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ERF 1391, CHURCH STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA : CONSENT USE : WRAP ON BEHALF OF NW REA

1391 HHW (3611)

H Olivier

5 January 2018

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application has been received on 10 March 2017 from WRAP on behalf of NW Rea on Erf 1391, Hawston in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 for a consent use in order to accommodate a proposed new hotel on the property concerned, and also to accommodate a flat on ground floor level.

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

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The erf measures 2677m² in extent and is zoned Business Zone 3 : Local Business.

There is an existing business on the property concerned. The owner proposes to construct a new hotel with a caretaker's flat on the property.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ The property is zoned and was utilised for business purposes.
- ❖ A hotel will be developed with kitchen, lounge, dining area and reception, and a flat will be developed on ground floor for the caretaker.
- ❖ The hotel will cater for seasonal employees from Benguela Cove and other farms as well as tourists.
- ❖ The dining area will also function as a restaurant and sell food to the general public.
- ❖ The site is close to town and beautiful beaches.
- ❖ There are no restrictions in the Title Deed.
- ❖ Services are available to the site.
- ❖ Access will be obtained from Church Street and 37 on-site parking bays will be provided, and 2 loading bays to municipal standards.
- ❖ The Overstrand Spatial Development Framework (SDF) earmarks the property for commercial purposes.
- ❖ Although the property falls in a Heritage Overlay Zone in terms of the Overstrand Growth Management Strategy, the buildings on the property has no heritage value and a demolition permit has already been obtained and the buildings demolished.
- ❖ The application is consistent with the Planning Principles:

Spatial Justice:

It will bring the opportunity for a hotel to Hawston, which will help reverse the apartheid spatial development imbalances.

Spatial Sustainability:

Would not compromise on viable agricultural land, biodiversity rich areas or cause urban sprawl.

Efficiency:

Will capitalise commercial development potential in an efficient manner.

Spatial resilience:

The proposal is in line with spatial policies and is therefore spatially resilient and will absorb economic and environmental shock.

Good Administration

An efficient public process involving the applicant, Municipality and public was followed.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Press	Yes	11 May 2017	15 June 2017
Notices	Yes	11 May 2017	15 June 2017
Ward councillor	Yes	11May 2017	15 June 2017
Total comments	THREE (3)		
Was public participation undertaken in accordance with Section 45 - 49 of the Proposed Draft 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
Fire Department	23/06/2017	See Annexure I.	Positive
Building Control	17/05/2017	Supported subject to compliance with SANS 10400. Heritage building must be supported by Heritage Western Cape	Positive

Telkom	23/06/2017	See Annexure F.	Positive
Senior Manager : Hermanus Admin	23/06/2017	The Ward Committee does not support the application due to the fact that a primary school and church is in close proximity and this application is also for a liquor licence. There are discrepancies in the report that must be clarified.	Negative
Engineering Services	28/11/2017	See Annexure H.	Positive
Eskom	12/05/2017	See Annexure G.	Positive
Environmental Department	30/06/2017	No objection	Positive
Manager: Waste Removal	11/05/2017	No objection	Positive

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

Three (3) letters of objection were received. The objections can be summarized as follows:

- 1) No additional liquor outlet is required in Hawston, as it has a negative social impact.
- 2) The additional movement and noise will impact on the church to the west and the Griqua place of worship to the south.
- 3) No sewerage services available.
- 4) Hawston receives electricity from the Municipality and not Eskom.
- 5) The hotel will be close to the primary school, welfare crèche and Overstrand Care Centre, and impact on these community establishments.
- 6) The erf is not in Vleiweg.
- 7) The site has heritage value. Was Heritage Western Cape consulted prior to the granting of a demolition permit by the Municipality?
- 8) Benguela Cove could accommodate seasonal workers elsewhere, and there is concern about the unknown seasonal workers that will stay on the site, as this could lead to crime.
- 9) There is no economic basis for additional people to come to the area.
- 10) There is no need for tourist businesses, as existing guesthouses and restaurants experience a lack of business.
- 11) If staff is brought to the area, how would it help resolve unemployment in the area.
- 12) There is uncertainty about who the owner is and a risk for wrong elements to come to the area.
- 13) A hotel that charge R800/room per night is not sustainable in Hawston.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

The applicant's response on the objections can be summarized as follows:

- 1) No liquor outlet will be operated from the hotel. It is also not a primary right in terms of the Zoning.
- 2) There will be no entrance from Chapel Road to the west or from the south, therefore movement and noise will be minimal in this area.
- 3) A sewerage system will be installed to municipal specifications.
- 4) The objector is correct.
- 5) No reasons are provided why the objector considered the hotel to have a negative impact on the primary school and welfare crèche. The welfare care centre is a fair distance from this property, and should not be impacted by any disturbances created by the hotel.
- 6) In terms of the Surveyor-General diagram Church Road becomes Vleiweg in the area of this property.
- 7) The building was demolished after a demolition permit was obtained from the Municipality.
- 8) There are not sufficient facilities to accommodate seasonal workers at Benguela Cove such as shops, restaurant, entertainment, etc. The seasonal workers will also only be there for a short period of the year, and further it will be tourists only.
- 9) The seasonal workers will work for Benguela Cove and will be accommodated under strict rules.
- 10) Irrelevant, as the workers will be employed by Benguela Cove, and their income will provide an economic injection to Hawston.
- 11) The hotel will not be totally reliant on tourists.
- 12) Unskilled and semi-skilled workers from the area will also be employed.
- 13) One of the shareholders of Benguela Cove, Mr Nick Rea, is the owner of the erf. Workers from Benguela Cove will thus be housed there also under strict supervision and control.
- 14) No tariff per night has at this stage been determined, and will only be later decided on.

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

- 1) The fact that residents thought a liquor store/outlet will be developed was totally a wrong interpretation. This probably fuelled residents' concerns about the impact on community facilities.

In terms of the Zoning Scheme the developer can open a restaurant/dining hall, he can sell liquor for on-site consumption with meals, but no liquor may be sold for off-site consumption.

- 2) No access will be obtained from Chapel Road, thus impact on the church will be minimal. The building will also be placed along the southern boundary, and movement of traffic and people will be limited to the northern part of the erf. The applicant's opinion that noise and impact will be minimal on the church to the west and Griqua place of worship to the south, is supported.

- 3) Sewerage can be installed, but this will all be for the developer's account.
- 4) The applicant acknowledges that the Municipality is the service provider for electricity.
- 5) This has partially been addressed in Point 1 above.

It is to be noted that Erf 1391 has business rights, and could also be earmarked for restaurants, shops, offices, etc. in future. The hotel will basically be more of a residential nature, with a dining/restaurant facility.

Due to the fact that parking will be provided next to Church Street approximately 34m into the property, the buildings will be set back a fair distance from Church Street. Also note that the school site will almost be 100m from the proposed building. Also, a hotel, even during the times it is used to have the seasonal workers, will only be fully occupied in evenings or weekends and such times schools and crèches are closed. The welfare centre is situated almost 240m from Erf 1391, and there are also buildings between these properties.

- 6) The applicant explained this point.
- 7) This is not a heritage site in terms of the Overstrand Heritage Study.
- 8) This point has sufficiently been addressed by the applicant.
- 9) This point has sufficiently been addressed by the applicant.
- 10) The site is zoned for business purposes and it is the land owner's prerogative to apply for a hotel development if he thinks it would be economically viable.
- 11) This point has sufficiently been addressed by the applicant.
- 12) This point has sufficiently been addressed by the applicant.
- 13) This point has sufficiently been addressed by the applicant.

