

*Once all the properties are occupied, Mariners Village with a functioning retirement section and amenities, residents such as ourselves will provide employment to many people of the neighbouring areas and we trust that the council will take note that any negative impact on existing areas and owners which may damage the relationships between people in adjacent areas.*

*You will be aware of the new development of a Retirement Segment at Mariners Village, and this development with older and more vulnerable people will be most affected by any dwellings right next to them. Surely the safety and tranquillity of these senior citizens must be taken into consideration with any dubious area a stone throw away from them? As the most directly affected party, we believe that the council should take note of their responsibility to ensure the safety and harmonious living with our "neighbours" in that part of Hermanus.*

*We have recorded some of our objections and wish to state that we trust that you will record our concerns in conjunction with the concerns of all other affected parties, owners and developments, whom we agree with.*

*Lastly, South Africa can be the "rainbow nation" as Bishop Tutu labelled our wonderful country now many years ago. This dream will however only realise when we agree that we are not all the same, that all of us belong in South Africa, regardless of our race, religion or political affiliation and when we accept that all South Africans, even minorities, have the right to rebel against dictatorial legislation and bully tactics.*

*Yours in objection and with great anticipation that you will be guided to do the best for all affected parties.*

*Eugene Botha*

*E. E. Botha*

*Mariners Village*

TP - A Theart  
CH Olivier)



Mr. H. Olivier  
P.O. Box 20  
Hermanus  
7200  
Email : [holivier@overstrand.gov.za](mailto:holivier@overstrand.gov.za)  
11 February 2016

Dear Mr. Olivier

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

**Introduction**

I the undersigned, representing as owner, the following properties in Mariners Village;-

10524

10479

10521

10421

10427

10454

10489

10483

10470

FILE NO:	Erven 1938 + 2018
SCAN NO:	2w
	HO
COLLABORATOR NO:	876022

would herewith like to respond to council notice declaring the intention to construct a Transit Area on the corner of Church and Still Streets, Westcliff, Hermanus.

**Application for departure - documented acknowledgements**

The application for departure to erect a Temporary Relocate Area on corner Still and Church Street refers:

15 FEB 2016

- The application acknowledges the fact that care has to be taken with the planning and implementation of the proposed TRA, specifically so as the positioning is defined as being "Close to high income developments" and "located on the main entrance routes to the Hermanus Harbour".
- The application document further acknowledges the fact that the TRA development will have "impact on the surrounding properties".
- The application document further acknowledges the fact that the TRA development will "impact on the privacy of surrounding properties".
- The application is for a "Temporary Departure to use the site as a TRA"

Given the above stipulations in the application there can be no disputing the fact that approval of requested departures is going to result in a **very and material negative impact on all the deemed affected areas such as Whale Rock Estate, Whale Bay Cascades, Hermanus Beach Club, Mariners Village and surrounding Westcliff properties - no doubt with loss of capital value, safety of surroundings and current accepted social well-being status.**

You would be aware of the background of Mariners Village and how it came about and how it was advertised and marketed initially. At that early stage, Mariners Village was described as a "wonderful address" with beautiful sea and mountain views in a safe and tranquil area. Since that time a lot has changed and the latest proposed departure from what was originally agreed on, leaves us as owners feeling totally deflated.

In fact, I can inform you that as a local business man and investor in properties (and many other owners whom I have spoken to) would not have invested in Mariners and then specifically in the Westcliff area had I knew about this and the previously approved low cost development, and particularly now the departure of the originally agreed development for something temporary. We, as do all of the other recorded Affected Parties, write as voters and contributing South African Revenue Services' tax payers as well as rates and tax contributors in the Overstrand to enable the upkeep and development of Hermanus including areas such as the proposed Temporary Relocation Area.

It needs to be clear therefore that the only way that I as owner of several properties can accommodate the request for departures is if I, as a materially affected party, will be assured that the requested departures will be developed in such a way that it has absolutely no negative effect that could lead to loss of capital value, safety of surroundings and current accepted social well-being status. It is after all part of my tax monies that are to be used to provide these facilities and services!

With the aforesaid in mind and given the reports and feedback I have had from other affected parties, clear statements by the applicant that the affected parties have no option but to state that, and excuse the BOLD letters but we are quite serious about this issue;-

***IN PRINCIPLE I REJECT THE PROPOSED APPLICATION FOR DEPARTURE TO ERECT A TEMPORARY RELOCATION AREA ON ERF 1938, IN TOTAL.***

*That having been said and with an understanding that there is the need for housing in the area and given the very clear statement of your mayor that she will not allow any development to take place if it should be done in such a manner whereby it negatively affects property values of near or surrounding properties and residential areas, I would also like to state the following, all be it somewhat "political";-*

