

4.4

ERF 4655, 26 YELLOWWOOD ROAD, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE: MESSRS CREATIVE PROFILE ON BEHALF OF CLATCO PROPERTY INVESTMENTS CC

4655 HON (4141)

H Olivier

18 December 2018

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application has been received on 14 August 2018 from Messrs Creative Profile on behalf of Clatco Property Investments CC on Erf 4655, Onrustrivier in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a consent use to operate as a five (5) bedroom guest house on the property concerned.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The erf measures 2179m² in extent and is zoned Residential Zone I. The property is vacant at this point in time.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ The property is vacant and has a steep slope.
- ❖ The character of the area is predominantly Single Residential, but also with higher density developments on the southern side and also some guest houses.
- ❖ The second dwelling proposed will be for the owner or manager/staff.
- ❖ No environmental impact or trigger in terms of the National Heritage Act 25 of 1999.
- ❖ Will be operated as a guest house and no self-catering will be allowed.
- ❖ Access will be obtained off Black Eagle Road via Yellowwood Street and seven (7) on-site parking bays and three (3) lock-up garages for the owner will be provided.
- ❖ The guest house will be geared towards the eco-experience.
- ❖ The Overstrand SDF encourages a variety of tourist accommodation facilities to cater for all tourists.
- ❖ In terms of the Overstrand Municipality IDP tourism should be one of the key economic drivers, and this upmarket guest house is in line with such approach.
- ❖ The concept guest house architectural sketch plans clearly show that buildings will fit in with the architectural development (dwellings with large footprints) and the character of the area.
- ❖ Buffers are created to neighbours to ensure minimal impact.
- ❖ Dwelling will be stepped downwards with the contours to ensure view corridors for properties on the northern side, and the garden areas next to guest rooms will be on the southern side lower down the property away from other properties.

- ❖ The influx of visitors will benefit the local community business sector and will also provide training opportunities.
- ❖ Municipal services are available for the development.
- ❖ There are no prescribed architectural guidelines for this area, but the urban design principle “consider your neighbour” was taken into account. The style will fit in with surrounding properties.
- ❖ The proposed scale of the development with a proposed total size of 850m² is in line with the surrounding area.
- ❖ The proposed guest house will cater to a more sophisticated tourist who appreciates and respects tranquillity and silence.
- ❖ On-site parking is provided and it is the opinion that the existing road infrastructure was designed to deal with the expected traffic, although the increase in traffic will not be noteworthy.
- ❖ The Cape Province Accommodation Policy recommends that anyone should be able to provide three (3) guestrooms without applying, clearly showing their support for the tourist sector.
- ❖ Municipalities should generate and manage the provision of such guest house facilities.
- ❖ The applicant wants to develop his property to its full potential.
- ❖ The value in terms of local economic development and social equity should be reconsidered when considering the application.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Notices	Yes	31 August 2018	5 October 2018
Ward councillor	Yes	31 August 2018	5 October 2018
Total comments	TWO (2)		
Total letters of support	NONE		
Was public participation undertaken in accordance with Section 47 - 50 of the By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recommendation
Building Control	3/09/2018	Supported.	Positive
Operational Manager	12/10/2018	See Annexure F.	Positive
Engineering Services	1/11/2018	See Annexure G.	Positive

Telkom	1/10/2018	See Annexure H.	Positive
Eskom	12/09/2018	See Annexure I.	Positive
Fire Department	10/10/2018	See Annexure J.	Positive

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

Two (2) letters of objection were received, of which one is from Attorneys Dykes, Van Heerden (Cape) Inc., on behalf of five (5) surrounding property owners.

The objections can be summarized as follows:

- a) Building works started without guest house approval and plot level has been raised significantly with huge amount of sand.
- b) Guest house contravenes Design Guidelines of Chanteclair.
- c) The application will impact on the peaceful character of the area, lead to an unwanted precedent and lead to a loss of the residential character. This development is totally planned for a guest house and will lead to extended commercial activities on the property in future.
- d) The applicant cannot show a positive benefit for the community with his proposed guest house.
- e) The surrounding area have long term owner-occupied single family dwellings and the development of a guest house will, due to the precedent it will create, lead to an increase in further commercial activities in future, thereby changing the area from residential to commercial.
- f) The Overstrand Municipality SDF does not make provision for guest houses in Chanteclair. Other areas in Hermanus are better geared for guest houses.
- g) Additional traffic by staff, guest and deliveries, traffic congestion and bad sight distance close to the Leopard Rock entrance and the narrow roads in Chanteclair would create unwanted traffic problems and increase in noise levels.
- h) The guest house is purely profit based and the impact on surrounding residences is not considered.
- i) Increase in traffic will impact on the endangered "rooipensie skilpadjie".

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

The applicant's response on the objections is as follows:

- a) The building work is only for retaining walls on the boundaries and ground work which will be finalized before the December 2018 builders shut down. Plans have been submitted to the Municipality.

- b) No building plans for the buildings have been submitted for consideration to the Municipality and Aesthetics Committee. It is debated if any Architectural Guidelines exist or even enforced, considering the different style buildings in the area.
- c) The property will not be rezoned to commercial purposes and will still comply with all other restrictions as stipulated in the Zoning Scheme. The building in size will comply with surrounding buildings and the density will also not be increased. The motivation report clearly indicated the type of guest and type of experience that was to be expected in the guest house. Also, considering other guest houses in Onrustrivier, it did not change the character of such areas.
- d) This is a poor assertion and the writer had not conducted sufficient research in respect of policy. It will benefit the local economy. The community cannot only be reliant on retiree's income, but is dependent on tourism with a wide variety of activities and types of accommodation.
- e) The property will not be rezoned to commercial purposes. In most Municipalities three (3) guestrooms are allowed as a primary use. This application is only to create a guest house for five (5) guest rooms. No other commercial activities such as conferencing, etc. are planned.
- f) Guest houses are promoted by Provincial Policy, and Overstrand Municipality SDF promotes tourist attractions and tourism in general and accommodation options such as guest houses are vital for the economy.
- g) The property has its own service lane and in no way will impact traffic in Yellowwood Road towards Leopard Rock. Yellowwood Road has a 13m wide road reserve and is designed to serve up to 300 vehicles, and have sufficient capacity to accommodate the traffic generated by the guest house. The slow speed and low vehicle flows ensure impact will be low.
- h) No comments provided.
- i) No comments provided.

9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

- a) Ground work and building work started without municipal approval, and a significant filling was done on one side of the site due to cutting in the northern side. The Building Control Department was informed about the building work and building plans were submitted on 18 October 2018 and approved on 17 December 2018, but only for ground work and retaining walls. No plans have been submitted for the main and second dwelling.
- b) The developers of Chanteclair on their own accord prepared a Design Guideline document, which they apparently gave to persons purchasing erven in the area. This was never a condition of approval set by the Municipality when approving the Chanteclair Development, and there is also no knowledge of any reference in the Title Deeds of the properties of compliance with such Design Guideline. Many dwellings in the area did comply with the basic guidelines of the document, but more regarding build quality. This did ensure that dwellings of a

specific level of quality was developed in Chanteclair, and the Building Control Department does apply their minds for all new plans submitted in Chanteclair in relation to the aesthetics and scale part of the basic guidelines. All Chanteclair restrictions regarding height, building lines, coverage, etc. can however only be controlled in terms of the Zoning Scheme.

The applicant is however correct in that no building plans have been submitted to the Building Control Department for the main and second dwelling at this stage, and therefore the objectors' comment regarding compliance with the mentioned guidelines is not relevant.

- c) The applicant's opinion is supported.
- d) It is not clear what the objector referred to when making such statement. The applicant's view regarding possible benefits to the wider community is supported.
- e) The objector and applicant's comments are noted. The activity is still considered to be residential by nature. Note that in Overstrand Municipality two (2) guestrooms are allowed as a primary right, but a person can then apply for a consent use for up to five (5) guestrooms.
- f) The applicant's opinion is supported. In the Overstrand Municipality SDF the following statement is made - "*to promote Greater Hermanus as a tourism destination*".
- g) The comments are noted. The application is supported by the Operational Manager and Engineering Services Department, and they indicated no concerns regarding increase in traffic or traffic safety.
- h) The objectors' comments are noted. It cannot be debated that a guest house is profit based. The statement regarding that there are no concern for residence must be measured against the way the layout of the guest house was planned, as was indicated in the applicant's motivation. Guest rooms were placed away from neighbouring properties, and the dwelling will be designed to drop down with the slope to limit visual impact, etc. It is the opinion that impact on neighbours was considered. This matter will also be discussed in more detail under desirability.
- i) As indicated above, increase in traffic is considered to be acceptable. It is also to be noted that Chanteclair is a developed residential area, and not a nature reserve, and therefore designed for traffic to travel into this area and onto the roads.

Internal Departments

All internal departments support the application.

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

10.1 Background

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice

N/A

Spatial sustainability

The application is within the urban edge and will not impact on agricultural land or environmental areas. The application is for a guest house in a residential area, which is promoted in terms of the OMSDF, subject thereto that the facility be operated in a manner to not have a negative impact on surrounding neighbours.

Efficiency

The land owner wants to use the property to its full potential, and its location close to the mountain and with sea views provide it with the potential to be used for guest house purposes.

Spatial Resilience

The application is in line with local policies which promote tourism in this area. The application will enable the applicant to optimise his assets, should it be necessary due to economic and/or financial reasons.

Good administration

Good procedure was followed and with a good public participation.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies

The IDP and Overstrand Municipality promote the establishment of tourist accommodation in the Overstrand area.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal engineering services

Existing services will be used and where not available it will have to be installed at the cost of the developer.

10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

The Overstrand Municipality Zoning Scheme Regulations is applicable to this area.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

Erf 4655, Onrustrivier is situated in the residential area of Chanteclair. The area is developed with higher density residential developments and retirement villages directly north of the R43 Provincial Road, with medium density erven ($\pm 1000\text{m}^2$ in size) north of the higher density area, and low density residential development ($\pm 2000\text{m}^2$ erven) further north on the steeper slopes of the mountain.

When considering the objections and responses thereon it is clear that most points have been duly addressed.

The two (2) points the writer will discuss in more detail is the concerns regarding the impact on the character of the area and also impact on neighbours. This is possibly the two most important criteria to consider the desirability of the application.

To address the meaning of character of an area it is important to establish what the character of the area is, and what land uses are usually compatible with such character.

As previously mentioned the area has a residential character with large erven and mostly large scale upmarket dwellings. In terms of the Residential Zone I zoning uses that are considered primary rights are guest rooms (2 rooms allowed), second dwelling, day care centre (limited number of children) and home occupation. Other consent uses that can also be applied for that are considered part of the residential fabric is a crèche, green house, guest house (maximum 5 guest rooms), house shop, institution, place of instruction, place of worship, residential building and tourist accommodation. These uses would only be considered if the scale is acceptable to ensure minimal impact.

To ensure that guest houses can be considered, but still ensuring that it does not negatively impact the character of the area and surrounding neighbours, the Overstrand Municipal Council approved a "Policy for Conducting an Accommodation Establishment on a Single Residential erf" on 31 May 2001. Special parameters were stipulated in such Policy to ensure that the scale of guest houses allowed in residential areas, and the manner it is operated will ensure minimal impact on the character of such area.

In terms of the proposal it will comply with the requirements in such policy.

The other factor that is very important is the layout of the guest house, access to the site and parking to ensure limited impact on surrounding neighbours. From the floor plans it can clearly be seen that two (2) guest rooms will be placed on the ground floor of the dwelling, with private areas on the southern side of the erf. It will border the driveway, garages and courtyard of adjacent Erf 4654, and will not impact on private or entertainment areas.

The entertainment or family rooms and pool area will also be on the southern side of the property, next to the driveway and garages on Erf 4654, with minimal impact on such property.

The other three (3) guest rooms will be placed in the middle of the site on first floor level, buffered from Erf 4654 to the west by the rest of the proposed main dwelling. The site will also be cut significantly to ensure that the first floor will actually only feature as one storey in height when viewed from the northern side. It would therefore be much lower than the residences to the north, which are situated closer to Sunbird Crescent to the north, and have minimal impact on these properties. The guest rooms will also be blocked from Erf 4656 to the eastern side by the proposed second dwelling.

