



**The Mayor**  
**Mrs. Nicolette Botha-Guthrie**  
 P.O. Box 20  
 Hermanus  
 7200  
 Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)  
 6 January 2016

Mayor  
 F Frans

Prof SS Loubser  
 Unit number : 70  
 Whale Rock Estate  
 Whale Close  
 Hermanus

Dear Mrs. Botha-Guthrie

**Intended Low-cost Housing Development**  
Cnr. Still and Church Streets, Hermanus

I am an owner of a property at Whale Rock Estate.

We recently had our Annual General Meeting at which stage I heard for the first time about the intention to create a Low-Cost Housing Development on the corner of Still and Church Streets.

To ensure that the correct facts were relayed to us during the AGM and to give you the opportunity to rectify any incorrectly relayed information, I herewith include some relevant items discussed during the meeting.

We were advised at our AGM that:

- o A member of the Whale Rock Estate Executive (supported by other affected persons) initiated an information gathering meeting with the municipal executive regarding the proposed development.
- o This meeting was the first formal exposure that any of the New Harbour Precinct residential owners (comprising Whale Rock Estate, Whale Bay Cascades and Hermanus Beach Club) had regarding the intended development.
  - Comment:
    - Note was taken at this informative meeting that a document had apparently been sent to someone at Hermanus Beach Club in response to a query a month or so prior to the meeting (August 2015).
    - This document was dispatched well after all municipal decisions on the development had been made and therefore afforded no one the opportunity of input.
- o The following transpired at the informative meeting:
  - The informative meeting was opened and chaired by yourself.
  - As part of your opening address you stated that:
    - The Municipality was committed to the protection of our property values.
    - Nothing would be done that would negatively affect our property values.
  - Reference was made to the intention to develop a commercial zone on the corner of Still and Church streets.

FILE NO:	Erven 1938 & 2018 2/1
SCAN NO:	39
COLLABORATOR NO:	869994

Regarding this:

- Concerns were raised that Spaza shops, taxi ranks, etc. could potentially be developed there.
- Assurances were given that nothing was planned as yet and that nothing would be done that could have an adverse effect on the area
- Statements were made that we would be consulted beforehand (hopefully not as per the housing development project)
- The Municipality planned a formal, SR1 zoned housing development on the site.  
As an explanation it was stated that:
  - The intended development is planned as a government subsidised formal low-cost housing development.
  - The intention is to build both single and double storey units on the site.
  - Houses on the Church Street side would have the rear of the houses facing Church Street
  - A request was made that no double-storey units be constructed along Church Street  
The mentioned request had apparently been agreed to by those present but nothing was documented or contracted in this regard and no supportive minutes of the meeting were issued.
- Site occupation was discussed and the following was recorded:
  - It is the intention to start off by constructing "shell structures" comprising either :  
Provisional zinc structured housing  
-or-  
Shell structures of the intended semi-detached housing units.
  - The value of the "Shell Structures" will be in the region of R25,000 per unit
  - Each Shell Structure would initially house two families
  - Once constructed:  
Temporary occupants would be located in these "shell structures"  
Formal houses will then be built for the provisional dwellers at their ultimately intended relocation site  
The provisional occupants will be relocated to their new houses on completion of construction  
Other temporary occupants will then be housed in the "shell housing structures"  
This "temporary housing provision" process would likely continue for a period of about *three years*
- Access road to Church Street:
  - Objection was raised to the intended access road from the intended development onto Church Street – The targeted location was intended to be positioned close to a "near blind" bend in the road and was considered as dangerous and totally unacceptable to the New Harbour Precinct members .
  - The executive was advised that this request would be "looked at".
  - Whether this was "looked at" or not is immaterial as the access road has been constructed without communication with any of our affected owner-members – This does not bode well for the commitment of "no negative impact on property values".
- Wall enclosure
  - An application was apparently made for the funding of a wall of minimum 1,8 metre in height to enclose the development.
  - The requested funding is to be supplied by provincial government
  - It was advised that the funding had not as yet been approved

- It was clearly stated that there can be no guarantee that the wall will be constructed before the start of the development or even within the first year or before the end of the three year provisional housing project period or in fact ever.
- Property value safeguard
  - Throughout the meeting as well as in closing of the meeting those present were advised that the Municipality had considered all aspects of the development and that our interest as property owners will not be affected.

