

4.3**ERF 102, 86 WESTCLIFF ROAD, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS AND CONSENT USE : KL STURMAIR ON BEHALF OF DE WESTCOTT****102 HWC (3608)****H van der Stoep****29 September 2017****(028) 313 8900****Hermanus Administration****1. EXECUTIVE SUMMARY**

An application has been received on 6 March 2017 from KL Sturmain on behalf of DE Westcott on Erf 102, Hermanus for the following:

- ❖ Removal of restrictive title conditions in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 for the removal of the restrictive condition Clause B(a) in Title Deed T68733/2015 applicable to Erf 102, Hermanus:

“(a) That this erf be used for residential purposes only.”

- ❖ Consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 in order to enable the owners to utilize the existing dwelling house on Erf 102, Hermanus as a guesthouse with four (4) lettable rooms.

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. The Title Deed is attached as Annexure D.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The erf measures 707m² in extent and is held under Title Deed T68733/2015. The erf is located in the residential area of Westcliff in Hermanus.

The buildings on the property consist of a single double storey dwelling house. The structures on the property have approved building plans and the application is to be accommodated within the existing structures.

4. SUMMARY OF APPLICANT'S MOTIVATION

The specific location for a Bed and Breakfast has been chosen due to its locality opposite a greenbelt area, very close to the cliff path and undisrupted sea views from both the ground- and upper floor. It has sufficient space for parking and highly accessible to the main routes and places of interest.

The house consists of five (5) bedrooms and the proposal is to make use of four (4) bedrooms for accommodation, and the fifth bedroom be used for the manager. No

additional pressure will be placed on the municipal services and access will be from Rocklands Road. This also creates an opportunity for employment possibilities.

The applicant is also the owner of an established guest house e.g. Hermanus Whale View and has seen the scope for more establishments.

The removal of the restrictive condition is to enable the consent use.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Press	Yes	25 April 2017	2 June 2017
Gazette	Yes	28 April 2017	2 June 2017
Notices	Yes	25 April 2017	2 June 2017
Ward councillor	Yes	25 April 2017	2 June 2017
Total comments	ONE (1)		
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
Engineering Services		See Annexure G.	Supported
Fire Department	02/06/17	See Annexure H.	Supported
Building Control	02/05/17	Supported subject to any building work to be in compliance with SANS 10400.	Supported

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

One (1) objection was received from J Slade, owner of Erf 5593.

The objection can be summarized as follows:

- The property is located on a dangerous S-bend that has seen many accidents over the years.

- The tanker service access is on Westcliff Road, which causes problems that will be exacerbated if there is additional use emanating from the proposed application.
- The parking on the northern corner is not viable due to the lack of manoeuvrability.
- Parking on the S-bend will require an additional access, which is not allowable.
- There is no room for alternative parking.
- The site is unsuitable for a Bed and Breakfast

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

The applicant responded as follows:

The house was built on the S-bend with the approval of the Municipality and the access is on Rocklands Road, which has no dangerous impact.

The Municipality has approved the tanker service access on Westcliff Road. On 86 Westcliff Road is a five (5) bedroom guesthouse plus a servant quarters family home. Whether the house is filled with family or guests, the impact on the tanker service will remain the same.

The parking issue has been resolved with the Engineering Department.

9. MUNICIPAL ASSESSMENT OF COMMENTS

Town Planner's comment on objections

The Title Deed restriction applied for is in line with the procedure as per the Overstrand Municipal By-Law. The Zoning Scheme does make provision for a guest house as a consent use.

The parking has been resolved by the Engineering Department.

The tanker service is the responsibility of Operational Services and they deemed the application not a problem.

Internal Departments

No objection has been received by the internal departments.

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

Not applicable.

Spatial sustainability

The existing structures are compatible with the character of the area and do not negatively impact on the area. The removal of the restrictive condition is to allow the owner to exercise the consent use and the anticipated impact of the guest house is considered low.

Efficiency

The building is used as such and thus makes optimal use of the development parameters as defined in the Overstrand Zoning Scheme. The property is easily accessible and conveniently located close to the Central Business District (CBD) and cliff paths.

Spatial Resilience

Not applicable.

Good administration

Procedure was followed and full public participation was applicable.

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.

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

Same as Point 10.2.

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

N/A

10.6 Impact on Municipal engineering services

None.

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

A restrictive condition is applicable and an application is being lodged in terms of the By-Law to remove the restriction.

10.8 Existing and proposed zoning comparisons and considerations

The application is in line with the Overstrand Spatial documents and follow due procedure of the removal of Restrictive condition.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights

No financial values are applicable.

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal

The personal benefit is that the applicant can operate a guesthouse from the dwelling.

The social benefit of the restrictive condition remaining in place, and/or being removed / amended

The social benefits are the added benefits for tourism pertaining to accommodation possibilities and choice.

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights

The rights enjoyed by the beneficiary will remain in place since the erf will remain residential and the rights obtained will be subservient to the main activity, e.g. residential.

12. THE DESIRABILITY OF THE PROPOSAL

The application is to remove the condition that restricts the property to residential use only. In terms of the Overstrand Zoning Scheme the option exists to apply for a consent use on a residential erf to operate a guesthouse.

The guesthouse will consist of three (3) bedrooms to be utilised as guest rooms and the remainder for residential purposes. The restriction differs from the requested four (4) bedrooms due to the limited parking availability on-site. The parking layout in terms of size and manoeuvrability has been clarified and approved by the Engineering Services Department. The same applies with regard to safe access from Rocklands Road. The objection in this regard has thus been addressed.

The question of access to the sewerage point is determined by the Operational Department to ensure easy accessibility for the tanker service. The proposed three (3) bedrooms in an existing approved five (5) bedroom house will have no more impact on the tanker service in operation. Whether the dwelling be used as residential or as a guesthouse, the tanker service will still have to be provided and will make use of Westcliff Road as this is where the suction points are located.

Westcliff area is renowned for its guesthouses and is limited to five (5) bedrooms as per the Guesthouse Policy applicable on Residential Zone 1 erven. The applicant proposes only three (3) bedrooms, which is less than the allowable five (5) bedrooms.

The applicant is also the owner of another tourism accommodation establishment, and thus has the experience and knowledge about the operation of a guesthouse. Thus contributes to the efficient running of such an establishment and the restrictions in terms of legislation applicable to such ventures.

The condition to be removed is only partially supported and it is recommended that the condition rather be amended than removed to ensure that the property remains primarily residential of nature, and should the guesthouse not be in operation that the dwelling can easily revert back to residential.

The application is therefore recommended, however it is proposed that the condition not be removed, but rather amended. The amendment should read as follows: *“the property is used primarily for residential purposes and a guesthouse be allowed subservient to the residential use”*.

The application is recommended for approval since it is an existing dwelling to be used for the applied purposes and no additions are proposed.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(f) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 on Erf 102, Hermanus for the removal of restrictive condition B(a) in Title Deed T68733/2015, **be amended**, to read as follows:

“The property is used primarily for residential purposes and a guesthouse be allowed subservient to the residential use.”

2. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 (By-Law) on Erf 102, Hermanus for a consent use to operate a three (3) bedroom guesthouse, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the development be in line with Site Development Plan 2017/03/6, dated March 2017;
 - (b) that parking be provided as per Site Plan 2017/03/6, dated March 2017;
 - (c) that a maximum of three (3) bedrooms to be let, be permitted;
 - (d) that this approval must be acted on within three (3) years of the date of this approval, otherwise the approval will lapse;
 - (e) that the facility be utilized as a guesthouse only
 - (f) that the guest house only be utilized in line with the finally approved Site Development Plan;
 - (g) that no kitchen facilities and or prep bowls be allowed in the guest rooms;
 - (h) that the owner/manager resides on the premises, and that the owner be responsible for the proper management of the guest house;
 - (i) that the guest house is utilized as such – no self-catering will be permitted;