Internal Departments

The Senior Manager : Hermanus Administration indicated that the Ward Committee does not support the application due to the possibility of a liquor outlet close to a school and crèche, and also due to the fact that there are discrepancies in the Planning Report.

The concern regarding a possible liquor outlet was dealt with above.

The discrepancies in the report are with regard to who provides electricity in the area, the proper name of the road to the north of the plot, etc. This was addressed by the applicant in response to the objections and was sufficiently addressed.

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

The application could contribute positively to provide economic opportunity, reversing some of the negative impact apartheid planning had on Hawston.

Spatial sustainability

The application is within the urban edge and will not impact on agricultural land or environmental areas.

Efficiency

The land owner want to use the property to its full potential as is allowed in terms of the Overstrand Zoning Scheme.

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

Same.

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 application is in line with the Overstrand Spatial documents.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The application is in line with the aim of the Overstrand Municipal SDF, which promotes tourism.

The proposed hotel will be utilized by the owners of Benguela Cove as accommodation for seasonal workers and also tourists. This is a new concept and probably the first of its kind in the Greater Hermanus area.

The concerns of the objectors are noted, but many concerns relates to wrong interpretation of the information in the report. The facility will not have a liquor outlet or off-sales. The application is only for a hotel with hotel rooms, a dining area / restaurant (that will be open to the public) and a caretaker's unit. In most objection letters the impact of a liquor outlet was weighed and not the proposal above.

Erf 1391 is zoned for Business and a shop was operated on the site. The new hotel will be a blend of residential and commercial (restaurant) activities, but should not have a greater impact on the surrounding area than if offices, shops and flats above ground floor were developed on site, which are the primary rights.

The proposed hotel building will be single storey and set back a fair distance from Church Street.

Considering the above the use is compatible with the surrounding mostly residential character, and the placement of the building will not impose itself on the streetscape.

Services are available in the area and any upgrade of services will be for the account of the applicant.

One access will be provided to the site off Church Street, and 37 parking bays and two (2) loading bays will be provided. The access and parking layout is supported by the Engineering Services Department.

The hotel could create an influx of people into Hawston, and notably there are concerns with regard to safety and crime. As previously indicated this multi-purpose type of use (accommodate seasonal workers and tourists) is a new concept. It is however not foreseen that the owner will only build the building for seasonal workers, as it would not be economically viable. There are however various types of tourists/visitors who seeks accommodation in Hermanus. This type of facility could

also bring in additional revenue into the Hawston area, as the Benguela Cove workers and tourists will spend money in the local shops and restaurants. The hotel could also provide job opportunities to locals.

Considering the above, it is not foreseen that the new proposed development will negatively impact surrounding property owners and could create economic opportunity, which is a great need in Hawston. The application is 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, 2016 (the By-Law) on Erf 1391, Hawston for a consent use to operate a hotel on the property concerned and also to accommodate a flat on ground floor level, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that development be in line with the site development plan 4, which were submitted with this application;
 - (b) 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;
 - (c) that the 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;
 - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
 - (f) that all the conditions in the Services Report (attached as Annexure H), be complied with;
 - (g) that all conditions imposed by the Fire Department (attached as Annexure I), be complied with;
 - (h) that all the conditions by Telkom (attached as Annexure F), be complied with, and
 - (i) that all the conditions by Eskom (attached as Annexure G), 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, 2016 with regard to the above conditions of approval.

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 SDF to promote tourism.
- ❖ Contribute to alleviate the need for employment possibilities and accommodation and would provide economic opportunity.
- ❖ The objections were duly addressed by the applicant and the concerns that the application will have a negative effect on the character of the residential area and surrounding neighbours are not supported as the site is zoned for business purposes, and the proposed use will also still be more of a residential nature (hotel).

15. ANNEXURES

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

SIGNATURE

AUTHOR:

Name: **HENK OLIVIER**

Signature: _____

Date: _____

REGISTERED PLANNER

Name : **H VAN DER STOEP**

SACPLAN registration number: **A/1708/2013**

Signature : _____

Date: _____

ANNEXURE A 1/1



**Proposed SDP
Erf 1391 Hawston**

-  Erf 1391 Hawston (2677m²)
-  Raised traffic island

Plan 4

Plan prepared by : Reallehile Janjke

Scale 1 : 250

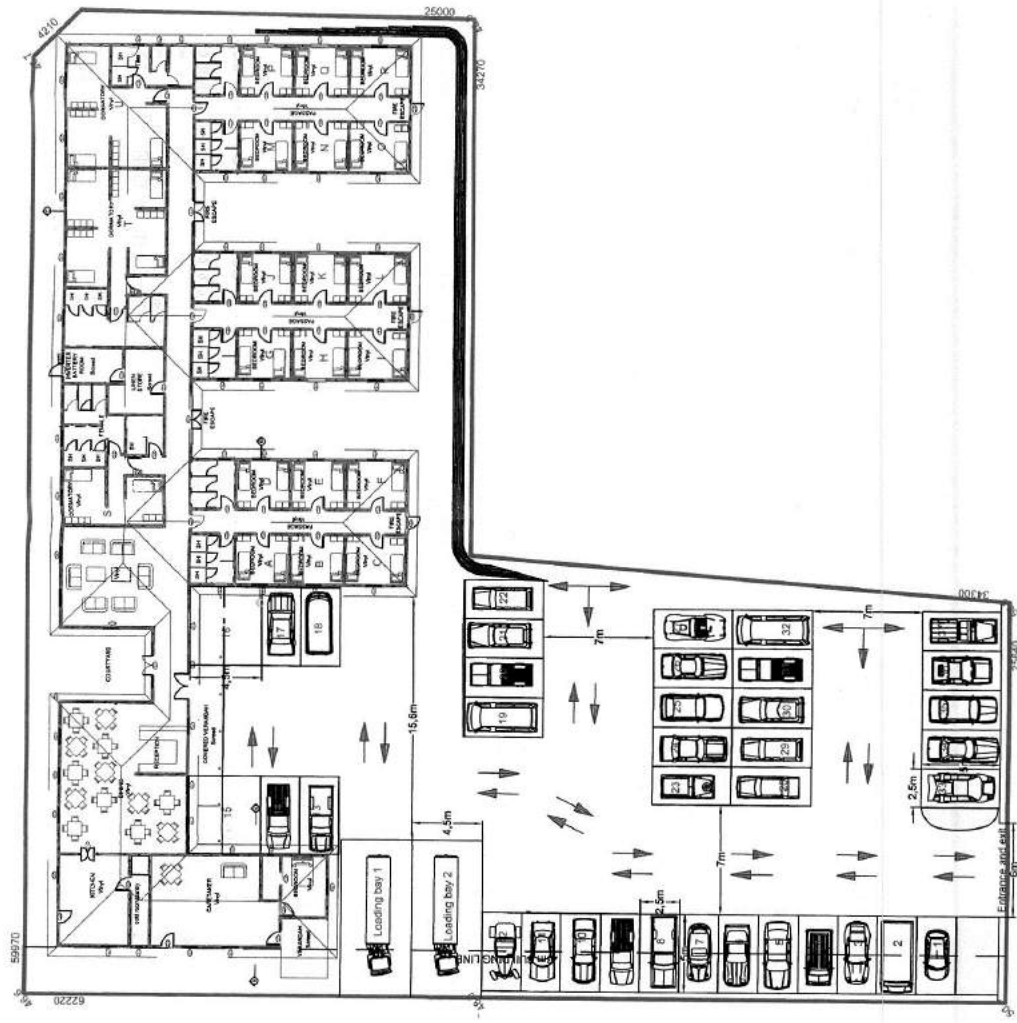
All distances approximate and subject to survey.