I have made a very material investment in my property and pay a substantial amount of rates and taxes on a monthly basis which you, our municipality, employ in the provision of services, not only to Whale Rock Estate but other areas of Hermanus as well, including that of the less fortunate communities in our region.

Over and above the rates and taxes, I pay a substantial monthly levy towards the upkeep and development of Whale Rock Estate to ensure the sustainability and investment growth of my property.

I am sure that given the above you will understand that it was with shock, disbelief and concern that I took note at our Annual General Meeting of the Municipality's intention to construct the referred to low-cost housing development without having afforded me the opportunity of raising objections or stating concerns or the gaining of prior assurances that the development will not disintegrate into an unsightly informal development site over time and destroy my property value.

This municipal-targeted development site is situated at the ONLY access road to our development and once developed has the potential to destroy the investment that I have made over the years. I accordingly feel aggrieved at the lack of direct communication with myself as an affected party.

I have always considered the Hermanus Administration as one that holds the interest of ALL of their citizens at heart and one that will not wittingly damage the property value of investors that have faithfully for years and years been contributing to the upkeep of Hermanus as a whole. I now I have raising concerns that my trust in the administration was ill founded.

There are many issues that were not addressed in the informative meeting, issues that require explanations and commitment to. I, and I am sure other members too, require more detail explanations on outstanding issues and more formal commitment to the protection of our property values and social environmental issues.

It concerns me that it appears as if the Overberg Municipality has taken it upon themselves to place my property value and potential for future growth at risk without even having consulted with me or any of the other property owners in Whale Rock Estate at all.

I am told that it is the Municipality's belief that the correct procedures were followed in the decision-making and execution process. In my view all of those processes are subservient to my constitutional rights:

- to be informed of intended issues that affect me;
- to submit my views and concerns on such issues;
- to be properly and extensively consulted before decisions are taken for me that are likely to have a very material impact on my property value and social well-being.

I well understand the need to provide housing for the less fortunate and have no issue with that. I do however insist that where such a development has the potential to materially affect my property value, safety and living

standards that I have dearly paid for over a long period of time, it is only correct that my constitutional rights to consultation and notification be taken into consideration and properly complied with.

I, and I am sure other members too, are willing to assist in making the development a success but I need to be afforded the opportunity of consultation and objection before the project is progressed beyond the point of no alteration. Supportive cooperation becomes very difficult when issues such as the non-negotiable and non-acceptable placement of the access road to Church Street are forced upon me as a rate-paying member. How am I to rely on the acceptable implementation of possible non-acceptable issues if I am not afforded the opportunity of input and the gaining of contracted commitments or the opportunity of contributing towards the project in the effort to make it acceptable to all impacted and affected parties?

I appeal to you not to ignore my constitutional rights to participation and consultation on an issue that is likely to have a very material effect on the social conditions, investment value and marketability of my property. The positioning of the intended development site clearly serves as an exclusive gateway to my investment and whatever is planned for on this site as well as the way in which it is executed, maintained and how municipal rules and regulations are enforced over the years to come will without a doubt have a very real impact on many aspects of the development and therefore also on my property value.

Most of the owner-members at Whale Rock Estate (and I suspect the other developments as well) are not Hermanus bound citizens but I am sure that when afforded the opportunity of negotiations to gain a commonly acceptable settlement (not just notification of what the municipal decision is targeted at) then special effort will be made to ensure that there are representatives present that will be able to act and commit on our behalf.

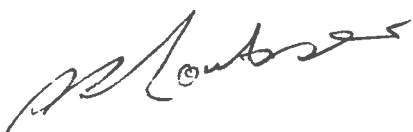
I request you to invite myself and the other owner-members of the New Harbour Precinct (Whale Rock Estate, Whale Bay Cascades and Hermanus Beach Club) to a consultative meeting wherein we are afforded the opportunity to discuss our concerns and recommendations and to negotiate an acceptable settlement structure should what you have in mind not be totally acceptable to us. Assuming one can resolve issues of concern then I for one am willing to assist in being supportive of the project as far as possible to the benefit of all parties.

I look forward to receiving your invitation to such a consultative meeting at your earliest convenience as I know that the project needs to be progressed as soon as possible.