*As South Africans we have seen the disruption and protest in other areas in South Africa in similar situations, but particularly here in the Western Cape, by not only affected dwellers but also from outside parties with questionable agendas and ulterior motives, plus from opportunistic individuals and members, even leaders of political parties to capitalise on such sensitive and emotional situations. Should this happen in this case, even the very best intentions of the honourable Mayor and the council may not be enough to reverse the situation.*

*It is indeed sad that councils in South Africa can willy-nilly deviate from agreed directions and it seems that we as citizens and rate and tax payers are always on the receiving side, be it changes in directions such as this, higher than inflation tax and other associated levies and poor safety management. In other situations we have seen how the Central Government can harm our investments with ludicrous appointments and dictums which scare away foreign investments.*

*Hermanus is one of the best run areas in the country and popular amongst local and foreign tourists. Let us work together to keep it as such.*

***General Concerns and requirements***

*The extent of potential damage to our living & social well-being conditions, safety and property values being forced upon us by this proposed development (if not performed in consultation with us as Affected parties) by this undesired development and has made us, as part of the Affected Parties, acutely aware of the fact that there are other issues that could in future, if not planned at an acceptable level to the Affected Parties, result in similar, if not even more damaging prospects.*

*In light of this, we require of Council a written agreement that all of the Affected Parties will be consulted to ensure universal acceptance of proposal, if and when:*

- *The intended Church Street extension to link with the Schulphoek road is planned. Clearly this forms a potential access path to Hermanus and the access route via this road will materially influence safety, social lifestyle and property values if unacceptably planned.*
- *We as Affected Parties herewith state our formal rejection of any road structure and route that could adversely affect us. We do not wish to encounter road routes that lead to situations such as the termed "Hell Run" of the N2 or the section of road just prior to the Grabouw turnoff or situations such as Nekkies in Knysna.*
- *We also ask for guarantees from the council that the standard of housing and rules and regulations are within the high levels set by neighbouring estates such as Mariners Village with a Body Corporate and strict Building Rules & Regulations, and sensible and appropriate House Rules.*
- *Walls and other safety measures such as control of movement of non-permanent residents and that the newly proposed development will not merely be an extension of the Zwelihle township.*
- *It is quite common in the low cost housing developments for new owners of such houses to allow other squatters to erect shabby and unsafe dwellings on their land, which in a short space of time has the end result of just another area of squalor and unruly inhabitants. We need guaranteed that the council will not allow this to happen*
- *We also have not been given clarity on what the development would look like in 5 years' time and at what prices these homes would be sold at. Surely this land is well positioned to add value to Westcliff;- but only if the council recognise that cheap and shabbily built homes are not acceptable for most of the South African citizens. I also believe it is up to us as tax paying citizens and responsible government to uplift the living standard, quality of life and pride of our people by aspiring to provide better and more convenient, safe accommodation.*

### **Mariners Village**

*As the owner of several properties at Mariners Village, you can gather from my past actions that I am and always were optimistic that Mariners will become one of the prime residential areas in Hermanus and that it will also become one of the largest rates and tax contributors, PLUS it would add immensely to the revenue all businesses in the greater Hermanus and Overberg area.*

*In the near future, when all the properties will be occupied, Mariners Village with a functioning retirement section and amenities and residents such as ourselves will provide employment to many people of the neighbouring areas and we trust that the council will take note that any negative impact on existing areas and owners may damage the relationships between people in adjacent areas, the very people whom will benefit as employees.*

*You are surely aware of the new development of a Retirement Segment at Mariners Village, and this development with older and more vulnerable people will be most affected by any dwellings right next to them. Surely the safety and tranquillity of these senior citizens must be taken into consideration with any dubious area a stone throw away from them?*

*I have recorded some of my objections and wish to state that I trust that you will record these concerns in conjunction with the concerns of all other affected parties, owners and developments, whom I agree with. We as investors are aware of what is happening in South Africa, both politically and economically and believe me, if not for the investors in properties and businesses, all councils, Overberg included will face an uphill struggle to keep your inhabitants safe and to provide the proper infrastructure. You will also be aware of the dismal financial state of many of the municipalities throughout South Africa and please do not allow Hermanus to fall into that category!*

*Yours in objection and with great anticipation that the council will be guided to do the best for all affected parties.*

*Huw Jones*

H. Jones



TP-A Theart  
(Hollivier)

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

FILE NO:	Even 1938 + 2018
SCAN NO:	2w
35	90
COLLABORATOR NO:	876009

Marietta du Toit  
Your address here  
90 Canterbury Street  
Westcliff  
Hermanus

Dear Mrs. Botha-Guthrie

### Planned Transit Site Development, Westcliff, Hermanus

I am a property owner in Westcliff, Hermanus.