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ANNEXURE B 1/1

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3. CHARACTER OF ENVIRONMENT

The subject property is zoned Business Zone 3: Local Business (B3). Hawston and is located approximately 11km west of the Hermanus CBD and predominantly functions as a dormitory town. The town is highly accessible as access is gained from the R43 Provincial Road which is deemed to be the gateway to Hermanus. The close proximity of the town to the beautiful beach makes it an ideal place for the establishment of a hotel to meet the affordability needs to transient guests.

4. TITLE DEED AND PROPERTY DETAILS

Herewith are the details of the title deed of the subject property:

Property details:

Property Description	Extent	Ownership	Title Deed Number
Erf 1391 Hawston, in Overstrand Municipality, District Caledon, Western Cape Province	2677m ²	Nicholas William Rea	T72413/2016

A copy of the title deed of the subject property revealed that there are no title deed restrictions which can potentially prohibit the proposed development.

5. DESIRABILITY

In terms of Section 55 (b) and (c) Land Use Planning Act; 2014 an application can be refused based on it being undesirable. The measure to assess the desirability of the application is the consistency of the application with spatial development frameworks, applicable structure plans, the principles referred to in Chapter VI and guidelines issued by the Provincial Minister regarding the desirability of proposed development.

The proposed consent use needs to be desirable and consistent with the logic character of the town and add value to the owner and the community. The Department of Environmental Affairs and Development Planning (DEADP) published a Guideline on Need and Desirability as part of the EIA Guideline and Information Document Series. Although this application does not include an environmental authorization application, the desirability guidelines set out in the document are also applicable in planning.

In terms of the above, a number of questions need to be asked with regard to the need and desirability of a proposal, which include the following:

Need and desirability measure	Yes/ No	Applicability to the subject farms
Is the land use considered within the timeframe intended by the existing approved SDF agreed to by the relevant environmental authority?	Yes	This application for a consent use for a hotel and a flat on the ground floor is within the timeframe of the PSDF (Western Cape Provincial Spatial Development Framework), and is consistent with the principles and goals enshrined in the framework. The spatial planning initiatives section of this report will elucidate this.

WRAP

ANNEXURE C 2/11

MOTIVATION

Does the community/area need the activity and the associated land use concerned?	Yes	There is a definite need for an affordable hotel in Hawston to provide a wider variety of options within the tourism industry in the Greater Hermanus. This proposed hotel also seeks to contribute to making Hawston a popular and viable tourism destination.
Are the necessary services with adequate capacity currently available, or must additional capacity be created to cater for the development.	Yes	The subject erf is connected to the Municipal sewage network. Solid waste removal is done by the Municipality and electricity is provided by Eskom. Water to the subject property is also provided by the Municipality. There are therefore sufficient services on the property.
Is this development the best practicable environmental option for this land/site?	Yes	The subject property is located within an already approved township and all the specialist studies have been conducted as evidence that the proposed hotel will not compromise the environment and is the most practical environmental option.
Would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF as agreed to by the relevant authorities?	No	As this motivation will prove in the spatial planning initiatives section this proposal will not in any way compromise the existing IDP and SDF.
Do location factors favour this land use?	Yes	The subject property is ideally located in the centre of Hawston and would provide the transient guests with access to different parts of Hawston by foot or public transport. The location of Hawston in the Greater Hermanus would also enable tourists to travel either to Kleinmond or to Stanford and towns in between with ease.
How will the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas?	No	The subject property is located within a heritage overlay zone in terms of the Overstrand Municipal Growth Management Strategy. A demolition permit has however been obtained from Overstrand Municipality as evidence that the subject property does not have a heritage value.
Will the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	No	This proposal will not in any way result in unacceptable opportunity cost.
Will the proposed land use result in unacceptable cumulative impact.	No	The proposal will not have any adverse impact on the society and the environment.

WRAP

MOTIVATION

5.1 Services

For the proposed development to be viable it is necessary for services such as water, sewage, electricity and roads to be available. The owner will ensure that all required services are in compliance with municipal standards.

5.1.2 Water

The water to the subject property is provided by the Overstrand Municipality.

5.1.3 Traffic impacts, parking access and other transport related considerations

The parking configuration on the subject property has been designed in a manner to ensure that access is gained from Vleiweg which is a tarred road. There is also access in Chapel Street. There is however no access point provided from this street on the plan as the road is a dirt road. There are 37 parking bays provided on the site.

5.1.4 Electricity

Electricity on the subject property is provided by Eskom.

5.1.5 Sewer

The subject property is connected the municipal sewer network.

6. ZONING OVERLAY

The subject property is zoned Business Zone 3: Local Business.

	Zoning Scheme parameters	Development proposal	Comply/Deviate
Primary uses	Shops, flats (above ground floor), offices	Office (which will also function as reception)	Comply
Consent uses	Bottle store, business premises, clinic, conference facility, flats (on ground floor), town housing, guest house, hotel, informal trading, institution, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, restaurant, rooftop base station, sale of alcoholic beverages, service station, service trade, transmission tower.	Hotel Flat on the ground floor	Deviate/application made for consent use
Development rules			
Coverage	The maximum coverage for all buildings on the land unit is 75% = 2007,75m ² permissible	837m ² proposed = 31% coverage	Comply
Floor factor	The maximum floor factor is 1.5 = 4015.5m ² permissible	837m ² proposed	Comply
Height	(i) The maximum height of a building, measured from the	(i) 5m (ii) one storey	Comply

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	<p>base level to the top of the roof is 8,5m.</p> <p>(ii) The maximum of storeys is 2; and</p> <p>(iii) The earth banks and retaining structures shall comply with 16.6</p>	(iii) comply	
Setback	<p>(i) Council may require that that all buildings and structures on the property are set back at least 6,5m from the centre line of the street.</p> <p>(ii) Where special circumstances exist, Council may require a wider setback; and</p> <p>(iii) The general provisions of 16.2 apply.</p>	<p>(i) Vleiweg is 19m wide so this is not applicable.</p> <p>(ii) Subject to a request by Council.</p> <p>(iii) Comply</p>	Comply
Building lines	<p>(i) The street building line is 0m; provided that a 3,5m building line applies where fuel pumps are erected.</p> <p>(ii) The side building line is 0m provided that where any Business Zone 3 abuts another zone, the side building line is 3,0m;</p> <p>(iii) The rear building line is 3,0m; provided that where any Business Zone 3 abuts another zone, the rear building line is 4,5m;</p> <p>(iv) Provided that Council may require more restrictive building lines in the interest of public health or safety or the environment or in order to enforce any applicable law or right; and</p> <p>(v) The building line exemptions in 16.1 apply.</p>	<p>(i) 38m from Vleiweg and 2m from Chapel Street</p> <p>(ii) 2m from Erf 1390</p> <p>(iii) 3m from the residential zone</p> <p>(iv) Subject to the request of Council.</p> <p>(v) N/A</p>	Comply
Window and door placement	<p>(i) Where a 0m building line applies and where a wall of a building is erected 1,0m or less from the side or rear building line, no door or window shall be permitted in the wall concerned; and</p> <p>(ii) Any portion of the building which contains a door or window onto a side or rear boundary, shall be placed at least 1,5m away from such</p>	<p>(i) N/A</p> <p>(ii) N/A</p>	