Please respond by return mail to the following address:

**SS Loubser**  
**PO Box 3735**  
**Tyger Valley**  
**7536**  
**Tel no: 0828027227**

Yours sincerely



TR A Theart  
(C H Olivier)  
mayor

Re: Unregistered Eriwen 1938 & 2018, Zwelikhle



C G da Costa  
16B Albertyn Street  
Westcliff  
Hermanus  
7200

The Mayor  
Mrs. Nicolette Botha-Guthrie  
P.O. Box 20  
Hermanus  
7200  
Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)  
29 January 2016

Dear Mrs. Botha-Guthrie

Planned Transit Site Development, Westcliff, Hermanus

I am a property owner in Westcliff, Hermanus.

I have just been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the intended development in some newspapers to advise the residents of the project and provided time for objections till the 15<sup>th</sup> of February. I have not as yet seen this advert and therefore do not know the full extent of the intended project. I do however not need to know every aspect thereof to know that such a Transit Area can have a very material negative influence on my property value and am surprised that an issue of such cardinal importance to the residents in the affected surrounding area was not informed by personal mail of the intention thereof as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners.

I have been advised that the management of Beach Club and others have been having discussions with the municipal executive during a stage when they were under the impression that the development area was going to be a low-cost housing area and that these discussions were semi-concluded before there was a decision taken to place a Transit Site on the development area. I understand the following from feedback so received and I append my comments, concerns and objections thereto below:

- You as Mayor have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. How am I to believe this if I have not even been advised of the intended development of a Transit Site that is very likely to materially affect my living conditions if not controlled properly - I see this as an infringement of my constitutional rights to be consulted on issues that could affect me both financially and socially. I object to the fact that I as a property owner in an affected area was not directly advised of either of these intended development scenarios.

FILE NO:	ERWEN 1938 & 2018
SCAN NO:	ZW
	20
COLLABORATOR NO:	872447

TP

02 FEB 2016

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- It is apparently the intention to develop a commercial zone on the corner of Stil and Church streets. I have been told that Beach Club and others have raised their concern about potential spaza shops, taxi ranks and possibly free trading areas that could be developed there. How is this area going to be kept clean and clear of vagrants and rubbish and all types of unwanted elements that will negatively affect our complete residential zone? I herewith object to this potential development site unless written assurances are given that the development site will be kept in a pristine condition. I further require written assurances that we as affected property owners will be consulted about potential development plans of the site before decisions are taken, and thereafter provided information on the preferred development and a period to object to such a development if it is considered as having a potentially negative impact on the residential area.

- The Municipality apparently initially planned a formal SR1 zoned housing development on the site. This has now apparently been altered to cater for a Transit Area that may remain as such for a period of up to 5 years.

I object strongly to this strategy unless you can provide our community with written assurances of such a nature that we can take legal action against the municipality for failure to perform. These performance terms should cover commitments that the intended site will be kept clean, that regulations regarding noise be applied strictly, no informal trading be allowed anywhere along Church or Stil streets, no shacks or any form of extension to the initial housing structure be allowed, refuse be removed on at least the same regular basis as served on the rest of our residential community and that facilities be provided to the residents to enable them to keep the living area clean (waste bins) and that you contractually bind yourselves to manage the site according to rules and regulations as if it was a SR1 zoned property development (other than the transit occupational provision)

- I understand that you have committed that no double-storey units be constructed within the bottom half (i.e. the half towards Church Street). I wish to gain your commitment that this restriction will be placed in the title deeds when the houses are eventually transferred to the eventual owners and that until that time you undertake in writing that the houses will not under any circumstances be altered to accommodate double or any other form of multiple storey structure, and that only the owners and their immediate family members may occupy the units.

- Access road to Church Street:

- I have been advised that Beach Club and other representatives objected to an intended access road from the proposed development onto Church Street – I have inspected the proposed access position and fully support their objection to any access road into Church Street. The intended access position is close to a blind bend with viewing further restricted by an abalone farm wall. Few of the intended residents have transport and even one access road to the site should surely be sufficient bar the fact that provision need possibly be made for fire safety reasons. Church Street provides the only access to the residential areas beyond that point and it would be unacceptable to create a potential risk area like this that can lead to the closing of the road to their development.