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

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

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

TP  
15 FEB 2016

15 FEB 2016

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

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

- Wall enclosure

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

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

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

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1.8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

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

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

- Objections

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

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

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

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

Yours in objection.



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

Ps. Please respond to the following address

Marietta du Toit

P/Bag X15

Suite 135

HERMANUS

7200

Tel no: 082 569 6967

[mariettadutoit@nexus.co.za](mailto:mariettadutoit@nexus.co.za)



TP A Theart  
C Holivier)

Richard Wilding  
10 Strand St  
West Cliff  
Hermanus  
7200  
0760393961  
richwild@hotmail.com

The Mayor  
Mrs. Nicolette Botha-Guthrie  
P.O. Box 20  
Hermanus  
7200  
Email : nbotha-guthrie@overstrand.gov.za  
Friday, 12 February 2016

Dear Mrs. Botha-Guthrie

Planned Transit Site Development, Westcliff, Hermanus

My wife and I are property owners in Westcliff, Hermanus.

We have recently been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the intended development in some newspapers to advise the residents of the project and has provided time for objections till the 15<sup>th</sup> of February. As we do not read the local paper we have not as yet seen this advert and therefore do not know the full extent of the intended project. We do however, not need to know every aspect thereof, to understand that such a Transit Area can have a very material negative influence on our property value and we are surprised that an issue of such cardinal importance to the residents in the affected surrounding area, were not informed by personal mail of the intention thereof, as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners. It certainly could have been included in the news letter sent with the municipality bill!

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

FILE NO:	Even 1938 + 2018
SCAN NO:	20
GCLLABORATOR NO:	875706

TP 12 FEB 2016

12 FEB 2016

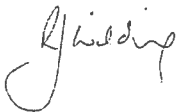
You as Mayor, have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. If this is the case, then either you have the power to ensure that you can deliver on promises, or you can't. In light of the proposal in the pipeline, how would you describe your commitment now? Your term as mayor is temporary and as such, your replacement, and or change of political party, can revoke any agreement you make.

Zwelihle it would appear, is moving ever closer to West Cliff. At what point does it stop its encroachment? We do appreciate that people are entitled to decent housing and we approve of such moves by government to provide same, by the same token we do expect that government take into consideration the wellbeing of other compatriots. The Municipality apparently, initially planned a formal SR1 zoned housing development on the site. This has now apparently been altered to cater for a Transit Area that may remain as such for a period of up to 5 years. What guarantee do we have that this will only be for 5 years?

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

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

Yours in objection,



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

Ps. Please respond to the following address

Richard Wilding

10 Strand StAs  
West Cliff  
Hermanus  
7200  
0760393961  
[richwild@hotmail.com](mailto:richwild@hotmail.com)

Overstrand Municipality  
 PO Box 20  
 Hermanus  
 7200



TP A Theart (H. Olivier)

12<sup>th</sup> February 2016

RE: Unregistered Erf 1938, Zwelihle, Hermanus and proposed departures for a temporary relocation area (TRA) and relax a street building line: Motlekar overstrand on behalf of Overstrand Municipality.

Dear Mr/Mrs S Muller,

My wife and I are in receipt of the proposed TRA proposal as per registered letter dated 14<sup>th</sup> January 2016. We are not in favour of the notice requesting a Departure to utilize an existing housing project area as a Temporary Relocation Area (TRA) nor in favour of the Departure to relax the street building line on unregistered Erf 243, Hermanus in the current form as proposed in the notice and would like to respond as follows.

Firstly it appears that this notice has been sprung upon us with much of the development being undertaken already which smacks of hidden agendas and not being open and transparent with the rate paying residents. Therefore it seems whilst the interests of some of the community is being protected by the municipality ours are being ignored.

However in the true spirit of South Africans we do have sympathy and understanding for our disadvantaged neighbours and believe that we collectively should assist. This being said we do also believe that the Municipality need to consider the cause and effect that projects where riding rough shod over rate paying residents will have. The vision that we, as South Africans have, is to conform to an integrated society and have compassion for those who are making concerted efforts to uplift themselves and strive for better lives. It is in this spirit that we lay our objections to the carte blanche approach of the TRA.

Currently the existing Zwelihle area is of a temporary nature with little or no structure for an aspiring community with a mix bag of illegal immigrants and unemployed people who are forced to eke out an existence often resorting to crime hence, any temporary relocation will have these social conditions to perpetuate. Consequently the residents in the immediate area are already facing a constant struggle to protect themselves and many of us are playing a constructive role in trying to support and assist our neighbours in Zwelihle but we believe a hard line division is more likely to occur than a compromising and reconciliatory situation should this project materialise.

The mere suggestion of the establishment of eventual low cost housing be the result of the municipalities musical housing relocation strategy is almost whimsical as a last ditch appeasement to the rate paying public. It is highly speculative for anyone to believe that this will indeed be a positive outcome, instead the more popular consensus is that Zwelihle in its current form is likely to gain some new turf with no change in living standards whatsoever.