- (j) that no facilities (bar/restaurant or any other) be provided for non-residents of the accommodation establishment and that these facilities only be used by bona-fide guests of the establishment;
 - (k) that the selling or serving of liquor on the premises will be subject to the applicant obtaining the necessary Liquor Licence;
 - (l) that a maximum of one (1) permanently demarcated parking bay per guest room and two (2) for the owner/manager be provided within the erf boundaries, subject to the approval of the Authorised Official;
 - (m) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (n) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (o) that a single non-illuminated sign that complies with the Municipal By-Law on Signage, may be displayed on the premises, and that the existing flag pole be removed;
 - (p) that the guest house be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (q) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
 - (r) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (s) that should any building alterations be required building plans should be submitted to the Building Department for approval;
 - (t) that all the conditions in the Services Report (attached as Annexure G), be complied with, and
 - (u) that all conditions imposed by the Fire Department (attached as Annexure H), be complied with.
2. that the applicant and objector 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.
- ❖ One (1) objection has been received.
- ❖ None of the internal departments have any objection.
- ❖ None of the municipal services will be needed.

- ❖ The character of the area will not be influenced
- ❖ The area is renowned for its guesthouses.
- ❖ Municipal services are available.
- ❖ It is in line with policy documents.

15. ANNEXURES

Annexure A: Locality Plan
Annexure B: Site Development Plan
Annexure C: Motivation Report
Annexure D: Title Deed T68733/2015
Annexure E: Objection received
Annexure F: Applicant's response to objection received
Annexure G: Services Report
Annexure H: Comment: Fire Department