WRAP

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MOTIVATION

	boundary. The portion of the building that is required to be set back shall include the door or window, together with such additional length of wall as is required to make up a total of 3,0m.		
Parking and access	<p>Parking and access shall be provided on the land unit in accordance with 17.2</p> <ul style="list-style-type: none"> • One bay per bedroom plus an additional 10 parking bays per 100m² of public access. • 1,5 parking bay is required for the caretakers one bedroom flat. • The dining/reception area is 127 m². 	<p>19 rooms with two single beds (Units A to S) = 19 bays 1 room with 3 single beds for (Unit U) = 1,5 bays 1 room with 4 beds (Unit T) = 2 bays</p> <p>22,5 parking bays are required for the bedrooms.</p> <p>1,5 parking bay is required for the caretakers one bedroom flat</p> <p>12,7 bays are required for the dining/reception area</p> <p>In total 37 parking bays are required for the proposed hotel and 37 are provided on site.</p>	Comply
Loading bays	<p>Loading bays must be provided on the land unit in accordance with 17.2:</p> <p>837m² m² total floor space requires 2 loading bays</p>	Two loading bays are provided.	Comply
Screening	<p>(i) Council may require screening in accordance with 16.7; and (ii) Where a Business Zone 3 abuts a residential zone, Council may require a suitable wall of no less than 1,8m in height to be erected on the common boundary.</p>	<p>(i) Subject to Councils request. (ii) Subject to Councils request.</p>	Comply
Informal trading	Informal trading shall only be permitted in the area indicated on a plan submitted to and	N/A	N/A

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	approved by Council.		
Service station	The development rules of 7.3 apply.	N/A	N/A
Site development plan	Council may require that a site development plan be submitted to approval in accordance with 16.3.	A SDP is submitted with this application.	Comply

7. SPATIAL PLANNING INITIATIVES

Spatial planning initiatives

The proposed consent use was assessed for consistency with the existing spatial planning initiatives. This is to ensure that the development does not deviate from the spatial planning initiatives and is in line with the structure form that is envisaged by Local and Provincial Authorities.

Provincial Spatial Development Framework 2014 (PSDF)

The aim of the PSDF is to give spatial expression to the national and provincial development agendas and serves as a basis for coordinating, integrating, and aligning ground delivery of national and provincial departmental programmes. The framework also aims to communicate the government's spatial development intentions to the private sector and civil society

Sense of place and spatial logic	Alignment of the proposal with the sense of place and spatial logic.
"The integrity of the Province's natural and built environments is of critical importance to the further development of tourism"	The implementation of the proposed hotel seeks to enhance the built environment on the subject erf and contribute to creating an enhanced street-scape. The proposed hotel will also contribute to developing the tourism potential that exists in Hawston and also play a critical role of providing accommodation for seasonal employees on the property.
"Long term economic resilience relies on upgrading of the built environment."	All existing buildings on the property have been demolished in order to create a brand new and not just an upgraded and improved building for the transient guests. This will in turn positively contribute to long term economic resilience in Hawston.
"Inappropriate, sprawling development which erodes these assets, also undermines the foundations of the Western Cape's economy."	This proposed development is located within a well defined urban edge and seeks to contribute to combating urban sprawl.
"Inclusion and integration through an enhanced sense of belonging can be promoted through a focus on the public realm rather than on private enclaves"	The proposed hotel will be used during the peak farming season periods to accommodate transient guests who are seasonal employees and will be available during the out of season farming periods as affordable overnight accommodation for tourists. The dining area/restaurant will also be open to the general public and essentially seeks to focus on the public realm rather than on private enclaves.

Overstrand Municipality Spatial Development Framework (OMSDF)

ANNEXURE C 7/11

WRAP

MOTIVATION

The objective of the OMSDF is to formulate strategic spatially based policy guidelines and proposals where the needs, changes and growth in the area can be managed to benefit the inhabitants and the environment in the Overstrand Municipality. The OMSDF is guided by a set of objectives and the consistency of the proposed land use will be assessed with these core objectives.

According to the OMSDF the future detailed planning for the area must provide a sustainable balanced land use pattern which would provide future residents with a desirable environment in which to "live, work and play".

Local spatial development principles for the Greater Hermanus	Alignment of the proposal with the local spatial development principles
"Promote the Greater Hermanus as a tourism destination."	The proposed hotel seeks to contribute to making Hawston a popular tourism destination.
"Promote the provision of a range of residential housing types and appropriate densification strategies in order to retain the character of Greater Hermanus, while ensuring appropriate growth to address the growing population's housing needs."	The proposed hotel seeks to contribute to providing a wider variety of accommodation in Hawston. This hotel will also address the rental needs of transient guests within an appropriate growth pattern in the town.
"Contain the urban footprint of Greater Hermanus within a well defined urban edge."	This application will not undermine the existing urban edge as it is located within the urban edge.
Facilitate urban development in Hawston."	This proposal seeks to contribute to facilitating appropriate urban development in Hawston that will positively contribute to the character of the town and also unlock numerous economic opportunities within the tourism industry.

The Spatial Proposal Plan of the OMSDF outlines that the subject property is earmarked for commercial purposes. This proposal for a hotel will be for commercial purposes and will serve meals to patrons from the general public.

Overstrand Municipal Growth Management Strategy (OMGMS 2010)

The purpose of the Growth Management Strategy is to improve the Overstrand Municipalities' overall environmental sustainability by enhancing the quality and efficiency of the built environment. It will be outlined how the proposed development will contribute towards the aims and objectives of this strategy.

Objectives	Alignment of the proposal with the objectives
Protect, manage and enhance the natural and built environment and landscapes.	This proposal seeks to protect the Business Zoning applicable on the subject property while contributing to enhancing the built landscape.
Support the development of mixed land uses, providing for vitality, opportunities and integrated living environments.	Hawston primarily functions as a dormitory town and the intention of this proposed development is to provide a wider range of short term rental accommodation in the town and to create a land use mix by providing accommodation and restaurant facilities. This will in turn provide for economic opportunities and integrated living environments.

WRAP

WRAP

MOTIVATION

Contribute to place making and the development of attractive and safe urban environments.	The proposed hotel will contribute to appropriate place making and providing attractive accommodation for transient guests. The additional surveillance by the guests will also contribute positively to a safer urban environment.
Ensure optimal land use planning and the efficient use of infrastructure, services, facilities and land.	This proposal seeks to optimally utilise the existing services infrastructure on the subject property within the prescribed development parameters of the Business Zone 3 zoning.

The subject property is located in Planning Unit 2 in terms of the OMGMS and the subject property is regarded as having a heritage overlay zone. A demolition permit has already been obtained and the subject property is not regarded as being of heritage value by the competent authority.

The definition of density in the OMGMS 2010 is "Densification is the process whereby residential densities (the number of dwellings per hectare) are increased, in a planned and meaningful way, within the existing boundaries of a specific area. That is the increased use of space to provide more residential dwelling units, both horizontally and vertically, within existing urban areas, within existing properties and in new developments. This increased use of space being accompanied by an increased number of residential units and thus population over a specifically defined or measured area."

The proposal is for the property to be utilised as a hotel for commercial purposes and cannot be deemed as densification as the OMGMS outlines that no densification should occur on the subject property.

Consistency with the various planning principles

The analysis of the spatial planning initiatives has provided a clear and complete explanation of the alignment of the proposal with the relevant guidelines. The proposal is consistent with the PSDF, OMSDF and OMGMS and can be deemed as encompassing the core objectives of planning as set out in the documents.

8. PLANNING PRINCIPLES

An analysis of the applications' consistency with the planning principles was analysed. These spatial planning principles are in terms of Section 42 of the Spatial Planning and Land Use Management Act, 2013 and also Chapter VI of the Land Use Planning Act, 2014.

Planning principles	Consideration and impact
Spatial Justice "Refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services and land."	The proposed hotel seeks to contribute to reversing the spatial development imbalances caused by apartheid spatial planning by introducing a hotel in Hawston with the intention of unlocking tourism opportunities for the community members which is in contrast with the apartheid development model of concentrating tourism opportunities in the urban centres.
Spatial Sustainability "A spatially sustainable settlement will be	The proposed hotel will not in any manner

WRAP

ANNEXURE C 9/11

WRAP

MOTIVATION

one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscape and ultimately limits urban sprawl."	compromise on agricultural land, environmentally sensitive areas as well as scenic and cultural landscapes and seeks to contribute to combating urban sprawl.
Efficiency "Efficiency refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources and land."	The proposal for a hotel seeks to optimise on the development potential that exists on the subject property within the 75% coverage limit. The proposed hotel will also contribute to enhancing the urban landscape in Hawston and is within sound town planning principles.
Spatial Resilience Spatial resilience in the context of land use planning refers to spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner.	The Department of Environmental Affairs and Development Planning (DEADP) and the Overstrand Municipality have compiled spatial policies that promote resilience in land use management. As the motivation in the spatial planning initiatives has proven, the proposed hotel is well aligned with the different planning development frameworks as set out by the competent authorities and promotes resilience. The fact that the subject property is spatially resilient will enable it to absorb and accommodate shocks whether they are economic or environmental in a timely and efficient manner.
Good Administration Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure a joint planning approach is pursued.	The Overstrand Municipality has an integrated consultative planning process where the application is advertised to the general public and comments on the application are made by the general public. WRAP will also respond to the comments of the general public and this will ensure that a joint planning approach is pursued.

The consent use application is aligned with the core planning principles as outlined in SPLUMA and LUPA. The proposed consent use application can therefore be viewed as encompassing and promoting all planning principles.

9. EVALUATION

The synopsis will outline how the proposed development is practicable and viable on the site. The evaluation will consider site specific circumstances and how the application is desirable and fits into the character of the area.

Application

- **Consent use for** a hotel on Erf 1391 Hawston.
- **Consent use for** a flat on the ground floor on Erf 1391 Hawston.

Character of the environment

WRAP

MOTIVATION

The subject property is zoned Business Zone 3: Local Business (B3). Hawston is located approximately 11km west of the Hermanus CBD and predominantly fulfils a dormitory town function.

Title deed

There are no title deed restrictions in T72413/2016 which may prohibit the proposed development.

Desirability

- The proposed development will not in any way compromise the approved SDF.
- There is a definite need in Hawston for an affordable hotel as a way to contribute to making Hawston a viable and popular tourism destination.
- There are adequate existing services on the subject property.
- The subject property is not located on environmentally sensitive land.
- This hotel and flat on the ground floor will not result in unacceptable opportunity cost and not have an unacceptable cumulative impact.

Services

Water: Water on the subject property is provided by the Overstrand Municipality.

Traffic and parking: Access is gained from Vleiweg and 37 parking bays are provided. The parking layout and road configuration has been designed in a manner to ensure maximum pedestrian and motorist safety.

Electricity: Electricity is provided by Eskom

Zoning overlay

- The office will function as the reception area and is regarded as a primary right.
- The hotel is accommodated under a consent use, which is applied for.
- The caretaker flat on the ground floor is accommodated under a consent use, which is applied for.
- The proposed coverage is 31% which is below the 75% permissible.
- The permissible floor factor is 1,5 which is 4015.5m² and what is applied for is 837m² total floor area.
- All building lines are complied with.
- A detailed SDP is submitted with this application.

Spatial planning initiatives**Provincial Spatial Development Framework 2014 (PSDF)**

- The proposed hotel seeks to contribute to enhancing the built environment with the intention of attracting tourists to the subject property and Hawston.
- The demolition and subsequent construction of the proposed hotel building on the site will contribute to long term economic resilience on the property.
- The proposal is within a well defined urban edge and will contribute to combating urban sprawl.
- The hotel will be open and accessible to the general public and promote a focus on the public realm rather than private enclaves.

Overstrand Municipality Spatial Development Framework (OMSDF)

- The proposal promotes Hawston as a tourism destination.

MOTIVATION

- The proposed hotel will also contribute to providing a greater variety of accommodation in Hawston and positively contribute to the street-scape.
- This proposal is located within the urban edge.
- This proposal also seeks to facilitate urban development in Hawston.
- The Spatial Proposal Plan earmarks the subject property for commercial purposes and the proposed hotel is aligned with the commercial imperatives outlined in the plan.

Overstrand Municipal Growth Management Strategy (OMGMS 2010)

- The proposal will protect the business zoning of the subject property while contributing to enhancing the built landscape.
- The accommodation for transient guest will provide for integrated and mixed living environments in Hawston.
- The additional surveillance by the transient guests will also contribute to creating a safer environment.
- The proposal seeks to optimally utilise the existing service infrastructure on the property.
- The subject property is not regarded as being of heritage value as there was an approval for demolition obtained from the Overstrand Municipality.

Consistency with the planning principles

Spatial justice: the proposed hotel seeks to contribute to reversing apartheid spatial development imbalances by bringing a hotel to Hawston as it is in contrast with the apartheid spatial development model of concentrating economic opportunities in urban centres.

Spatial sustainability: the proposed hotel will not compromise on agriculturally viable land, biodiversity rich areas and will not cause urban sprawl.

Efficiency: the proposed hotel seeks to optimally capitalise on the commercial development potential that exists on the subject property in an efficient manner.

Spatial resilience: the proposed hotel is well aligned with all the relevant spatial planning policies that have been created by DEADP as well as the Overstrand Municipality, is therefore spatially resilient and will absorb economic and environmental shock.

Good administration: the Overstrand Municipality has an inclusive and efficient public participation process where the comments from the public will be taken into consideration and ensure a joint planning approach between WRAP, Municipal Officials and the public.



TP - A Theart
CH Olivier
THE PARISH OF ST ANDREWS HAWSTON

Tel/Fax 028 3151231 (Office)

028 3152235 (Rectory)

P O Box 45 Hawston 7202

Email: franklin.davids39@gmail.com



13 Mei 2017



Geagte Heer/ Dame

Re: Besware jeens die oprigting van 'n hotel op erf 1391 te Hawston

Hiermee wil ons as gemeente van St. Andrews Kerk te Hawston ons besware indien vir die oprigting van 'n hotel op erf 1391.