FILE NO:	Erf 1938 t
SCAN NO:	2015-2w
	21
COLLABORATOR NO:	875713

TP 12 FEB 2016

12 FEB 2016

So the stand we are taking is to rather not play musical houses but instead build proper homes under the GAP scheme whereby applicants can take title ownership and in the process improve their living standard as well as living in an environment where the residents can be responsible and proud of where they live. It is highly possible that within the Zwelihle community there are residents that will qualify for a small mortgage loan albeit a subsidy from the Municipality may be necessary to assist. Financially we believe this a more compelling way forward as it will also provide a proper rates recovery structure plus create the right circumstance for the disadvantaged community to uplift themselves and incentivise others to do the same.

The alternative is that we as the existing rate paying residents have to accept that the value of our properties are to plummet and consequently unsellable within the next 5 years or try and exit Westcliff/Hermanus immediately before the loss impact is too severe for us to manage.

In closing we don't believe the interest of all parties have been considered nor has the underlying issue of improving the Zwelihle community been addressed properly except to hurriedly conform to external pressures at the detriment to rate paying public who get little return for their contribution in Westcliff. We will also challenge the new valuation of our property for the rates increase in July 2016 as the proposed TRA will most certainly have a negative impact on the value of our house. Furthermore we believe an open transparent dialogue with the affected residents is necessary to attain the best solution in the interests of both the residents as well as the Zwelihle families.

We are trusting the Municipality will have an open meeting with the Westcliff residents to allay fears of this development as it appears that this is an extremely emotive subject for the residents and various kinds of rumours have been sprung claiming to be from a credible source. We are not subscribing to this notion and would prefer clarity be provided by the Municipality in an open constructive forum where these rumours can be challenged and put to rest if not valid.

Yours Sincerely,



Eileen van der Linde



John van der Linde

29 Windsor Crescent, Westcliff, Hermanus

TP A Theat  
(H Olivier)



The Mayor  
Mrs. Nicolette Botha- Guthrie  
P.O. Box 20  
Hermanus  
7200  
Email :  
29 January 2016

Mrs I. Theror  
22 Strand Street  
Westcliff  
Hermanus 7200

FILE NO:	Even 1938 + 2018
SCAN NO:	2W
	22
COLLABORATOR NO:	875714

Dear Mrs. Botha- Guthrie

### Planned Transit Site Development, Westcliff, Hermanus

I am a property owner in Westcliff, Hermanus.

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

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

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

TP

12 FEB 2016

12 FEB 2016

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

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

- Wall enclosure

I understand that there is apparently now going to be provision made for a 1.8 metre wall around the perimeter of the development. This wall is apparently only going to be "bagged". I feel the height of the wall does not provide sufficient security for the residents and should be increased in height and the bagging of the wall does not enhance the area and will not prevent our property values from devaluing.

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

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

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1.8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

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

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

- Objections

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

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

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

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

Yours in objection.

Signature



011 440 1111 / 011 440 1111 / 011 440 1111 / 011 440 1111 / 011 440 1111

Ps. Please respond to the following address

Mrs L Theron  
12 Strand Street  
westville  
Hermanus  
7200

Tel no: 083 497 3290

zeldadeetlefs72@gmail.com |

1015 1938 + 2018 Zwelinde



TR A Theart  
(C H Olivier)

FILE NO:	Even 1938 & 2018 -
SCAN NO:	34
COLLABORATOR NO:	875073

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

Whale Bay Cascades  
 Church Street & Whale Close  
 New Harbour Precinct  
 Hermanus

Dear Mrs. Botha-Guthrie

Planned Transit Site Development, Westcliff, Hermanus

Introduction

We the undersigned, the executive representatives of the rate paying members and residents of our development, acting on instruction of the property owners hereby acknowledge receipt of the Municipal notice declaring the intention to construct a Transit Area on the corner of Church and Stil Streets, Westcliff, Hermanus.

All our property owners, recognized as materially Affected Parties of this proposed development, have been invited to offer objections and comment on the intended development by 15 February 2016 and we as their legally elected representatives herewith do so on behalf of the development property owners.

Council approval date 11 March 2015

The conditions of approval as above dated refer:

- That full adherence must be given to the municipal conditional approval documents which are clearly inclusive of all conditional documents submitted by the Project Assessment Committee as subsequently approved and signed by the Chief Director Human Settlement Planning.

This document states that: "The transfer of the property must be effected prior to the commencement of the construction of top structures"

- We do not note a recommendation for, or Council approval of, an Application for Departure from this directive.
- We do not see how the top structures can be constructed for a Temporary Relocation Area without being in breach of this directive

Received:

