



REPORT TO: **MUNICIPAL PLANNING TRIBUNAL**

ITEM NO **MPTNW07/10/17**

APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURES IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: IN RESPECT OF REMAINDER ERF 112657, AND REMAINDER ERF 112656, FOREST DRIVE EXTENSION PINELANDS/THORNTON

Case ID	70306568
Case Officer	JOY SAN GIORGIO
Case Officer phone number	021 400 6444
District	TABLE BAY
Ward	53
Ward Councillor	Brian Watkyns
Report date	September 2017
Interview requested	<i>To be completed by MPT support office</i>
	Applicant
	Objector(s)

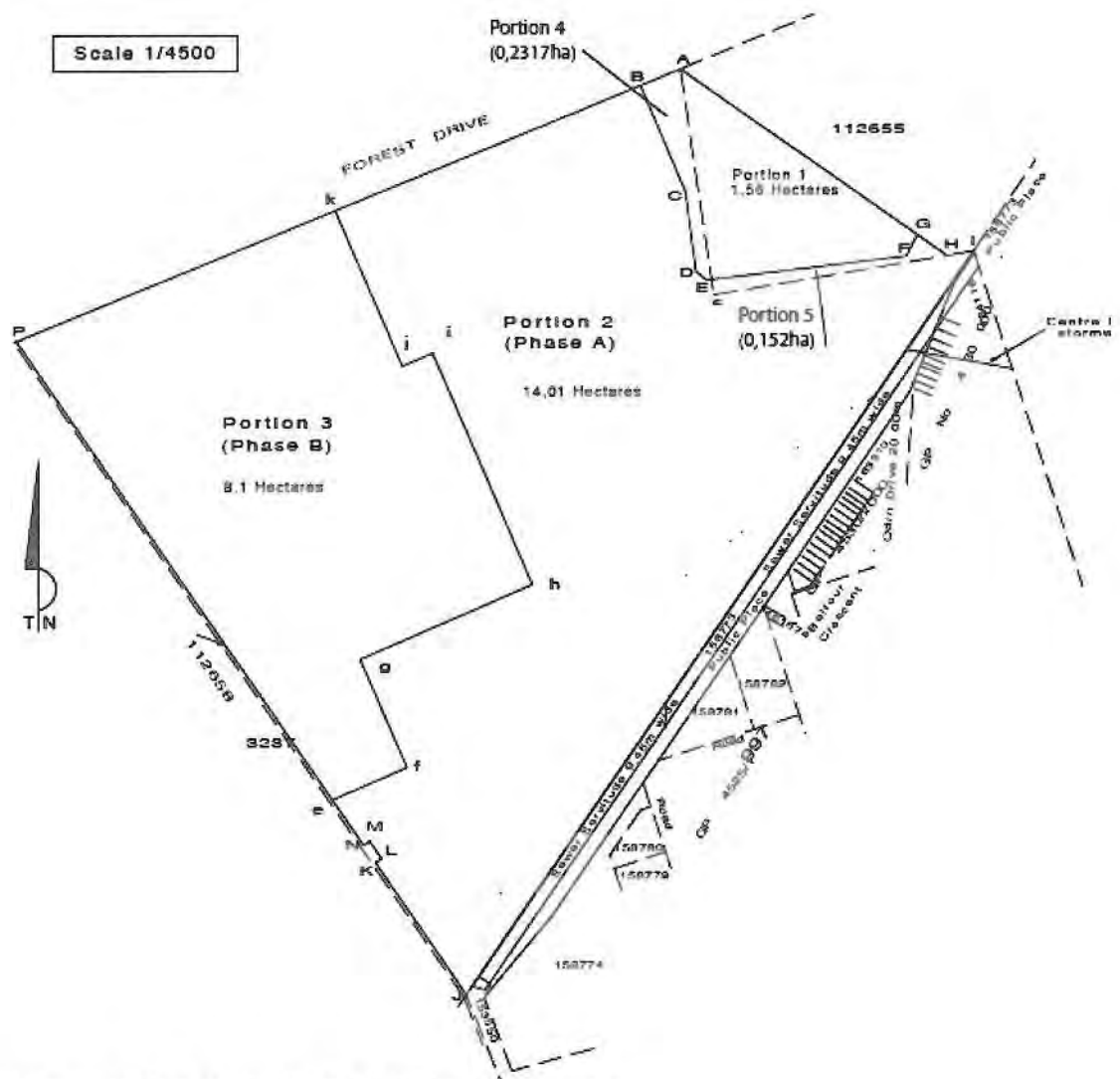
1. EXECUTIVE SUMMARY

Property description	Erven 112656 and 112657
Property address	Forest Drive Extension, boundary of Thornton and Pinelands
Application components / description	With respect to the diagram and its text below: <u>The subdivision of-</u> (a)Remainder Erf 112656 and Remainder Erf 112657 into two portions each. <u>The consolidation of –</u> (a)Erf 112656 with the alienated portion of Erf 112657. This will contain the Orthotic and Prosthetic Centre. (b)Erf 112657 with the alienated portion of Erf 112656 which will become the focus of this development application. - The erf in 2(b) will be subdivided to form two superblock subdivisions which will be subdivided further at a later stage.

	4. The rezoning of the superblocks from a Limited Use zone to a Subdivisional Area to accommodate portions of land zoned for • Mixed Use, Sub-zone MU2, • General Residential, Sub- zone GR5, • a Transport Zone 2: Public Street and Public Parking (TR2) zones and • Open Space Zone: Special Open Space 3 (OS3) to accommodate private open space on the property. 5. Departures are required to permit a. A reduced ratio 0.5 parking bays will be provided per dwelling unit. Shared parking will exist between the retail, service industry and office activity. b. A building line of 0m in lieu of 4.5m above 10.0m on the MU2 site. c. An earthbank/retaining structure (berm) along the south-eastern extent of the property to be 3.0m in lieu of 2.0m.
Site extent	Rem. Erf 112657 = 221 490m ² Rem. Erf 112656 = 14 775m ²
Current zoning	Limited Use Zone
Current land use	Vacant, previously occupied by the Conradie Hospital, and the Orthotic and Prosthetic Centre
Overlay zone applicable	No overlay zone The property is located in a PT2 zone.
PHRA or SAHRA heritage	The property has no structures of any provincial or national heritage significance. Notwithstanding this, there are buildings on the property older than 60 years. These buildings will be retained and incorporated into the development. An ROD was been obtained from HWC in respect hereof.

Public participation outcome summary		• During initial advertising in October 2016 ,615 objections were received. • Upon re-advertising of the amended proposal in April 2017, 779 objections were received. • The objections are summarized in 4.1 and attached as Annexure E .			
Recommended decision					
Approval	✓	Refusal		Approval in part & Refusal in part	

See Annexure D for bigger version



2. BACKGROUND FACTS

54

2.1. An application was originally submitted and advertised to permit a

- Deletion of restrictive title deed conditions
- Rezoning,
- Subdivision
- Consolidation ,
- Departures and
- Closure of public place.

Originally, the development site included erven 112656, 112657 and 158773 (the latter being the Elsiekraal River canal site for which the closure of a public place was required). This application was amended to exclude Erf 158773 so that the closure of a public place is no longer required.

For clarity, the amended proposal now only relates to Erven 112656 and 112657 and the following applications:

- Rezoning,
- Subdivisions
- Consolidation and
- Departures.

2.2 At the time the original application was advertised, minimum parking was calculated in accordance with the Standard Area parking requirements, but the calculations were subsequently revised after the property was designated PT2 area, with a voluntary parking provision.

3. SUMMARY OF APPLICANT'S MOTIVATION

3.1. The applicant's motivation of the proposed development (see Annexure D) may be summarised as follows:

Proposal

- Rezoning is required to accommodate a mixed use development with a floor space of 350 000m².
- The uses include 3605 dwelling units of which 1804 will be grant funded.
- Other facilities include open space and educational facilities and other uses include retail, offices, service industries, etc.
- Buildings heights range from 13.0m to 25.0m (the permissible height).
- The development will be phased.
- The proposal complies with various city and provincial policies.
- The development will have a positive impact on the local economy both in the short and long term.

Heritage impacts

- A Record of Decision has been issued.
- Certain heritage structures at the existing gateway to the site will be retained despite being vandalized and damaged.

- They will be repurposed and incorporated into the development. Any further authorisations required will be dealt with at SDP stage.
- Buildings proposed close to the Jewish cemetery will not detract from the heritage significance of the cemetery.

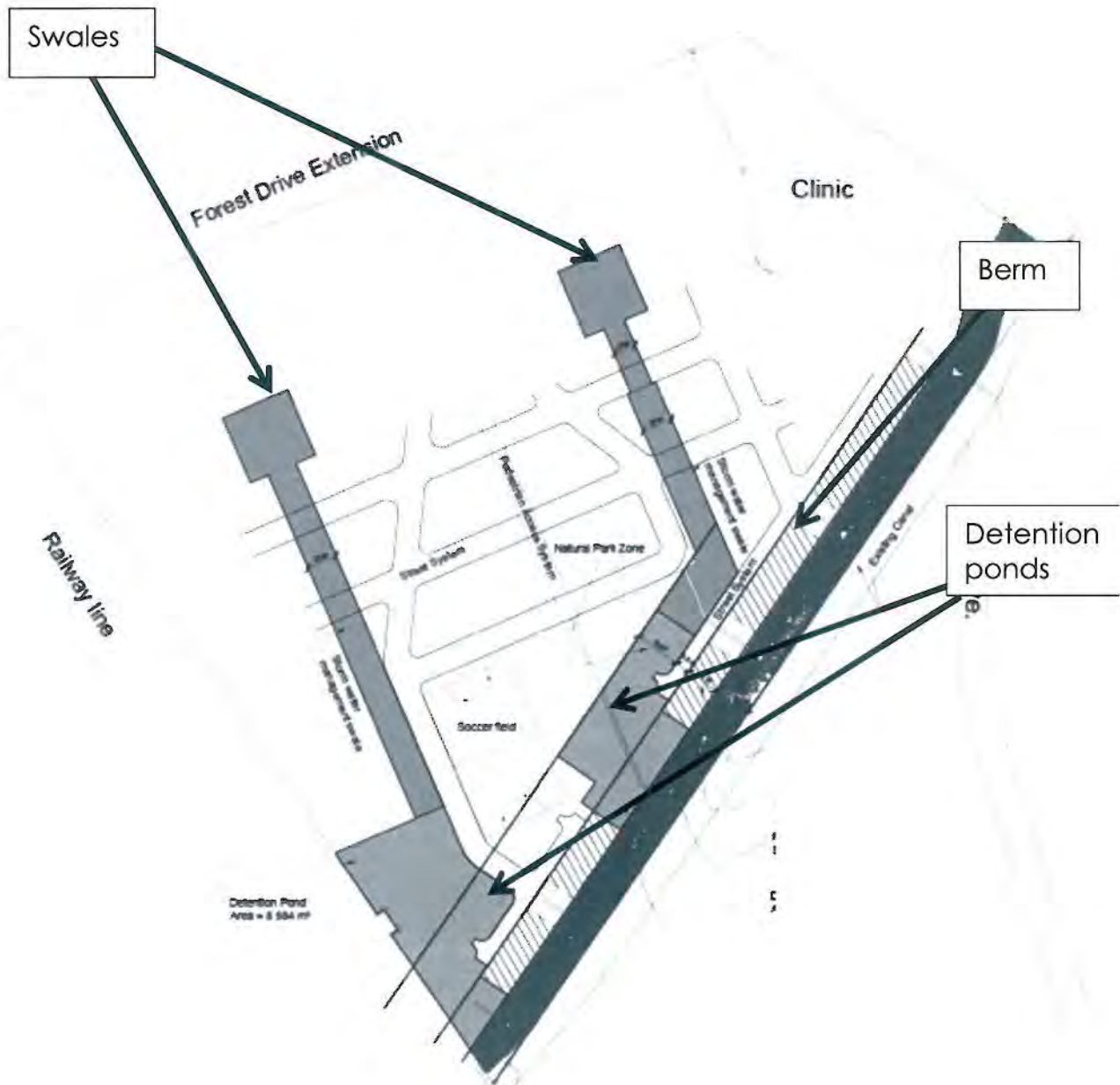
Impact of service infrastructure

- Various studies undertaken regarding existing service infrastructure have confirmed that capacity is sufficient. Upgrades will be required in certain instances.
- The requirements of the Electricity department will have to be fulfilled including providing a substation.

Stormwater

- The property is bounded on the eastern/south-eastern side by the 30m wide Elsierivervraal canal, which accommodates flooding extending from Durbanville to Salt River.
- The site is located below the 1:100 year floodplain and will be raised to accommodate development.
- Studies have established that providing fill to raise the level of the site to above the 1:100 year floodplain will not have any adverse impact on the surrounding area. A berm will be accommodated along the eastern/south-eastern edge of the site approximately 8.0m away from the canal edge.
- The site will require the implementation of a Stormwater Management System to reduce the impacts of nuisance and major floods.
- The proposal will comply with the City's water quality objectives.
- Various requirements of the National Water Act will be complied with in order to provide for certain water uses.

Figure illustrating Stormwater/flood treatment



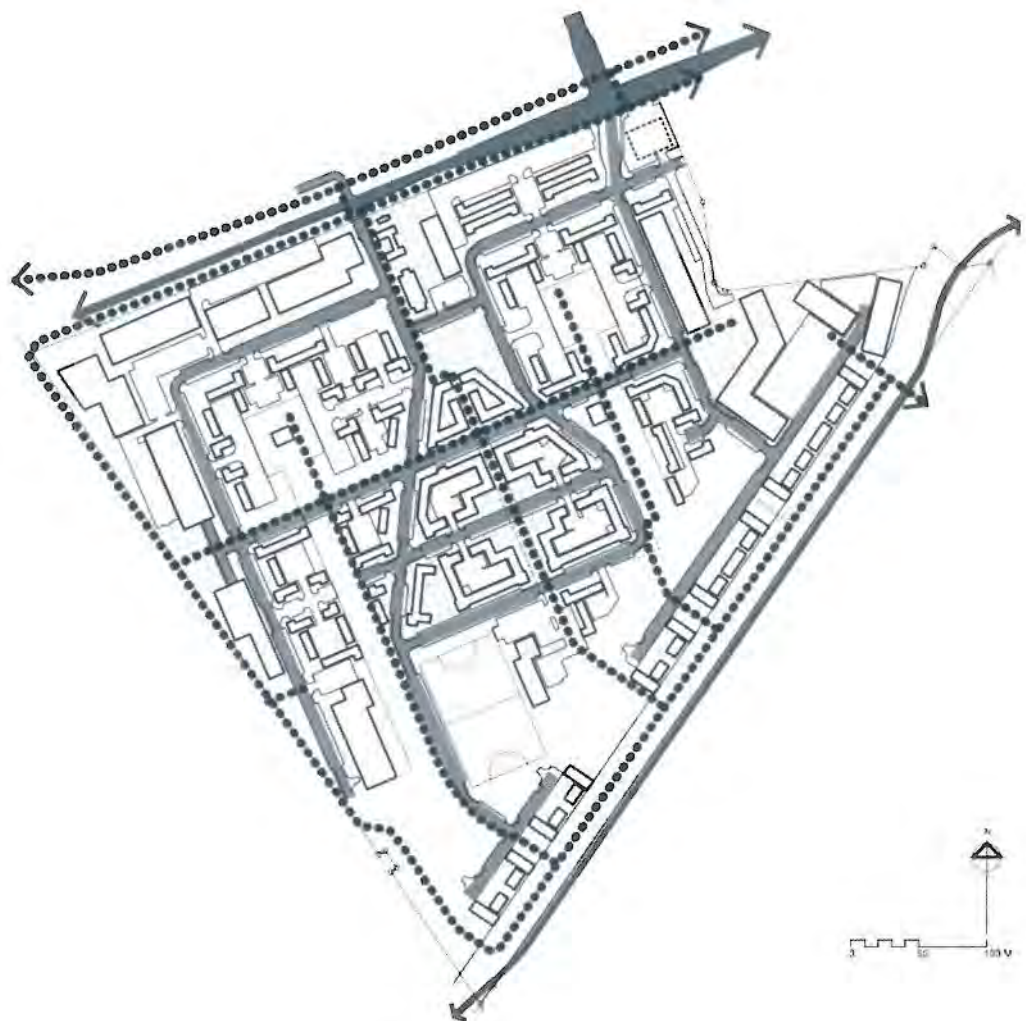
- The above diagram illustrates how the two detention ponds will accommodate site run-off.
- Overland channels and swales on the site will feed into the on-site detention ponds and internal roads will also be designed to accommodate stormwater.
- A 25.0m wide buffer will be accommodated along the Elsiekraal Canal and incorporated into the canal flood plain and designed as a public amenity with landscaping and pedestrian walkway.

Access, Traffic and parking

- The property is surrounded by a well serviced road network.
- Vehicular access to the property will be via Forest Drive Extension while pedestrian access, will be via Odin Way.

- The property is located close to two train stations and bus and taxi services along Forest Drive extension and Jan Smuts Drive.
- Additional public transport accesses are proposed to the area which will enhance accessibility to the wider metropole.
- Two vehicular access points to the site will be provided.
- Forest Drive and Forest Drive extension will be upgraded to accommodate the proposal.
- On-site parking provision conforms to the City's initiatives of promoting reduced parking ratios in areas that have access to public transport infrastructure.
- The site will be serviced by primarily a grid road system.
- The existing historic road alignment entering the site will be retained as part of the heritage components within the development and retention of the triangular shaped road ways is a preferred option given the configuration of the site.
- Road reserves will have generous sidewalks, on-street parking as well road ways to accommodate vehicle movement. Separate internal cycle lanes will not be provided, except for lanes leading to Forest Drive extension.

Figure Road system



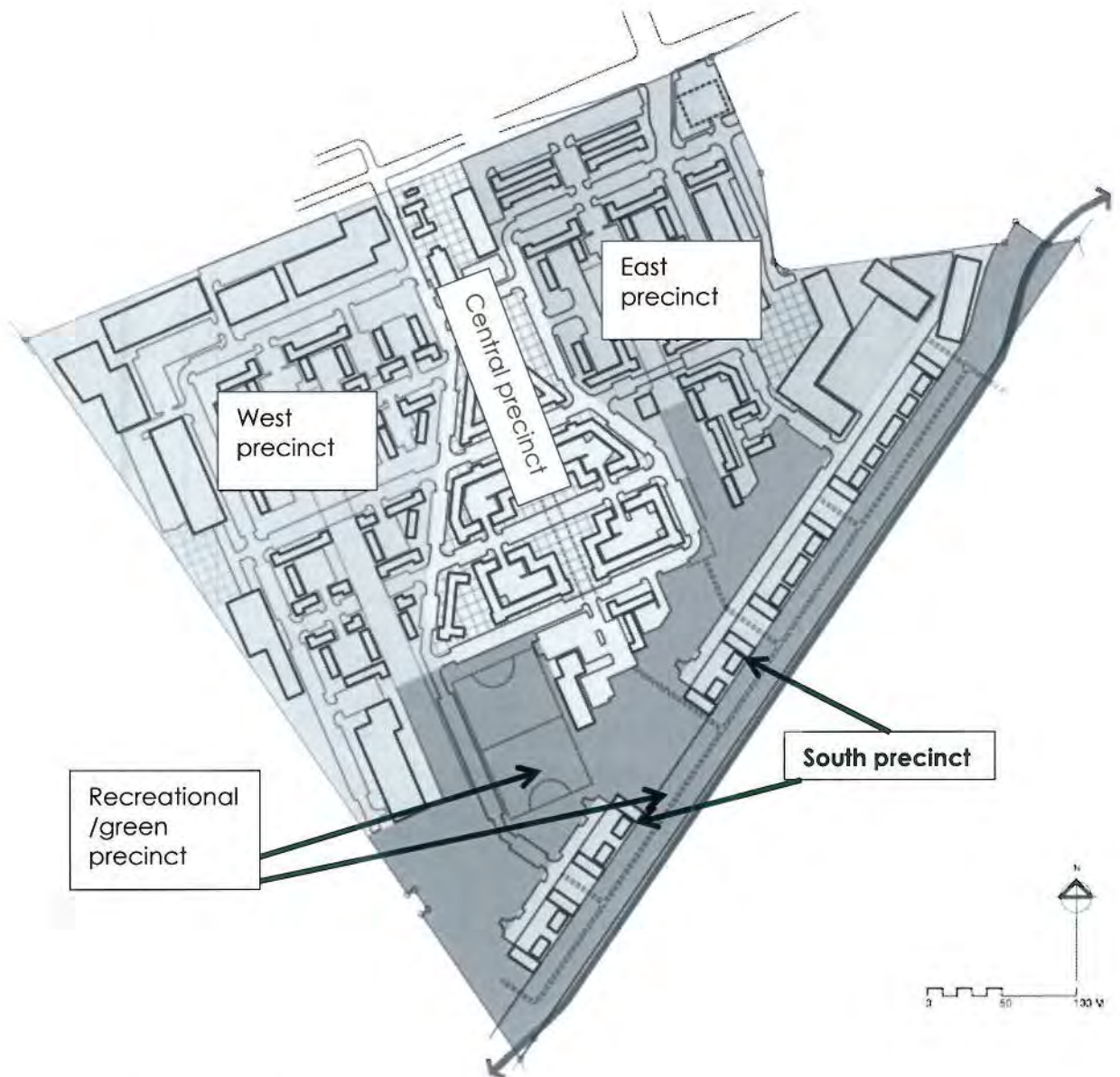
Provision of facilities

- The capacity of existing primary and high schools located close to the site will be expanded to accommodate demand that will be generated by the development. Although the Western Cape Education Department has finalised their school expansion programme for 2018/2019, any demand resulting from the proposed development will be factored into the 2019/2020 schools expansion programme. Furthermore, some of the demand generated by the development will be accommodated in nearby private schools.
- Sufficient Early Childhood Development centres (ECD's) will cater for children between the ages of 1 – 5 years.
- A number of sports facilities exist in the vicinity and the needs of nearby communities will be taken into consideration when developing the new sports facility on-site.
- A number of health facilities close to the property include clinics and a hospital. The latest report from the health department indicates that a new health facility is required in Pinelands. However, no facility is planned for the immediate future and the existing facilities will likely be expanded to accommodate the demand resulting from the development. The existing hospital accommodated on the edges of Pinelands is sufficient to cater for the needs for the current residents and demand from the proposed development.

Development of the site

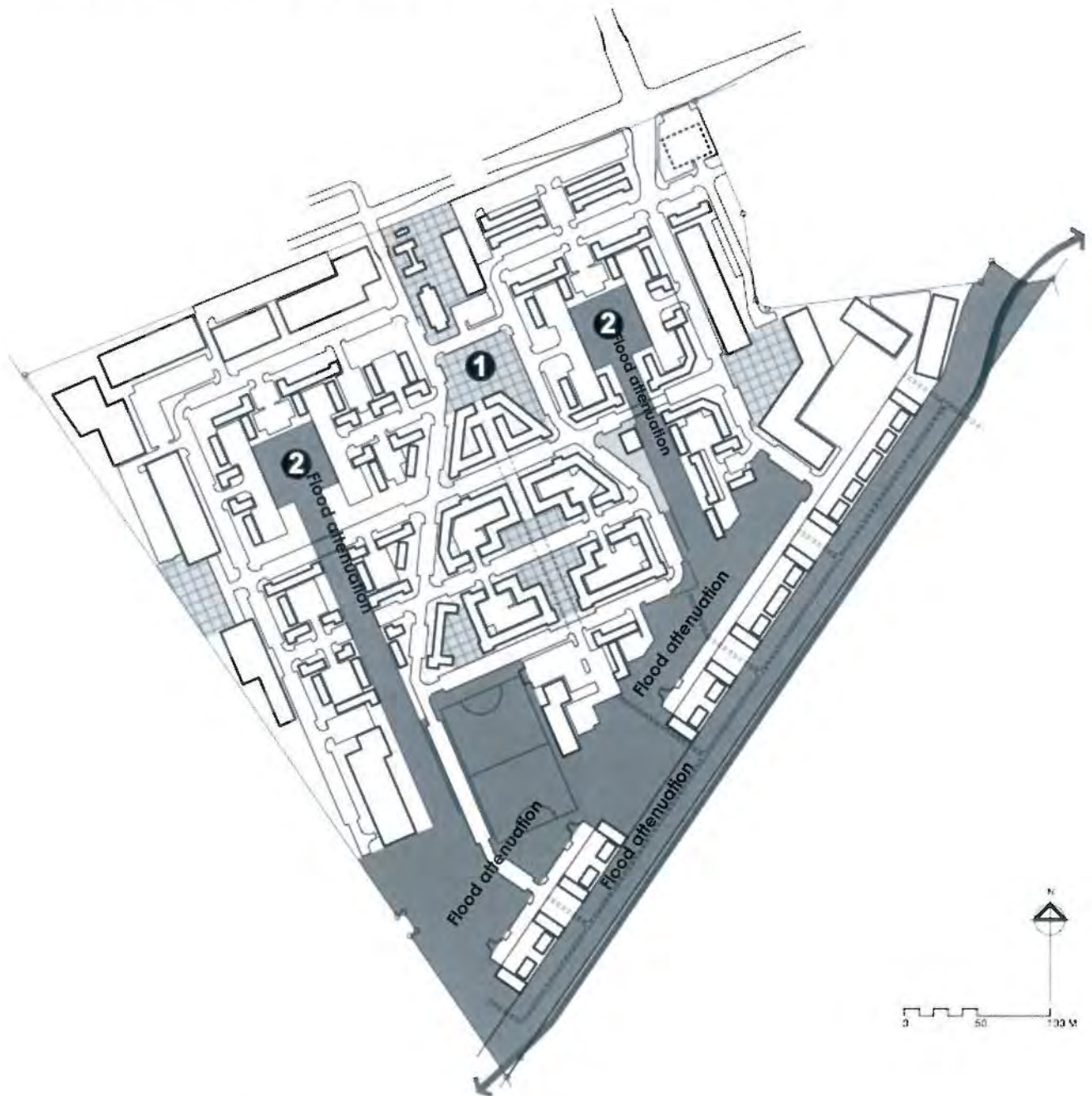
- The property is divided into four precincts, that is, the central, east, west and south precincts. A green/recreational space is proposed along the eastern edge/south-eastern extent of the site and extends along the length of the boundary of the site with the Thornton residential and industrial areas.

Figure illustrating proposed precincts



- The proposal also includes open spaces and fingers of open spaces (swales) that will extend into the site and (see below) accommodate site run-off as well.

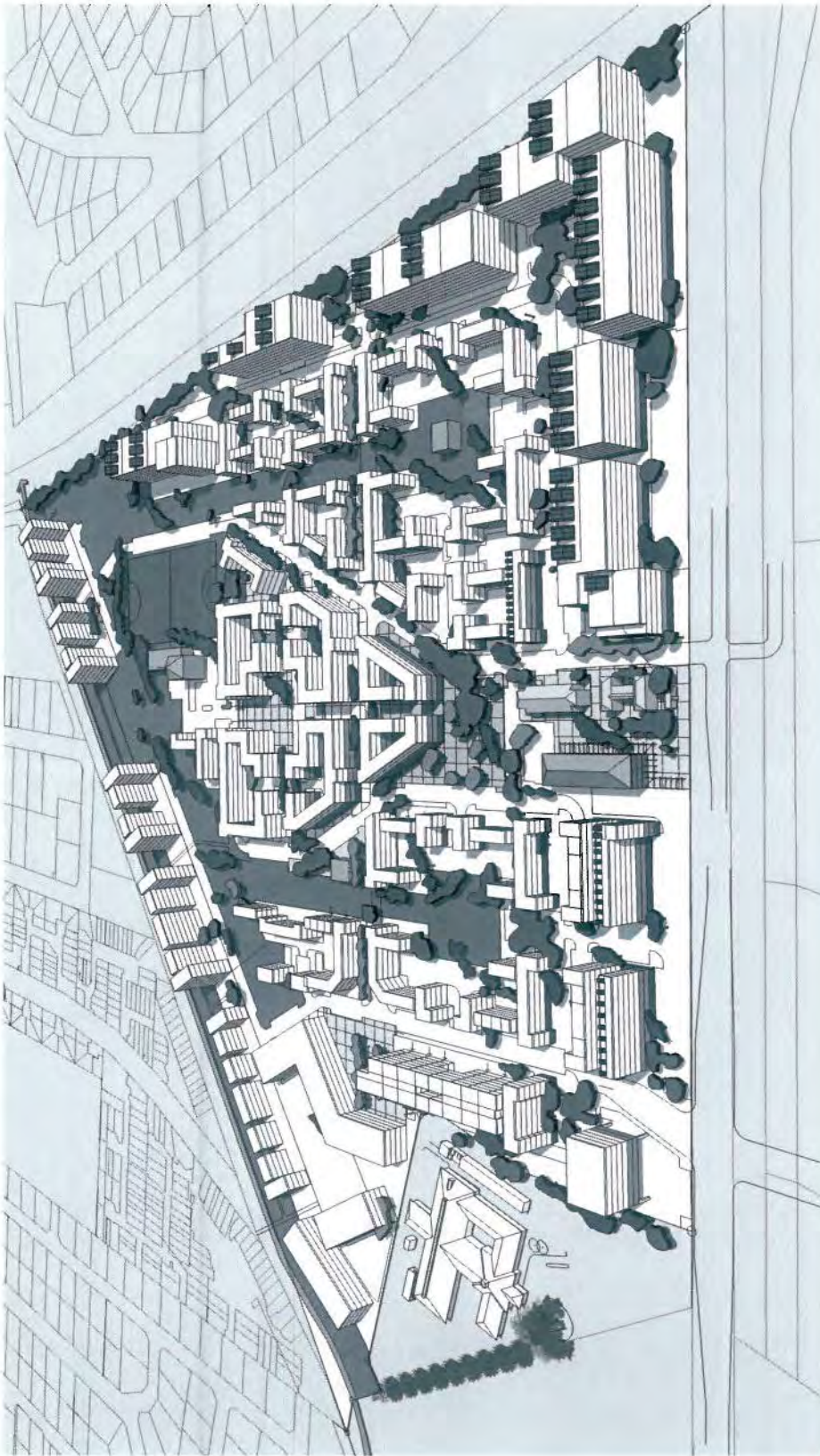
Figure illustrating Open spaces including flood attenuation measures



Site layout and design

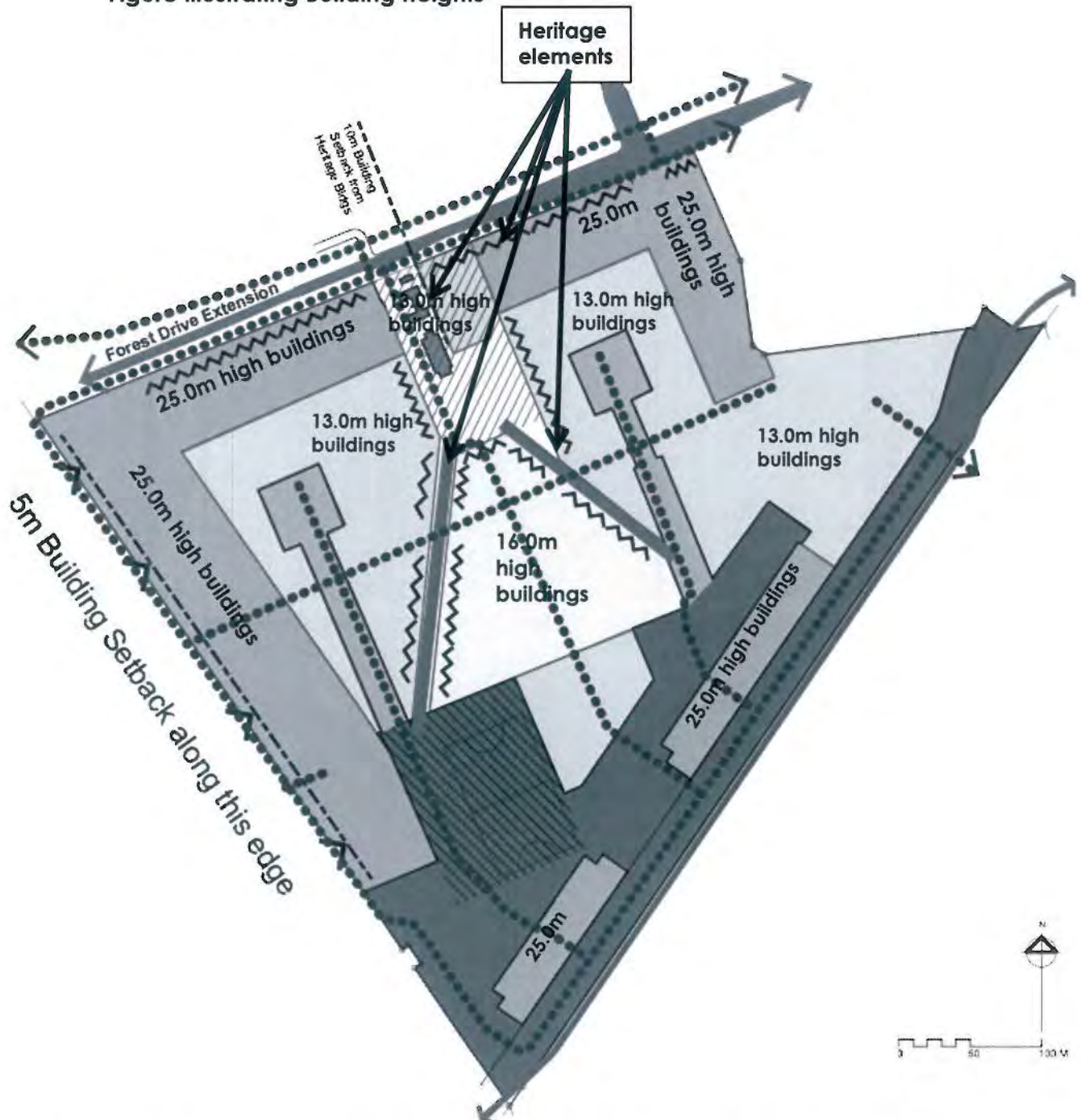
- At least 85% of the development will comprise residential uses that will include social housing, open market housing and mixed use multi-level buildings.

Figure illustrating Built form/massing 61



- The tallest buildings will be located along the edges to the site, along Forest Drive Extension, the railway line and on the boundary abutting the Thornton industrial area.

Figure illustrating Building heights



- The proposed landscaping will incorporate water bodies and water treatment systems that will be designed and operated so as to ensure their beneficial use to open spaces, recreational facilities as well as attracting wildlife.

- The landscaping layout contained in Annexure C1 attached, shows that many of the existing trees which line the historic triangular shaped road system and located along the edges of the site will be retained. New planting will be provided along the edges of the site with the railway line to the west and Thornton to the west/south-west.
- Linear spaces and corridors have been accommodated within the development to provide for walking, jogging and cycling.
- Retail and restaurant related uses will be accommodated on the ground floor of buildings across the site in order to promote active interface with the public domain.

Zoning proposed

- The zoning proposed is the most appropriate for the site in light of the development intended and it will also cater for both immediate and long-term needs of the site. The mixed use nature of the development will facilitate the creation of livable and functionally sustainable integrated human settlement with 15% of the development dedicated to non-residential activities such as retail, service trade and office uses.

4. PUBLIC PARTICIPATION

		Applicable	Dates / Comments
Advertising	Notice in the media (s81)	✓	14-10-2016 & 28-04-2017
	Notice to a person (s82)	✓	05-10-2016 & 21-04-2017
	Notice to Community organization (s83)	✓	05-10-2016 & 21-04-2017
	Notice to Ward Councillor (s83)	✓	05-10-2016 & 21-04-2017
	Notice of no objection (s84)		
	Notice to Provincial Government (s86)		
	Notice to an Organ of State (s87)		
	Public meeting	✓	31-10-2016
	Stakeholder engagement	✓	08-05-2017
	On-site display	✓	14-10-2016 & 28-04-2017
Outcome	Objections	✓	Round 1: 615 Round 2: 717 objections were received.
	Objection petition		
	Support / No objection	✓	1
	Comments		
	Ward Councillor response	✓	Conditional support

Summary of objections / comments received and the applicant's response

- 4.1. Objections / comments that were received and the applicant's response are contained in Annexures E and H respectively. The main issues that were raised as part of the objections to the development include:

- Height
- Loss of natural light
- Impact on privacy
- Building line departures

- Density and bulk
- Provision of schools
- Parking
- Traffic impacts
- Forest Drive extension proposal impacts on parking
- Road improvement
- Public transport provision
- Loss of cemetery land
- Removal of mature trees
- Insufficient community facilities exist in the area
- Safety and security
- Management of high rise complexes
- Income groups accommodated on the property
- Lack of infrastructure
- Adverse impacts on property values
- Flaws in the public participation
- Stormwater mitigation and impacts on moving the canal
- Commercialisation of residential area
- Water consumption during construction
- Noise impacts
- Provision of health and other facilities
- Odin Drive pedestrian walkway
- Allocation of housing
- Wind tunnel testing required
- Retail provision
- Social issues
- Environmental impacts
- Unit sizes
- Sustainable services
- Employment opportunities
- Liquor sales

4.2 Objections / comments received and the applicant's response thereto in respect of the application summarised in the table below.

Comment	Response from Applicant	CoCT
Height - The proposed buildings will be too high (number of storeys) when compared against the surrounding suburbs. - The proposed building height of 8-9 storeys: - Is out of keeping with the surrounding areas of Thornton, and Pinelands. The dwelling houses are generally one and two storeys high. - The Old Mutual head office nearby is only four storeys high. - It will create a sense of enclosure. - Building heights should not exceed 4 storeys. - The 25m tall buildings proposed along the Jan Smuts Drive is of concern. It will impact significantly on residents of Ringwood Drive. (Some of these properties back onto Jan Smuts Drive.) - The height of these buildings will compromise the privacy of these properties. - The height of buildings higher than 2 storeys abutting onto the dwelling houses on Odin Drive will adversely impact on them.	Height/Loss of natural light/Impact on privacy The distance from the back fences of the houses along Ringwood Drive to the development is between 88m - 100m in places. There are a number of large trees along this road that already provide some screening and where there are gaps additional trees will be planted along Jan Smuts Avenue. The sight lines between the tall buildings in Conradie and the houses in Ringwood Drive are however mitigated by distance. The units proposed adjacent to Odin Drive residential area will have a maximum of 13m in height (Four storeys). This adjustment was made after an early round of interaction with neighbouring residents. The nearest buildings to the units adjacent to the canal are located approximately 23 metres away. Therefore there will be no privacy or overshadowing of the existing buildings except in the very late winter afternoons. The Old Mutual Office Block is 10 storeys with a parking garage of 8 storeys indicating that there is already a precedent for tall buildings in the local context. To achieve the desired higher densities and still provide adequate open space it is necessary to build up to 25m high buildings. It is also more cost efficient to build 4 to 5 storey walk-up buildings and 8 or 9 storey buildings with lifts. Cost efficiency has to be considered in achieving a viable development that	Height/Loss of natural light/Impact on privacy The proposed building heights take into account the location of the property in relation to abutting properties and the location of the site in relation to the railway line and Forest Drive extension, a thoroughfare. Buildings located alongside transport routes have a dual role of framing the public spaces and offering surveillance onto said spaces. The property is located in excess of 40m away from Anfield Village (Erven 3132 and 3065) and more than 90m away from the row of houses located in Ringwood Drive, Pinelands. These properties are further separated from the subject properties by the railway line and roads, mentioned. The properties located in Viking Village are in excess of 20.0m from the subject property. Further the canal and embankment serves as a buffer between the two properties. Buildings proposed along the edge with Viking Village will also be buffered by a berm, approximately 3.0m high, and landscaping that will be provided, see the attached landscape plan contained in Annexure C1. Notwithstanding this, the application will be conditioned
Loss of natural light A row of buildings not exceeding 2 storeys in height should serve as a		

Comment	Response from Applicant	CoCT
buffer to the Odin Drive properties. • The tall structures will block out the afternoon sunlight to the houses on Odin Drive. • These houses will become cold and damp.	provides the full range of community facilities proposed in Conradie.	accordingly.
Impact on privacy • Their privacy will also be impacted on will lose their privacy due to being overlooked.	The fact that the nearby suburbs have single and double storey buildings does not justify reducing the heights of buildings on Conradie that, as well-located in relation to public transport, should be optimally used to address the current and future needs of the city. The taller buildings are all placed on the western edge of the site and are at least 80 - 100m away from the nearest properties in Pinelands. The properties on the south-eastern boundary are 23m away from the proposed four storey units to be located on the site. Therefore overshadowing will not occur on this boundary. The only neighbours that may experience loss of privacy will be the Jewish Cemetery that is located to the north-east of the Conradie BLMEP site if the Road Alternative 1 is allowed to proceed.	