Ons besware is gegronde op die volgende argumente:

1. Konsekwenheid van die munisipale stadsklerk om 'n sloping van die gebou goed te keer wat 'n historiese agtergrond het.
2. Dit is duidelik dat die proses nie gevolg was om aansoek te doen vir permit by die Wes-Kaapse Erfenisraad VOOR so 'n gebou te gesloop is nie.
3. Die onduidelikheid oor wie die koper is maak die oprigting van hotel riskant en verkeerde invloede of rusverstoring kan kerkdienste beïnvloed.
4. So 'n hotel vir toerisme met R800 per nag sluit laer inkomste groepe uit en is nie volhoubaar vir omgewing.
5. Veiligheid en dwelms kan so 'n besigheids inisiatief groot beïnvloed en toeriste weg jaag.

Ons hoop dat hierdie aangeleentheid ernstig aandag sal geniet.

By voorbaat dank

Die uwe

Franklin Davids

(Rector St Andrews Hawston)



FILE NO:	EL 1391
SCAN NO:	Hawston 42
COLLABORATOR NO:	1039321

TP

15 JUN 2017

14 June 2017

ANNEXURE D 2/5

FILE NO:	EL 1391
	Hawston
SCAN NO:	43
COLLABORATOR NO:	1039323
	7202

Residents Around Erf 1391

Hawston

7202

Mr S Muller

Director : Overberg Infrastructure and Planning

Dear Sir

We wish to lodge our complaints against the plan to Construct a Hotel on Erf 1391 Church St Hawston.

1. Hawston does not need the existence of another liquor outlet as our inhabitants are poor and the children suffer because of alcohol abuse. We already have two liquor outlets. At the outset the application refers to a restaurant and liquor served there but under uses a bottle store is referred to. Please we do not need this.
2. The Northern entrance is on Chapel Street directly opposite St Andrew's Anglican Church and the Southern side is directly onto the Griqua place of worship. Constant movement and noise will be disrespectful.
3. The Western side of Church Street does not have sewerage. We have septic tanks. The Eastern side – the scheme houses are serviced so Erf 1391 will not have sewerage.
4. Hawston buys electricity from Overstrand Municipality not directly from Eskom.
5. Erf 1391 is close to our primary School and Welfare Creche – Sonstraaltjies.
6. The applicant refers to the street where he wants to erect a hotel as Vleiweg – it is Church Street.
7. Was'nt that building a Historic place because when I grew up Mr Smith them were there already I believe they were the first owners. We come back to the Anglican Church that is proclaimed as an Historic Building because whenever we need to do something we need to contact the Heritage first. Now why was that building demolished. Nobody notified us. I believe it was built in the early 1900.
8. Please the Overstrand Care Centre is also in the vicinity and there are very ill patients – some terminally ill – they should not be subjected to extra noise.



TP

15 JUN . 017

- 2 -

Please we humbly ask you not to consider this application favourably as we have a community that is suffering. There are many inhabitants who are already kept awake at night especially at weekends by loud music and other noise.

Yours faithfully

W. Williams
WILLIAMS

*1088 Plain St
Church St
Houston*

*Postal address
1087 Church St
Houston*

G.A. Williams

14 June 2017

ANNEXURE D 4/5

Residents Near Erf 1391

Hawston

7202

TRATHAK
C. Holivier



Mr S Muller

Director : Overberg Infrastructure and Planning

Dear Sir

On behalf of the citizens in this area and one who has taught in Hawston for 35 years and also one who has sadly watched the retrogression of this area because of unknown persons buying and doing deals here. I must lodge a complaint against erecting an hotel on Erf 1391.

It is disturbing that said individual does not even know where along which street the plot is situated. The letter situates it as in Vleiweg and it is in Church St.

The application originally mentions that liquor will be served in a restaurant on the premises but later under uses it lists a bottle store. We already have 2 liquor outlets – in a poor community where as everywhere alcohol abuse influences the life that our children and scholars live.

The owners of Benguella Cove have enough space to accommodate their seasonal workers. They have a hold over them and can call them to order as their employers. Here they will be many unknown men unattached to families where they are living. Considering everything that has happened to young children in the Western Cape I must stress that the primary scholars and crèche children will walk past this building daily.

FILE NO:	EL 1391
	Hawston
SCAN NO:	44
COLLABORATOR NO:	1039324

TP 15 JUN 2017

Sir, we have so many undesirable elements who have immigrated into this area, pushed up the crime rate and have given a former quiet and decent residential area a bad name.

There is no economic basis for the many people that have been dumped in this area – they are unemployed – and do not get fishing rights. It is high time that this is taken into account when people are moved into this area.

Hawston buys electricity from Overstrand not Eskom as the applicant forwards.

There is no sewerage service available on the seaside of Church Street only for the scheme houses on the other side of the road.

This hotel will have an entrance on Chapel St also which is across the road from St Andrew's Anglican Church. On the southern side it will be next to the Griqua place of worship. Noise and traffic will not do justice to both these churches and to the Overstrand Care Centre where there are very ill patients.

Finally, Sir, we have had bed and breakfast accommodation here which are hardly even occupied – so there is no need for a hotel in the middle of the village where guests will have no scenic views – they will look into the bush or into a housing scheme. The Abalone Restaurant at the beach – near the pool is also not a busy, lucrative place. We do not need this business.

The cry is it will supply employment but we have seen that the big companies bring their own staff and the contractors all their own workers.

Please do not sanction this request

Yours faithfully

BUCCHIANERI

A. L. Buccianeri

Ef 39, Hawston



ANNEXURE E 1/3

TP-A Theart
(Holivier)ESTABLISHED
2002Town and
Regional
PlanningMunicipal
Legislation
and ProceduresLiquor
LicensingDevelopment
Management35 Duiker Street
Box 1247
Hermanus
7200

Tel: +27 (0)28 313 1411

Fax: +27 0865083248

Email:
wrap@telkomsa.netWeb:
www.wrapgroup.co.zaWright Approach
Investments 136 CCReg No
CK 2002/060745/23Our Reference: 16/114
Your Reference: 1391 HHW (3611)

28 June 2017

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

Sir

FILE NO:	EL 1391-Haw
SCAN NO:	
COLLABORATOR NO:	1047632

ERF 1391 HAWSTON: APPLICATION FOR CONSENT USE: COMMENT ON
OBJECTIONS

Your letter dated 22 June 2017, refers.

Objections were received from the following persons and organisations:

The Parish of St Andrews Hawston, letter dated 13 May 2017;
G. A. Williams, letter dated 14 June 2017; and
A. L. Bucchianeri, letter dated 14 June 2017

We have summarised the points of objection raised from the aforementioned letters and our response is the following:

1. *Hawston does not need another liquor outlet as our inhabitants are poor and the children suffer as a result of alcohol abuse.*

The proposed hotel will not have any liquor outlet and no application was made for a liquor license. The consent use applied for is only for a hotel, which does not include a bottle store. The definition of a hotel in terms of the Municipal Zoning Scheme specifically excludes an off sales facility.

2. *The northern entrance is on Chapel Street opposite St Andrews Church and the southern side is directly onto the Griqua place of worship and the constant movement and noise will be disrespectful for them.*

The main and only entrance to the hotel and the parking area is from Vlei Road (Church Street extension) and there is no entrance on Chapel Street as mentioned in the objection. The southern side of the hotel also does not have an entrance and the effect of the movement and possible noise on the two congregations will therefore be minimal.

