral parkeer, dan sal julle besef hoe dit werklik lyk.

Hier staan reeds so baie besigheidsplekke leeg. By ABSA se gebou staan twee leeg. Oorkant die Hospitaal staan 1 groot perseel leeg. Daar is nou ook op die hoek van Konstitusie- en Reitzstraat 'n besigheidsperseel met "winkel te huur" in wording. Dan bied Checkers ook nog 'n groot hoeveelheid ruimtes aan wat maklike toegang tot aflewering met dubbele paaie vir maklike verkeer-vloei. As ek Wadwaths was sou ek eerder by die nuwe Checkers 'n perseel huur wat meer toeganklike parkeerplekke en makliker aflaaie van goedere sal versek.

Hier is steeds 'n aanvraag vir bekostigbare behuising in Robertson. Jorg werkende mense het nie almal ± R10,000 per maand vir huur nie. Mens hoor



van iemand wat huurhuise soek. Ons het nie beswaar as die eiendom as ~~huurhuise~~ doktersspreekkamers, of kantore gebruik word nie.

③

49

Geteken namens my ouers wat al sedert 1966 in
Paul Krugerstraat 5 woon.

Oëllemeulen

AE Vermeulen (dogter)

082 640 3344 / 023 626 3645

Mnr AT en Mev R.J Stemmet 079 916 2663



46

BESWAAR 8

51
(Erf 1045)

29.07.2019

Dondag

aan Mr Jack van Zyl en Ander

Erf 1034 van Mr en Mrs Kotze vir Hersoneering
in op Hoek van Paul Kruger en Konstantin

andwoord. Nee. die andwoord Nee

Soek n Volleëlig Inpraktishe wat gedoen
moet word en n Verslag wêre wane
dit gedoen is en Hoe lank

Ingang Lango my - of andersin Erf 1034
andwoord Nee. geen Ingang, Nee

Lango my ins Erf 1034 nie Nee

Daar is genoeg Steurnis in die Dillek
in Huis

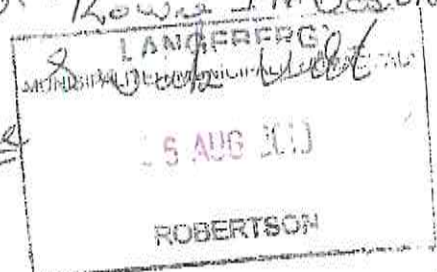
U. Uhoer spase en Pakkeing Voutief andwoord Nee
Hersoneering van Winkel andwoord
Nee

tel. 0826621977. Janne. Erf. 1045

Die Wane
Konstantin St 2.3. Ribberson Mr Gert Othri

et Mrs. Kowen J.V. Oosthuizen

gee H. Reddinghys. 10-100 vir
en Hant Naworsing Nee



48

ONDERSTEUNING

52
(DORSPRONKLIKE)
VOORSTEL

4 Mei 2019

VIR WIE DIT MAG AANGAAN

Ter aansluiting van Mnr Kotze se aansoek vir die besigheids-ontwikkeling op die hoek van Paul Kruger en Konstitusiestraat, vind ons as inwoners van Paul Krugerstraat 4A dat dit slegs 'n positiewe bydrae tot die ontwikkeling van Robertson dorp kan meebring in ag geneem die bydrae tot werkskepping en die elimenering van ongewensde plakking in oop ruimtes van ons dorp.

Die meeste persele in die nabye omgewing van Mnr Kotze se beoogde projek het besigheidsregte waartoe hulle ook in die posisie is om te spekuleer, hetsy verkoop of te ontwikkel. Hier is ook alreeds 'n groot aantal bestaande besighede met groot sukses. Parkering en aflaai-sones met duidelike aanwysings van toelaatbare besigheidsure is in werking met die metro-polisie om te monitor indien daar enige probleem mag opduik.

Die uwe


A L VAN DER WESTHUIZEN

OORSPRONKLIKE BESWAAR 1

Paul Krugerstraat 5,
Robertson 6701.
Foon 0236263645.