Comment	Response from Applicant	CoCT
Building line departures A building line of 0m instead of 4.5m should not be supported. The 4.5m must be retained.	Building line departures The 0m building lines proposed to ensure that buildings provide a positive interface onto public spaces. The City of Cape Town's safer cities guidelines recommend that an understanding of the public and private realms open view corridors and enclosed and defensible spaces must be created to enable overlooking onto public spaces. What is important is that interfaces define the public realm, while at the same time ensuring visual connection between the private and public realm. The most effective way to secure the public and private realm is by bringing buildings closer to the site boundaries. This means that potential intruders when entering the private realm they are visible to the broader public and more easily detectable by security apparatus. Surveillance requires a direct visual connection between inside and outside. It is primarily determined by the location of doors, windows and wall openings in a building, and wherever possible, these should be located so as to overlook the public realm. A 0m building line will ensure direct surveillance of public spaces rather than creating a blank walled environment onto the street and public environment.	Building line departures See the response contained under height/loss of natural light/Impact on privacy above.
Density and bulk The site will be too dense and	Density and bulk The housing backlog in Cape Town is in	Density and bulk Various city policies support the principle

Comment	Response from Applicant	CoCT
overdeveloped. - It is proposed to accommodate 3605 dwelling units i.e. an estimated 11 000 people on 22 hectares. - The residential accommodation proposed on the MuPine Golf Course Erf 4211, was not taken into consideration when planning of the Conradie development. - The MuPine development is expected to provide about 700 housing units for about 2000 people. - The extrapolated density per square kilometer will be significant and excessive. - The number of dwelling units should be reduced from 3605 to 2500 making the combined total units of 3200 between Conradie and MuPine. - It is believed that the density proposed on the subject property will have an adverse impact on residents who will reside on the property as well as the surrounding properties from a socio-economic perspective as crime, etc. will increase.	excess of 450,000. This is a conservative estimate as it does not take into account the number of foreigners entering the city or individuals who do not qualify for subsidised housing. The open market has not been able to respond to the need for low income housing. Higher densities are encouraged to ensure that public transport and associated facilities are sustainable. This can only be achieved with densities in excess of 75du/ha within public transport corridors. The proposal is an improvement on densities in the area and will contribute toward significantly improving the urban efficiencies in the area. The proposal provides the opportunity to make provision for affordable housing. The property is located close to economic and social opportunities. This model differs from that previously employed. The suggestion to reduce the number of dwelling unit to 2500 will render the development financially unviable. The majority of the cost of enabling infrastructure such as the Aerodrome Road extension has to be borne by the development. This infrastructure is required even for a development of 2000 units.	of densification. This is further expounded on in the Proposal Assessment.

Comment	Response from Applicant	CoCT
Provision of schools • Too few schools are provided in the area to accommodate this proposal. • The schools in Thornton and Pinelands are already at full capacity and cannot accommodate the children in the development and from MuPine as well.	Provision of schools The Provincial Education Department has stated it would rather increase the capacity of existing schools than create new schools. Should the density of the site result in the increase in the number of learners to 5000 then consideration will be given to expanding existing schools in the area. The applicant has also indicated that the proposal will accommodate schools and address the need of the development.	Provision of schools The Western Cape Education Department has confirmed their intention to rather increase/expand existing schools.
Parking • Too few parking bays per household /unit. • Units need to have parking bays for evenings/weekends, at least one parking bay should be provided per dwelling unit. • Erf 3132 (Anfield) has one bay per unit which is insufficient as parking spills over into the street. • The parking departure will have an adverse impact on the surrounding road. • At least 2500 residential parking bays and 500 retail parking bays should be provided. • A multi-level parking garage comprising 4 storeys should accommodate additional parking within the development. This will free	Parking The Conradie development is planned to promote and comply with the City of Cape Town Transit Oriented Development (TOD) Strategy. It encourages higher densities on well-located land parcels in close proximity to public transport. Public transport is encouraged over the use of private transport. The reduction in provision of parking bays is consistent with this policy. The City, Provincial and National Governments are dedicated to TOD which, in turn, and is supported by the continuous roll-out of the MyCiti Bus Routes including Forest Drive Ext and Jan Smuts Drive. Implementation of the PRASA Rail Improvement and Revitalization Programme that plans roll-	Parking See response contained in 2.2 above and further expanded on in the Proposal Assessment.

Comment	Response from Applicant	CoCT
up land for more green open space and recreation facilities.	out of new train sets on the Cape Town central line as well as Mutual/Thornton station improvements all within the next 5 years will also reinforce this initiative. Already more than 50% of people in the city commute by public transport and this is likely to increase. There are a growing number of options for non-commuting travel such as taxis, non-motorised transport, ride-share, etc. In addition, the development will include the construction of dedicated pedestrian and cycle routes and facilities between the property, bus stops, local train stations and surrounding neighbourhoods. The opportunities being created, through the provision of an integrated living environment to live, work, play and learn, within or close to the proposed development, also reduces the need for private cars. For the reasons stated above the applicant remains committed to the minimum provision of 0.5 parking bays per residential unit and a 90% shared parking with the retail and commercial bays.	

Comment	Response from Applicant	CoCT
Forest Drive Extension proposals impact on parking - Currently, large funerals at the Jewish Cemetery cause cars to park along the road in both directions for a considerable distance, sometimes into the start of Thornton and opposite on Erf 4211 (MuPine). Road alterations will displace these cars. - Anfield parking overflows into the street which is problematic. The proposal will therefore result in additional on-street parking. The parking experienced in Forest Drive extension will therefore worsen.	Forest Drive Extension proposals impact on parking Funerals generally do not take place during peak traffic hours. It is therefore anticipated that there will be no traffic conflict experienced. On-street parking opportunities along the edge of the Jewish Cemetery will remain. There will be no space on the southern or northern side of Forest Drive Extension for Anfield overflow parking as there will be an additional lane in each direction as well as kerbs. The resolution of the Anfield parking overflow cannot be addressed by the Conradie development but an improvement in public transport resulting from the Conradie development may assist in reducing the number of cars in Anfield.	

Comment	Response from Applicant	CoCT
Traffic Impacts The Traffic Impact Assessment did not take the MuPine development into account.	Traffic Impacts The Traffic Impact Assessment was only done for the application under consideration, as the impact of proposal is assessed by the project team. Notwithstanding this, interactions have occurred between the project managers of the MuPine development and the applicant's consultant team and both teams are aware of each other's proposals and road upgrades required as a result.	Traffic Impacts The applicant and the MuPine consultants were in consultation with each other and were fully aware of the MuPine development. The City has assessed the two proposals jointly. The impacts of the developments and the results are discussed in the Proposal Assessment.
Road Alternatives - Options 2 (Direction Ramp) and 3 (Elevated T-Junction) of the proposed routes into Forest Ext Drive may be problematic as this will possibly add to the traffic as people who previously used Jakes Gerwel to go to Epping will use this connection as a shortcut. - Option 1 (Quarter loop) as it creates an additional entry and exit point for the proposal mitigating safety issues: - This option is conditional on Aerodrome Road linking with the N1 in order to alleviate traffic from Voortrekker Road. This should be in place prior to other construction of roads and units. - Traffic lights and/or a slip lane at Voortrekker Rd/Aerodrome Rd intersection, to alleviate traffic build	Road Alternatives Option1 (the Quarter loop) has been determined to be the alternative with the highest impact on the Jewish cemetery from a cultural, heritage, visual and noise perspective. It is also not as effective in terms of integrating the site into the larger road network and it removes an excessive amount of land from the Jewish Cemetery. It is inaccurate to say it provides an additional access to the property. Further, it will not reduce the number of traffic lights on Forest Drive as there are still two sets required. The traffic lights will in fact improve the traffic on Forest Drive by regulating the flow better. Option 1 also has the highest impact on	Road Alternatives/ Upgrading Of Forest Drive Extension The application was accompanied by a TIA which was amended after objections were received to the initial application. The amended TIA had to take into the impact of the proposal in light of the intention to omit the extension to Odin Way to accommodate the proposal. The amended TIA indicated 3 alternatives all of which included upgrades to Forest Drive extension. The most effective and least intrusive of the 3 options was chosen. The application was assessed by the office of the Commissioner: Transport and

Comment	Response from Applicant	CoCT
up for motorists traveling east towards Goodwood and turning right into Aerodrome Rd. It results in one less traffic light in Forest Drive Ext creating more free flowing traffic and should deter trucks from using this road as a shortcut to Epping	the neighbouring Thornton residential areas from a noise and visual perspective as a long section of the road runs parallel to the canal. The motivation for Option 1 does not appear to be based on a logical assessment of the scientific documentation provided and therefore it is unclear exactly why this option is being pushed by the Residents Associations. The applicant remains committed to Option 3 as the option with the least impact and highest benefit in light of traffic generation. The phasing of the proposed road improvements detailed in the TIA Addendum 2 will be pursued.	Urban Development Authority (transport planning) who commented on the application which was advertised simultaneously with the application for Erf 4211 (MuPine), and provided no objection to the application.
Upgrading Of Forest Drive Extension Upgrading of Forest Drive for the purpose of providing traffic from the property to access to the N1 and N2 is opposed.	Upgrading Of Forest Drive Extension Only a 1.5km stretch of Forest Drive extension is being upgraded. It will improve the congestion experienced along this road. Intersections will become safer for both vehicles and pedestrians. The construction of Aerodrome Road extension from Forest Drive linking with Voortrekker Road will also ease congestion. Jan Smuts Drive intersections will be upgraded and will contribute toward the easing of congestion already	Upgrading Of Forest Drive Extension and Traffic Congestion The upgrade of Aerodrome Road was always intended to ease congestion on Forest Drive extension. The proposal is merely a catalyst in this instance. Congestion experienced will be alleviated as a consequence of the road upgrades being proposed.

Comment	Response from Applicant	CoCT
Traffic Congestion The development will have a negative impact on both the road and rail services. It will compound congestion already experienced. Severe congestion is experienced along Jan Smuts Drive and Forest Drive during peak periods. Many use Forest Drive extension as a means to get to Vanguard Drive via Thornton due to congestion on Viking Way during peak periods.	experienced. These upgrades form part of a large scale road upgrade that must occur to improve the road network in the vicinity. Traffic Congestion The proposed road upgrades will ease congestion experienced. The extension to Aerodrome Road will enhance the connectivity with the wider metropole. The TIA demonstrated that the completed development as proposed can be accommodated on the improved road network. The improvements to the road network are therefore imperative. Option 3 (the elevated T junction), will provide for good network integration between Thornton and Voortrekker Road via the Aerodrome Road link. Much of the traffic that diverts through Thornton now will use Forest Drive extension via Aerodrome Road. According to the TIA none of the alternatives proposed will result in traffic flows through Thornton being higher than that currently experienced. With regard to Forest Drive extension although traffic volumes are increased, the improvements made to the intersections will increase traffic capacity and flow so that the road network will be able to handle the increased traffic load.	

Comment	Response from Applicant	CoCT
	There will definitely be an improvement in the level of service at each intersection. For Kensington, travel times will improve along with accessibility to Voortrekker Road without having to take an indirect route. Eventually a road will be going through the Wingfield property to the N1. The City of Cape Town intends creating a link from Voortrekker Road to the N1 further north. The Aerodrome Road Project is essentially Phase 1 of the project, Phase 2 will depend on the development of the Wingfield infrastructure and will give direct access to the N1. Phase 1 must to be completed and implemented before Phase 2 can be initiated.	