TP 30/6/2017


 WRAP

It must be kept in mind that the subject property has a Business Zoning and therefore the property can be developed with any business within the primary rights of the zoning for which no public participation is required.

3. *There are no sewage service available on the western side of Church Street*

The proposed hotel will be serviced by a sewerage system as prescribed by the municipality.

4. *Electricity is provided by the Municipality and not Eskom.*

Electricity is in fact provided by the Municipality and not Eskom as in the case of Vermont and Onrustvler.

5. *The proposed hotel is close to the primary school and welfare crèche.*

The objector does not say why the close proximity of the school and crèche is problematic, especially in the light thereof that the hotel will be a residential establishment without a liquor licence or off sales facility.

6. *The applicant refers to the street in which the hotel is situated as Vlei Road while it is Church Street.*

According to the Surveyor-General diagrams of the subject property it is in fact situated in Vlei Road as Church Street becomes Vlei Road from Erf 1391, Hawston onwards.

7. *The building on the erf was considered a historic place and permission should have been obtained from Heritage Western Cape.*

The building was demolished after a demolition permit was obtained from the Overstrand Municipality.

8. *The Overstrand Care Centre is in the vicinity and the patients should not be subjected to extra noise as there are already a lot of noise and loud music in the area.*

As mentioned above the development will be a residential hotel without a liquor licence and noise will be minimal and not more than what is normally created by the residents with children in a residential neighbourhood. The Care Centre is located on the other side of St Andrews Church and is quite a distance from the proposed hotel.

9. *The owners of Benguela Cove have enough space to accommodate their seasonal workers where they can control them whilst in Hawston they might become a threat to young children walking from the schools and crèches. There are already too many undesirable elements that have immigrated into the area.*

Benguela Cove development does not have the facilities to accommodate the need that the seasonal workers might have such as shops, restaurants, entertainment, leisure and sporting facilities. They will also be accommodated for a specific period of the year and the rest of the time the facilities will be available as a normal residential hotel catering for visitors or back packers. This will make the business more feasible and will provide a facility that is needed in a town like Hawston.

There is also no reason why these workers will behave differently than any other person visiting Hawston and looking for accommodation. As these workers are employed by Benguela Cove they will be accommodated under strict rules and for this reason will be better behaved than unemployed persons loitering around in the town.



10. *There are no economic basis for the many people that have been dumped in this area. they are unemployed and do not get fishing rights.*

This point is regarded as irrelevant to the application as the workers of Benguela Cove are employed and their income will give an economic injection to businesses in the town.

11. *We do not need this business as bed and breakfast accommodations in the township are hardly even occupied and other restaurants are not busy or lucrative.*

The proposed hotel will mainly be used by the workers from Benguela Cove and will therefore not be totally dependent on support by the local population and will also not be much in competition with other businesses in the area.

12. *Big companies bring their own staff and workers and this will not help with the unemployment in the area.*

This is the opinion of the objector and not totally correct as a lot of semi-skilled and unskilled workers from the area will be employed.

13. *It is not clear who the buyer is and this makes the establishment of the hotel a risk and wrong elements might influence the church services.*

As indicated in the application documents, one of the shareholders of Benguela Cove, Mr Nick Rea is the owner of the subject property and as stated previously, the workers that will be housed in the proposed hotel will be under strict supervision and control.

14. *An hotel for tourists at R800-00 per night is not feasible and will not cater for the lower income groups.*

It is not clear where the figure of R800-00 per night comes from as the tariffs will only be determined once the building is completed and ready for occupation.

We trust that you will accept our response as adequate to enable you to take an informed decision in this regard.

Yours faithfully

A handwritten signature in black ink, appearing to read "Pine Pienaar", written in a cursive style.

PINE PIENAAR
PRINCIPLE TOWN PLANNER (Pr Pin. A409/85)



TP - A Theart
(Hollivier)

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Candice Spammer

Tel: 021 414 5582
Fax: 086 480 0617
Email: spammec1@telkom.co.za

FILE NO: 6L1391-Haw ✓
SCAN NO:
COLLABORATOR NO:
1046407

Our Ref.: WWIP_WHWS1900_17
Your Ref.: 1391 HHW 3611

23 June 2017

Attention: S Muller

Overstrand Municipality
HERMANUS

WAYLEAVE: PROPOSED CONSENT USE: ERF 1391, CHURCH STREET, HAWSTON

With reference to your application received 11 May 2017.

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.

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.



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

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.

As important cables are affected, please contact our representative Frederik Swart at telephone number 028 514 1199 / 081 363 7815 at least 48 hours prior of commencement on construction work.

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



Selwyn Bowers
Operations Manager
Wayleave Management: Western Region

This wayleave, Reference Number WWIP WHWS1900 17 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 responsibility.
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: 2017/06/23

By: C Spanmer
For Regional General Manager
Western Cape

Legend	Green
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / A.JB	
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 F 4/4



ANNEXURE G 1/1



TP A Theart
(M Olivier)

OVERSTRAND MUNICIPALITY
P.O. Box 20
HERMANUS
7200

Date:
12.05.2017

Enquiries:
Lianne Muller
Tel: 021 980 3023
Fax: 086 663 6896

Attention: Loriaan Isaacs

WAYLEAVE APPLICATION: ERF 1391, CHURCHSTREET, HAWSTON: CONSENT USE:

WRAP

YOUR REF: 1391 HHW (3611)

OUR REF: 01486/17

Your request received 11 May 2017 refers.

1. Eskom Distribution has no objection to the proposal and would like to comment as follows:
 - (i) The proposed construction, is not affected by Eskom services and should be referred to the Local Authority
2. **NOTE:** (i) Not in Eskom area of supply as confirmed by our Geographic mapping office.

Yours faithfully

pp.

Lianne Muller
LAND DEVELOPMENT - BRACKENFELL



FILE NO:	EL 1391
	Hawston
SCAN NO:	05
COLLABORATOR NO:	1024703

Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA

Eskom Holdings SOC Limited Reg No 2002/015527/30



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: ERF 1391, HAWSTON (3611)**

Stormwater (SW)	:	In order
Electricity	:	In order
Water	:	According to GLS report
Sewer	:	According to GLS report
Roads and traffic	:	In order

Conditions:

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

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

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

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

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

The contribution according to the current policy (**2017/2018**) is as follows:

Freehold erven:

Water	R 21 500.00 x 1.22 =	R 26 230.00
Sewerage	R 14 496.00 x 0.91 =	R 13 191.36
Roads	R 6 500.00 x 8.63 =	<u>R 56 095.00</u>
TOTAL (inclusive of VAT)	=	R 95 516.36

Note:

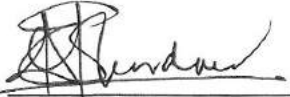
- 1.1 **The above figures are estimates**
- 1.2 **The Overstrand Electrical Department should be contacted regarding electricity bulk services levy**
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;

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

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

13. that the above stormwater management plan include the following:
 - 13.1 pre-development run-off from the catchment area;
 - 13.2 post-development run-off from catchment area;
 - 13.3 existing stormwater reticulation system and the capacity thereof;
 - 13.4 connection of internal stormwater reticulation system;
 - 13.5 overland escape routes
14. that the connection to the stormwater reticulation system be provided according to the stormwater management plan, by the developer at his cost and approved by Overstrand Municipality;
15. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
16. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
17. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be proved with the following:
 - a. properly ventilated;
 - b. a cement floor;
 - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
 - d. at a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
18. that the connection to the existing water reticulation system be done at the existing 150mm dia pipe in Church Street;
19. that the connection to the existing sewer reticulation be done at the existing 160mm dia outfall sewer in Church Street;
20. that the connection to the main water and sewer line only be done by the Operational Department, after payment of the connection fees, by the developer;
21. that only the existing electricity connection is available for the proposed development, should additional capacity be required an investigation be conducted with regards to the capacity required and that available, at the developer's cost;

22. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

28/11/2017
DATE

	<p>OFFICE of THE CHIEF FIRE OFFICER PO BOX 20 HERMANUS 7200 Tel: 028 313 8980 Fax: 028 313 1493</p>	<p>ANNEXURE I 1/2 <small>Overstrand Municipality</small> OVERSTRAND</p>
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Compliance requirements for H1 – Hotels with Bars, Entertainment and Public Gathering venues in terms of the National Fire Protection Regulations SANS10400T:2011 Irrespective of height.