Bestuurder: Stadsbeplanning.
Piet Retiefstraat 3,
Montagu 6720.

1/5: Hersoening en afwyking van Erf 1043.

Stemmer wil ek as eienaar A.T. Stemmer van erf 1039 skryflik beswaar indien teen die ontwikkeling was ter sprake is.

As lewenslange inwoner van Robertson voel ek dat dit wat beplan word heeltemal onnodig is, aangezien dit reg agter Spar is.

Aangezien Checkers ook in aanbou is, sal die druk in die dorp seker ook ligter word want ons uitstroom, en gery in Paul Krugerstraat ook blyf sal afneem.

Met die huidige verkeer van groot vragnoteers het ons wat daar woon baie probleme. Die bestuurders begin reeds vanaf 3.30 van om gered te maak vir aflewering by Spar, staan selfs voor ons eieendom sodat jy nie altyd kan uitry nie. Maar die reg is dat genoemde hoek by Erf 1043 waar bestuurders en hul metgeselle saam in teem in vragnoteers verkeer.

Van vorige eienaar van genoemde erf hoekom by die perseel verkoop het, hy kan dit ook nie meer uitgehou het nie.

Ek en omliggende buite sta dat ons besware ernstig opneem sal word.

Geteken: A.T. Stemmer
inwoner: R. Stemmer

50

OORSPRONKLIKE BESWAAR 2

Paul Krugerstr 3

Robertson

6705

5 Des 2018

Die Bestuurder Stadsbeplanning

Langeberg Munisipaliteit

Piet Retiefstr 3.

Montagu

Georgie Meneer.

As eienaar van erf no 1042 (hoek van Paul Kruger en Konstatorestr) te Robertson maak ek ernstig bewaar teen die voorgestelde heraanleg van erf 1043 wat in besigheid.

My garage ingang is aan Konstatorestr 54.
Beware wat ek wil op erf 1043.

1. In hierdie residensiële area waar ons alreeds die ongerief van 'n afkruisings (van Spoor) moet verdur kan hier regtig nie nog een bykom nie
2. Parkering sal hierdie hoek te besig en onveilig maak.

3. Die proses van verlore en mense
is buite die kassie in hierdie
wonn area.

4. Dit sal die waarde van ons
bestaande eiendom (wonnars) beslis
vermindert.

Die inwoners in die omgewing bekou die
maak in a baie ernstige lig en doen
in beslag op u om te help verhoed
dat dit a onveilige roesige area
word want niemand gagg wil woon
hier.

Baie dankie

Die wox

(Wox) S. Erasmus

Tel 0236263877 / 0132645635.

DOORSPRONKLIKE BESWAAR 3

56

6th. December 2018

The Manager : Town Planning
3, Piet Retief Street,
Montagu 6720

Gordon Stephen
46, Constitution Street
Robertson 6705
Cell : 084 465 3411
Mail: gordonstephen21@gmail.com

ERF 1043 Robertson . Rezoning from Residential zone 1 to Business zone 1.

Dear sirs,

My interest in the above application and reasons for objecting to the proposed application are outlined below.

I am resident at ERF 1040, which is directly opposite the proposed delivery entrance.

In **THE PROPOSAL 5.1 REZONING** it states that the existing house is to be demolished. This is not an old house by Robertson's standards and could easily be sold at a true market value, as there is a shortage of good quality houses for sale or rental in the Robertson area. This could be confirmed by any of the Estate Agents in Robertson. There is simply no reason to open a high volume shop/supermarket in the Constitution Street / Paul Kruger Street area as this area is being adequately serviced by the SPAR ,KFC, and other shops covering a wide variety of products. There is enough bakery and butchery outlets within the immediate area.

There is at present an excess of traffic volumes around SPAR and KFC and the Heavy Goods Vehicles (HGV's) are the main cause of the traffic congestion. The delivery area in the proposal is far too narrow for a vehicle to turn, therefore the vehicles will either need to reverse in or reverse out onto Constitution Street and cause more congestion. Constitution Street is not a very wide street and has a high volume of traffic on it throughout the day. It carries a proportionally large volume of HGV's throughout the day and even in the early hours of the morning. The refuse room is on the border of Constitution Street and will attract a large infestation of flies and rodents and other undesirable types .

The entrance to the proposal is right next to the KFC entrance and would merely exacerbate the problem as we experience heavy traffic congestion from the KFC entrance up to the Constitution Street intersection on a regular basis.

Paul Kruger Street has recently been resurfaced due to the high volumes of HGV's on this street and Constitution Street's surface is in a poor condition also because of the high volumes of HGV's . To add more commercial traffic to an already overburdened area would not bode well in the future.

If the owners wish to open a large commercial enterprise they should look in a commercial area and leave the residential area to the residents.

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In the **MOTIVATION 6.1** it states that it will strengthen the existing business node and attract more feet to the area. I fear that this is misguided as there is already a very healthy volume of people in and around the immediate area . Any additional "feet" that would be attracted would be the wrong type of "feet" as seen on Monday mornings when the refuse is collected.

Paul Kruger Street has a wide variety of shops offering both butchers and bakers along with SPARS own offerings, therefore there is no need for any more shops in the immediate area.

In the **CONCLUSION 7** , I cannot agree with their assertion that their business will add any value to the area, and have limited impact in the surrounding environment. In fact it can only reduce the value of the residential property in Constitution Street and Paul Kruger Street by bringing in even higher volumes of traffic and attracting the more unsavoury types of people to the area.

Trusting my observations are given careful consideration

Yours faithfully



Gordon Stephen

PETISIE TEEN OORSPRONKLIKE VOORSTEL

ONTVANG
10/12/2018.

58
1

VOORGESTELDE HERSONERING EN AFWYKING VAN ERF 1043,
H/V PAUL KRUGER- EN KONSTITUSIESTRAAT, ROBERTSON.

Beswaar teen voorgestelde hersonering vanaf Enkelresidensiële sone
1 na Sakesone 1 en afwyking vir parkeerplekke nader as 10m vanaf
straatgrens

Naam en Van	Adres	Kontak no.:	Handtekening
Etienne Kriel	MARKSTRAAT 4A	0826635005	Etienne Kriel
Lorne Kriel	Markstr 4A	0236263500	Lorne Kriel
Jaydene de Villiers	Swellendamstr 15	023-6262211	J. de Villiers
Sunette de Villiers	Swellendamstr 15	023-6264080	S. de Villiers
Tinus Loyd	KONSTITUSIE 21	086 2085350	Tinus Loyd
Stephen Anjar Gordon	Paul Kruger 3 40	0732645635	Stephen Anjar Gordon
Engela Vlok	Konstitusie 23A	0740116830	Engela Vlok
RC Veldtman	Konstitusie 28	0232262516	RC Veldtman
Pieter van Merwe	Konstitusie 17	072 96 96 965	Pieter van Merwe
Amelda van Tongeren	Konstitusie str. 30	072 601 3122	Amelda van Tongeren
G.H. Oosthuizen	Konstitusie str 23	0826621977	G.H. Oosthuizen
J.N. Oosthuizen	Konstitusie str 23	0826621977	J.N. Oosthuizen
M. Van Rensburg	Konstitusie str 36	0236268968	M. Van Rensburg
M. Van Rensburg	Konstitusie str 40	0823573519	M. Van Rensburg
A. d. Westhuizen	4A PAUL KRUGER	0723486363	A. d. Westhuizen
A. d. Westhuizen	PAUL KRUGER	0822942930	A. d. Westhuizen

55

Naam en Van	Adres	Kontak no.:	Handtekening
Johannes ^{Vanderwerf}	4 Paul Kruger	0824658943	<i>Johannes</i>
Valerie Duddy	4 PAUL KRUGER	0798913649 08363382	<i>Duddy</i>
Jean Martin	Village 37	023 626 3090	<i>JM</i>
J.J. Mofoket	⁵⁵ Van Reenens Str	0136265084	<i>J.J. Mofoket</i>
Antonio Rainaldi	Leerdam Straat 8	0662141830	<i>Rainaldi</i>
P.H. Roux	Konstitusie	023 626 8800	<i>P.H. Roux</i>
Blouie	Konstitusie	0236268800	<i>Blouie</i>
R. Stemmet	PAUL KRUGERS.	023 626 3645	<i>R. Stemmet</i>
A. Vermeulen	Paul Krugerstr.	023 626 3645	<i>A. Vermeulen</i>
A.T. Stemmet	Paul Krugerstr.	023 626 3645	<i>A.T. Stemmet</i>
L. VAN ZIL-JONES	50 CONSTITUTION ST	0821173963	<i>L. Jones</i>
J. Jordaan	Herterief Spar	083 4110635	<i>J. Jordaan</i>
J. Hing	36 Voortrekker	0820805053	<i>J. Hing</i>
J. Lobar	9 Adderley St	0711412089	<i>J. Lobar</i>
K. van Jaarsveld	52 Konstitusie	0745350322	<i>K. van Jaarsveld</i>
Smack Hotel	58 VARENENSSTREET	023 626 7200	<i>Smack Hotel</i>
T. Meyer	13 ALHERBE STR.	0789998575	<i>T. Meyer</i>
J.A. LE ROUX	12 CONSTANTIA STR	023 626 4812	<i>J.A. Le Roux</i>
Hennie Hugo	Constantia 6	072623 1416	<i>H. Hugo</i>
J.S. MARITZ	14 Constantia Str	023 626 6775	<i>J.S. Maritz</i>
N. Maritz	14 Constantia St	023 626 6775	<i>N. Maritz</i>
W. Muller	VAN REENENS STR	076 089 7892	<i>W. Muller</i>
N. VERCUKIL	Van Reenen 62	0126548806	<i>N. Vercukil</i>
N. VERCUKIL	Van Reenen 62	012954 6802	<i>N. Vercukil</i>
E. Benkes	Knight No 8	0236266161	<i>E. Benkes</i>
<i>[Signature]</i>	Palaikantaro	0931217750	<i>[Signature]</i>

Naam en Van	Adres	Kontak no.:	Handtekening
HR Grobbelaar	Kingsf 7	0833006699	HR Grobbelaar
G.J. R...	Bergster 69A	023 626 0212	G.J. R...
B.L. Beerle	Van Zylstr 37	0236262272	B.L. Beerle
P. VELDSMAN	Papawerlaan 14	0608689698	P. Veldsman
H. Veldsman	Papawerlaan 14	0719678872	H. Veldsman
SSIMARPOZ	(HAW)US225715	0825789748	SSIMARPOZ
T. DOAMS	2 Van zyl street	076 570 4180	T. Doams
M. Jordaan	Smalster 2	083 446 2770	M. Jordaan
J.A. Gaden	Smalster 2	0236262606	J.A. Gaden
WA Botha	Constantiastraat 1	023 626 3302	WA Botha
M. Botha	Constantiastraat 1	023626 3302	M. Botha
G. Venter	Voorstel Str 21	0828954137	G. Venter
S. J. VENTER	V. Dersteldroen	083321 9163	S. J. Venter
N. Kortebeem	Markstraat 9	082 580 3531	N. Kortebeem
B. Cleyn	Hoopshel 87	0829606976	B. Cleyn
K. Nolling	Markstr 6	023 626 3274	K. Nolling
C. AFRIKA	NKQUBELA 10	0603580963	C. AFRIKA
J. AFRIKA	NKQUBELA 10	0638060461	J. Afrika
M.C. Buijnt	MARKSTRAAT 1A	0824620707	M.C. Buijnt
M. Burger	Pat Relif 56	0833871470	M. Burger
F. Hamann	MARKSTR 11	0834575782	F. Hamann
M. HAMANN	MARK STR 11	0847245758	M. Hamann
W. Schenck	Malherbest 8	0845162066	W. Schenck
C.E. Hough	Van Riebeeckstr 6	082 227 9083	C.E. Hough
D. Le Roux	Mark Str 4	023 626 6648	D. Le Roux
Kari le Roux	Mark Str 4	027 626 3020	Kari le Roux

Aansoeker se reaksie op besware

REAKSIE OP BESWAAR⁰¹ (2 DE RONDTE



Rosegate No 2
Robertson
6705

Tel: (023) 526 1506
Cell: 082 825 9891
Fax: +27 (0) 86 617 9818
E-mail:
annachris@rnweb.co.za

PO Box 649
ROBERTSON, 6705

5 September 2019

Municipal Manager
Langeberg Municipality
Private Bag X2
ASHTON
6715

For attention: Mr Jack van Zyl

Erf 1043 ROBERTSON: REZONING & DEPARTURE: SECOND REPLY ON OBJECTIONS

Reply on the objections received on the second round of public participation re the above application are as follows:

Short summary of objections with reply:

- The surrounding area is seen as a peaceful residential area with already much traffic noise and trucks and the proposed business will add more traffic and trucks with less privacy:

The application site is located along one of the two main access roads from Voortrekker Street to Robertson town and has been earmarked for high order business use according to the former SDF for Robertson. Paul Kruger Street's function is to accumulate and distribute traffic to and from town and therefore this area cannot be regarded as a peaceful residential area.

The location of Erf 1043 is not desirable for residential use due to the surrounding business uses and busy street.

The proposed supermarket is small in comparison with SPAR / Pick a Pay / Checkers with much smaller impact.

Shoppers will enter and exit the application site in Paul Kruger Street with no impact on Constitution Street.

Only the few trucks will impact on Constitution Street because of the proposed entrance in this road. Trucks will most probably drive from Voortrekker Street into Paul Kruger Street, turn right into Constitution Street and right again into the closed system (rolling doors) not more than twice a day for deliveries and removal of solid waste.

- Constitution and Paul Kruger Street, as well as their crossing will not be able to accommodate trucks due to parking of trucks in road & entrances to shopping area too close to stop streets & need for traffic impact assessment:

At present large interlinks are driving in Constitution Street to SPAR and therefore this street can accommodate large trucks.

The trucks that will be used for deliveries to the proposed supermarket will be much smaller (8 tons) with a frequency of once a day.

Municipal trucks that remove solid waste service also the surrounding area and drive in Constitution Street at present.

Deliveries for the smaller shops will be done to and from cars within the public parking area.

Trucks will not be able to park in front of the entrance/exit in Paul Kruger Street to and from the proposed business any more.

The proposed flow of trucks from Constitution Street through the shopping area to Paul Kruger Street will decrease the impact on the crossing and will eliminate any reversing across the sidewalk.

The proposed entrances to the shopping centre are respectively 35 and 45m away from the centre of the crossing.

The public entrance and exit in Paul Kruger Street are 20m apart (measured from middle of roads).

The existing signage along Paul Kruger and Constitution Street prohibits trucks to park between 18:00 and 06:00, therefore the trucks are not allowed to park overnight. This will be made applicable during day time also because of the entrance/exit to the proposed shops.

There will be no need to park in Constitution Street, as adequate parking will be provided on site in front of the proposed building.

Due to the small scale of development with only 14 parking bays required as well as the location and planning proposals for the application site, the impact of a small supermarket with associated traffic will not be large. The proposed quality structure with large parking area will rather add value to the surrounding area.

- Parking not sufficient:

The parking provided is more than sufficient (25 provided in comparison with 14 required) for clients and workers and has been calculated according to the definition of GLA that includes the sizes of the three shops (leasable areas) and excludes common spaces such as storage, points of sales, kitchen, passage and restrooms.

- Building will be used by small shop owners & Woolworths has not committed yet & other sites available:

The Site Development Plan (SDP) makes provision for one larger shop of 205m² as well as two smaller shops of 63m² and 88,5m² respectively.

It is envisaged that Woolworths Foods will be operating in the larger shop, with an upmarket coffee shop in one of the smaller shops.

Although Woolworths has expressed interest in the application site, expensive viability studies cannot be conducted before the site is correctly zoned for business use.

Woolworths has shown interest in this specific site because of the optimum location and visibility from Voortrekker Street. This is not applicable to other alternative business sites in town.

If Woolworths does not commit, the approval will include only what is proposed on the SDP, therefore one bigger supermarket and two smaller shops. Any deviation from the proposed SDP will need an amendment of the application with a resultant public participation process.

[This was also applicable now when the SDP has changed.]

- Mitigation measures such as the proposed wall and rolling door are not desirable & security risk & more noise and flies

From a safety perspective, the proposed development will contribute to a more managed, clean and safe area in comparison with the current empty house. Trucks won't be able to park in front of the proposed development or Kentucky due to the entrances.

Accept for the one or two trucks per day, no vehicular or pedestrian access will be obtained from Constitution Street.

The proposed rolling door will enclose the loading zone, ensuring more security, less noise and visibility.

Solid waste will be stored in bins within the enclosed area that mitigates any possible smells or flies. The Municipality services the site by removing waste on a regularly basis.

The rolling doors will be in character with the proposed business building and will not impact negatively on the value of the residential properties in Constitution Street.

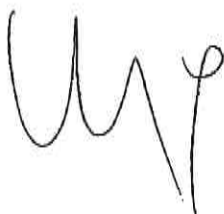
The proposed wall will add privacy and mitigate noises and visibility.

The entrance to the shops (where most feet will be) is more than 30 meters away from the common boundary wall with Erf 1045.

Please find attached a supportive letter from one of the surrounding owners.

For your consideration please.

Yours sincerely,



Anna-Christa Redelinghuys



64

Pr.Pln (A/1076/1998)

(62)

REAKSIE OP BESWARE (1STE RONDE)⁶⁵



Rosegate No 2
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PO Box 649
ROBERTSON, 6705

~~25 June~~ ^{July} 2019

Municipal Manager
Langeberg Municipality
Private Bag X2
ASHTON
6715

For attention: Mr Jack van Zyl

Erf 1043 ROBERTSON:

REZONING FROM SINGLE RESIDENTIAL ZONE 1 TO BUSINESS ZONE 1 & DEPARTURE FROM DEVELOPMENT PARAMETER

My letter dated 3 June 2019 as well as the telephonic conversation with Mr Frikkie Kriel on 25 July 2019 have reference. He requested that my reply on Mr Stemmet's objection should be added to my previous letter.

Since Mr Stemmet's letter was cut off at the bottom with no name, these comments were mistakenly combined with the comments of Mr and Ms Oosthuizen. My apologies.

Below is the original contents of the letter dated 3 June 2019, as well as amendments to the reply on the comments of both these objectors:

According to Section 52(1) of the Langeberg Municipal Land Use Planning Bylaw, 2015, an applicant may amend his application at any time before the approval of the application at the applicant's own initiative and/or as a result of an objection and or at the request of the Municipality.

The Site Development Plan (SDP) has been amended due to:

- Liaison/comments between applicant and municipality;
- Objections received; and
- Own initiative after negotiations with Woolworths to confirm their interest and needs.

Woolworths Foods has confirmed their interest and the SDP has been amended according to their needs (attached). Although all elements will be provided that are illustrated on the plan, small changes may still be considered and are subject to final approval.

Room is also provided for two separate, additional shops as part of the building.

Motivation for the desirability of the new proposal includes the following:

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- The orientation of the building has change to have a larger frontage (glass doors) to Voortrekker Street with increased visibility.
- Public access is obtained from Paul Kruger Street through a separate entrance and exit with functional one-way movement of vehicles.
- The parking area is next to the parking area of Kentucky and the adjacent shops that has the potential for a functional combined parking area across boundaries.
- More than adequate parking is provided.
- A built wall of maximum height will be constructed between the application site and Erf 1045 to ensure privacy and to mitigate any noise and visual impacts.
- Since the off-loading of goods cannot be combined with public parking, trucks will enter the building in Constitution Street and goods will be off-loaded within the closed building (only applicable of the Woolworths shop).
- Two rolling doors will be provided at the two ends of the closed loading zone.
The closed loading zone will secure the goods and will mitigate any visual or noise impacts.
- The trucks will move out and leave the premises in a one way direction through the public parking.
- The number of traffic trips in Constitution Street will therefore be reduced by 50%.
- The building on the site boundaries will assist in security to the residential area with no through traffic of vehicles or people.
- The refuse area will be accommodated in the closed loading zone.
- All parameters are met, except the distance of the parking bays from the street, as in the original application.
- The GLA is much less, but the number of parking bays are similar to ensure adequate and comfortable parking.