Comment	Response from Applicant	CoCT
Public transport provision • The trains have exceeded their capacity. • Conditions are rife for criminal activity. Rail services security cannot cope with the level of criminal activity that takes place. It is unclear how these problems will be addressed if the development ahead. • Provision needs to be made for a taxi rank close to the development or inside the development to provide for those residents requiring taxi transport. The pipes need to be maintained and upgraded so as not to compromise the infrastructure in Pinelands and Thornton.	Public transport provision The implementation of the PRASA Rail Improvement and Revitalization Programme demonstrates that it is planned to roll-out new trains on the Cape Town central line. Further the Mutual/Thornton stations are proposed for improvements all within the next 3 years. This will assist in addressing the currently unacceptable situation on Metrorail trains but the development cannot be rejected because of the current management problems and aging rolling stock at Metrorail. The City, Provincial and National Governments are dedicated to the implementation of the Transit Oriented Development (TOD) Strategy. The City of Cape Town (TOD) Strategy promotes the use of well-located land parcels for higher density development. Higher densities also increase thresholds for the use of public transport. Reduced parking provision is consistent with this policy. At least half of the residential units will be grant funded to provide affordable rental or ownership for households that generally cannot afford a private vehicle and who would benefit from the nearby public transport. There is the continuous roll-out of the MyCiti Bus Routes - Forest Drive	Public transport provision As stated by the applicant, Metrorail upgrades are planned over the next three years. MyCiti routes are planned for the area and will be rolled out in due course. Public transport facilities will be provided in the development as required by the office of the Commissioner: Transport and Urban Development Authority (metro transport planning) for the development.

Comment	Response from Applicant	CoCT
	extension and Jan Smuts Drive are included in this roll-out. A taxi rank/bus stop is also planned on Forest Drive Extension and embayment provided in the internal roads will accommodate public transport internal to the development. In addition, the development will include the construction of dedicated pedestrian and cycle routes and facilities between the development, bus stops, local train stations and surrounding neighbourhoods.	

Comment	Response from Applicant	CoCT
Loss of cemetery land - The location of the road, in respect of Option 1, results in the separation of a portion of the cemetery rendering this land unusable for burials. - One of the options to the road upgrades results in a proposed road traversing the cemetery. It will have a complete intrusion and loss of land in respect of that allocated to the cemetery. It will be a significant intrusion on the Jewish community rights of burial, thus the only response can be to raise an objection. Alternative routes must be considered. The cemetery has limited burial space and ground cannot be lost. - Potential disturbance of graves during the construction process is also a concern.	Loss of cemetery land Option 1 (the Quarter loop) has been determined to be the alternative with the highest impact on the Jewish cemetery from a cultural, heritage, visual and noise perspective. It is also not as feasible in terms of integrating the site into the larger road network. Option 1 also has the highest impact on the neighbouring Thornton residential areas from a noise and visual perspective. It is not the preferred option and has already been eliminated as an option through the heritage process.	Loss of cemetery land The comment made by the applicant refers to option 1. The applicant obtained approval for Option 3 which has no impact on the cemetery.
Removal of any mature trees from the site. - All mature trees must be retained. The development should build around these. - A detailed landscape plan of current trees should be part of the submission.	Removal of any mature trees from the site A tree survey was undertaken in 2007. It revealed that a number of the existing trees are not indigenous. Fewer than 10 indigenous trees were identified. The tree survey identifies trees that should be retained and those that will be relocated. The results of the tree survey are to be	Removal of any mature trees from the site A landscape master plan that retains most of the mature trees was provided and is incorporated into conditions of approval. A further detailed landscape plan will be submitted with any SDP for the initial phases of development and as development occurs.

Comment	Response from Applicant	CoCT
	considered during the design phase in order to retain as many of the recommended trees as possible. A detailed landscape plan will be required when the Site Development Plan is submitted.	

Comment	Response from Applicant	CoCT
Insufficient community facilities exist in the area • Thornton has no community hall, clinic, sport fields, its own library etc. The application does not address how to include this on the property and accommodate the needs of new residents on the property. • A multi-purpose sports facility proposed will be insufficient for the number of residents on the property. • Additional sports facilities such as tennis courts, swimming pools, are required to accommodate the "play" component of the development. • As a system of walkways, green spaces and cycle paths should link with the existing through Pinelands as a continuous network of green spaces.	Insufficient community facilities exist in the area The City of Cape Town guidelines for open space provision is derived from a standards document produced by the CSIR in 2010 (updated 2011). The standards require 0,4ha of open space per 1000 people for neighbourhood parks as well as 0,56 ha per 1000 people for Sports facilities. That is a total of 0,96ha per 1000 people in a local area. The proposal provides 1.47 ha of open space per 1000 persons and therefore far exceeds the open space requirements of the City. The proposal further includes a community hall/facility that will be accommodated in the heritage structure adjacent to Forest Drive. In addition, an indoor sports facility will be provided adjacent to the sportsfield. As the canal will no longer be re-aligned through the development, the greenbelt that currently exists along the canal will be retained. The use of this space will ensure surveillance due to the level of activity that will result in the vicinity.	Insufficient community facilities exist in the area The proposal will incorporate a community hall, sportsfields, walkways, and recreational/community related spaces/facilities. Any extra demand generated by the proposed development will be accommodated by increasing capacity of existing nearby facilities.
Safety and Security • There is no mention of provision for safety and security in the form of a neighbourhood watch or police station.	Safety and Security According to the City of Cape Town's Guidelines for a Safer City, areas where high levels of crime are experienced exhibit very specific characteristics.	Safety and Security Safety and security was taken into account as an informant of how the buildings will be designed which is in line with the City's Urban Design Policy.

Comment	Response from Applicant	CoCT
Pinelands/Ndabeni police station appears to be very much under staffed at present having to cover a large area.	Amongst these are that unsafe areas are poorly designed and lack of controls. Increased densities do not result in an increase in crime. The proposed development, upon completion, will have a high level of urban management The Western Cape Government has had interactions with the South African Police Services and local security companies with the intention of establishing a Joint Operations Facility within the Gateway Precinct of the development that would be linked to the established SAPS Branch in Pinelands.	Buildings will be designed to overlook public spaces with an interactive interface of buildings with public spaces. These measures will contribute towards improved surveillance and community safety.

Comment	Response from Applicant	CoCT
Management of High rise complexes - The plan looks pretty on paper but high rise building complexes need good management. - Controls should be in place to ensure no overcrowding. - Laws governing removal of individuals from dwellings are already in place and make it near impossible to remove individuals in the event of overcrowding.	Management of High rise complexes Good management is essential for the running of the project as a whole. The management aspect has been included in the procurement of a suitable developer and will be a requirement for the project going forward. The Social housing component of the development will be managed by a Social Housing Institution. Social Housing Institutions are established in terms of legislation and obligated to perform in terms thereof. Contraventions may be escalated to these bodies. Notwithstanding this the development proposal requires the establishment of a Property Owners Association (POA) (legal entity) that will be required to sign a Memorandum Of Agreement (MOA) with the City regulating occupation and operations within the development.	Management of High rise complexes These comments are noted.
Income groups accommodated The income bracket as quoted from R3500.00 to about R10 000.00 needs a review. The upper limit is exclusive to young professionals many of who live far out of Pinelands and the CBD, who cannot afford the rentals in the suburbs closer to their work. This upper limit will exclude them and they will fall into the gap again.	Income groups accommodated Approximately 50% of the residential units (1805 units) will be Grant Funded and aimed at the low income group i.e. people earning between R3500 and R15000. The balance of the residential units (1800 units) will be open market units.	Income groups accommodated The accommodation of various housing income groups within the proposal is self-explanatory.

Comment	Response from Applicant	CoCT
Furthermore, the high density of the development will dissuade them from buying in this area. Consideration should be given to the fact that multi-storey developments in low-income areas have not had a good track record, as they have become associated with negative social impacts.	The development proposed, will be for approximately 50% private sector open market apartments (in the gap market and above) as well as 50% in the subsidised category of which a large proportion will be social housing. The market research has indicated an appetite for housing in this income category. There is currently inadequate supply in this housing and it is also a very good location. There have been a number of instances where social housing has been successfully managed in both Cape Town and Johannesburg.	
Lack of/ insufficient infrastructure - The development will result in added pressure and demand on the sewerage and the water pressure. - The infrastructure needs to be addressed before the development takes place.	Lack of/ insufficient infrastructure Sufficient sewer capacity exists given the commissioning of the recently constricted Bulk Sewer. The development proposes to include an on-site pump station. A connection to existing bulk line across lower end of the Elieskraal River Canal will be constructed. Water will connect to the bulk line across Forest Drive Extension. Where possible, water saving measures will be included in the design of the development as the land owner is mindful of the water problem experienced in Cape Town.	Lack of/ insufficient infrastructure The application was circulated to various services branches all of whom confirmed the availability of capacity and/or recommended conditions to be imposed to deal with any capacity shortfall.
Adverse impact on property values This massive development will	Adverse impact on property values It is unclear from the objection submitted	Adverse impact on property values No substantive evidence of property

Comment	Response from Applicant	CoCT
negatively impact property owners' investment in property in the area. No guarantee has been given that this will not be the case.	how the conclusion was reached that the proposal will adversely impact on property values. International studies have the converse effect.	devaluation has been provided.

Comment	Response from Applicant	CoCT
Flaws in the public participation process The public participation process is flawed as the current mechanism does not provide for on-going public consultation. The final decision on this application will be made behind closed doors. The manner in which consultation occurs is therefore problematic. From the South African Government website in an article dated 22/2/2016, it is stated that "an extended public participation process with all interested parties will take place over the next few months." If this occurred only certain people were made aware thereof.	Flaws in the public participation process A number of question and answer sessions were held with ratepayers associations, as well as community representatives, as well as with representatives of the cemeteries. The public participation was further also undertaken in terms of the legislated required process as set out the City of Cape Town Municipal Planning Bylaw. The application was first advertised when the original application was submitted and re0advised when the application was amended.	Flaws in the public participation process The notification requirements of the MPBL have been complied with as notices were served on parties whose rights and legitimate expectations may be affected, on-site and newspaper notices was placed. The application was also available for viewing at the district planning office. Further advertising that occurred which is not mandated: - The applicant also elected to place the application documentation on their client's website. - The application documentation was made available for viewing in Pinelands Library. - An open day was also held, when the application was first advertised. - In addition to re-advertising the applicant voluntarily invited certain stakeholder groups to a meeting to explain the amended proposals. The public participation process was procedurally correct so that the applicant's voluntary meeting does not render it procedurally flawed.
Stormwater mitigation and impacts of moving the canal The Elsiekraal canal laps the top of the cement bollards when the canal bursts its banks. Any developments upstream will worsen this situation.	Stormwater mitigation and impacts of moving the canal The amended proposal excludes the Elsie River Canal from the proposed development. The canal will therefore be retained as is.	Stormwater mitigation and impacts of moving the canal The development will require the provision of a Stormwater Management Plan and a condition to that effect is proposed. The relevant departments have commented

Comment	Response from Applicant	CoCT
- Forest Drive extension and sections of Jan Smuts Drive often experiences flooding. This suggests the stormwater system is already at capacity. Increasing the load on the system could make these roads impassable causing traffic chaos and financial losses due to flood damage. - Flooding from the Canal is a potential danger for all the children who will live in that area – it has resulted in one fatality. - The berm proposed, is an artificial barrier that will disrupt the natural flooding action where the overflow can dissipate naturally. It will instead push the overflow in the direction of the rest of Thornton, impacting all housing on the opposite side of the canal. This favours the new development at the expense of existing residents.	A berm will be constructed that will prevent 1:100 year flood events from impacting on the Conradie development. The stormwater on the site will be slowed down and directed through two green fingers (swales) that run perpendicular to the canal. From there the stormwater will be deposited into two detention ponds. The stormwater will be retained on-site to pre-development levels as required by City of Cape Town who have approved the Stormwater management report. There is already an existing berm adjacent to the canal. The proposal is to consolidate this and render the Conradie site safe through its construction. The berm will have no impact on the houses on the other side of the canal.	positively that the measures proposed will sufficiently attenuate flooding. A condition requiring the submission of a Stormwater Management Plan will ensure that concerns related to the management of stormwater are adequately addressed. As the current canal is already at capacity, the provision of additional space on the embankment of the Elsiekraal River will accommodate additional flood attenuation to overcome flooding during heavy rainfalls. The berm will be provided to protect both the development on the property and also increase the capacity of the canal. Furthermore, the proposal will comply with the City's Stormwater policies and water quality standards.
Commercialisation of residential area The property was originally zoned for Limited Use purposes. The rezoning will transform the area into a low-cost housing development.	Commercialisation of residential area The rezoning application will create a mixed-use development. Development in an area over time makes provision for a change in zoning provided that such a proposal is in keeping with the City's spatial planning. In this case the District plan allows for urban development in this location.	Commercialisation of residential area The use of the property would have been constrained due to the Limited Use zoning. After the relocation of the old Conradie Hospital the property became available for alternative development and a mixed use development is deemed the most appropriate development given the various strategic initiatives of the City.

Comment	Response from Applicant	CoCT
Water consumption during construction High volumes of water would be used during construction of the development, which will impact on an already scarce resource in the Western Cape.	Water consumption during construction Development will be carried out using the most sustainable methods during construction.	Water consumption during construction The consumption of water during the construction will be carefully controlled by the Water department.

Comment	Response from Applicant	CoCT
Noise (During construction and after) - Construction noise will adversely impact on the ability to work from home. Regard must be had for the clause that prohibits the conduct of noisome, injurious or objectionable activities from properties. - The activity will also generate an increased level of noise from what is now experienced. - Additional traffic will also result in a noise problem.	Noise (During construction and after) Typically any developments adjacent to residential dwellings are the most noise-sensitive. The construction period will be limited daily to that permitted. The proximity of dwelling units to existing surrounding dwelling units will be limited by virtue of the distance of the proposed development to dwelling units. When considering traffic volumes and the various options presented in respect of road improvements, it is believed that the option selected results in the least impact in respect of noise. This was a factor taken into consideration when presenting the various options to Heritage Western Cape (HWC). HWC have since issued a record of decision for option 3.	Noise (During construction and after) Construction noise will be controlled in terms of relevant legislation. Notwithstanding this, the property is located within a vibrant, ever-changing urban area where development is constant and on-going. Some level of noise during construction is unavoidable.