I herewith state my objection to the access street to Church Street and lend my support to objections to the intended road already made by the other parties and support a proposal to a second access road from Stil Street if a second access point is indeed required.

- Wall enclosure

I understand that there is apparently now going to be provision made for a 1,8 metre wall around the perimeter of the development. This wall is apparently only going to be "bagged". I feel the height of the wall does not provide sufficient security for the residents and should be increased in height and the bagging of the wall does not enhance the area and will not prevent our property values from devaluing.

I was told that there are thoughts of increasing the height of the wall to 3 metres and to the plastering & painting of the wall and the placement of security lighting and gardens along Church Street and possibly even the planting of a tree lane down Church Street from Stil Street onwards towards Beach Club.

This wall and garden area and the maintenance thereof (including the painting of the walls) need to be committed to in writing by the municipality.

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1,8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

I do not have clarity on the intended toilet and washing facilities and herewith object to any facility being created which is not intended to serve ONLY the occupants of the intended dwellings.

I need a written commitment from the Municipality which states that the washing facilities will be of such a nature that no petitioning or mass action can or will originate because of the nature or inadequacy thereof and a further commitment that there will be sufficient thereof to ensure that no resident needs to relieve him or herself in any other place and in so doing foul the environment and place the health of our community at risk. I need your commitment in writing that the toilet facilities will be kept in a clean and functional operational status at all times and that there will be sufficient water per living unit to adhere to washing, toilet and living requirements.

- Objections

I have recorded my objections and acceptance terms above and wish to state that should these acceptance terms not be considered as achievable by yourselves then any

apparent acceptance that may be considered as being derived from the content of this document of objection of mine be considered as withdrawn and a blanket objection to the intended development be considered as in its stead.

I understand the need to provide housing for people and have no argument in that regard. However, I do not understand and it does not make sense at all why, after the initial plans were drawn up in September 2014 (information gained from Mrs G Bucker, 106 Canterbury Street) for permanent built housing, the Municipality wants to take this route. Surely the permanent structures can be built and then the people who qualify for them can be moved directly into the houses, and the areas in Zwelihle where they vacate from can then be upgraded? I state that where such a development is very likely to materially affect property values, safety and living standards of myself, my family and friends then our needs and rights need to be given serious attention and if not attended to then you should expect my serious objection and expect repercussions as a result thereof.

Please acknowledge receipt of my objections and I request your confirmation of your willingness to place your commitment to ensure our safety and property values in writing.

Yours in objection,

C.G. da Costa

CC: [smuller@overstrand.gov.za](mailto:smuller@overstrand.gov.za) [rkuchar@overstrand.gov.za](mailto:rkuchar@overstrand.gov.za)

CG da Costa

Erf: 6193

16B Albertyn Street

Westcliff

Hermanus

7200

AND

Co-owner of: Erf: 141

31 Canterbury Street,

Westcliff

Hermanus

Tel no: 0283132391

Cell: 0824903148

[info@gracedacosta.co.za](mailto:info@gracedacosta.co.za)

TP - A Theart  
C H Olivier)

Re: Unregistered Eriem 1938 & 2018, Zwelihle mayor



The Mayor  
Mrs. Nicolette Botha-Guthrie  
P.O. Box 20  
Hermanus  
7200  
Email: [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)

Nicolette M Raap  
115 Church Street  
Westcliff  
Hermanus  
7200

Tuesday, 02 February 2016

Dear Mrs. Botha-Guthrie

**Planned Transit Site Development, Westcliff, Hermanus**

I am a property owner in Westcliff, Hermanus.

I have just been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the intended development in some newspapers to advise the residents of the project and provided time for objections till the 15<sup>th</sup> of February. I have not as yet seen this advert and therefore do not know the full extent of the intended project. I do however not need to know every aspect thereof to know that such a Transit Area can have a very material negative influence on my property value and am surprised that an issue of such cardinal importance to the residents in the affected surrounding area was not informed by personal mail of the intention thereof as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners.