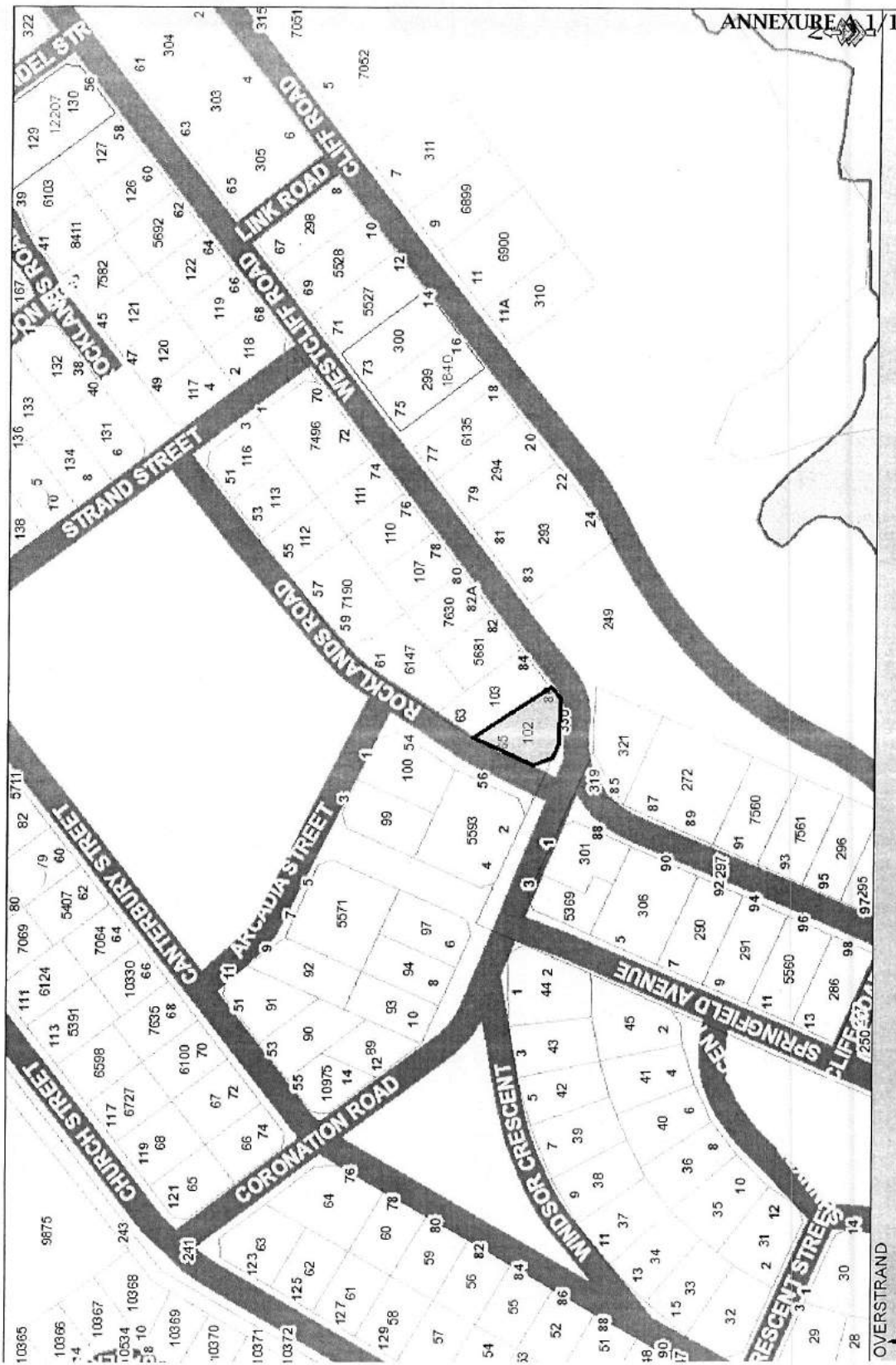
SIGNATURES**REGISTERED PLANNER**

Registered planner name : **H VAN DER STOEP**

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

Registered planner signature : _____

Date: _____



LOCALITY PLAN - ERF 102 WESTCLIFF

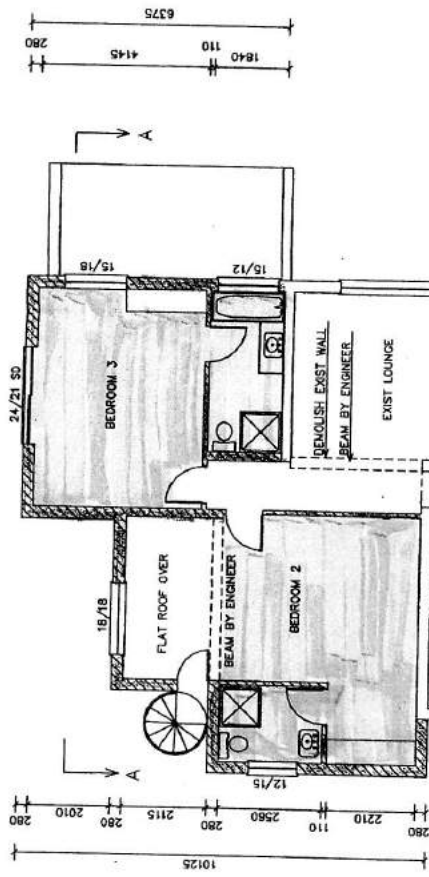
Date: 2017-04-21



ANNEXURE B 2/3

5 GUEST ROOMS 1, 2, 3, 4

NOTES:
 1) THE CONTRACTOR IS TO MAKE HIMSELF FAMILIAR WITH THE SITE CONDITIONS AT THE TIME OF TENDERING
 2) THE CONTRACTOR IS TO CHECK ALL LEVELS AND DIMENSIONS ON SITE AT THE TIME OF SETTING OUT AND DISCUSS SAME WITH OWNER
 3) PRIOR TO THE MANUFACTURE OF TRUSSES ETC THE MANUFACTURER IS TO TAKE ALL RELATIVE DIMENSIONS ON SITE



FIRST FLOOR
 EXIST BEDROOM 1
 1. GUEST BEDROOM
 BEDROOM 2
 2. GUEST BEDROOM
 BEDROOM 3
 3. GUEST BEDROOM
 GROUND FLOOR
 4. GUEST BEDROOM SEE PAGE 19
 GREEN OWNER HANDED ACCOMMODATION

FIRST FLOOR PLAN SCALE 1:100

OWNER'S SIGNATURE

PROPOSED ADDITION TO EXISTING RESIDENCE FOR DR W VAN AARDT ON STAND NO 102 WESTCLIFF HERMANUS

Richard Borelio
 Architectural
 Design and Drafting
 101, 103, 105, 107, 109
 P O Box 1172
 Hermanus
 7200
 SACAP reg no T0385

REGISTERED ARCHITECT
 OVERSTRAND MUNICIPALITY
 17433
 APPROVED
 13/11/07

OVERSTRAND MUNICIPALITY
 17433
 APPROVED
 13/11/07

ANNEXURE B 3/3

- NOTES:
- 1) THE CONTRACTOR IS TO MAKE HIMSELF FAMILIAR WITH THE SITE CONDITIONS AT THE TIME OF TENDERING
 - 2) THE CONTRACTOR IS TO CHECK ALL LEVELS AND DIMENSIONS ON SITE AT THE TIME OF SETTING OUT AND DISCUSS SAME WITH OWNER
 - 3) PRIOR TO THE MANUFACTURE OF CONCRETE THE CONTRACTOR IS TO TAKE ALL RELATIVE DIMENSIONS ON SITE

OVERSTAND, MUNICIPALITY
 Building plan No. 2/14/2012
 is registered for
 the purpose of the
 National Building Regulations and Building Standards Act 101 of 1977
 and Building Control Act
 102 of 1977
 is approved subject
 to the approval of the National Building
 Regulations and Building Standards Act 101 of 1977
 and Building Control Act 102 of 1977
 2/14/2012
 Approved by Council

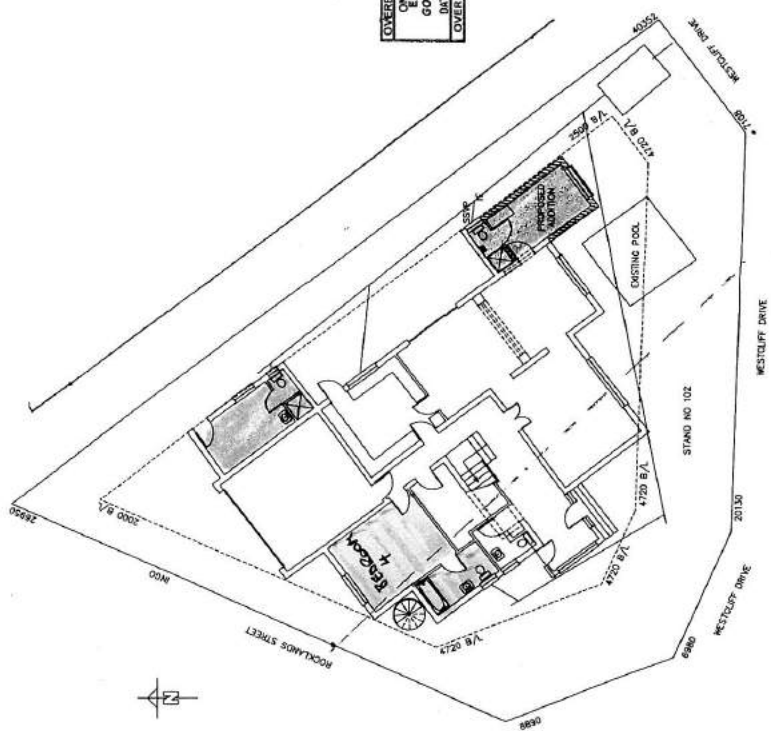
MUNICIPALITY OVERSTAND MUNICIPALITY
 THE BUILDING PERMITTEE
 APPROVED / APPROVED
 DATE: 2/14/2012

OWNER'S SIGNATURE

PROPOSED ADDITION TO
 EXISTING RESIDENCE FOR
 DR W VAN AARDT
 ON STAND NO 102
 WESTCLIFF
 HERMANUS

Richard Borello
 Architectural
 Design and Drafting
 Tel: 028 316 3059
 Cell: 083 650 6174
 P. O. Box 1172
 Westcliff
 7200
 SACAP reg no T0385

OVERBERG DISTRICT MUNICIPALITEIT
 OMBEGINGSREKONHEID /
 ENVIRONMENTAL HEALTH
 GOEDGEKUR / APPROVED
 DATUM / DATE: 2/14/2012
 OVERBERG DISTRICT MUNICIPALITY



SITE PLAN SCALE 1:500



The Overstrand Town Planning Department
Patterson Street
Northcliff
Hermanus.

10th March 2017

Dear Sir/Madam,

**RE: Application for Consent Use, Erf 102. 86 Westcliff Road, Westcliff,
Hermanus.**

General Information:

I am in the process of purchasing the above mentioned property and would like to apply for Consent Use to operate a Bed and Breakfast establishment.

Overview of proposed Consent Use:

This property has been chosen by me as it is situated in Westcliff opposite a greenbelt area, very close to the cliff path and has a sea view from both the ground and upper floors. It also has the space for the required parking bays. It is situated on Westcliff Road which is the main road to the New Harbour from the CBD and is also easily accessible to the main routes and Overberg places of interest. The property is easily accessed by tourists and is an easy stroll to the Hermanus CBD.

The entrance for the Bed and Breakfast would be in Rocklands Road which would not interfere in any way with the traffic travelling on the main road.

Desirability of proposed utilisation:

There are already four bed and Breakfasts/Guesthouse establishments in Westcliff Road which confirms the accessibility and popularity of the area for this kind of enterprise and being in a residential area the property would not be viable for any other type of business activity.

Mobile : +27-82-920-3879
Email : karien@advanceco.co.za
www.hermanuswhaleview.com
FOLLOW US ON FACEBOOK :)
www.facebook.com/hermanuswhaleviewselfcatering

Other laws:

The house does not fall under the The National Heritage Resources Act as the building is not more than 60 years old and as far as we can ascertain other laws such Enviromental Management, Air Quality etc would not be in any way affected by this proposed bed and breakfast establishment

Impact on Municipal Services:

The house has five bedrooms en-suite and as the proposal intends only utilising four of the existing rooms for guests and the fifth for the owner manager, there will be no more pressure on the water, electrical or engineering services than there is at present when the house is full with friends and family. We do not anticipate that the existing road structure will be effected in any way by the Bed and Breakfast establishment.

The Bed and Breakfast will offer at least three more opportunities for employment in the Hermanus area. I already have an established successful business in Hermanus renting out a Beach house and apartment (Hermanus Whale View). I have further investigated the tourist accommodation facilities in Hermanus and it would appear that there is scope for more establishments, particularly in the upper market priced accommodation.

Job Creation & Services :

Through this guest house, we will be creating employment for :

- 1 x House Manager
- 1 x Bookkeeping Services
- 1 x Weekend relief co-ordinator
- 2 x Domestic Cleaners
- 1 x Gardener &
- 1 x Pool Services
- 1 x Driver – shuttle services (long term plan)

Committed to Responsible Tourism :

Once established, we will donate to the upliftment of our community in Hermanus, through :

- Our local Fire Stations
- Wild Life Conservation projects
- NSIR (National Sea Rescue Institute)
- Hermanus Night Shelter
- Hermanus Animal Welfare

Mobile : +27-82-920-3879

Email : karien@advanceco.co.za

www.hermanuswhaleview.com

FOLLOW US ON FACEBOOK :)

www.facebook.com/hermanuswhaleviewselfcatering

We plan to follow energy saving measures :

- Recycling of plastic, paper and glass
- We will establish a strict water management plan
- We will plant indigenous fynbos in the garden, requiring minimum irrigation
- We will use energy-saving light bulbs
- In due course we will have solar heating for our geysers
- We will have a laundry policy - guest are requested to use towels responsibly by making use of the heated (economic) towel rails instead of having them laundered daily
- All complimentary bathroom amenities will be water-based, 100% Bio degradable, free of phosphates and have not been tested on animals
- As far as possible ~ we will source local organic produce and free-range food to prepare meals.

Staff Training and Development :

The development and training of our staff members will be a priority for us. Continuous training in housekeeping, cooking, computer skills and guest interaction will be conducted on a regular bases.

Thank you for taking the time to read my motivation letter and I do hope that you will consider the application for Consent Use favourably.

Please contact me directly should you have any questions.

Sincerely



KL Sturmair

Mobile : +27-82-920-3879
Email : karien@advanceco.co.za
www.hermanuswhaleview.com
FOLLOW US ON FACEBOOK :)
www.facebook.com/hermanuswhaleviewselfcatering

1922
 Eléne
 Groenewald
 Friedland Hart Solomon & Nicolson
 79 Steenbok Street
 Monument Park
 Pretoria
 0181
 (021) 434 8875

ANNEXURE D 1/3

Prepared by me

Miriam

CONVEYANCER
MIRIAM JANSEN VAN VUUREN

Purchase price	R 5 500 000.00 (5 500 000)	
Mortgage capital amount	R	
Balance of mortgage	R	

000068733 / 2015

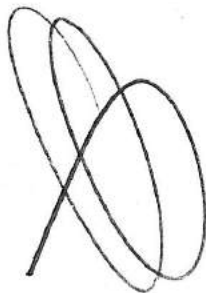
DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ELENE GROENEWALD

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said Appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at PRETORIA on 29 SEPTEMBER 2015 granted to him by

- 1. WILLEM VAN AARDT**
Identity Number 720802 5261 08 4
Married out of community of property
- 2. LINDA VAN AARDT**
Identity Number 730222 0073 08 7
Married out of community of property



DATA / VERIFY
 12 DEC 2015
 BLOEMFONTEIN

DATA / CAPTURE
 08 DEC 2015
 BLOEMFONTEIN

And the Appearer declared that his said principal had, on 12 August 2015, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

DENZIL ERITH WESTCOTT
Identity Number 430330 5016 08 5
Unmarried

his Heirs, Executors, Administrators or Assigns, in full and free property

REMAINDER ERF 102 HERMANUS
 IN THE OVERSTRAND MUNICIPALITY,
 DIVISION CALEDON,
 PROVINCE WESTERN CAPE,

IN EXTENT 707 (SEVEN HUNDRED AND SEVEN) Square metres

FIRST TRANSFERRED by Deed of Transfer No T7983/1938 with Diagram No 6992/1937 relating thereto AND HELD BY Deed of Transfer T124681/2004.

A.

B. ERF 102 HERMANUS

IN EXTENT 752 square metres of which the property transferred hereby forms part is:

SUBJECT to the following special conditions contained in Deed of Transfer No 7983/1938 imposed by the Administrator of the Cape Province, when approving of the Township, as being in favour of the registered owner of any erf in the Township and subject to amendment or alteration by the Administrator in terms of Section 18(3) of Ordinance 33 of 1934, namely:-

- (a) That this erf be used for residential purposes only.
- (b) That only one dwelling together with such outbuildings as ordinarily required to be used therewith, be erected on this erf.
- (c) That no more than half the area of this erf be built upon.
- (d) That no building shall be erected on the above erf within 4,72 metres of any street line which forms a boundary of this erf. No building shall be situated within 2,36 metres of the lateral boundary common to any adjoining erf.

AS BEING IN FAVOUR OF THE ADMINISTRATOR:

(e) That this erf be not subdivided except with the consent in writing of the Administrator.

AS BEING IN FAVOUR OF THE MUNICIPALITY OF HERMANUS

(f) That the owner of this erf shall be obliged to allow the drainage and sewerage of any other erf or erven to be conveyed over this erf if deemed necessary by the Municipality and in such manner and in such position as may from time to time be reasonably required by the Municipality."

C. NOT SUBJECT to condition A. on page 2 of Deed of Transfer Number T124681/2004, by virtue of Section 53 of the Mining Titles Registration Amendment Act, 24 of 2003.

WHEREFORE the said Appearer, renouncing all right and title which the said

1. **WILLEM VAN AARDT, Married as aforesaid**
2. **LINDA VAN AARDT, Married as aforesaid**

heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

DENZIL ERITH WESTCOTT, Unmarried

his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R5 500 000,00 (FIVE MILLION FIVE HUNDRED THOUSAND RAND).


IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

27 November 2015


q.q.

In my presence


REGISTRAR OF DEEDS

FILE NO:	ER 102
SCAN NO:	Hermanus ✓
COLLABORATOR NO:	1025954

ANNEXURE E 1/2

TP A Theat
(H Olivier)

The Municipal Manager
Overstrand Municipality

@overstrand.gov.za

12 MAY 2017



Re: Erf 102, 86 Westcliff Road, Westcliff, Hermanus

Proposed Removal Of Restrictive Conditions And Consent Use

KL Sturmair (obo DE Westcott).

Sir/Madam etc,

My Name- Mrs Joy Slade

My Address-2 Coronation Road Westcliff, and 56 Rocklands Road Westcliff(On the corner)

Contact Details-At Street address or 0283124041 or donslade@iafrica .com

Reasons for comments/objections-Directly opposite and therefore an affected property owner.

Comments/Objections.

1. Erf 102 is on a notoriously dangerous S-Bend which has been the scene of many motor accidents over the years.
2. The Tanker service(honeysucker) access is on Westcliff Road which already causes problems when utilised by the Guesthouse next door further from the bend. More use of the proposed one closer to the bend is simply dangerous.
3. The plan for the proposed parking bays in the northern corner is lacking in some detail. There exists a sliding gate with a rail and mechanical operating boxes which are not shown. These encroach on the available area which then does not allow for two bays of 2.5m*5.0m to be accommodated in the area shown. This is a disqualifying factor. In all events, because of the angle of the outside wall it will take a manoeuvring feat of some note to enter and leave . There is clearly no room for turning. Result, there will be parking in the street.
4. The other two forced proposed parking bays require a second entrance from Rocklands Road right on the S bend. This, I believe, is not allowable and is a further disqualification. Once in there getting out will be a challenge if the proposed new entrance is as shown on the plan.
5. There is no room for alternative parking.

TP

16 MAY 2017

6. This site is most unsuitable for a Guest house or B & B. the application must be refused.

Mrs J Slade.



TP- A Theart
(Hollivier)

The Overstrand Town Planning Department
Patterson Street
Northcliff
Hermanus.

10 July 2017

Dear Sir/Madam,


RE: Application for Consent Use, Erf 102. 86 Westcliff Road, Westcliff,
Hermanus.

Response to Objections / Comments - Mrs Joy Slade (2 Coronation Road
Westcliff and 56 Rocklands Road Westcliff) :

1. With all due respect to the objector, the house has been approved by the Municipality to be built on the Bend. The entrance to the house is on Rocklands Road which has no dangerous impact.
2. The municipality has approved the tanker service access on Westcliff Road. 86 Westcliff Road is a 5 Bedroom/5 Bathroom plus servants quarters family home. Whether the house is filled with family members or guests, the impact on the tanker services remains the same.
3. We have taken the parking issue into account. Cedric Aplon the Architect has already consulted with Denis Hendricks from the Engineering Department to draw up new plans for the allocated parking at 86 Westcliff Road.

I trust the above complies with your regulations and that you will consider the application positively.

Sincerely


K. Sturman

FILE NO: EL 102-HWC
SCAN NO:
COLLABORATOR NO: 052597

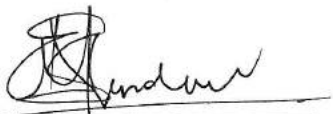
TP 14 JUL 2017

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE CONDITIONS &
CONSENT USE: ERF 102, WESTCLIFF (3608)**

Electricity : In order
Water : In order
Sewer : In order
Stormwater : In order
Roads and traffic : In order

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that stormwater be allowed to discharge through Erf 102, Westcliff, unobstructed;
4. that no on-street parking be allowed.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

17/10/2017
DATE

ANNEXURE H 1/2

Municipaliteit • U-Mesipala • Municipality

OVERSTRAND

File reference: 102 HWC (3608)
Date: 25 April 2017

INTERNAL MEMORANDUM

From : Town Planning Department
Town Planner : Hanneen van der Stoep

TO:

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

Applicant	KL STURMAIR (obo DE WESTCOTT)
Property Details	ERF 102, 86 WESTCLIFF ROAD, WESTCLIFF, HERMANUS
Application Description	PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS AND CONSENT USE

MUNICIPALITEIT OVERSTRAND MUNICIPALITY
FIRE BRIGADE / BRANDWEER
APPROVED / GOEDGEKEUR

02 JUN 2017

ATTACHMENTS :

1. Notice
2. Locality Plan
3. Site Development Plan
4. Motivation

Should the information be insufficient for you to make an informative comment, please list any additional documentation that you would require to make informed comments.

YOUR DEPARTMENT'S COMMENTS:

Consent use is subject to:

- ① Fire Protection Regulation compliance as per Annexure A (attached) - Occupancy H5 - Hospitality.
- ② Maximum design population - 16 persons in terms of National Building Regulations section A21 of SANS 10400 A2010

Signature: _____ Date: _____ 2017

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

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

COMMENTS REQUIRED BY: 2 JUNE 2017