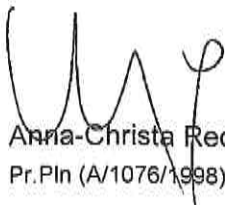
The above meets the concerns of the objectors. Reply on the objections are:

- S Erasmus (owner of Erf 1042):
 - Only incoming trucks will access the loading zone in Constitution Streets that will reduce the number of trips by half.
 - The facility will be closed for security reasons as well as to mitigate any impacts on the adjacent residential area.
 - The separate public entrance and exit roads in Paul Kruger Street will improve safety.
 - Parking is provided next to the parking area of Kentucky and the other business buildings in Voortrekker Street, and will therefore form an effective parking hub between business buildings.
 - Woolworths is known for an upmarket shop and will only add value to this area.
 - Erf 1042 and the application site are both located adjacent to the Paul Kruger Street corridor that were earmarked for business uses according to the previous SDF.

- Gordon Stephen (owner Erf 1040):
 - There is a huge need for a Woolworths in Robertson that will serve the surrounding towns also. The applicant has gone to great trouble to convince Woolworths to invest in Robertson.
 - Although there is a need for housing, there are a few new residential developments in Robertson that address this need.
 - Trucks will enter to loading zone in Constitution Street, but will exit in Paul Kruger Street, therefore there will be no reverse traffic in Constitution Street.
 - The refuse room will be enclosed in a building.
 - Paul Kruger Street is one the main through routes in Robertson with the function of traffic collecting and distribution.
 - The layout of the parking has been adjusted to be more functional.
 - A new Woolworths will definitely attract more feet to this area due to its unique branding and cannot be substituted by other shops.
- Mr A.T. Stemmet (Erf 1039):
 - Woolworths Foods has a different market and will be a huge attraction to Robertson residents in spite of Spar and Checkers.
 - The proposed development will enhance the value of this area / corner with an attractive building, adequate parking and effective one-direction in and out traffic movements.
- Mr and Ms Oosthuizen (Constitution Street 23):
 - No valid reason has been provided why the objector does not want more businesses in Robertson, and therefore it cannot be replied to from a land use point of view.
- Petition list:
 - No reasons for objection have been provided, therefore no response can be given.

For your consideration please.

Yours sincerely,



Anna-Christa Redelinghuys
Pr.Pln (A/1076/1998)

[Afrikaanse samevatting op versoek vanaf Mnr Frikkie Kriel asook bevestiging van regte indien goedgekeur:

Woolworths het bevestig dat hulle in hierdie spesifieke perseel belangstel.

Goedkeuring sal slegs geskied vir waarvoor aansoek gedoen word, nie 'n Woolworths *per se* nie, maar wel 'n besigheidsperseel met 'n supermark en uitleg soos op die gewysigde plan aangeheg. 'n Gewysigde aansoek moet ingedien en geadverteer word indien die uitlegplan of voorgestelde gebruik verander.



'n Hoë kwaliteit supermark sal waarde toevoeg tot hierdie area.

Voldoende parking sal beskikbaar wees.

Die voorstel maak voorsiening vir aparte en veilige toegang vir die publiek en trokke.

Trokke sal by Konstitusiestraat inry en weer uitdraai in Paul Krugerstraat – veilige eenrigting verkeer.

Die aflaaiarea is binnenshuis met min impak op die omliggende omgewing.]