I have been advised that the management of Beach Club and others have been having discussions with the municipal executive during a stage when they were under the impression that the development area was going to be a low-cost housing area and that these discussions were semi-concluded before there was a decision taken to place a Transit Site on the development area. I understand the following from feedback so received and I append my comments, concerns and objections thereto below:

- You as Mayor have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. How am I to believe this if I have not even been advised of the intended development of a Transit Site that is very likely to materially affect my living conditions if not controlled properly – I see this as an infringement of my constitutional rights to be consulted on issues that could affect me both financially and socially. I object to the fact that I as a property owner in an affected area was not directly advised of either of these intended development scenarios.

FILE NO:	Eriem 1938 & 2018
SCAN NO:	19
COLLABORATOR NO:	872439

TP  
02 FEB 2016

02 FEB 2016

- It is apparently the intention to develop a commercial zone on the corner of Stil and Church streets. I have been told that Beach Club and others have raised their concern about potential spaza shops, taxi ranks and possibly free trading areas that could be developed there. How is this area going to be kept clean and clear of vagrants and rubbish and all types of unwanted elements that will negatively affect our complete residential zone? I herewith object to this potential development site unless written assurances are given that the development site will be kept in a pristine condition. I further require written assurances that we as affected property owners will be consulted about potential development plans of the site before decisions are taken, and thereafter provided information on the preferred development and a period to object to such a development if it is considered as having a potentially negative impact on the residential area.
- The Municipality apparently initially planned a formal SR1 zoned housing development on the site. This has now apparently been altered to cater for a Transit Area that may remain as such for a period of up to 5 years.  
I object strongly to this strategy unless you can provide our community with written assurances of such a nature that we can take legal action against the municipality for failure to perform. These performance terms should cover commitments that the intended site will be kept clean, that regulations regarding noise be applied strictly, no informal trading be allowed anywhere along Church or Stil streets, no shacks or any form of extension to the initial housing structure be allowed, refuse be removed on at least the same regular basis as served on the rest of our residential community and that facilities be provided to the residents to enable them to keep the living area clean (waste bins) and that you contractually bind yourselves to manage the site according to rules and regulations as if it was a SR1 zoned property development (other than the transit occupational provision)
- I understand that you have committed that no double-storey units be constructed within the bottom half (i.e. the half towards Church Street). I wish to gain your commitment that this restriction will be placed in the title deeds when the houses are eventually transferred to the eventual owners and that until that time you undertake in writing that the houses will not under any circumstances be altered to accommodate double or any other form of multiple storey structure, and that only the owners and their immediate family members may occupy the units.
- Access road to Church Street:
  - I have been advised that Beach Club and other representatives objected to an intended access road from the proposed development onto Church Street – I have inspected the proposed access position and fully support their objection to any access road into Church Street. The intended access position is close to a blind bend with viewing further restricted by an abalone farm wall. Few of the intended residents have transport and even one access road to the site should surely be sufficient bar the fact that provision need possibly be made for fire safety reasons. Church Street provides the only access to the residential areas beyond that point and it would be unacceptable to create a potential risk area like this that can lead to the closing of the road to their development. I herewith state my objection to the access street to Church Street and lend my support to

objections to the intended road already made by the other parties and support a proposal to a second access road from Stil Street if a second access point is indeed required.

- Wall enclosure

I understand that there is apparently now going to be provision made for a 1,8 metre wall around the perimeter of the development. This wall is apparently only going to be "bagged". I feel the height of the wall does not provide sufficient security for the residents and should be increased in height and the bagging of the wall does not enhance the area and will not prevent our property values from devaluing.

I was told that there are thoughts of increasing the height of the wall to 3 metres and to the plastering & painting of the wall and the placement of security lighting and gardens along Church Street and possibly even the planting of a tree lane down Church Street from Stil Street onwards towards Beach Club.

This wall and garden area and the maintenance thereof (including the painting of the walls) need to be committed to in writing by the municipality.

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1,8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

I do not have clarity on the intended toilet and washing facilities and herewith object to any facility being created which is not intended to serve ONLY the occupants of the intended dwellings.

I need a written commitment from the Municipality which states that the washing facilities will be of such a nature that no petitioning or mass action can or will originate because of the nature or inadequacy thereof and a further commitment that there will be sufficient thereof to ensure that no resident needs to relieve him or herself in any other place and in so doing foul the environment and place the health of our community at risk. I need your commitment in writing that the toilet facilities will be kept in a clean and functional operational status at all times and that there will be sufficient water per living unit to adhere to washing, toilet and living requirements.

- Objections

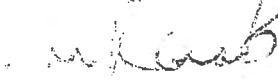
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Please acknowledge receipt of my objections and I request your confirmation of your willingness to place your commitment to ensure our safety and property values in writing.

Yours in objection,



Nicolette M Raap

CC: [smuller@overstrand.gov.za](mailto:smuller@overstrand.gov.za) [rkuchar@overstrand.gov.za](mailto:rkuchar@overstrand.gov.za)

Ps. Please respond to the following address

Mrs NM Raap  
115 Church Street  
Westcliff  
Hermanus  
7200  
Tel no: 0834560552  
[Nickyraap@gmail.com](mailto:Nickyraap@gmail.com)

Re: Unregistered Eriem 1938 &amp; 2018, Zwellile

Loretta Gillion - Proposed Temporary Relocation area Church Street

TP Theart  
(H Olivier)  
mayor

**From:** "Roz Castle" <roz@discover-namibia-safari.net>  
**To:** <rkuchar@overstrand.gov.za>  
**Date:** 02/02/2016 11:55 AM  
**Subject:** Proposed Temporary Relocation area Church Street

The Mayor  
 Mrs. Nicolette Botha-Guthrie  
 P.O. Box 20  
 Hermanus  
 7200  
 Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)  
 29 January 2016

FILE NO:	Eriem 1938 & 2018
	ZW
SCAN NO:	23
COLLABORATOR NO:	872459

Rosalie Castle  
 47b Church Street  
 Hermanus  
 7200

Dear Mrs. Botha-Guthrie

### Planned Transit Site Development, Westcliff, Hermanus

I am a property owner in Westcliff, Hermanus.

I have just been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the intended development in some newspapers to advise the residents of the project and provided time for objections till the 15<sup>th</sup> of February. I have not as yet seen this advert and therefore do not know the full extent of the intended project. I do however not need to know every aspect thereof to know that such a Transit Area can have a very material negative influence on my property value and am surprised that an issue of such cardinal importance to the residents in the affected surrounding area was not informed by personal mail of the intention thereof as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners.

I have been advised that the management of Beach Club and others have been having discussions with the municipal executive during a stage when they were under the impression that the development area was going to be a low-cost housing area and that these discussions were semi-concluded before there was a decision taken to place a Transit Site on the development area. I understand the following from feedback so received and I append my comments, concerns and objections thereto below:

- You as Mayor have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. How am I to believe this if I have not even been advised of the intended development of a Transit Site that is very likely to materially affect my living conditions if not controlled properly – I see this as an infringement of my constitutional rights to be consulted on issues that could affect me both financially and socially. I object to the fact that I as a property owner in an affected area was not directly advised of either of these intended development scenarios.
- It is apparently the intention to develop a commercial zone on the corner of Stil and Church streets. I have been told that Beach Club and others have raised

TP

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their concern about potential spaza shops, taxi ranks and possibly free trading areas that could be developed there. How is this area going to be kept clean and clear of vagrants and rubbish and all types of unwanted elements that will negatively affect our complete residential zone? I herewith object to this potential development site unless written assurances are given that the development site will be kept in a pristine condition. I further require written assurances that we as affected property owners will be consulted about potential development plans of the site before decisions are taken, and thereafter provided information on the preferred development and a period to object to such a development if it is considered as having a potentially negative impact on the residential area.

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- I understand that you have committed that no double-storey units be constructed within the bottom half (i.e. the half towards Church Street). I wish to gain your commitment that this restriction will be placed in the title deeds when the houses are eventually transferred to the eventual owners and that until that time you undertake in writing that the houses will not under any circumstances be altered to accommodate double or any other form of multiple storey structure, and that only the owners and their immediate family members may occupy the units.
- Access road to Church Street:

I have been advised that Beach Club and other representatives objected to an intended access road from the proposed development onto Church Street – I have inspected the proposed access position and fully support their objection to any access road into Church Street. The intended access position is close to a blind bend with viewing further restricted by an abalone farm wall. Few of the intended residents have transport and even one access road to the site should surely be sufficient bar the fact that provision need possibly be made for fire safety reasons. Church Street provides the only access to the residential areas beyond that point and it would be unacceptable to create a potential risk area like this that can lead to the closing of the road to their development. I herewith state my objection to the access street to Church Street and lend my support to objections to the intended road already made by the other parties and support a proposal to a second access road from Stil Street if a second access point is indeed required.