Comment	Response from Applicant	CoCT
Provision of Health facilities The proposal will result in many of its residents using public health facilities. The closest community health centres are Kensington, Goodwood and Elsies River. Other than these being accessed with great difficulty via public transport, these facilities are already over utilized, and crowded. Additional facilities must be provided. A reduced number of dwelling units should assist in alleviating this problem.	Provision of Health facilities There are at least five health facilities in the vicinity of the property i.e. - Langa Community Clinic - Vincent Pallotti Hospital - Kensington Community Health Centre - Facreton Public Clinic - Maitland Clinic. Various guidelines are employed to determine whether a new facility is required or not. Amongst the criteria the provision of mobile and existing facilities is assessed against the number of residents that will be accommodated on the property. More than 5000 people are serviced by using mobile facilities. Existing clinics and newly constructed clinics serve between 20 000 – 120 000 people. The existing clinic in Pinelands may serve as a catalyst to the renovation and expansion thereof. The overall provision in the area will be considered when planning and determining the need for expansion. This planning will take into account existing facilities in Maitland and Langa.	Provision of Health facilities The need to provide additional health facilities was assessed against the need within the wider area, as explained by the applicant.
Odin Drive Pedestrian walkway The proposed walk way over the canal into Odin Drive is of concern. At present Thornton and Odin Drive especially are relatively free from	Odin Drive Pedestrian walkway While vehicular access from Odin Drive has been removed, pedestrian access has been retained. The Odin Drive pedestrian route is required to allow	Odin Drive Pedestrian walkway The additional pedestrian access will offer another access, albeit pedestrian access. Multiple accesses alleviate pressure on other routes. Distributing pedestrian

Comment	Response from Applicant	CoCT
vagrants and criminal elements compared to other areas. The pedestrian walkway will introduce criminal elements from this proposed development. It will give easy access to and from Thornton and become an easy escape route. - Taxis will eventually park at the end of Odin Drive with dire consequences for the community in Odin Drive. Taxis may not be allowed to park there but eventually they will do so regardless. This access way and the taxis will bring with it undesirable behaviour including public hygiene, drugs, drinking and other anti-social behaviour. - Taxis will also bring with it higher levels of noise to the area. The incessant honking/blaring of horns up and down Odin Way will be a disturbance to residents in this area.	residents access on foot or by cycle to the surrounding area in a safe and controlled manner. Odin Drive is a public route and provides access to the general public. The pedestrian link will provide continued access to the general public. The pedestrian connection will enable more people to make use of this street. Additional activity along this street will improve safety and surveillance due to higher levels of activity.	traffic reduces the impact and reduces pressure from pedestrian traffic that will arise from the development. While the issue of public transport will be addressed further in point 6 below, it must be noted that the development will positively contribute to promoting viable sustainable public transport. The fear of the development resulting in "undesirable social behaviours" is speculative and unsubstantiated.

Comment	Response from Applicant	CoCT
Allocation of housing units - There appears to be no indication on how the housing units will be allocated. People who work in the vicinity should take priority as that will directly improve their accessibility. A first-come-first served approach will have unknown consequences. - Housing applications will have a direct impact on the type and volume of traffic generated by the various modes of transport. This, in turn, influences the provision which should be made. For example, if people live and work in close proximity one could expect more use to be made of non-motorised transport. In addition it is probable that greater use would be made of area-bound road-based public transport. Obviously this has a direct bearing on the physical provision which should be made for each of those modes – footpaths, cycle-paths, dedicated bus corridors and so forth. If instead the 'first come, first served' model is used, one is then forced to forecast travel demand. The only thing which can be said with any confidence is that the projections may be wrong.	Allocation of housing units Half of the units will be sold on the open market, while the remainder will be advertised by the social housing institution to those interested (winner of the bid tender). These units will be advertised to those that qualify for this type of accommodation. In general the Social Housing Institution that is selected will match the unit to the needs of the applicants. In addition, the development intends targeting persons who are already employed within the contextual area who currently reside further afield. The intention of the development is the provision of affordable accommodation closer to existing employment.	This issue is beyond the scope of the current application.

Comment	Response from Applicant	CoCT
Wind tunnels as a result of the high rise buildings The open areas between the blocks as proposed will be vulnerable to high wind speeds. Any model of the current development proposals should be tested in a wind tunnel.	Wind tunnels as a result of the high rise buildings The design submitted for the development framework, superblock application is not detailed enough to warrant a wind tunnel analysis. The height of the buildings does not warrant wind tunnel testing and while there may be a limited funnelling effect of the wind there is none so close to render wind activity as dangerous. To compare 25m high buildings to 60m and higher buildings is a complete misunderstanding of wind dynamics.	Wind tunnels as a result of the high rise buildings Since the current application relates, in part, to a conceptual framework, my department concurs with the applicant that the development is not sufficiently detailed to warrant such a test.
Retail provision, Parking at Howard Centre - Although there is provision for shops in this new proposed complex, Howard Centre is busier. - Parking at Howard Centre is already a problem at times.	Retail provision, Parking at Howard Centre Retail facilities will be provided within the proposed development. It may in fact be comparable with that of Howard Centre. Having said this, there are a number of shopping facilities, such as Century City and N1 City, within close proximity to the property.	This is not material to the current application although the Proposal Assessment explains related issues with respect to the proposed development.
Social Issues There is no redress for the Thornton and Pinelands community if the proposed high density area converts into a slum and a gang infested area.	Social Issues The assumptions regarding the possibility of increased social problems are unfounded and somewhat biased.	My department concurs with the applicant.
Environmental Impact assessment No environmental impact assessment was available.	Environmental Impact assessment A submission to the Department of Environmental Affairs and Development Planning determined that no environmental	

Comment	Response from Applicant	CoCT
Provision for library and other services A library would need to be constructed to service the area.	impact assessment was required. Provision for library and other services According to the CSR Guidelines a Local Library is required for a population of 20 000 - 70 000 within an 8 km - 10 km radius. The Pinelands library currently caters for Pinelands and Thornton (approximately 15 000 people). This number including that of residents accommodated on the property will still be under the threshold mentioned. This does not exclude the possibility of a local or mobile library being constructed.	
Unit size should be increased This lends itself to social pathology as seen in other high density, small unit developments.	Unit size should be increased There will be a range of housing types and unit sizes throughout the development. Private developments will include units ranging in size from 30 to 150m² as the development must respond to market demand. The subsidized housing is dictated to a large degree by the subsidy funding available for social housing.	

Comment	Response from Applicant	CoCT
Employment opportunities Whilst Epping Industria and Old Mutual will provide some jobs, there is very little else in the area that will account for additional employment.	Employment opportunities The property is located adjacent to Viking Park Industrial area. In addition Pinelands and Ndabeni are located close by. Public transport facilities are also located close-by which provide access to the Cape Town CBD and other areas. Furthermore, it is envisaged that further employment opportunities will exist on-site. In addition, as stated earlier, the development targets persons who are already employed within the contextual area who currently reside further afield. The intention of the development being the provision of affordable accommodation closer to existing employment.	Employment opportunities The proposed development is mixed use in nature. In addition to being located close to employment opportunities, it will also provide opportunities on-site during and after construction.
Sustainable services No reference is made to the intention to use sustainable technology such as solar panels in the development.	Sustainable services The site offers many opportunities for implementation of green technologies and the minimum target of a 30% reduction in the use of water and energy is achievable.	Sustainable services Certain sustainable technologies will be used during construction as a requirement of the National Building Regulations.
Liquor Off Sales Liquor off-sales in the development should not be permitted which will be as it exists in Thornton and Pinelands.	Liquor Off Sales The sale of liquor is governed by laws which allow the assessment of the appropriateness of whether or not liquor licenses will be granted.	

BRANCH COMMENTS	APPLICANT'S RESPONSE
Parks : Cynthia Minnaar (02 June 2017) Landscape Concept Plan Comment: As mentioned in previous comments, this office has, in principle, no objection to the proposed development. While the revised information is noted, there are still some outstanding issues that need to be addressed/clarified. Therefore, based on the information provided, the following conditions apply: A The Landscape Concept Plan should be revised in order to illustrate the approximate location of the swales, detentions ponds, flood areas etc. The concept plan should further give a breakdown of the open space provision (i.e. area calculation) as well as address the maintenance responsibilities (i.e. indicate the maintenance responsibility of all open space to be that of the body corporate/ owners association). Please note that uses such as community gardens are not included as part of the functional open space provision. The actual stormwater service areas (i.e. swales, detention ponds and canal) should also be excluded. Comment B. Applicant to advise on how the recreation areas (i.e. pathways, cycle routes etc.) along the canal will be affected during flood periods or will these areas be located outside of the buffer area? Comment: C. Each Site Development Plan (SDP) shall be accompanied by detailed Landscape Plans addressing the landscaping and open space development for each phase. Such landscape plans shall also make reference to the implementation and on-going maintenance responsibilities. Please note condition 5 below and address on detailed landscape plans.	Response A. As this application is for a development framework for superblocks. It is not possible at this stage to provide a Landscape Plan to the detail requested. We therefore accept the condition that at the stage of Site Development Plan submission a detailed landscape plan will be provided that will indicate the location of the swales, detentions ponds, flood areas etc. The Landscape Plan will give a breakdown of the open space provision (i.e. area calculation) as well as address the maintenance responsibilities. The Stormwater Management Plan provided gives a conceptual indication of location of swales and flood areas. This would have to be refined and developed alongside the road layout, erf sub-division and open space plan to result in a coherent Landscape Plan that fulfils the requirements of the above condition. Response B. In principle the Landscape Masterplan shows that the proposed pedestrian pathways are outside of the flood plain area, on the top of the proposed berm. Again, the detail can only be shown once at the SDP submission stage. Response: C. The above condition is accepted. Response D: The landscaping will be developed in phases determined by the Developer though must comply with the overall landscape master plan. The above condition is accepted. Response E: Noted and accepted

BRANCH COMMENTS	APPLICANT'S RESPONSE
Comment D: Details with regard to the implementation of landscaping shall be provided. This is a phased development and, in order to impose realistic conditions that relate to the implementation of the landscaping, the applicant shall provide details as to how implementation may take place. Comment E: The proposed plant selection is supported. Further detailed comment on proposed plant species will be provided once detailed landscape plans are produced as certain habitat micro-climates will influence the final plant selection. Comment F: Considering the recent implementation of level 4 water restrictions, the developer should consider the use of non-potable water for irrigation. It appears as though there are treated effluent lines running along the Elsieksraal River Canal as well as Jan Smuts Avenue. No discussion around the use of a sustainable alternative water source was noted in the motivation document. Considering the on-site stormwater services, it may be useful to implement an underground stormwater storage system, which can perhaps be used for irrigation purposes when required. The developer should also investigate the possibility of linking with the treated effluent system. Comment G: The motivation provided by the applicant refers to a crèche proposed on one of the "local" parks (also shown on the Landscape Concept Plan). No clarity has been given as to how this crèche will function as part of the open space. Please note that the crèche cannot be included as part of the open space provision/calculation.	Response F: Noted and accepted that the Developer will investigate and consider sources of non-potable water for irrigation purposes. Response G: The crèche will face onto the park. It will not be located inside the park or be included in the calculation of Open Space.

BRANCH COMMENTS	APPLICANT'S RESPONSE
Urban Design Our department has been part of the PMT to guide development along the process and look forward to the development of this key government land. Subsequently, we have no objection to the proposal but have questions that could be clarified: Comment A: Can it be clearly defined where informal trading can take place so as to assist the development of a trading plan once the development is constructed? Comment B. We are not sure about the setback being removed to be 0m up to 25m (8 storeys) height of the building. This can create a less-favourable pedestrian experience/human scale at street level. We suggest that a setback is necessary in some form from the 10m height line to assist in the creation of human scale urban environment. We suggest the departure to read: "0m to 10m (3 storeys) with minimal setback above that". This therefore does not constrain the setback to 4.5m but does give visual breathing space. Comment C. Stronger requirements should precede the provision of other facilities – from experience; the budgeting and construction of facilities tend to be pushed back to the later phases of development and therefore do not assist in creating a sense of community from day one. We feel strongly that this needs to be provided more urgently if this development is going to be true to being a place to live, work, play and learn. Comment D Parking rations for office is the equivalent of that in a CBD, i.e. 100m² parking spaces for 100m² office space – this is not sustainable and talking to the aims of the project. We suggest a maximum of 3 bays per 100m² for both office and retail and believe that 4/100m² is too excessive for this site.	Response A: It is premature for this level of detail it is likely that trading will take place along Forest Drive Extension or in the main public square. The developer will indicate this aspect in their SDP submission once they have prepared it. The above is therefore accepted as a condition of approval. Response B: We accept the concern regarding the possible "canyon effect" expressed by Ms Kruger-Fountain. However, when read together with the Urban Design policy we conclude that there will be no instance in which two 25m high buildings are opposite one another on the street boundary of a minimum 17m wide road as the 25m high buildings are around the edge of the site and will be opposite 13m or 16m high buildings. Creating setbacks adds cost to the buildings and this development has to be as cost effective as possible to meet its objectives. We therefore motivate that the departure remain as applied for. Response C: The application states that the provision of the Sports facilities has to occur before more than 1800 units are built. Further, it states that the education facilities must be provided simultaneously with the development. The provision of appropriate facilities is a requirement for the developer they will be obligated to

BRANCH COMMENTS	APPLICANT'S RESPONSE
Comment E: There could be some guidance as to the resolution of conflict between public and private space to assist future development proposals in delivering an inclusive community rather than one with walls and boundaries. This relates to providing the public space to the back of properties and semi-public space to the front so as to not having to protect the private space with walls.	provide these in line with the agreement with Province. This condition is therefore adequately complied with. Response D: It is agreed that 4 bays per 100m2 is excessive for the commercial uses. This is why there is a 90% sharing proposed between commercial and residential. In effect this reduces the parking for commercial dramatically by relying on the management of parking bays across time, i.e. using parking bays vacated by residents who work outside the area and use their cars to commute, to accommodate private cars coming into the area for commercial purposes. The concerns of the Urban Design department are therefore more than accommodated. Response E: The condition applied for that states that buildings will be a maximum of 3m from the street boundary for at least 80% of the street boundary is a very firm way in which this concern is addressed. The semi-public space can therefore be no wider than 3m, preventing it from being used for parking and, together with the transparent boundary walling policy of the City, will encourage a positive public, semi-public, private street interface. This, together with the fact that the Developer has to fit many units into the development that will ensure that the outer edges of the erven are used to the full as broad perimeters around buildings are very wasteful of space, adequate addresses Ms Kruger Fountain's concerns, with which the applicant agrees.