ANNEXURE A – 1391 HHW, HAWSTON
TOWN PLANNING APPLICATION No: 1391 HHW (3611)

The Fire Safety requirement for any H1-Hotel occupancy is subject to an approved plan and a rational design by a competent person (fire engineering) if they do not comply fully with the National Fire Protection Regulations as provided below.

Minimum Requirements:

- Free standing building - Provide fire hose reels (FHR) in compliance with Section 4.34 of SANS10400T:2011 – 1x30m FHR per 500m² in the case of a building being larger than 250m².
- Provide 1 x Fire Hydrant for any building larger than 1000m² or part thereof irrespective of height with no less than 1 hydrant per floor in compliance with Section 4.35.2 of SANS10400T:2011.

Fire Detection & Alarm System:

- Provide a SANS10139 compliant L1/M Fire Detection system irrespective of height or floor area as prescribed by Section 4.31.1(b) of SANS10400T:2011.
- Provide 1 x Fire Extinguisher per 200m² of either type: Water - 9litre; Carbon Dioxide CO₂ – 5kg; Dry Chemical Powder – 4.5kg. Locations to be approved by controlling authority which marked by SANS1186-5 (Photoluminescent) signs.
- Fire protection of air conditioning systems must be in compliance with Section 4.43 of SANS10400T:2011(when applicable).

Emergency Lighting:

- Provide automatic self-contained emergency lighting in compliance with Section 4.30.2 & 4 of SANS10400T:2011 that is able to provide lighting for a minimum period of 60 minutes or alternatively provide automatic power supply i.e. Generator or Battery backup with a maximum startup of 10 seconds time lapse.

Fire Exits and Escape Routes:

- Must provide emergency fire exits in compliance with Sections 4.16; 4.17; 4.18 & 4.21 of SANS10400T:2011 including provision for the escape of persons with disabilities in compliance with SANS10400S. i.e. 1m in width for up to 100 persons without disabilities and 1.5m width for persons with disabilities.

Marking of Emergency Routes:

- All emergency exits must be indicated along the entire route with SANS1186-5 (Photoluminescent) signs and directional arrows together with illuminated EXIT signs above exit doors in compliance with Section 4.29 of SANS 10400T:2011.
- Final escape doors must be provided with a panic bar release system in compliance with Section 4.16.10 of SANS10400T:2011.

Occupancy Control of Entertainment and Public Gathering Facilities i.e. Bars, Restaurants, Conference Facilities:

- Seating and furniture arrangement within places of entertainment must be in compliance with Section 4.29 of SANS10400T:2011 i.e. that a walking space between the backrests of chairs shall be a minimum of 500mm.
- The use of places of entertainment and public gathering are subject to the issue of a Population Control Certificate obtained from the Local Authority (Fire Service) as prescribed by 21(1) of the Overstrand Community Fire Safety By-law P.N. 6454 Of 2007.

Combustibility of Floor Coverings:

- Shall comply with requirements of Section 4.14 Table 9 of SANS10400T:2011.

Combustibility of Interior Finishes:

- Shall comply with requirements of Section 4.15 Table 8 of SANS10400T:2011.

ANNEXURE I 2/2

Ceilings:

- No combustible materials are permitted in ceilings or walls (or both) as prescribed by Section 4.13.1(c) of SANS10400T:2011.

Tenancy Room Separations:

- All separating walls between rooms must provide a minimum of 60 minute fire resistance as prescribed by Section 4.8.1 of SANS10400T:2011.
- All prescribed separating fire resistant walls must be taken to the underside of non-combustible roof coverings and be beam filled as prescribed by Section 4.12.7(b) of SANS10400T:2011.
- In the case of combustible roof covering the walls must be taken to not less than 500mm above and to the sides of the covering in the form of a parapet as prescribed by Section 4.12.7(c) of SANS10400T:2011.
- No combustible roof structure components may penetrate any fire resistant separation wall as prescribed by Section 4.12.7(d) of SANS10400T:2011.

Protection of Corridors, Escape and Feeder Routes:

- All room doors connecting with escape and feeder routes leading to emergency exits must provide equivalent fire resistance to the separation walls – i.e. 60 minute fire resistance in compliance with SANS1253 – Class A requirements and each door must be provided with a self-closing mechanism as prescribed by Section 4.10.4 of SANS10400T:2011.
- All walls of corridors that are part of emergency escape and feeder routes must provide a minimum of 60 minute fire resistance protection.

Provision of Safety for Persons with Disabilities:

- Refuges for persons with disabilities of a size that is able to accommodate a person in a wheelchair as well as one additional person shall be provided at each stairway on all levels above the ground floor which is rationally designed by a competent person (fire engineering) where required as prescribed by Section 4.16.8 of SANS10400T:2011.

Fire Smoke Control:

- The control of spread of smoke and contamination must be in compliance with requirements of Section 4.42 of SANS10400T:2011.

Access for Fire-Fighting and Rescue Purposes:

- The building/s shall provide adequate access to its interior for rescue and fire-fighting purposes by the relative services as prescribed by Section 4.45 of SANS10400T:2011.

Kitchen Requirements:**Kitchen Extraction Systems:**

Kitchen extraction systems must be in compliance with SANS1850:2012 – Design of Commercial Kitchen Extraction Systems. Maintenance and cleaning of extraction systems must be on a 6 monthly basis with certificate of work done issued by the maintenance company.

Solid Fuel Ovens (Pizza or Tandoori):

Solid Fuel ovens shall be provided with a suitable dedicated extraction/ventilation system in compliance with Section 7 of SANS1850:2012

Release of Solid Fuel Combustion Products:

Where there is a risk of airborne sparks being produced, a suitable spark arrester shall be fitted to prevent embers entering the extraction duct in compliance with Section 7.2 of SANS1850:2012.

Grease Draws:

All canopies shall be fitted with an internal gutter and grease draw of capacity large enough as to not require constant attention, or some other device to contain any run-off safely. Such a device should have a maximum capacity of 500millilitre.

Fire Suppression of Deep Frying Units:

At least one Type F (Saponification/Wet Chemical) fire extinguisher shall be supplied for cooking operations involving deep frying units. The size and rating of the unit should be commensurate with the oil capacity of the frying unit. Type extinguishers should meet the requirements of ISO 7165 or acceptable equivalent. In accordance with Section 11 of SANS1850

These requirements are issued in terms of SANS10400T(1) and T(2)

Chief Fire Officer