- Wall enclosure

I understand that there is apparently now going to be provision made for a 1,8 metre wall around the perimeter of the development. This wall is

apparently only going to be "bagged". I feel the height of the wall does not provide sufficient security for the residents and should be increased in height and the bagging of the wall does not enhance the area and will not prevent our property values from devaluing.

I was told that there are thoughts of increasing the height of the wall to 3 metres and to the plastering & painting of the wall and the placement of security lighting and gardens along Church Street and possibly even the planting of a tree lane down Church Street from Stil Street onwards towards Beach Club.

This wall and garden area and the maintenance thereof (including the painting of the walls) need to be committed to in writing by the municipality.

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1,8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

I do not have clarity on the intended toilet and washing facilities and herewith object to any facility being created which is not intended to serve ONLY the occupants of the intended dwellings.

I need a written commitment from the Municipality which states that the washing facilities will be of such a nature that no petitioning or mass action can or will originate because of the nature or inadequacy thereof and a further commitment that there will be sufficient thereof to ensure that no resident needs to relieve him or herself in any other place and in so doing foul the environment and place the health of our community at risk. I need your commitment in writing that the toilet facilities will be kept in a clean and functional operational status at all times and that there will be sufficient water per living unit to adhere to washing, toilet and living requirements.

- Objections

I have recorded my objections and acceptance terms above and wish to state that should these acceptance terms not be considered as achievable by yourselves then any apparent acceptance that may be considered as being derived from the content of this document of objection of mine be considered as withdrawn and a blanket objection to the intended development be considered as in its stead.

I understand the need to provide housing for people and have no argument in that regard. However, I do not understand and it does not make sense at all why, after the initial plans were drawn up September 2014 (information gained from Mrs G Bücker, Canterbury 106) for permanent built housing, the Municipality wants to take this route. Surely the permanent structures can be built and then the people can be moved into the houses, and then Zwelihle can be upgraded?. I state that where such a development is very likely to materially affect property values, safety and living standards of myself, my family and friends then our needs and rights need to be given serious attention and if not attended to then you should expect my serious objection and expect repercussions as a result thereof.

Please acknowledge receipt of my objections and I request your confirmation of your willingness to place your commitment to ensure our safety and property values in writing.

Yours in objection,  
Rosalie Castle

Ps. Please respond to the following address  
Rosalie Castle

47b Church Street  
Hermanus  
7200  
Tel no: 028 312 2129  
rozleek@hotmail.com



Re: Unregistered Eren 1938 & 2018, Zwelindle

The Mayor

Mrs. Nicolette Botha-Guthrie

P.O. Box 20

Hermanus

7200

Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)

29 January 2016

TP - A Theart  
(Holivier)  
Mayor

Karin Austin

6 Sunnybrae Crescent

Westcliff

Hermanus

1 February 2016

FILE NO: Eren 1938 & 2018-2W
SCAN NO: 03
COLLABORATOR NO: 872377

Dear Mrs. Botha-Guthrie

### Planned Transit Site Development, Westcliff, Hermanus

I am a property owner in Westcliff, Hermanus.

I have just been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the Intended development in some newspapers to advise the residents of the project and provided time for objections till the 15<sup>th</sup> of February. I have not as yet seen this advert and therefore do not know the full extent of the intended project. I do however not need to know every aspect thereof to know that such a Transit Area can have a very material negative influence on my property value and am surprised that an issue of such cardinal importance to the residents in the affected surrounding area was not informed by personal mail of the intention thereof as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners.