As mentioned, the property's ground level will be cut by approximately 2m in height on the northern boundary. Therefore the proposed guest parking on the northern portion of the erf will not be visible considering the cut and existing vegetation. The other parking will be situated next to the boundary with Erf 4656. The dwelling on Erf 4656 is situated much lower than the parking due to cutting and filling that also took place on such erf. The second dwelling and guest parking in this area would overlook Erf 4656, but should the applicant construct a boundary wall of 1,8m in height on the common boundary, acceptable privacy levels will be ensured.

The fact that Erf 4566 will obtain access via round-about Black Eagle Road, before vehicles then enter Yellowwood Road, actually helps as traffic calming measure. It helps ensure that any additional traffic would have less of an impact on Yellowwood Road and also Sunbird Crescent, which serves as the entrance to the gated Leopard Rock Development to the north.

In terms of the Overstrand Municipality SDF, 2006 one of the principles identified is to promote *"Greater Hermanus as a tourism destination"*.

In terms of the Overstrand IDF, 2014 objective VO2 is:

"Overstrand is nationally and internationally renowned for its diverse and accessible vibrant tourism, social and heritage scenes, its facilities and the activities it presents".

It also stipulate policies should *"Encourage and facilitate the development of high quality tourism and heritage related infrastructure in the Overstrand settlements, utilising heritage buildings where appropriate"*.

Considering the above and also the fact that Council already approved a policy to consider and allow guest houses in residential areas, the application is considered in line with existing policy plans.

It is considered that the application would not have a negative effect on the character of the area, and due to the design format of the proposal and also with additional conditions to construct boundary walls, surrounding owners' privacy can be protected.

The application is considered desirable.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 4655, Onrustrivier for a consent use to operate as a five (5) bedroom guest house on the property concerned, **be approved** in terms of the provisions of Section 61 of the By-Law; subject to the following conditions
 - (a) that the approval be limited to only the five (5) guestrooms as indicated on the Site Development Plan, submitted with the application;
 - (b) that a 1,8m high boundary wall be constructed on the eastern boundary and western boundary to ensure that the privacy of the owners of Erven 4656 and 4654 is protected;
 - (c) that the owner/manager resides on the premises, and that the owner be responsible for the proper management of the guest house;
 - (d) that commercial rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (e) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (f) that a single non-illuminated sign that complies with the Municipal By-Law on Signage may be displayed on the premises;
 - (g) that the accommodation facility be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (i) that building plans should be submitted to the Building Department for approval;
 - (j) that all the conditions in the Services Report (attached as Annexure G), be complied with;
 - (k) that all the conditions imposed by Telkom (attached as Annexure H), be complied with;
 - (l) that all the conditions imposed by Eskom (attached as Annexure I), be complied with, and
 - (m) that all conditions imposed by the Fire Department (attached as Annexure J), be complied with.
2. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

14. REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ No new municipal services will be needed.
- ❖ It is in line with the aims of the Overstrand Municipality SDF and Overstrand's Integrated Development Framework to promote tourism.
- ❖ The objections received questions the desirability of the application in relation to the impact on the character of the area and on surrounding properties. The proposal is however in line with the requirements of the "Policy for Conducting an Accommodation Establishment on a Single Residential erf, and therefore it is highly unlikely that the character of the area will be impacted on. Land uses such as crèches, home occupations and guest houses are also considered part of the fabric of residential areas.
The design of the guest house and parking layout is such that any possible impact would be minimal and with an additional condition that the applicant must construct a 1,8m high boundary wall on the eastern and western boundary, impact on neighbours will even be further mitigated.
- ❖ The approval of the application would create job opportunities and also benefit the economy of the area with tourist spending money in the area.
- ❖ The manager or the owner must stay on the property, which must ensure that the facility is operated in such a manner not to impact on neighbours.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objections received
Annexure E:	Applicant's response to objections received
Annexure F:	Comment: Operational Manager
Annexure G:	Services Report
Annexure H:	Comment: Telkom
Annexure I:	Comment: Eskom
Annexure J:	Comment: Fire Department

SIGNATURE**AUTHOR:**

Name: **HENK OLIVIER**

SACPLAN Reg No: **B/8128/2004**

Signature: _____

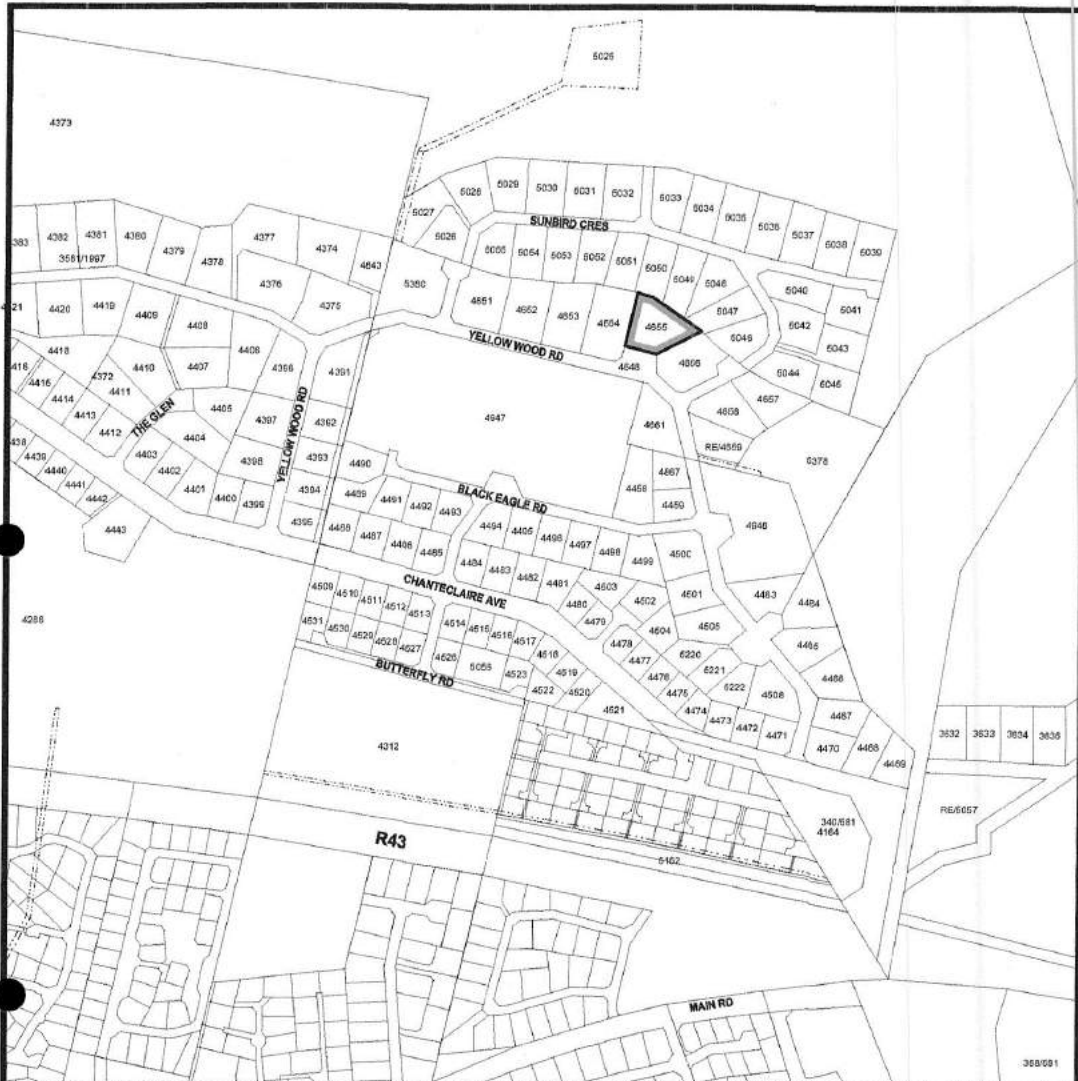
Date: _____


REGISTERED PLANNERName : **H VAN DER STOEP**SACPLAN Reg No: **A/1708/2013**

Signature : _____

Date: _____

ANNEXURE A



 ERF 4655, ONRUSTRIER
SG NO.: 6645/1999



SCALE 1:5000
Outeursreg voorbehou
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LOCALITY PLAN

PLAN NO. 1

1. PURPOSE OF THE APPLICATION

This application is made on behalf of the owner of Erf 4655 Onrusrivier, Clatco Property Investments CC (represented by Mr Jacques Fourie) and serves to motivate in terms of Section 16 of the Overstrand Municipal By-law on Municipal Land Use Planning for:-

- Council's consent in terms of section 16(2)(0) to operate a guest house with 5 guest rooms from the proposed premises on Erf 4655 Onrusrivier.

Attached hereto is a Power of Attorney mandating Creative Profile to submit this application to the local authority on behalf of the owner (see Annexure 1).

For ease of reference, the study area will be referred to in this application document as "**the property**".

2. PURPOSE OF THE APPLICATION

2.1 LOCALITY

The property is located in the northern part of Onrusrivier in the residential suburb of Chanteclair, as indicated on Plan 1.

2.2 PROPERTY DETAILS

		ERF 5349 LANGEBAAN
OWNER		Clatco Property Investments CC Annexure 3
ERF NO.		4655
EXTENT		2179m ²
TITLE DEED NO.		T18483/2018 Annexure 3
RESTRICTIVE DEED CONDITIONS	TITLE	Conveyancers certificate Annexure 4 The conveyancers certificate prepared by VGV Attorneys clearly indicates no restrictive conditions are evident that may impede the proposed application.

BONDHOLDER	No Bondholder
EXISTING LAND USE	Vacant
EXISTING ZONING	Residential 1

2.3 PROPERTY CHARACTERISTICS

- 2.3.1 The property is located in a high income residential suburb with the majority of erven characterized by panoramic sea views over the Onrus River estuary and Indian Ocean.
- 2.3.2 The average area of the surrounding properties is approximately $\pm 1800\text{m}^2$ and the property is characterized by a steep gradient that tapers off in a south westerly direction as can be seen from the topographic survey. Annexure 5.
- 2.3.3 The property is vacant and no vegetation of environmental value is evident. The natural 'fynbos' that is dotted around the property has been mostly disturbed by development on adjacent properties and during the installation of municipal services.
- 2.3.4 No unstable ground conditions are evident from site inspections carried out and no servitudes are registered in favour of 3rd parties over the property.

2.4 SURROUNDING LAND USES

- 2.4.1 The Chanteclair residential suburb where the property is located, is characterized predominantly by single residential erven with higher densities of residential land uses evident in the south and south western sections of the suburb. The well-known Onrus Manor Retirement complex is also located in close proximity to the property and a variety of guest houses have been established within the suburb. The panoramic views towards the ocean and the peaceful backdrop of Onrus mountains represents the biggest drawcard in the area.

2.5 PRE-CONSULTATION

- 2.5.1 Pre-consultation took place via exploratory talks with the responsible town planning official at the municipality. No application is necessary for a guest house with less than 3 guest rooms. A guest house is permitted with a maximum of 5 guest

rooms. The proposed guest house on Erf 4655 Onrus with 5 bedrooms therefore requires formal application to Council.

- 2.5.2 A second dwelling unit may not be utilized for short term rental and can only be used by the owner for long term rental, own use or for accommodating a manager and/or staff.

2.6 ZONING PRESCRIPTION

In terms of the Overstrand Zoning Scheme the following extract sets out the parameters associated with a Residential Zone 1: Single Residential (SR1) zoning:-

"Use of the property

6.1.1 *The following use restrictions apply to property in this zone:*

(a) **Primary uses** are: day care centre, dwelling house, guest rooms, home occupation, second dwelling unit; this proposal makes use of the primary right to establish a second dwelling on the property with the proviso that the second dwelling will not be used for short term rental.

(b) **Consent uses** are: crèche, green house, guest house, house shop, institution, place of instruction, place of worship, residential building, tourist accommodation. This application makes use of the secondary right to operate a guest house with a consent use (as underlined).

Development rules

6.1.2 *The following development rules apply:*

(a) Coverage

The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area as listed in the table below:

Net erf area	Maximum coverage
Less than 400m ²	65%
400m ² and greater	50%

(b) Building lines*(i) Street building line*

The street building line is determined in accordance with the net erf area as listed in the table below:

Net erf area	Street buiding line
Less than 400m ²	2,0m
400m ² and greater	4,0m

provided that:

- a corner plot with an average depth of 20,0 m or less has a 3,0 m street building line; and
- where a garage obtains direct access off the street a 4,0 m building line applies.

(ii) Side and Rear building line:

The side and rear building lines are determined in accordance with the net erf area as listed in the table below:

Net erf area	Side and Rear Buiding Lines
Less than 400m ²	1,0m
400m ² and greater	2,0m

(iii) The general building line exemptions of 16.1 apply.

(c) Height

(i) The maximum height of a building measured from the base level to the top of the roof is 8,0 m; and

(ii) Earth banks and retaining structures shall comply with 16.6.

(d) Garages and carports

Garages and carports may be constructed within building lines in accordance with 16.1.2.

(e) Parking

Parking and access shall be provided on the land unit in accordance with 17.1.

Second dwelling unit

6.1.4 The provisions of 5.2.4 [of the scheme regulations] apply; provided that:

- (a) The total floor area of the second dwelling units shall not exceed 120m²;
- (b) The same development rules apply as for the primary dwelling unit;
- (c) One on-site parking bay must be provided to the satisfaction of Council; and
- (d) Confirmation of the availability of services shall be obtained from the Director of Infrastructure and Planning or his successor in title".

DEFINITION OF GUEST HOUSE: "means a dwelling house, or second dwelling unit which is used for the purpose of temporary lodging of guests or lodgers on compensation, the provision of meals for guests, visitors or tourists, and is occupied by the owner or occupant, or manager of the property, and may include an in-house cash bar and restaurant, provided that these facilities are only for the use of the bona fide guests or lodgers and may not be accessible to the general public, but does not include a hotel, guest rooms, residential building or boarding house".

3. STATUTORY PLANNING GUIDELINES

3.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK

- 3.1.1 Since 2015, forward planning in the Overstrand Municipality is guided by a planning document called the Overstrand Spatial Development Framework (OMSDF). This document serves to ensure optimum spatial and socio-economic integration and to improve the overall efficiency of development within the region.

- 3.1.2 This approved forward planning document and plan gives Council, officials, the community, developers and consultants the necessary guidelines for future development, scale and densification.
- 3.1.3 The OMSDF recommends that all over its jurisdiction area, tourist facilities and ventures should be encouraged.

3.2 OVERSTRAND MUNICIPAL LAND USE PLANNING (OMLUP)

This application is submitted in terms of Section 16(2)(m) of the Overstrand Municipal Land Use Planning By-Law (2015).

This application requests that the Overstrand Municipality advertise and serves notices to identified neighbours for this land use application in terms of Section 16 of the OMLUP.

As the application is of an uncomplicated nature with minimal or no negative impacts on the surrounding area, only telephonic consultation was carried out with the planning official, Mr Henk Olivier to discuss the parameters and detail of formal application.

3.3 NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1999 (NEMA)

Not Applicable

3.4 NATIONAL HERITAGE RESOURCES ACT 25 OF 1999 (NHRA)

Not Applicable:

None of the activities listed under Section 38(a), 38(b), 38(c)-(i), (ii), (iii) and 38(d) are applicable to this application. It is therefore unnecessary to submit a Notice of Intent to Develop (NID) to the heritage authority.

3.5 LAND USE PLANNING ACT 2013 (ACT 3 OF 2013)(LUPA)

SECTION 53

Not Applicable:

The nature and scale of the proposal is not of Provincial importance.

SECTION 45(1)**Not Applicable:**

This section of LUPA states that a Municipality must refer a land use application to Province for comment if:

- a) a development is outside outer limit of urban expansion;
- b) the local authority has no approved Spatial Development Framework;
- c) rezoning of land for Agricultural or conservation purposes;
- d) a development as determined by the Municipal Manager;
- e) a development that affects a provincial functional area; and
- f) any land use application as may be prescribed for the purpose of supporting and strengthening the capacity of the Municipality.

The property is currently zoned Residential Zone 1 and situated within the Overstrand Municipality's jurisdiction area, inside the urban edge of Onrusrivier, as per the approved Overstrand Spatial Development Framework Plan.

It is our opinion than none of the above listed criteria are applicable to this application, and it is therefore unnecessary to direct the application to the Department of Environmental Affairs and Planning for comment.

4. PROPOSAL**4.1 ACCOMMODATION**

- 4.1.1 It is evident from the proposed footprint as indicated on the Concept Layout Plan 2 and proposed Site Development Plan 3, as compiled by L² Draughting Consultants that the structure will comprise 4 prominent sections.
- 4.1.2 Section A represents 5 guest rooms each with their own en-suite bathroom;
- 4.1.3 Access to the guesthouse is centrally located and is positioned to maximise the focus on the panoramic views over the Indian Ocean on entry.
- 4.1.4 The entrance also extends to an entertainment patio with a swimming pool.
- 4.1.5 Section B represents the public and recreational area that comprises an open plan sitting room, dining and kitchen area, a bar and indoor barbeque facility which are all directly linked

to the main entertainment area for guests/tourists. This zone is also linked to the owners lock up garages.

- 4.1.6 Section C forms a lower ground level which is linked to the ground floor with 2 en-suite guest rooms and entertainment functions.
- 4.1.7 The proposed guest house will be marketed on a Bed and Breakfast basis and no provision has been made for nor will self-catering be carried out by guests.

4.2 ACCESS AND PARKING

- 4.2.1 Access to the property is obtained from Yellowwood Street via an entrance that flows over into a formal paved parking area with provision for 7 parking bays for guests and staff.
- 4.2.2 The 7 guest parking bays are independent of the 3 lock up garages belonging to the owner and which form part of the main structure.
- 4.2.3 Sufficient and safe vehicular circulation is available on site as can be seen from the proposed SDP – **Plan 3**.

4.3 ADDITIONAL DWELLING UNIT

- 4.3.1 Section D represents a second dwelling unit, located on the most eastern corner of the property and is approximately 118m² in floor area which complies with the maximum permissible floor area of 120m². This section includes 2 en-suite bedrooms sharing a sitting room and kitchenette. This second dwelling section is earmarked for use by the guesthouse manager and his/her staff working for the guesthouse.

5. PROJECT MOTIVATION

5.1 FORWARD PLANNING PRINCIPLES

- 5.1.1 On closer inspection of the statutory documentation, it is clear that owing to the linear profile of the greater Hermanus area, specifically to the west (Sandbaai, Onrus and Vermont), the provision of guest houses becomes less frequent and more scattered. Within the Hermanus CBD and on the periphery of the CBD with a walking distance of 5 – 10 minutes to town, numerous guest houses with a wide variety of accommodation options such as hotels, B&B's and self-catering are

evident. These positions are ideal for the vast majority of tourists as most of the facilities are within walking distance of the CBD.

- 5.1.2 The applicant property however is geared more towards an eco-experience which is removed from the hustle and bustle of the CBD but within an exclusive residential area that is known for its peaceful tranquillity and views of the mountains and ocean. As such the tourist using this facility has their own transport and is more independent.
- 5.1.3 The Overstrand Spatial Development Framework Plan makes provision for and encourages a variety of tourist accommodation facilities to cater for all its tourists and visitors.
- 5.1.4 It can therefore be concluded that the SDF recommends the strengthening of the tourist sector and that the purpose of this application is to support the above planning principle.

5.2 TOURIST SUSTAINABILITY

- 5.2.1 The tourist industry is growing into one of the most important economic forces in the country and is the key economic driver Overstrand economy according to the municipality's Integrated Development Plan.
- 5.2.2 The local tourism sector is proactively involved and is striving to centralize the marketing of the region (from 4 different tourism offices) into a single office for form a uniform approach to attract more visitors.
- 5.2.3 This restructuring of tourism has been included as one of the priorities in the Integrated Development Plan of the Overstrand Municipality and was found necessary as the tourist landscape has undergone massive changes over the years.
- 5.2.4 The change is a holistic approach to roll out a uniform marketing plan with sustainability in mind for the Whale Coast to enjoy its several outstanding natural and manmade attributes, ie. Fernbos Nature Reserve, rocky coastline and paths for whale watching, flat beaches for safe swimming, coastal walkways, variety of restaurants, old buildings, markets, art festivals and excellent sporting facilities, etc.
- 5.2.5 The application for an upmarket guest house is definitely in line with this tourism approach both from a municipal and private sector perspective, and as such should be supported.

5.3 EXISTING CHARACTER AND CONTEXTUALITY

- 5.3.1 The Chanteclair residential suburb where the property is located, is considered as a high income residential area due to the large size of the

properties and prominent location with panoramic views over the entire Onrus and Vermont areas.

- 5.3.2 Due to the steep gradient of the properties against the Onrus mountain range, the average stand size of residential properties is greater than 1000m². The applicant property is over 2000m² with the majority of the surrounding properties all similar in size.
- 5.3.3 The majority of the dwellings that are developed on these properties comprise large footprints and are architecturally developed to include 4 – 5 bedrooms with separate domestic quarters.
- 5.3.4 As can be seen from the concept architectural sketch plans, the proposed guesthouse building footprint is in line with surrounding residences in the area, both contextually and in character.
- 5.3.5 The design endeavours to create space and buffers between neighbours and to ensure minimal negative impact. This is achieved by stepping the structures according to the decreasing, downward contours on the northern side to create view corridors for northerly located properties while the garden and driveway providing distance on the eastern seam with private rooms to the west and a steep gradient to the south that will be landscaped.

5.4 AMENITY VALUE

- 5.4.1 The proposed facility addresses the needs of the tourist / visitor, while the local community business sector will simultaneously benefit from the influx of visitors which results in an amenity value for the community as a whole.
- 5.4.2 The various art galleries, restaurants, bookshops and more specifically the informal sector from market traders, to car guards, as well as several cleaning services such as laundries and window cleaning firms that are involved in the tourist sector benefit with the provision of a guest house facility.

5.5 SPATIAL INTEGRITY

- 5.5.1 This application is for a formal guest house with a maximum of 5 rooms dedicated to tourism. Spatial integrity is not compromised as the property has the necessary space to accommodate on-site parking and vehicular circulation.

5.6 EFFECT ON THE NATURAL ENVIRONMENT

- 5.6.1 No negative effect on the natural environment is foreseen as the proposed facility is surrounded by existing residential development. No

horizon lines are broken and no endemic or scarce vegetation is located on the property that needs protection or special mention.

5.7 MUNICIPAL SERVICES

- 5.7.1 All municipal services are already installed and no special increase in service capacities is necessary or requires upgrading.

5.8 JOB AND TRAINING OPPORTUNITIES

- 5.8.1 As previously mentioned, the proposed facility is a positive contributing factor for the local building fraternity, landscaping specialists, cleaning services and other marginalized members of the community for ongoing maintenance and domestic services which supports Councils important principle of economic empowerment and growth to support its local people.

5.9 OTHER POTENTIAL NEGATIVE IMPACTS

- 5.9.1 **Visual** – although there are no prescribed architectural guidelines for the residential area, the responsible urban design principle of "consider your neighbour" forms an important element in the design of the proposed dwelling on Erf 4655.

The proposed building will comprise a Cape Vernacular pitched roof combined with rectangular structures and protected courtyards which has been used as a basis for the architectural design. Numerous houses around the property have a similar architecture, form, colour and texture which will combine well to harmonize with the surrounding environment.

- 5.9.2 **Scale** – as previously mentioned, the surrounding properties in the suburb are all characterized by large footprint/floor areas. The proposed development with a total floor area (guest rooms included) of +/- 850m² compares well with the surrounds and will fit in both in respect of mass and scale without dominating the residential landscape.