Summary of "Relevant Considerations"

Section 33 of the Constitution requires that organs of state make decisions which are **lawful, reasonable and procedurally fair**. It further provides that national legislation must be enacted which provides that those whose rights have been adversely affected by administrative action, are given an opportunity to have the administrative action reviewed in a court of law (or, where appropriate, an independent and impartial tribunal).

In order to give effect to section 33 of the Constitution, the Promotion of Administrative Justice Act (3 of 2000) ("PAJA") was promulgated. Section 6(2) of PAJA sets out the reasons why an administrative decision may be reviewed. Section 6(2)(e)(iii) of PAJA provides that an administrative decision may be reviewed if ***irrelevant considerations were taken into account*** or if ***relevant considerations were not considered by the decision maker***.

When assessing a land use application, there are certain general development principles contained in the Spatial Planning and Land Use Management Act, No 16 of 2013 (SPLUMA) and the Western Cape Land Use Planning Act, No 3 of 2014 (LUPA) that must be taken into account, and which are regarded as relevant considerations for the purpose of PAJA.

Furthermore, section 2(2)(d) of LUPA states that **a municipality must regulate the criteria for deciding on land use applications**. These are determined in the Langeberg Municipal Land Use Planning Bylaw, 2015 (the bylaw). Chapter V, Section 65 (1) (a) to (s) of the bylaw sets out the general criteria that must be considered when deciding on a land use application.

In terms of the above, in **considering and deciding on an application**, a Municipal Planning Tribunal / Authorised official / Appeal Authority / Official **must** be guided by

- (a) The **development principles of SPLUMA and LUPA**;
- (b) The prescribed **procedure to be followed** in processing the application; (**Bylaw S65(1)(b)**)
- (c) The **comments received in response** to the notice of the application and the **comments received from organs of state and internal departments of the municipality**. (**Bylaw Section 65(1)(d)**)

- (d) The **response by the applicant** to the **comments** referred to above. (Bylaw Section 65(1)(e))

and, when considering land use applications, must take into account the following key aspects, as drawn from various sections of SPLUMA, LUPA and the Langeberg Municipal Land Use Planning Bylaw:

- (a) Must make a **decision which is consistent with:**
 - (i) norms and standards
 - (ii) measures designed to protect and promote the sustainable use of agricultural land
 - (iii) national and provincial
 - (iv) government policies
 - (v) the municipal spatial development **framework (SPLUMA S42(1)(b))**
- (b) May not make a decision which is **inconsistent** with a municipal spatial development framework (**SPLUMA S22(1)**)
- (c) May depart from the provisions of the Municipal Spatial Development Framework in **site specific circumstances (SPLUMA S22(2))**
- (d) Must ensure **alignment** with any relevant structure plans, the PSDF and any applicable Regional SDFs; (**Bylaw, S65(1)(l)(n)(o))**
- (e) Must take into account **public interest (SPLUMA 42(1)(c)(i))**
- (f) Must have regard to at least **any guidelines issued by the Provincial Minister** regarding proposed land uses; (**LUPA 49(e)**)
- (g) Must take into account **any applicable national or provincial policies** that guide decision making; (**Bylaw, 65 (1) (p)**)
- (h) Must take into account the **impact on existing rights and obligations; (SPLUMA 42(c)(iv))**
- (i) Must take into account the **constitutional transformation imperatives; (SPLUMA, S42(1)(c)(i))**
- (j) Must take into account the **state and impact of engineering services, social infrastructure and open space requirements; (SPLUMA S42(1)(c)(v))**
- (k) Must consider any factor that may be prescribed, including timeframes, for making decisions; (**SPLUMA, S42 (1)(c)**)
- (l) Must take into account **investigations carried out in terms of other laws** which are relevant to the consideration of the application; (**Bylaw 65(1)(f)**)
- (m) Must take into account the **relevant provisions of the zoning scheme; (Bylaw 65(1)(s))**
- (n) When considering an application affecting the environment, **ensure compliance with environmental legislation; (SPLUMA, 42 (2))**
- (o) Must consider the desirability of the proposed land use (**LUPA, section 49(d) and Bylaw S65(1)(c))**)