I have been advised that the management of Beach Club and others have been having discussions with the municipal executive during a stage when they were under the impression that the development area was going to be a low-cost housing area and that these discussions were semi-concluded before there was a decision taken to place a Transit Site on the development area. I understand the following from feedback so received and I append my comments, concerns and objections thereto below:

- You as Mayor have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. How am I to believe this if I have not even been advised of the intended development of a Transit Site that is very likely to materially affect my living conditions if not controlled properly – I see this as an infringement of my constitutional rights to be consulted on issues that could affect me both financially and socially. I object to the fact that I as a property owner in an affected area was not directly advised of either of these intended development scenarios.
- It is apparently the intention to develop a commercial zone on the corner of Stil and Church streets. I have been told that Beach Club and others have raised their concern about potential spaza shops, taxi ranks and possibly free trading areas that could be developed there. How is this area going to be kept clean and clear of vagrants and rubbish and all types of unwanted elements that will negatively affect our complete residential zone? I herewith object to this potential development site unless written assurances are given that the development site will be kept in a pristine condition. I further require written assurances that we as affected property owners will be consulted about potential development plans of the site before decisions are taken, and thereafter provided information on the preferred development and a period to object to such a development if it is considered as having a potentially negative impact on the residential area.
- The Municipality apparently initially planned a formal SR1 zoned housing development on the site. This has now apparently been altered to cater for a Transit Area that may remain as such for a period of up to 5 years.

I object strongly to this strategy unless you can provide our community with written assurances of such a nature that we can take legal action against the municipality for failure to perform. These performance terms should cover commitments that the intended site will be kept clean, that regulations regarding noise be applied strictly, no informal trading be allowed anywhere along Church or Stil streets, no shacks or any form of extension to the initial housing structure be allowed, refuse be removed on at least the same regular basis as served on the rest of our residential community and that facilities be provided to the residents to enable them to keep the living area clean (waste bins) and that you contractually bind yourselves to manage the site according to rules and regulations as if it was a SR1 zoned property development (other than the transit occupational provision)

- I understand that you have committed that no double-storey units be constructed within the bottom half (i.e. the half towards Church Street). I wish to gain your commitment that this restriction will be placed in the title deeds when the houses are eventually transferred to the eventual owners and that until that time you undertake in writing that the houses will not under any circumstances be altered to accommodate double or any other form of multiple storey structure, and that only the owners and their immediate family members may occupy the units.
- Access road to Church Street:
  - I have been advised that Beach Club and other representatives objected to an intended access road from the proposed development onto Church Street – I have inspected the proposed access position and fully support their objection to any access road into Church Street. The intended access position is close to a blind bend with viewing further restricted by an abalone farm wall. Few of the intended residents have transport and even one access road to the site should surely be sufficient bar the fact that provision need possibly be made for fire safety reasons. Church Street provides the only access to the residential areas beyond that point and it would be unacceptable to create a potential risk area like this that can lead to the closing of the road to their development. I herewith state my objection to the access street to Church Street and lend my support to objections to the intended road already made by the other parties and support a proposal to a second access road from Stil Street if a second access point is indeed required.
- Wall enclosure

I understand that there is apparently now going to be provision made for a 1,8 metre wall around the perimeter of the development. This wall is apparently only going to be "bagged". I feel the height of the wall does not provide sufficient security for the residents and should be increased in height and the bagging of the wall does not enhance the area and will not prevent our property values from devaluing.

I was told that there are thoughts of increasing the height of the wall to 3 metres and to the plastering & painting of the wall and the placement of security lighting and gardens along Church

Street and possibly even the planting of a tree lane down Church Street from Stil Street onwards towards Beach Club.

This wall and garden area and the maintenance thereof (including the painting of the walls) need to be committed to in writing by the municipality.

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1,8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

I do not have clarity on the intended toilet and washing facilities and herewith object to any facility being created which is not intended to serve ONLY the occupants of the intended dwellings.

I need a written commitment from the Municipality which states that the washing facilities will be of such a nature that no petitioning or mass action can or will originate because of the nature or inadequacy thereof and a further commitment that there will be sufficient thereof to ensure that no resident needs to relieve him or herself in any other place and in so doing foul the environment and place the health of our community at risk. I need your commitment in writing that the toilet facilities will be kept in a clean and functional operational status at all times and that there will be sufficient water per living unit to adhere to washing, toilet and living requirements.

- Objections

I have recorded my objections and acceptance terms above and wish to state that should these acceptance terms not be considered as achievable by yourselves then any apparent acceptance that may be considered as being derived from the content of this document of objection of mine be considered as withdrawn and a blanket objection to the intended development be considered as in its stead.