- 5.9.3 **Noise** – as previously mentioned, the location of the proposed facility is within a residential suburb where prospective guests are not located near restaurants, shops, malls and other facilities. The tourist that this facility is geared towards has their own transport and is looking for a more tranquil experience away from the noisy CBD. The type of person frequenting a guest house of this nature is usually older, takes holidays out of season, is wanting an eco-experience, and enjoys reading and relaxing versus the young, backpacker tourist who wants to be in the CBD, close to amenities and where the action is. The location and

quality of the proposed guesthouse caters to a more sophisticated tourist who appreciates and respects tranquillity and silence.

- 5.9.4 **Traffic** – the property has sufficient space to accommodate vehicles on site in accordance with the municipal requirements. No noteworthy increase in traffic is foreseen. The 12m road reserve of Yellowwood Street (a major residential vehicle collector) which provides direct access to the property has been designed to accommodate approximately 200 vehicles. The small turning circle, Black Eagle is ideally located on the southern boundary of the property and acts as a traffic calming element for the main residential collector. Black Eagle also provides a delay for vehicles seeking access to and from the driveway of the property.

6 SUMMARY & RECOMMENDATION

- 6.1 In the Cape Province, the tourist accommodation policy is that anyone may develop/ provide 3 rooms for use by tourists/guests in their home without having to make application to the local authority – this is a clear indication of how strong the Provincial Government feels in supporting the local tourism sector.
- 6.2 With the aforementioned policy in place, it is up to the public sector together with the local authority to generate and manage the provision of such guest house facilities. This in turn kick starts economic development through the provision of support facilities such as restaurants, cleaning services, job creation, etc.
- 6.3 From the aforementioned information and analysis, it is clear that the applicant's purposeful action is to develop the property in question to its full potential and to the benefit of the Overstrand community at large.
- 6.4 Since the sustainability of the tourist sector rests with the economic progress of expansion of facilities in the area, we respectfully request that Council approves this application to enable the professional team and architects to compile detailed municipal building plans for evaluation and approval.

It is important that this application be evaluated with due consideration to the value and contributing factors of social equity and local economic development that the proposed tourist facility will bring to the greater Hermanus area.

We trust the application will meet with Councils positive recommendation.

Should you have any further queries please contact the writer.

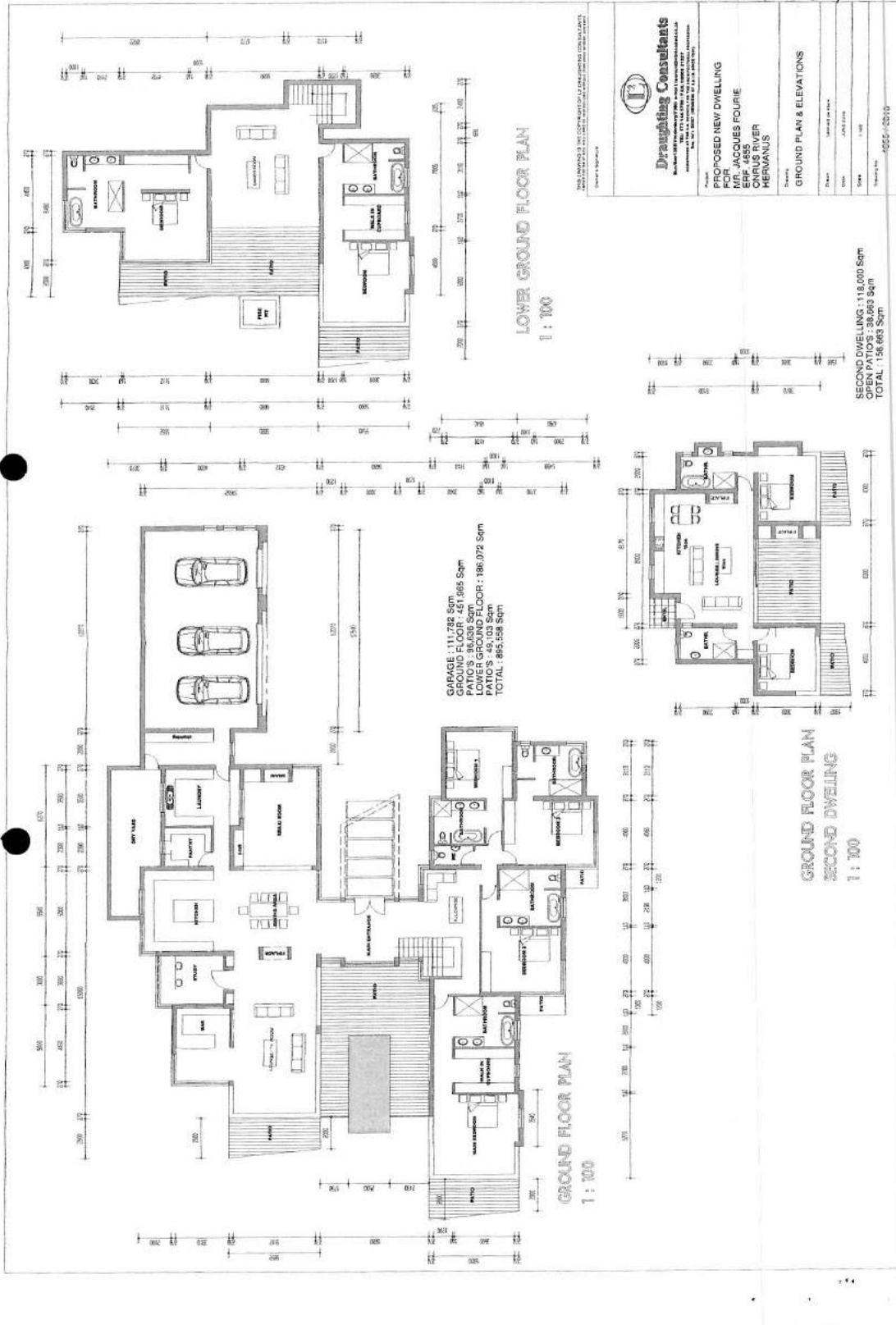
Yours sincerely

Francois du Toit

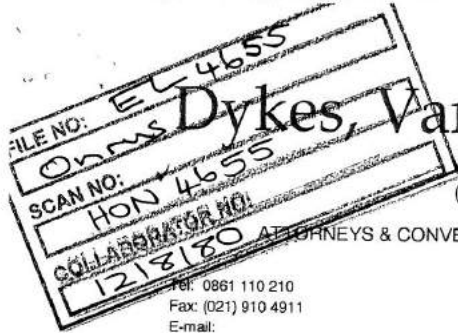
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ANNEXURE C 2/2



ANNEXURE D 1/8



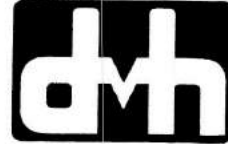
Onrus Dykes, Van Heerden (Cape) Inc

(Registration No : 2005/002436/21)

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Professionals striving
 for excellence

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 7536

Our Reference/Ons Verwysing:

Your Reference/U Verwysing

Date/Datum

VIA EMAIL: loretta@overstand.gov.za

**OVERSTAND MUNICIPALITY
 TOWN PLANNING**

Good Day Sir/Madam

RE: OBJECTIONS TO THE PROPOSED GUEST HOUSE IN CHANTECLAIR

ERF 4655, 26 YELLOWWOOD ROAD, ONRUS RIVER

Trust all is well.

We refer to the above matter and received instructions from the following owners to direct this letter to you:

1. Mr. Paul Kruger owner of Erf 5049 Onrus Rivier;
2. Ms. Mr. & Mrs. Terblanche and Mr & Mrs. Fish owners of Erf 5047 Onrus Rivier;
3. Mr. & Mrs. La Cock owners of Erf 4955 Onrus Rivier;
4. Mrs. Robson owner of Erf 4656 Onrus Rivier;
5. Mr. & Mrs. Bosman owners of Erf 5050 Onrus Rivier

Our clients are the registered owners of two erven situated on Leopard Rock which borders Chanteclair.

Our client's objects to the proposed guest house as their concerns are as follows:

1. The building has been progressing before any departures have been approved, the neighboring house next to the proposed erven where the building works has commenced is full of sand as the plot level has been raised to the mean by adding

Directors: P.A. Dykes B.Comm LLB, J. Van Heerden B.Proc, L. Slabbert BA B.Proc & E Hopkins B.Comm LLB LLM
 Assisted By: Lise Coetzee BA LLB, Elmaresia Hendricks LLB, Peet Van Rooyen BA LLB

TP 2 OCT 2018



huge amounts of sand.

2. The Guest House building contravenes many of the Design Guidelines of Chanteclair.
3. The property where the proposed guest house is situated is surrounded by long term owner-occupied single family dwellings;
4. Approval of the proposed guesthouse would change the entire area from a residential neighborhood into commercial area. The properties in this neighborhood was originally bought in this area for the peace and solitude, if this application is successful it will open the flood gates to more properties becoming commercial;
5. Additional traffic will be at all times of the day and night, this will result in unwanted congestion and noise. Having transient guests including staff and potential visitors as well as deliveries to the proposed guest house has the potential to create noise/traffic nuisance factors above that which would be expected in a residential zone;
6. The Applicant also cannot show a positive benefit for the community with his proposed guesthouse.

It is our further instructions to inform the Municipality to stop all work on this property until all the departures are in place.

We trust the above is in order and thank you for your considerations herein.

Yours Faithfully

Elana Hopkins


Dykes Van Heerden Attorneys

ANNEXURE D 3/8



Mnr en Mev Pieterse

21 Yellowwood weg

Chanteclair

7201

E-pos: fpjp@vodamail.co.za

TR A Theart
C Moliner)

5 Oktober 2018

Overbergstrand Munisipaliteit

Dorpsbeplanning

Meneer

FILE NO:	EL 4655
	Onrusrivier
SCAN NO:	HON 4655
COLLABORATOR NO:	1218795

Objeksie teen voorgestelde Gastehuis op erf 4655, Yellowwood Weg 26, Onrusrivier.

Skywyer hiervan is die geregistreerde eienaar van erf 4954, geleë regoor die beplande gastehuis met adres Yellowwoodweg 26, Onrusrivier.

Hiermee die teenkanting teen voormelde gastehuis seriatum soos volg:

- Ons het in Hermanus kom belê en veral in Chanteclair n' tuiste kom bou om te ontvug uit die vakansie en toerisme verkeer wat normaalweg nader aan die strandgebiede en besigheids areas is.
- Baie senior burgers verkies die stilte van die berg, die rustige omgewing en die veiligheid van min verkeer. Die voorgestelde gastehuis gaan ons as inwoners van al die bogenoemde elemente beroof. Die karakter en unieke woongebied geleenthede wat in Chanteclair tans bestaan, spesifiek vir pensionarisse en kinders, gaan verlore wees.
- Daar is net een ingang na Chanteclair. Die toegangspad bedien ook Kidbrook, Negester, Onrus Manor, Fernwood, Leopards Rock en die res van die residensiele erwe. Nog addisionele verkeer word nou ingebring.
- Die aansluiting van die verkeer vanaf die beplande gastehuis asook die verkeer vanaf Leopard Rock is 15 meter. Die aansluiting is reg in die draai waarvan n' juweliersbesigheid tans bedryf word (Yellowwood weg no 20) en dit gaan n' gevaarlike verkeerssituasie veroorsaak. Sig is beperk, aankomende verkeer van weerskante kan nie gesien word nie. Die verkeer in die draai waar aldie aansluit is nie sigbaar van alle kante nie.
- Die paaie in Chanteclair is net 5 meter breed wat beslis nie geskik is vir aflewingsvoertuie wat die gastehuis van voorraad gaan voorsien nie. Addisionele voertuie en verhoogte



ANNEXURE D 4/8

verkeer gaan die gebied nie slegs gevaarlik maak nie, maar ook die inwoners van Chanteclair ontnem van die voorreg om n' rustige oggend stappie (tussen 7h00 en 9h00) en (16h00 en 19h00) in die middag te neem.

- Tans is dit reeds moeilik om bymekaar verby te ry . Voertuie moet altyd stop veral as daar n voertuig langs die pad geparkeer is en twee ander moet kruis.. Die pad is net eenvoudig te nou. Slegs die bou van n huis is die area skep vir daardie boutydperk verskeersprobleme.
- Daar is reeds meer as 170 gastehuse in Hermanus. Kan ons Chanteclair dan nie behoue laat bly soos dit tans is en wat ons as inwoners gemotiveer het hier te koop. Rustig, veilig en geskik vir heerlike stappies saam met ons troeteldiere, met beperkte verkeer en inwoners wat mekaar respekteer uit die aard van dieselfde lewensbelang. Gastehuse is winsbejag en besoekers aan gastehuse het geen erg aan die waardes wat inwoners noodwendig heg aan hul woonareas en hulle beleggingsbelange nie.
- Die "OMSDF" maak nie voorsiening vir gastehuse in Chanteclair nie. Alle erwe in Chanteclair is residensieel 1 gesoneer.
- Die dorpsbeplanningskema vir spesifieke areas voorsien heel moontlik nie vir die opsie om gastehuse in n' unieke area waar daar beperkte infrastruktuur beskikbaar is toe te laat nie. Dit sal die area se unieke karakter verander. Daar is heel moontlik areas in Hermanus waar kommersiële eiendom vir gastehuse beskikbaar is.
- "Spot Zoning set a precedent" vir toekomstige ontwikkeling wat kan ontaard in vele onaantvaarde besigheids opsies in n geslote en beperkte woonarea.
- Op die huidige aansoeker se planne word die beplanning aangedui vir 5 kamers met twee woonareas vir personeel en drie motorhuse. Die intensie van die huidige aansoeker kan in goeder trou aanvaar word as die realiteit. Indien die huidige eienaar die eiendom verkoop staan dit die volgende eienaar, wat roekeloos kan optree vry om die personeelbehuising te omskep in nog kamers, drie motorhuse in konferensie fasiliteite, asook die slaapkamer in die hoofhuis as n' addisionele inkomstegenererende akkommodasie aan te wend. Hierdie is nie n versoek om n bestande huis (soos beplan) op n beperkte aanpassing vir n gastehuis te gebruik nie maar juis om n totale toerisme akkomodasie eenheid binne n residensiële area te vestig.
- Goedkeuring van kommersiële planne kan verreikende gevolge vir die inwoners van Chanteclair inhou. Die woongebied huisves ook die Rooipensie skilpadjies waarvoor al die inwoners van Chanteclair n passie het om te beskerm. Die beperkte paduitleg, verhoogte verkeer en besoekers wat nie die beskermingspassie van Chanteclair inwoners deel nie skep n wesenlike risiko vir die diertjies in die area.
- Hobbit House in Bloemfontein het begin as n vierslaapkamer gastehuis. Tien jaar later was dit n Boutique Hotel met eetplek, dranklisensie, konferensie geriewe en 12 slaapkamers. In die

ANNEXURE D 5/8

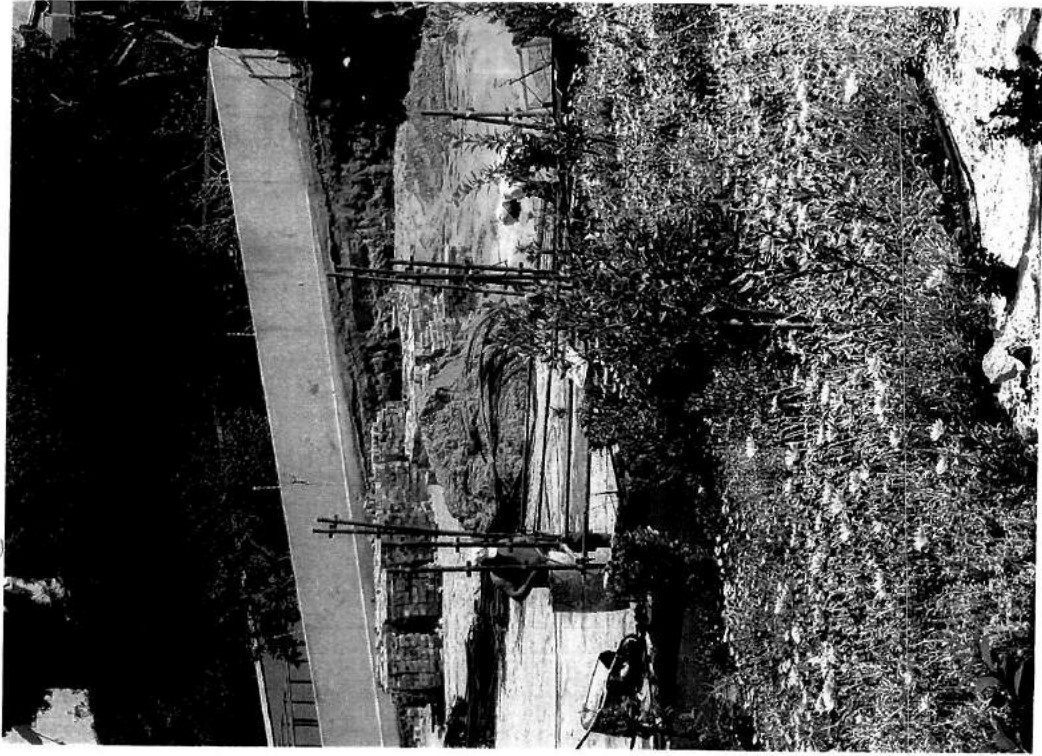
besondere geval kan besigheidsuitbreiding onomkeerbaar word as toestemming eers toegestaan is.

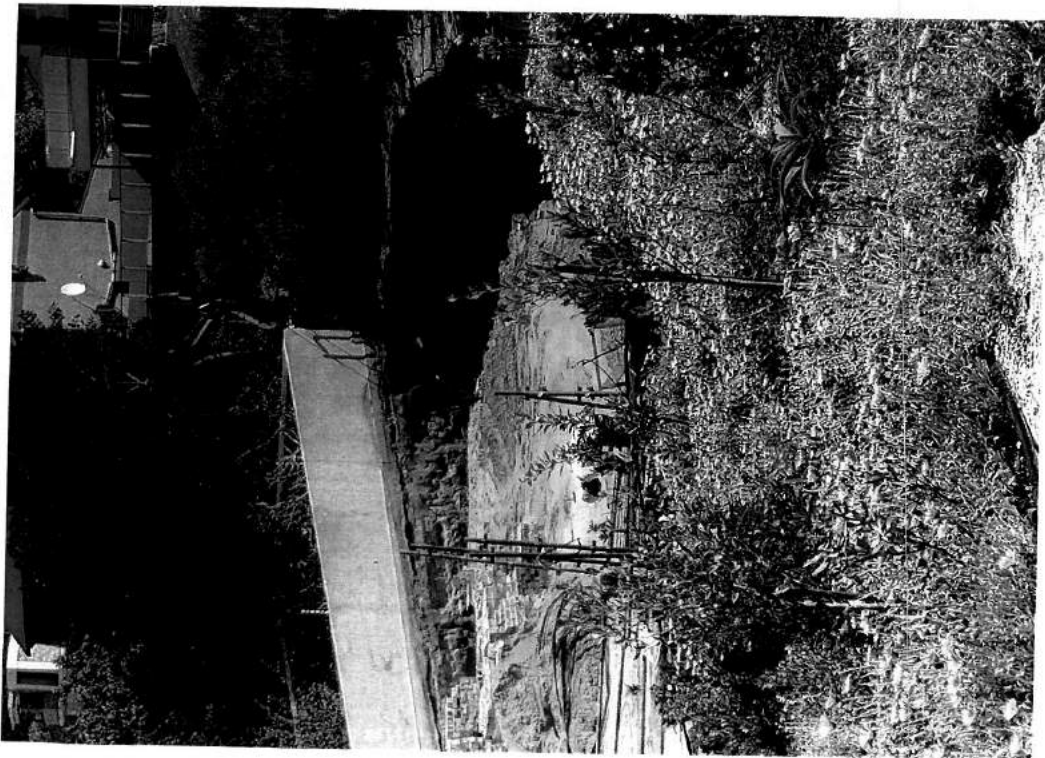
Dit is die mening dat Chanteclair nie gekommersialiseer word nie en dat primere status as woongebied oorwegend gehandhaaf moet word.

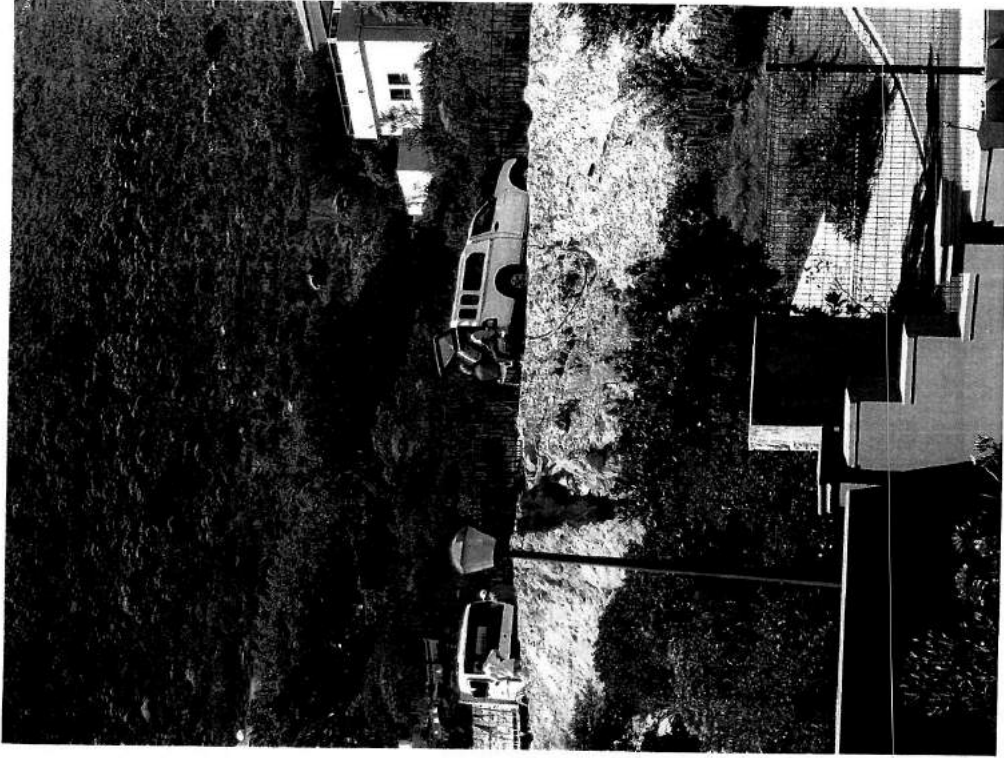
Ons versoek dus dat die goedkeuring vir die aansoek asseblief nie toegestaan word nie.

Byvoorbaat dank

Frik & Alida Pieterse
0827740859







TR A Thea
(H Olivier) ANNEXURE E 1/8
1

18 October 2018

EMAIL

TO: Overstrand Municipality
HERMANUS
Mr Henk Olivier

IS: ERF 4655, 26 YELLOWWOOD ROAD ONRUSRIVIER,
REPLY TO COMMENTS/OBJECTIONS



**CREATIVE
PROFILE**

PO Box 6590 * Welgemoed * 7538
email - profile@netactive.co.za

Dear Henk

The above mentioned application for a proposed consent use on behalf of CLATCO INVESTMENTS CC refers.

The following two objections were received from the public participation process as sent through by the Overstrand Municipality on 9 and 10 October 2018:-

- Mr & Mrs Pieterse – Erf 4954
- Dykes, Van Heerden (Cape) Inc.

For ease of reference and based on similarities between the objections, both objections will be addressed under specific points with our response under each paragraph.

1. Building has been progressing before plan/consent approvals

Creative Profile

The works in progress entail ground works and retaining walls on the boundaries (as indicated on attached plan) which are to be finalized and the building site closed and secured before the December 2018 builder's shutdown. Engineering plans for the retaining walls have been submitted to the municipality for approval. No development or building in respect of primary structures will commence until such time as the written approval for buildings plans has been issued by the relevant authorities.

FILE NO:	EL 4655
	Onrusrivier ✓
SCAN NO:	HON 4655
COLLABORATOR NO:	1226904

DIRECTOR: AFO DU TOIT PR PLN NO. 1226904
COMPANY REG NO 2016/005796/07

TP 31 OCT 2018

2. The proposed guesthouse contravenes many of the Chanteclair Design Guidelines

Creative Profile

This comment is refuted. The building plans have not yet been finalized or approved by the local authority. The municipal aesthetics' committee or their representatives will take a decision when processing the final plan approval or make recommendations regarding design aspects and certainly not comment from non-specialists in the discipline of architectural design.

Furthermore, it is clearly evident from a visual assessment when considering current architectural design of all houses in the Chanteclair suburb, that one cannot suggest that a strict set of architectural guidelines have been followed in the area. On the contrary, there is absolutely no evidence of any unifying architectural guidelines evident in Chanteclair with various roof forms, colour schemes, exotic architectural styles, various window sizes, etc the order of the day. It is therefore doubted whether any architectural guidelines are enforced or even if architectural guidelines indeed exist for Chanteclair.

3. The quiet character of Chanteclair will be lost through commercialization of the residential area and the flood gates will open for more properties to become commercial

Creative Profile

- Firstly, one must assess the definition of a quiet character. Chanteclair is characterized by enormous single residential properties on considerably larger than the norm land parcels with accompanying large gardens and a low residential density.
- These aforementioned characteristics will still be there (with a guesthouse) as there are no further densifications or sub divisions. The planned structure does not by any means depart from the municipal scheme regulations and no rezoning has been applied for. It is therefore considered misleading and wilful to suggest that the floodgates will open for more properties to become commercial. **No application has been made for a commercial zoning or facility, while Council's forward planning for the area makes it impossible for commercial development to occur in Chanteclair.** As such there is no similarity between Chanteclair and a purported Bloemfontein situation.
- As set out in the motivational report, the proposed guesthouse is designed to accommodate the more eco-oriented tourist. It is usually older and informed visitors who would rather be closer to nature, surrounded by mountains, indigenous vegetation and panoramic views. These visitors are more passive by nature and have their own transport and visit the sights in the area. They are not the same as the younger, trendy or backpacker set who rather wish to stay within the Hermanus CBD where restaurants and pubs are the attraction and must be within walking distance of their accommodation.
- An assessment of other guest houses elsewhere in Onrusrivier clearly indicate that they have not initiated any change in the character of the residential

area or surrounding areas but rather created lasting, positive experiences and friendships between visitor and landlord.

It is the opinion of the writer that this statement is unreasonable and biased as the motivational report addresses this aspect through a number of matters in respect of forward planning for Chanteclair.

4. The applicant cannot show a positive benefit for the community by providing a guesthouse.

Creative Profile

- This statement is considered by the writer as a particularly poor assertion from a legal firm who seem unwilling or unable to grasp or have not conducted sufficient research in respect of local government's promotion of economic development primarily in the Western Cape, Overberg and West Coast areas.
- There can never be enough emphasis made around the fact that the local economy of the Overberg region is primarily reliant on the tourism sector (both international and domestic) for its income.
- Hermanus, Onrusrivier and surrounds cannot rely solely on retirees for economic progress and have been dependent on tourism for more than a decade. As such a variety of facilities need to be established, including various types of accommodation, restaurants, supporting services and associated tourism trades in order support this economic sector. See article attached regarding the local tourism association which is self-explanatory and which supports the aforementioned comment.

5. Chanteclair must not be commercialized and must remain a predominantly residential area – there are many permanent (long-stay) residents here.

Creative Profile

- As previously mentioned – there is no application made for a commercial land use as this would have required an application for rezoning. This accusation is incorrect, misleading and does not address the merits of the guesthouse.
- The municipalities of the Western Cape, Overberg and West Coast regions are so resolute about promoting tourism and self-sufficiency in respect of generating income through entrepreneurship, **that approved forward planning documents make it possible for all land owners to utilize their property as a guest house without obtaining municipal or surrounding land owners approvals and input**, on condition that no more than three (3) guest rooms with sufficient parking are provided on site and the owner or manager lives on the premises. Only when more than 3 guest rooms (as in the case of Erf 4655) will be provided, must application be made for a consent with the maximum permissible rooms being five (5).

6. The OMSDF does not make provision for guest houses in Chanteclair

Creative Profile

- See last bullet of Paragraph 5 – any residential property may accommodate a 3 bedroomed guest house.
- The OMSDF promotes tourist attractions and tourism in general and accommodation options such as guesthouses form a vital part of this economic sector.

7. Additional traffic will cause unwanted congestion and noise on the property with poor traffic connection and visibility.

Creative Profile

- Allegations in respect of poor traffic visibility at the entrance to Erf 4655 are false. The road directly in front of Erf 4655 comprises a purposefully constructed "island" in Yellowwood Road with a circular entrance road. As such, **access to Erf 4655 does not occur directly from Yellowwood Road, but rather via a service lane that ensures a safe and level road connection.**
- Yellowwood Road forms a semi-circular traffic collector (Class 5 b – residential loop) that collects traffic from the north eastern portion of Chanteclair and channels traffic to the primary Chanteclair Avenue (Class 5 a).
- Yellowwood Road with its 13 meter road reserve is designed to serve 120 residential erven and up to 300 passenger car units (pcu's) in the Chanteclair road hierarchy and can be defined as a road order that serves traffic with a local character (reference: Guidelines for provision of Engineering Services).
- In accordance with the latter guidelines, the developed road hierarchy has sufficient capacity to accommodate the proposed guesthouse. Furthermore it is not a tendency for a 5 bedroomed guesthouse to enjoy 100% occupancy at a given time and as such vehicles at such a facility rather reflect that of a larger family with grown children who have their own transport.
- Based on the **slow speed and low vehicle flows** due to relatively steep topography in the area together with the large plot sizes of Chanteclair, we do not agree that the proposed guest house will generate any remarkable, additional traffic volumes or congestion.
- The relatively short route from the R43 via a short drive along Chanteclair Avenue to Yellowwood Road is favourable for prospective guesthouse visitors and residents as this short route **does not draw traffic through an entire residential area** which is the case with 4 to 5 of the other guesthouses located on the western seam of Chanteclair.
- Yellowwood Road also comprises a series of circles that act as traffic calming mechanisms and this contributes to slower traffic speed and consequently much quieter, safer and pleasant living conditions.

SUMMARY AND RECOMMENDATION

From the aforementioned comments on objections and the 3D architectural modelling (attached), it is clear that the owner of Erf 4655 is planning a high quality structure and guesthouse which is aesthetic and conforms to the design and scale of surrounding properties.

All scheme regulation limitations with regards to mass, height, building lines, etc have been respected and there is no application for departures in this regard.

Furthermore, the guesthouse does not offer conference facilities, exhibition space, restaurants or comprise a boutique style hotel with commercial rights as claimed by the objectors.

The proposed guesthouse **is in line with the forward planning principles that are prescribed by Council.** It is the writer's opinion that the facility will play a positive role in the economic progress of the tourism sector in respect of providing additional accommodation while generative additional income for cleaning services, gardening services, etc.

Although certain fears of owners can be recognised, it is the writer's opinion that the majority of the objections are unfounded and **do not address the merits of the application.** Most of the statements made by the objectors are considered partial with no substantive motivation or facts to support their complaints.

The provision of a guesthouse will have minimal or no negative impact on the visual streetscape, the traffic circulation or character of Chanteclair (as already proven through the existence of other quality guesthouses in the suburb), but will certainly **address the need for a variety of accommodations within the tourism sector.**

Therefore, we respectfully request Councils' approval of the application to enable the architect to finalize the detailed municipal building plans and in so doing ensure economic growth in the area.

Should there be any further queries, please contact the undersigned.

Kind regards
Francois du Toit
Creative Profile Stadsbeplanners (Pty) Ltd
0827714955



'Hermanus is dependent on tourism'

How often have we all heard this sentiment expressed by a permanent resident or a 'swallow'? Events over the past few weeks have shown us how true this is, writes **DR ROBIN LEE** of the Hermanus History Society.

The evidence is cancelled bookings and postponed holidays. Tourism lesson Number 1: While the provision of basic services, access to facilities and a sense of personal safety may never be consciously articulated by the tourists, take away any of these and the tourist bonanza comes to an abrupt halt. But first a definition, so we know what we are speaking about:

Tourism comprises the activities of persons travelling to and staying in places outside their usual environment for leisure, business and other purposes for greater or lesser periods of time, but for not more than one consecutive year.

We also need to consider terminology. No one in Hermanus during the 19th and first half of the 20th century had ever heard of 'tourists'. Those visiting the town for leisure, business and other purposes, were either 'visitors' or 'guests'.

Two things happened in 1896 that started the history of tourism in our town. Walter MacFarlane opened the Victoria Hotel on the north-east corner of Main and Harbour Roads, mainly to accommodate commercial business travellers proceeding to Stanford, Gansbaai and beyond. And Dr Joshua Hoffman opened a medical facility known as the Sanatorium, to catch the first waves of what we would now call 'medical' or 'wellness' tourism. This is the earliest example of 'international tourism' we have.

The word spread and soon other visitors were coming to Hermanus, seeing it as a quaint little fishing village and place to



Families bathing at Voëlkop beach in the 1930s.

PHOTOS: Old Harbour Museum



The Gearing family's holiday home, The Anchorage, in the 1930s.



Meester Paterson in the 1940s.

A young Joey Luyt in the 1930s.

Princess Alice first visited Hermanus in 1924.

spend a rural holiday. The Gearing's, for instance, of Gearing's Point, rented a holiday cottage every year from 1900 to 1912, when Sydney Gearing retired and bought the holiday cottage. Known as The Anchorage it exists still in Marine Drive next to the Harbour House Hotel.

After World War I a prominent figure in Hermanus history became involved in tourism. WH (Meester) Paterson, school teacher, school principal, first Town Clerk and eventually Mayor, was an amateur but very knowledgeable botanist. He started conducting walks in the areas covered in 'wild flowers' around the town. (The term ' fynbos' had not yet come into use.) He was motivated by the beauty of the flowers, but also by a very Victorian impulse to accumulate knowledge and to convey this to others. His first audiences were children in the Klipskool. But soon he was leading small groups of residents and visitors on botanising walks.

In her memoirs, Joey Luyt, wife of the owner of The Marine Hotel, mentions her interest in 'wildflowers' conversation several times and the deliberate promotion of fynbos as a reason to visit Hermanus took off in the early 1920s. It all began when the Governor General, the Earl of Athlone visited Hermanus in 1924, with his wife, Princess Alice:

Princess Alice was a keen mountain climber, and, at her request I arranged an outing for her the next day. I asked Meester Paterson, who knew our mountains very well, to accompany her. They went by car to Hemel-en-Aarde and climbed up the mountain there, descending on the Hermanus side via the Olifants Pad.

The enthusiasm shown by Princess Alice persisted. A couple of years later the Athlones were back in Hermanus. In the autumn of 1926 the Earl of Athlone came to Hermanus once more, to open our Wild Flower Show. He was accompanied by Princess Alice, who was very interested in the flowers of the countryside.

We can see here another prominent feature of tourism in Hermanus in the early 20th century. Established families and businesspeople actively promoted the town wherever they had influence. Sir William Hoy was a leader in this and used his position as General Manager of South African Railways to spread the word about Hermanus.

Many international visitors to the three top hotels (The Marine, Bay View and Riviera) did the same. P J Luyt of The Marine also instated a series of 'clubs' in which guests were enrolled. They met other guests and locals and developed a preference for returning to Hermanus next year. Luyt also secured international press coverage of Bill Sinclair's world-record shark which brought many anglers to the town who were enrolled in the Angling Club.

Meanwhile, a silent revolution was taking place in Voëlkop. Homes were being built as 'second' or 'holiday' homes, at first mostly for families taking regular holidays in Hermanus. Later, these were increasingly rented out to other families and like to members of the public. The holiday home industry grew up, catering to families for whom hotel holidays were too expensive. This group must be regarded as tourists and make up a reliable annual market that exists today.

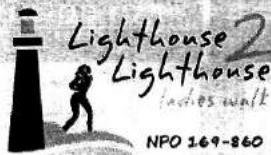
One species created the tourism niche that currently underpins tourism in the town: southern right whales. I cannot find evidence that anyone in the tourism business anticipated this bonanza. After killing of these animals ceased in the late 1970s, no-one could estimate whether the numbers of whales would increase and whether they would re-appear on the Cape Whale Coast. They have turned up in numbers and revived the ecotourism market dramatically. Of course, they could suddenly go away if tourists pester them.

In summary there are the following points to be made:

- Organised tourism has been taking place in Hermanus for well over 100 years.
- At first: it grew by demand as a function of the general development of the Overberg.
- By 1920 businesses and individuals started to plan and act strategically to grow specific tourism 'niches'.
- As an ecotourism destination, two aspects underpin the Hermanus tourism market: fynbos and whales.
- Popularity as a tourist destination is fragile. Failures in local government service delivery can quickly have a negative effect.

The author welcomes any comments or additional information. He can be contacted at robinlee@hermanus.co.za

CALLING ALL INTERESTED CHARITIES TO APPLY FOR LIGHTHOUSE TO LIGHTHOUSE 2019



NPO 169-860

CLOSING DATE FOR APPLICATIONS
2 JULY 2018

APPLICATIONS CAN BE EMAILED TO:

admin@lighthouse2lighthouse.co.za

Please note that no late applications will be considered.

All Interested NPO and PBO Registered charities must send a one page document highlighting the following: History, Purpose, Type of Intervention, sustainable aims for the next year, funds needed with detailed cost analysis, proof of previous efforts to raise funds.

Munisipaliteit – U-Masipala – Municipality
OVERSTRAND

INTERNAL MEMORANDUM

Aandag / For Attention:	Town Planning department: H. Olivier	Van / From:	Department: Operational Services
Afskrif / Copy:		Datum / Date:	12 October 2018

Ref: Erf 4655, Onrus River

RE: APPLICATION FOR PROPOSED CONSENT USE, ERF 4655, ONRUS RIVER.

The request for comment from the Department: Operational Services (Hermanus) dated 31 August 2018 with regard to the abovementioned proposal refers.

The proposal is made in order to:

- Establish a guest house on Erf 4655

1. ANALYSIS

1.1. Water

1.1.1. The existing water connection to Erf 4655 shall be used to service Erf 4655.

1.1.2. The proposed consent use will not have a significant impact on the existing municipal water supply network. The Directorate: Infrastructure and Planning must however give comment with regard to network capacity and the relevant Bulk Services Levies.

1.2. Sewer

1.2.1. The existing sewer connection to Erf 4655 shall be used to service Erf 4655.

1.2.2. The developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage.

1.2.3. Any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Department: Operational Services.

1.2.4. The proposed consent use will not have a significant impact on the existing municipal sewer system. The Directorate: Infrastructure and Planning must however give comment with regard to network capacity and the relevant Bulk Services Levies.

C:\Users\ymarx\Desktop\departures\Consent use\Erf 4655, Onrus River 2018-10-12.docx

1.3. Streets

- 1.3.1. Access can be obtained via Yellowwood Road.
- 1.3.2. Any additional and / or extended vehicle entrances will be for the owner's account.
- 1.3.3. 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 must be made to the office of the Senior Manager: Operational Manager: (Hermanus) for written approval.

1.4. Storm water

- 1.4.1. The "Common Law" shall apply with regards to storm water discharge.

1.5. Parking

- 1.5.1. "On-site parking" must be provided. The parking areas are to be provided at a ratio as described by the Town Planning Scheme, with permanent surfaces and layout to the satisfaction of the Department: Operational Services.
- 1.5.2. It is noted that the parking layout as proposed in the application does not appear to be practical. The Directorate: Infrastructure and Planning must however give comment with regard to the parking layout- and / or traffic engineering related matters.

1.6. Other services

- 1.6.1. The Department: Operational Services does not have any information regarding any Telkom-, other telecommunications- and / or Electrical services which may be affected by the proposed development. The Electrical- and Traffic departments, as well as Telkom and other relevant service providers, must therefore also give their recommendations regarding the application.

1.7. Refuse removal

- 1.7.1. The proposed development on Erf 4655 must be provided with a central refuse collection facility, which must comply with the standards of the Department: Operational Services (Hermanus).
- 1.7.2. Refuse will be removed from sidewalks as per municipal arrangements.

1.8. Irrigation water

- 1.8.1. No irrigation water is available in this area.

1.9. Waste Water Treatment Works (WwTW)

- 1.9.1. The proposed consent use will not have a significant impact on the Waste Water Treatment Works. The Directorate: Infrastructure and Planning must however give comment with regard to the relevant Bulk Services Levies.


1.10. Bulk Water Supply

- 1.10.1. The proposed consent use will not have a significant impact on the bulk water supply, reservoirs or other bulk water infrastructure. The Directorate: Infrastructure and Planning must however give comment with regard to the relevant Bulk Services Levies.

2. RECOMMENDATION

- 2.1. With regard to the application for the proposed consent use on Erf 4655, Onrus River towards establishment of a guest house, the **Department: Operational Services has no objection to the application, subject to the following conditions:**
- 2.1.1. That the existing water- and sewer connections to Erf 4655 shall be used to service Erf 4655.
- 2.1.2. That any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Department: Operational Services.
- 2.1.3. 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*.
- 2.1.4. That any additional and / or extended vehicle entrances will be for the owner's account.
- 2.1.5. 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 Area Manager: Hermanus for written approval.
- 2.1.6. That, as it is noted that the parking layout as proposed in the application does not appear to be practical, that the Directorate: Infrastructure and Planning give comment with regard to the parking layout- and or traffic engineering related matters.
- 2.1.7. That the proposed development on Erf 4655 be provided with a central refuse collection facility, which must comply with the standards of the Department: Operational Services (Hermanus).
- 2.1.8. That refuse will be removed from sidewalks as per municipal arrangement.
- 2.1.9. That the Electrical- and Traffic Departments, as well as Telkom and any other relevant authorities and service providers not have any objections to the application.

Yours faithfully



T.I. Marx
Principal Technician: Operational Services
Hermanus



J. de Villiers Pr. Eng.
Senior Manager: Operational Services
Hermanus

ANNEXURE G

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: ERF 4655, ONRUS RIVER (4141)**

Stormwater (SW) : In order
 Electricity : Escom
 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 should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that any commercial food preparation facilities (e.g. restaurant/guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Department: Operational Services;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of *SANS 10400 – P:2010: Drainage*;
5. 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 Area Manager: Hermanus for written approval;
6. that stormwater be allowed to discharge through Erf 4655, Onrus River, unobstructed;
7. that any additional and / or extended vehicles entrances will be for the owner's account;
8. that the proposed development on Erf 4655 be provided with a central refuse collection facility, which must comply with the standards of the Department: Operational (Hermanus);
9. that refuse will be removed from sidewalks as per municipal arrangement;
10. that no on-street parking be allowed.

p.p. R. Hendriks
 DENNIS HENDRIKS
 SENIOR MANAGER:
 ENGINEERING SERVICES

01/11/2010
 DATE



TP - A Theart
(Holmner)

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

FILE NO:	EL 4655 - HON
SCAN NO:	HON 4655
COLLABORATOR NO:	1216318

Candice Spammer

Tel: 021 414 5582

Fax: 086 480 0617

Email: spammec1@telkom.co.za

Our Ref.: WWIP_WONR3011_18

Your Ref.: 4655 HON 4141

01 October 2018

Attention: S Muller

Overstrand Municipality
HERMANUS

PLANT AFFECTED:

PROPOSED CONSENT USE: ERF 4655, 26 YELLOWWOOD ROAD, ONRUS RIVER

With reference to your application received **August 2018**.

As important cables and other infrastructure are affected, please contact our representative Frederik Swart at 028 514 1199 / 081 363 7815 / Frederiks@openseve.co.za and 48 hours prior of commencement on construction work.

I hereby inform you that Open Serve approves the proposed work indicated on your drawing in principle. This approval is **valid for 12 months only**, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per sketch attached, Open Serve infrastructure **will be affected**, consequently the conditions below and on the attached legend will apply.

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001



Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully


pp _____
Selwyn Bowers
Operations Manager
Wayleave Management: Western Region

PLANT AFFECTED : COPPER

This wayleave, Reference Number **WWIP WONR3011 18** is valid for 12 months from date hereof and is subject to the following conditions:

1. No mechanical plant or vibrator type compactors may be used within three meters of any Open Serve Plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and **Frederik Swart** at Telephone No **081 363 7815** must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of the Open Serve Plant will be indicated on site.
3. A written request must be submitted to Open Serve for consideration, should the of the work, upon which the actual location of Open Serve Plant will be applicant require our plant to be relocated. The cost of such a relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existance of the indicated plant and to notify Open Serve immediately, should the applicant locate any Open Serve Plant which is not indicated on the plans.
5. Should the applicant expose any Open Serve plant, the safeguard thereof will be the applicant's full responsibilty.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for any damage or loss as a result thereof.

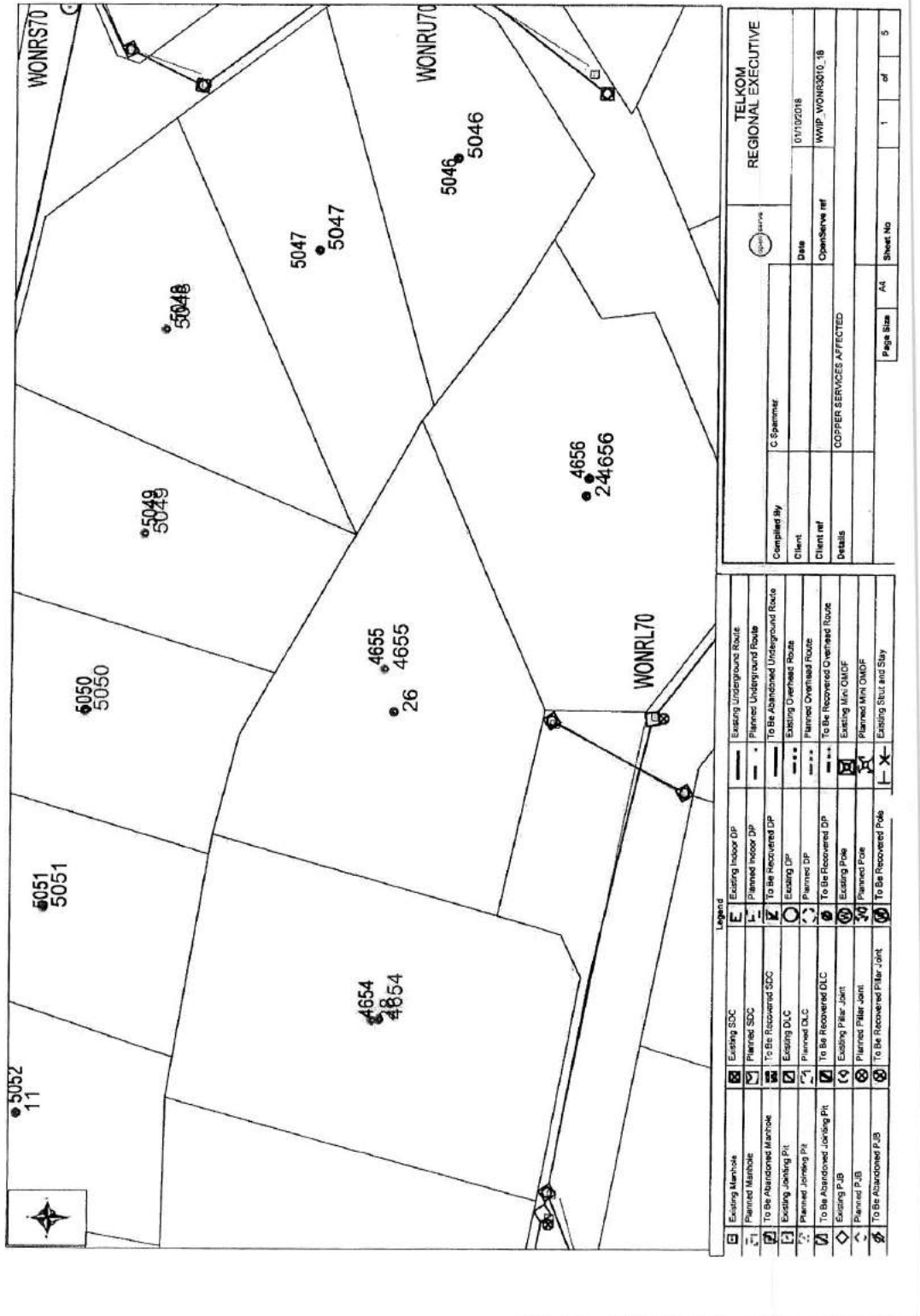
Date: 2018/10/01

By: C Spammer
For Regional General Manager
Western Cape

Legend	Green
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	



ANNEXURE H 4/4



Completed By		C Spawmer	DATE	01/10/2018
Client			Date	01/10/2018
Client ref			OpenShare ref	WHP_WONR5010_18
Details		COPPER SERVICES AFFECTED		
Page Size		A4	Sheet No	1 of 5

Existing SDC		Existing Indoor DP	Existing Underground Route
Planned SDC		Planned Indoor DP	Planned Underground Route
To Be Recovered SDC		To Be Recovered DP	To Be Abandoned Underground Route
Existing DLC		Existing DP	Existing Overhead Route
Planned DLC		Planned DP	Planned Overhead Route
To Be Recovered DLC		To Be Recovered DP	To Be Recovered Overhead Route
Existing P/B		Existing Pole	Existing M/GMP
Planned P/B		Planned Pole	Planned M/GMP
To Be Recovered P/B		To Be Recovered Pole	Existing Shut and Stay

TELKOM REGIONAL EXECUTIVE



OVERSTRAND MUNICIPALITY

TP-A Theart
(Holinier)

Date:
12.09.2018

Enquiries:
Mr David Williams
Tel: 021 980 3102
Fax: 021 980 3053

Attention: Loriaan Isaacs

WAYLEAVE APPLICATION – ERF 4655 - ONRUSRIVER
OUR REF: 03188/18

I refer to your letter dated 03 September 2018.

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

1. Should it be necessary to relocate / support any of the existing services, at least 3 months notice in writing is required and the cost will be entirely for the account of the Developer / Applicant.
2. Eskom's right on the properties not to be affected.
3. All services indicated on included drawing to be verified on site (by Applicant)
4. Enclosed find a copy of the **Occupational Health and Safety Act (Act No. 85 of 1993)**
5. (i) Included drawing indicates existing Eskom services in the vicinity and is for information / planning only and should not be issued.
(ii)(a) This is not an approval for applicant to undertake any work in close proximity of Eskom's services in proposed area as indicated on included drawing.
(b) Formal application must be made to Eskom, Land Development, P.O.Box 222, Brackenfell, 7561 – Esack Daware.

Yours faithfully

David Williams
LAND DEVELOPMENT (BRACKENFELL)

FILE NO:	EL 4655-HON
	Chanteclair
SCAN NO:	HON 4655
COLLABORATOR NO:	1208499

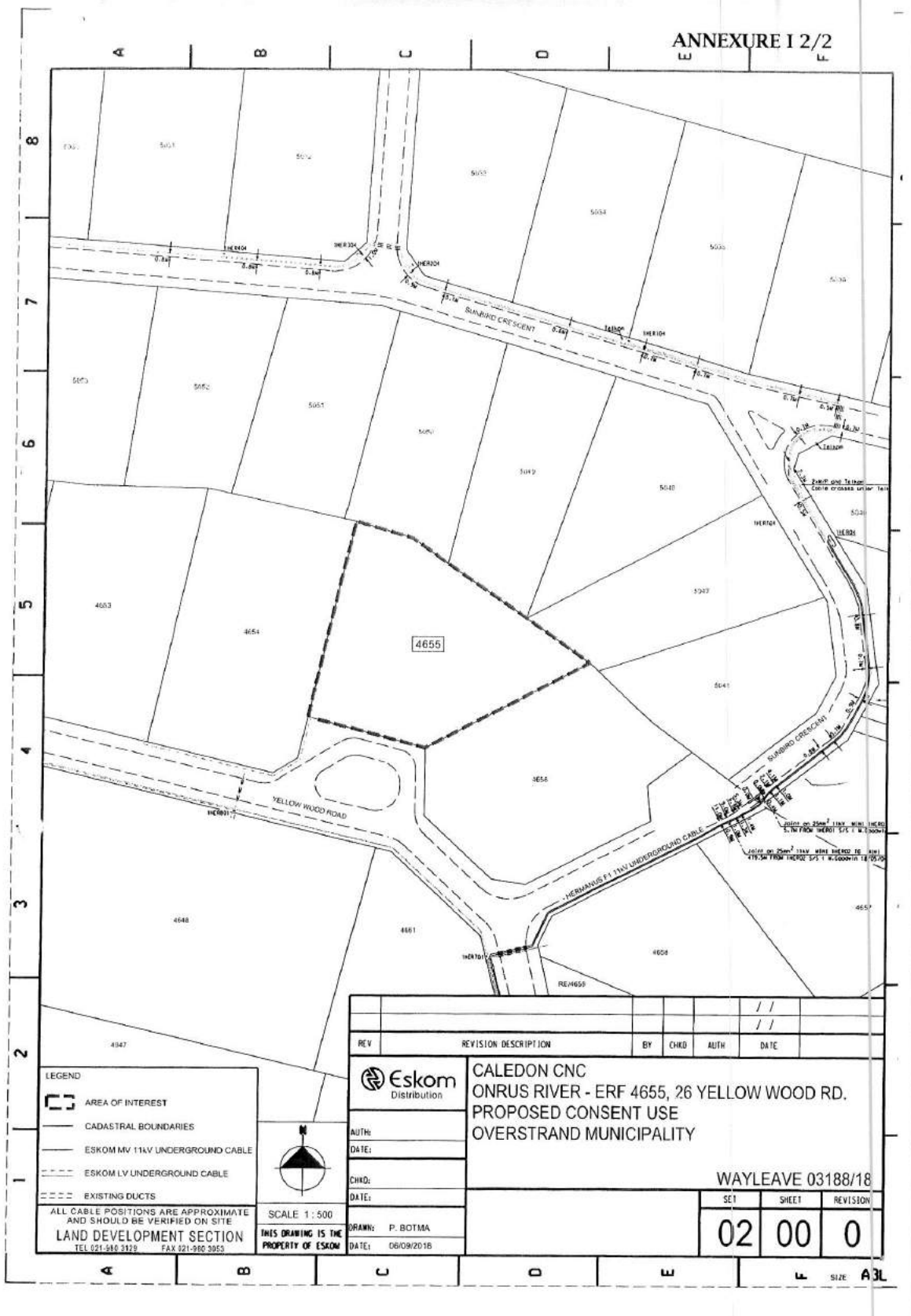


Western Region
Eskom-Brackenhell 7560 PO Box 222 Brackenfell 7561 SA
Tel +27 86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/06



ANNEXURE I 2/2



LEGEND

- AREA OF INTEREST
- CADASTRAL BOUNDARIES
- ESKOM MV 11kV UNDERGROUND CABLE
- ESKOM LV UNDERGROUND CABLE
- EXISTING DUCTS

ALL CABLE POSITIONS ARE APPROXIMATE AND SHOULD BE VERIFIED ON SITE

LAND DEVELOPMENT SECTION
TEL 021-880-3339 FAX 021-260-3053

SCALE 1:500

THIS DRAWING IS THE PROPERTY OF ESKOM

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

Eskom Distribution

**CALEDON CNC
ONRUS RIVER - ERF 4655, 26 YELLOW WOOD RD.
PROPOSED CONSENT USE
OVERSTRAND MUNICIPALITY**

WAYLEAVE 03188/18

SET	SHEET	REVISION
02	00	0

DRAWN: P. BOTMA
DATE: 06/09/2018

SIZE: A3L

ANNEXURE J 1/2



STANDARD REQUIREMENTS FOR OPERATION OF AN ESTABLISHMENT CLASSIFIED HOSPITALITY – H5 - GUEST HOUSE, BED & BREAKFAST OR SELF CATERING TOURIST ACCOMMODATION IN ANY H3 OR H4 CATEGORY BUILDING IN TERMS OF THE NATIONAL FIRE PROTECTION REGULATION SANS10400T:2011

**ANNEXURE A – ERF 4655 HON. CHANTECLAIRE, HERMANUS,
TOWN PLANNING APPLICATION No: 4141**

The operation of Holiday/Tourist accommodation is subject to compliance with following requirements together with any other building compliance requirements as prescribed:

Fire Extinguishers:

SANS10400T:2011 – 4.37:

1 x Portable Fire Extinguisher per 100m² of a type - 4.5kg Dry Chemical Powder, 5kg CO₂ or 9 litre H₂O.

Combustibility of Fitted Floor Coverings:

Shall comply with requirements of Section 4.14 of SANS10400T:2011 - Table 8 – As determined by SANS10177-4.

Combustibility of Internal Finishes:

Shall comply with requirements of Section 4.15 of SANS10400T:2011 - Table 9 – As determined by SANS10177-3.

SANS10400T:2011 – 4.58 require the provision of:

- Escape route signs – Photoluminescent SANS1186-5 in all passages and corridors and also above all exit doors.
- Self-contained luminaires (automatic actuating battery operated lights) in all passages and corridors
- Stand-alone smoke alarms compliant with the requirements of European Standard EN14604 in each:
 - Sleeping room
 - Communal area
 - Passage or corridor leading to rooms
- Fire Hose Reels for premises larger than 250m² at a ratio of 1 per 500m² of the establishment. (A dedicated 30 metre 19mm Garden Hose may be an alternative due to water supply connection restraints however this must be compensated with the provision of an addition of 2 x 4.5kg Dry Chemical Powder Fire extinguishers)
- Doors leading to the outside of the building with single turn locks or any other lock device approved by the Controlling Fire Authority.

A suitable approved emergency plan indicating evacuation routes that informs guests as to action that must be taken in the event of an emergency that is affixed to the back of each room door or prominent place in the room.

These plans must include:

- Action to be taken when discovering a fire or if an emergency arises
- Action to be taken for evacuation of the building and assuring accountability of all occupants.
- The interim action to be taken pending the arrival of emergency services
- An evacuation floor plan that identifies the escape route, appropriate exit doors and post evacuation mustering point.

Occupancy is also subject to: Maximum design occupancy total of 16 persons as prescribed by section A21 Table 2 of National Building Regulations SANS10400A:2010 i.e. 4 x 4 sleeper or 8 x 2 sleeper rooms.

Chief Fire Officer



File reference:	4655 HON (4141)
Date:	31 August 2018

INTERNAL MEMORANDUM

From	:	Town Planning Department
Town Planner	:	Henk Olivier

TO:

<u>Area Manager</u>	<u>Building Department</u>	<u>District Health</u>	<u>Electrical Department</u>
Environmental Officer	<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>
<u>Operational Services</u>	Traffic Department	<u>Ward Councillor (Cllr. J. Orban)</u>	Waste Management


Applicant	CREATIVE PROFILE (obo CLATCO PROPERTY INVESTMENTS CC)
Property Details	ERF 4655, 26 YELLOWWOOD ROAD, ONRUS RIVER
Application Description	PROPOSED 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.	Site Development Plan	
4.	Motivation	

YOUR DEPARTMENT'S COMMENTS:

CONSENT USE IS SUBJECT TO THE PREMISES BEING IN COMPLIANCE WITH THE NATIONAL FIRE PROTECTION REGULATIONS SANS10400T:2011 FOR OCCUPANCY H5-HOSPITALITY.
REFER TO ANNEXURE A FOR MINIMUM REQUIREMENTS

		MUNISIPALITEIT OVERSTRAND MUNICIPALITY
		FIRE BRIGADE / BRANDWEER
		APPROVED / GOEDGEKEUR
Signature:		Date: 10 OCT 2018
		2018

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.

- Building Control Department to confirm that all structures on the property/ies are in accordance with the approved building plans.

COMMENTS REQUIRED BY:	5 October 2018
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