BRANCH COMMENTS	APPLICANT'S RESPONSE
Spatial Planning and Urban Design (landscape architects) in principle supports the landscape master plan and guidelines. Detailed landscape plans must be submitted for all institutions, community facilities and communal and other open spaces (including detention areas) at building plan stage. The detailed landscape plans must be prepared by a qualified professional Landscape Architect registered with the South African Council for the Landscape Architectural Profession (SACLAP). These plans must include but not be limited to: • Location of existing mature trees to be retained relocated and/or removed. Trunk diameter, drip lines, height and botanical names of trees should also be indicated. Where trees are to be retained, existing and proposed ground levels around the roots should be indicated. • Location of proposed trees and vegetation, with their botanical names and sizes, and densities to which ground covers and shrubs will be planted. The use of locally indigenous species is encouraged as these are more water wise and generally more cost effective in the long term with regard to maintenance. No Kikuyu grass will be allowed on properties adjacent to the Elsiekraal River canal as it is an invasive species within aquatic systems. • Proposed structures, retaining walls, street furniture, lighting, play equipment and hard surfaces. Solid Waste Management Department has NO OBJECTION to the Proposed Application. When an Erf/Property is subdivided into multiple individual portions, the development on each portion will be considered a separate unit, which as a condition of approval will required its own refuse storage facility. Should the property be utilized for a Residential Development (sectional title or cluster development/secured complexes/flats) or Shopping	Noted Noted

BRANCH COMMENTS	APPLICANT'S RESPONSE
Mall/Complex/Centre or Office Complexes, Factories or Warehousing then a Refuse Room should be considered. Please Refer to Paragraph A: U1 – Provision of Areas and U2 – Access to Areas listed below referring to Conditions for Removal from Private Property to enable refuse removal services. Please refer to Standards and Guidelines for the construction of a Refuse Storage Area / Room. Please Refer to Paragraph B (1) – Single Residential / Rural Units – Access from Public Roads. Please refer to the attached Minimum Requirements for Vehicular Access and the Turning Shunts for Vehicles. Please Refer to Paragraph B (2) – Where the Internal Roads are Developed as Private Roads and the Development is designed for the purpose as Private Residential Town House Complexes, a Refuse Room with an Embayment for Refuse Vehicles will have to be provided. Please refer to the attached requirements for refuse storage areas.	
Utility Services, water and sanitation "The re-development of the "Conradie Hospital Site"" as detailed in the topic is subject to development contributions which have been calculated according to the Policy. The development contributions exclude the costs associated with the installation of civil services within the development and applicable connection fees.	Noted
Asset Management and Maintenance "Development Contributions relating to Transport and Roads only 1. The development contribution towards the provision of public roadway and public transport will be discounted to zero in lieu of transport and road infrastructure provided by the developer in the TIA by HHO dated March 2017, listed below:	Noted

BRANCH COMMENTS	APPLICANT'S RESPONSE
• Aerodrome Road extension & Forest Drive Extension I/C • Aerodrome Bridge • Aerodrome bridge electrical cable relocation allowance • Odin Road NMT facility • Forest Drive Extension & Jan Smuts Drive upgrades • Forest Drive upgrades • Sipres / Viking Road upgrade • Fencing, estimated at R178 400 000 (excluding design fees) for which a Services Agreement will be entered into between the Council and the Owner / Developer in accordance with Council's policies. 2. That it be noted that the development contribution figure will be subject to an annual escalation equal to the construction price adjustment (CPA) from civil engineering services and the amount payable will be the amount calculated at the time that the infrastructure is 3. That the maximum permissible bulk/GLA in terms of the Development Framework be restricted to: • Residential • Grant funded housing 1804 dwelling units • Private market units 1800 dwelling units • Schools 3944m2 GLA • Hal, Admin Office, Sports hall 1913m2 GLA • Retail and service industry 9520m2 GLA • Offices 14714m2 GLA. 3. Any increase in units/bulk will trigger an additional development contribution relating to Stormwater • CSRM Catchment Planning to comment on how the stormwater develop contribution will be dealt with.	

BRANCH COMMENTS	APPLICANT'S RESPONSE
• Engineering Services / Roads. 5. That the final alignment, class and width of Aerodrome Road extension be confirmed by TDA: Urban Investment and Development (Tony Vieira). 6. The internal road reserves to have a minimum width of 17m to make provision for a 2.5m footway on either side; on street parking and two traffic lanes, but it must be noted that the cross sections Figure 79 and Figure 80 indicate much wider footways which accommodate canopies, balconies, cycle lanes, pedestrian zones and buffer zones. The property boundary/ road reserve needs to be identified on these sections. The roads that will be taken over by the City could accommodate balconies at 500mm behind the kerb, but not balconies. These need to be within the limits of the mixed use or residential erf. The pedestrian zone currently shown beneath the balconies must be accommodated within the road reserve. 7. That the owner/developer at their cost provide all the required internal and link engineering services to the satisfaction of Council, prior to transfer of individual units or utilization of buildings. 8. That detailed engineering services plans prepared by a registered engineer be submitted for approval by Council, prior to commencement of any works. 9. That all engineering services comply with the standards and policies of Council and services be in accordance with approved site development-/subdivisional plans. 10. That all services be handed over to/inspected by Council on completion of the works and a completion certificate be issued by the Engineer prior to transfer of individual units or utilization of buildings. 11. That where municipal services traverse private properties or fall outside a public road reserve, a 3m wide servitude be registered in favour of Council for the developer's account. 12. That the owner/developer be responsible for all costs incurred in respect	

BRANCH COMMENTS	APPLICANT'S RESPONSE
of the upgrading, extension, deviation, connection or removal of any engineering services arising from the development. 13. That all engineering services for the private developments comply with the standards and policies of Council and the Home Owners Association be responsible for the maintenance of internal private services. 14. That bulk connection points for stormwater and access be provided in the public road reserve. That all stormwater run-off be conveyed to the municipal stormwater system in accordance with an approved management plan and the management plan conform to the overall master planning of the area. Further comments to be obtained from Catchment Planning. 15. That the geometric design of roads, parking areas and overland escape routes ensure that no trapped low points are created. 16. That a comprehensive traffic accommodation plan be submitted to Council for approval prior to commencement of any works and the cost of accommodating traffic be for the developer's cost. 17. That the developer at his cost implement the recommendations of an approved TIA and where required, a sound traffic management plan accommodating pedestrians, cycles, speeding, etc be implemented to ensure safety of residents. 18. That the developer be responsible for all design and construction costs to implement Aerodrome Road extension and related infrastructure and road upgrades to full municipal standards, including blacktop, kerbing sidewalks, street lighting, ducts, pedestrian crossings, stormwater infrastructure and signals. 19. That the developer be responsible for the reinstatement of all damaged municipal infrastructure after completion of the construction work to full municipal standards. 20. That splays be provided at intersections/accesses and the required sight triangles be achieved and be free of obstructions (landscaping, electrical-/telecommunication etc)	103

BRANCH COMMENTS	APPLICANT'S RESPONSE
21. That all detail services plans of all internal services (access layout, traffic circulation, parking, refuse, civil services, etc) be submitted to the Council for approval prior to commencement of any works and all services comply with the "Minimum Standards of Civil Engineering Serves in Townships" document. 22. That a Home Owners Association be established which addresses maintenance of all internal services. General 23. That the conditions of the Provisional Administration: Western Cape (Department of Transport) be adhered to."	
TIA & Development Control (amended comment addressing only the revised road schemes, much of the previous comment provided remain) The proposed Conradie "Better Living Model Exemplar Project" (BLMEP) will be situated on Erf 112657 which is a 22ha site located between the suburbs of Pinelands, Thornton and Maitland. The proposed development will consist of various land-uses and the implementation of this development will be done in 3 phases. An updated TIA (March 2017) was submitted to address alternative access proposals to the Aerodrome road link and removal of the proposed Odin drive vehicular link to Viking Way (as well as the Thor Circle option). Traffic that will be generated by Phase 1 and 2 of the Conradie Development can be accommodated with the proposed improvements along Forest Drive Extension. Phase 3 of the proposed development will require the link with Aerodrome road extension. The updated TIA assessed 3 Alternatives to the Aerodrome road link extension. Alternative 1 ("Quarterlink" Option) of which the planned alignment is through the Jewish Cemetery across Forest Drive Extension and the railway line into Maitland Cemetery, terminating in Voortrekker road.	Noted 104

BRANCH COMMENTS	APPLICANT'S RESPONSE
Alternative 2 ("Directional Ramp" Option): This proposal links between Forest Drive Extension and Voortrekker via a directional ramp. Forest Drive Extension remains at grade with its east - and westbound lanes shifting outwards to accommodate the ramp. Alternative 3 ("Elevated Tee" Option): This proposal provides a direct link between Forest Drive Extension and Voortrekker, in the form of an elevated tee junction opposite the railway crossing. Ramps develop on either side of this point on Forest Drive Extension, along the east - and westbound lanes are accommodated alongside the ramp structures (this option does not extend into the Jewish Cemetery). Additional improvements were also addressed at the Intersection of Spires Avenue with Viking way as well as upgraded improvements in Meadow road. Transport supports Alternative 3 ("Elevated Tee" Option) as an acceptable alternative to traffic operations along with the additional improvements at Spires Avenue / Viking way intersection and upgraded improvements in Meadow road as recommended in the TIA (March 2017). The proposed development also makes provision for adequate NMT facilities that will link with public transport. Conradie BLMEP is being developed as a TOD project which will require good quality public transport and NMT services. Transport has no objection to the proposed Conradie BLMEP development	105
TIA & Development Control "SITE ACCESS: The proposed BLMEP development is well located but access to the major road network is constrained by the Elsiekraal River canal, railway lines and Maitland cemetery. Primary access to the proposed development will be off Forest Drive Extension. Access 1 will be located opposite the Mupine access to form a	Noted no objection subject to conditions.

BRANCH COMMENTS	APPLICANT'S RESPONSE
standard 4 – leg stop controlled intersection. The Conradie access cannot be located further due to the existing heritage building that must be retained and therefore the Mupine access will have to be relocated approximately 10m westwards to accommodate for the alignment of the intersection. Furthermore this intersection will require signalisation in future should the Mupine development proceed. Access 2 along Forest Drive Extension will be located opposite the Anfiled Village access point and will be a 4 – leg signalised intersection. The access spacing between access point 1 & 2 is 200 m apart and is sub-standard for a signalised intersection along a Class 3 road. However the location off these access points along Forest Drive Extension will decrease the number of accesses required for the proposed development and thereby improves the mobility function of the road. Access 4 will be a roundabout along the proposed internal Class 4 road network of the site to provide access to the adjacent Orthotic clinic. Access 5 is a proposed NMT access to Thor Cirle and onto Odin Road and Viking Way via a pedestrian link over the realigned Elsie's river canal. <u>On & off-street parking bays</u> The proposed Conradie BLMEP development can be considered as a Transit Orientated Development. The development falls within close proximity to the existing public transport services (rail, bus & minibus – taxi). Due to the urban design layout of the development a shared parking system will be introduced between residential and non – residential land – uses. On – street parking on the internal road network will also form part of the parking supply. Furthermore the developer of the proposed Conradie BLMEP development will ensure that a parking management plan be put in place to ensure the preservation of the NMT focused urban design of the site.	106

BRANCH COMMENTS	APPLICANT'S RESPONSE
PUBLIC TRANSPORT: The development falls within close proximity of the existing public transport services. Public Transport stops are located along Forest Drive Extension adjacent to the site as Golden Arrow Bus Service and existing minibuses – taxis provide a service in the area. These public transport services also operate along Viking Way, Jan Smuts Drive, Forest Drive, Voortrekker Road and Gunner's Circle. This site will also be served by Metrorail's rail service which is located at Mutual station and operates along the Central & Northern rail line. The site is located within a 10 minute walking distance from Mutual station. The proposed Conradie BLMEP development may establish additional public transport routes to and from the site. It is therefore recommended that the provision of a public transport facility & spots must be considered and addressed at SDP stage with the requirements of TCT's Public Transport Section. NON – MOTORIZED TRANSPORT (NMT): The proposed urban design layout of Conradie BLMEP development actively promotes NMT within the internal road network of the site as well as onto the surrounding external road network. Most notably will be the link to Mutual rail station. NMT access will also be provided over the Elsieksraal River Canal via the new Odin Road extension and via Thor Circle to Viking Way. The site will provide dedicated NMT routes with amenities (street furniture, lighting, dustbins, etc.). Pedestrian crossings at all intersections must prioritise pedestrian safety and where required at mid – block crossings. All NMT routes must also be universal accessible with the necessary signage to facilities such as clinics, public transport facilities, open spaces, etc. The development contributions of this development will be discounted to zero in lieu for the transport and road infrastructure which will be provided by the Conradie BLMEP development. Transport has no objection to the proposed Conradie BLMEP development."	107

BRANCH COMMENTS	APPLICANT'S RESPONSE
Water and Sanitation (May 2017) Regarding the latest application pertaining to amendments made to the Conradie development, our department comments dated 10/06/2016 remains unchanged. As the proposed amendments does not affect the water demand and sewer flows expected, there are no additional comments or conditions at this stage. "Water and Sanitation "Water and Sewer Reticulation The preliminary capacity analysis on behalf of Water and Sanitation was issued on the 21st December 2015 as indicated in the service report as part of the document package. As the water demand and sewer flows have not changed since the last analysis, the comment provided is still applicable. Conclusions The Water and Sanitation Department has no objection to the proposed. General/ Disclaimer Information provided is based on best available data. The flows and pressures provided in this comment are theoretical and not measured." Water and Sanitation (October 2016) There is sufficient capacity within the existing water network to accommodate the proposed development. This development can only proceed once the new Northern Areas Sewer is fully commissioned. Conditions • Municipal Water and Sanitation services are to be designed according to Departmental Service Standards and approved prior to construction. • Handover of Municipal Water and Sanitation services will be subject to quality control during construction. • Please note that this letter is not agreement to provide a new water or sewer connection to the development. A formal application must be made in this regard to the Reticulation District Head.	Noted 108

BRANCH COMMENTS	APPLICANT'S RESPONSE
• Development Contributions may be payable, not checked at this stage, but can be resolved with the Reticulation District Head. General/ Disclaimer Information provided is based on best available data. The flows and pressures provided in this comment are theoretical and not measured. The infrastructure as-built information referred to and used in the hydraulic models are based on the GIS asset records, while modelled pressures, flows, velocities, capacities and volumes are based on hydraulic models of current land use and demands. Where appropriate, future land use and demands are considered and the impact of a development compared to that currently planned for the same land and surroundings. This comment on confirmation of the ability to service the development does not confer any rights of development, which will be determined by the approved land use application process being followed." Electricity Services "1 The existing authorised capacity to this development is deemed to be 840 kVA. 2 A master site development plan, indicating the phasing of the development plans of the individual sites, is required. Note that the electricity infrastructure serving each site may not be dedicated to that site alone. Infrastructure such as substation sites may be required to serve a wider area or future phases of the project. 3 Individual site development plans are required prior to or concurrently with subdivision applications and not thereafter. 4 The phasing of electricity services and implications detailed is subject to change depending on the integration of the internal electrical reticulation of the proposed development with the department's existing electrical infrastructure. 5 The electricity department will supply and install the necessary bulk infrastructure to the development boundary. 6 Separate, completely independent points of supply must be taken to	109 Noted no objection subject to conditions.

BRANCH COMMENTS	APPLICANT'S RESPONSE
each erf of the subdivision and shall be routed clear of all other private property. 7 In accordance with policy and tariffs approved by Council, a development capital tariff, as published in the standard tariffs, will be payable. In the case of a subdivision application, the development capital tariff shall be paid before clearance of the subdivision will be granted.8 In accordance with policy and tariffs approved by Council, a connection fee to provide a separate connection to the property boundary shall be paid before clearance of the subdivision will be granted. 9 A quote for the development capital tariff and the connection fee, as well as conditions of supply, will be provided upon formal application. In the case of a subdivision application, the application for a quote must be submitted prior to application for Section 31 clearance. 10 Electricity infrastructure currently exists on the property and may have to be relocated or decommissioned. Application shall be made to the Electricity Services Department in this regard. 11 The applicant shall provide at his own cost the internal electrical reticulation and street lighting networks serving the specific subdivision. To this end, the applicant shall appoint a consulting electrical engineering practitioner registered with ECSA to carry out the design and to supervise the installation of the internal electrical reticulation and street lighting networks to City of Cape Town standards and specifications. On completion, the electrical reticulation and street lighting networks shall be handed over to the department for operation and maintenance. 12 The design for the electrical reticulation and street lighting networks shall be submitted formally for approval. The design will not be considered without an approved subdivision plan. 13 Additional substation sites besides the existing one will be required in locations approved by this department. These properties shall be directly accessible from public road and shall not be traversed by any	110

BRANCH COMMENTS	APPLICANT'S RESPONSE
other services. Sites required can take the form of a combination of the following: • Outdoor substations on 5 m x 4 m sites. • Substation buildings on 20 m x 14 m sites. These substations shall be appropriately subdivided and zoned appropriately in the plan approved by the surveyor general as well as transferred to the City free of charge. 14. The electricity reticulation network is to be installed in the public road reserve with a sidewalk width sufficiently wide to accommodate the electricity network required. Special attention will be required where high voltage cables are to be accommodated. 15. Electricity distribution and street lighting infrastructure in private roads will not be taken over by the City but will remain the responsibility of the property owner. 16. Metering requirements must be resolved in consultation with the Electricity Services Department, prior to commencing construction. 17. The property owner is required to include in the development measures to improve energy efficiency to reduce the consumption of electricity"	111
City Health This department has no objection to the approval of this application. Any Health requirements will be called for on the BDM Submissions	Noted no objection
Environmental and Heritage Management "City Heritage has no objection to the amended application for consolidation, subdivision, rezoning and departures. I understand that a Record of Decision has been issued by HWC therefore it is important that the applicant receive confirmation from Heritage Western Cape (HWC) that the amended proposal does not require a new submission to HWC or not."	Noted no objection

5. BACKGROUND TO PROPOSAL

Description of the area / surrounding land uses

- 5.1. The Executive Summary provides a brief description of the property. The immediate area is characterized by a range of uses including a cemetery, industrial uses, dwelling houses, flats, offices, golf course, amongst other land uses. These uses are all located within the Pinelands and Thornton areas which abut the site.

Property description

- 5.2. Erf 112657 was previously used for a medical facility which was relocated some years back to a new facility in Mitchells Plain. The site has consequently been vacant for a number of years.

The site was previously developed with a number of, mostly, single storey buildings which were subsequently demolished a few years back as most were vandalized. Two buildings at the entrance of the site which were considered to have heritage significance were retained and will be incorporated into the proposed development.

The property is bounded by the Elsie's River canal and Thornton to the south-east, the railway line to the south-west, Forest Drive extension on the north-west and the Jewish cemetery to the north-east. The Mutual and Thornton train stations are located approximately 1.0km from the property. An informal taxi rank is located at Old Mutual station while taxis travel to both train stations during morning and afternoon peaks. A designated IRT stop will be located in front of the Old Mutual Head office on Jan Smuts Drive.

Proposed development

- 5.3. Details of the proposals are explained in the preceding paragraphs and can be summarized as a mixed use, mixed income development comprising of residential, commercial and recreational uses. As the site is zoned Limited Use, the land use applications listed in the Executive Summary are required in order for the proposed development to be realized.

The rezoning will put in place appropriate land use zones to facilitate the development of:

- Mixed Use, Sub-zone MU2
- General Residential, Sub-zone GR5 and
- Open Space 3: Special Open Space (OS3).

Public roads will also be incorporated in the development.

While the property will mainly comprise of Mixed Use zoning, the portion which interfaces with the residential Viking Village development will be zoned for General Residential, Sub-zone GR5 purposes.

The portions of the site zoned Open Space, OS3 will accommodate the stormwater run-off and function as detention ponds, sportsfields, pedestrian walkways, walking, running and cycle paths.



Figure illustrating Surrounding development

While the development will primarily comprise of dwelling units, other uses such as offices, shops and service industry uses will also be accommodated in keeping with the “Better Living Exemplar Model concept which centres around live, work and play. The proposal will incorporate community related uses such as community hall and sportsfield. The provision of additional educational facilities and health facilities will be dependent on needs. Presently, a number of schools are provided in the abutting residential suburbs of Pinelands, Thornton, Kensington and Maitland. Educational facilities can be provided based on demand. Additional health facilities are not required as the surrounding area has sufficient capacity. If necessary, a mobile facility will be provided on the property.

Buildings will range in height from 13m to 25m with the highest buildings located along public interfaces or where the property abuts onto industrial uses. The proposal includes the intention to depart from the building line setbacks and to raise the level of the ground – the raising of the ground level is required to accommodate a berm along the south-eastern edge of the site which will be positioned along the Elsieskraal River Canal.

The site includes certain fixes that will inform the development and the position of the access to the site. The existing vehicular entrance to the property will be retained and an additional vehicular entrance is proposed. A pedestrian access from Odin Way will be provided. While this is the only link proposed with the broader with Thornton (on the south-eastern side) consideration must be given to further pedestrian connections with Thor Circle as this will assist with integration into the wider area.

The two buildings positioned at the entrance to the site, together with certain aspects of the road grid are considered to be part of the heritage components of the site that will be retained and used as community facilities.

Trees on the boundary of the site will largely be retained and incorporated into the development. Additional landscaping will be planted.

The conceptual details of the development contained in the attached Annexure C will form part of the different scale of planning that will be used to facilitate development of a large tract of land based on increasing levels of detail with each level of approvals. While individual details of the proposals (such as subdivision of any future individual buildings) are not yet known, this application seeks to put the broader rights in place to facilitate further detailed planning and subsequent development of the site.

6. PROPOSAL ASSESSMENT

Criteria for deciding application

6.1. Consideration of criteria in terms of Section 99(1):

6.1.1. Compliance with the requirements of the MPBL

- Compliance with the requirements of the MPBL have been met.
- All the applications in respect of this proposal have been processed and advertised in accordance with applicable laws.
- The MPT has the delegations to make a decision on all the applications.
- The application was first advertised in October 2016 and 615 objections were received. In response to the objections the application was amended as per Annexure C.
- The amended application was advertised to the same extent as the original application as well as to additional interested parties in the press, notices were served on affected property owners and community organisations while on-site notices were also displayed. A total of 717 objections were received.
- The proposal was not the subject of an administrative penalty.

6.1.2 Compliance or consistence with the municipal spatial development framework

The application is compliant with the municipal spatial development framework, amongst others. This is further elaborated on below.

I am satisfied that the decision making criteria in Section 99(1) have been complied with.

I am satisfied that the considerations in Section 99(3) have been assessed and that the proposed land use is desirable.

6.2. Consideration of criteria in terms of Section 99(2):

6.2.1 Integrated Development Plan

Given the history of urban and spatial development in South Africa the IDP identifies 5 strategic focus areas amongst which is the inclusive city that focuses on the inclusion and integration of all communities. Communities must be provided with access to various opportunities, amenities, services, etc. Eleven priorities are identified including economic inclusion, resource efficiency, safe communities, dense and transit oriented urban growth, efficient and integrated transport systems, building integrated communities, among others.

The proposal will contribute towards economic inclusion by providing residential housing for people from across the socio-economic divide. Furthermore, the development provides opportunity for further business activities and contributes to the local and wider economy on a short-term basis (as the development unfolds, and on a more permanent basis as businesses are established, rates generated, among others).

The IDP encourages the transformation of the built environment by employing Transit Orient Development Strategies (TOD). TOD encourages the distribution of different types of residential development that accommodates different housing types and provision of easily accessible opportunities. Spatial transformation must create the right mix of land uses i.e. move away from mono-functional low intensity land use and must optimise efficiency and ensure the provision of services and positively influence urban form.

In support of TOD, new developments must positively influence the urban form and be positioned around existing and planned public transport links. Any new development must contain the right mix of land use and greater intensification. Increased land use intensity will contribute to optimise the efficiency of the public transport network. Such development must be sufficiently dense to promote the use of public transport in conjunction with reduced parking ratios.

Despite contrary contentions by objectors, my Department considers the Conradie development to be appropriately located in support of the IDP objectives based on the ensuing arguments.

6.2.2 Economic Growth and Social Development Strategies

Cape Town is experiencing rapid urbanisation and increased population growth which place significant strain on the existing services infrastructure, the need for jobs and housing.

Many of the City's citizens are separated from the city's economic hubs which are located significant distances away from places of residence. Location of new developments within established areas must therefore be encouraged as they improve access to opportunities and amenities as well as offer opportunity to contain urban sprawl. This, in turn, limits the cost associated with the provision of additional services as is usually associated with new developments on the periphery of the City.

Where existing communities are located great distances from amenities, places of employment, etc. high levels of congestion and lengthy commuting

times are experienced. Expanding its BRT system and focusing on public transport will provide greater accessibility to various opportunities within the city. Greater thresholds are required to justify or cover the cost of such services provision. Intensification, densification and diversification of uses become the cornerstone to this end.

In this instance, the property is favourably located close to, and along, identified locations where BRT stops will be located in addition to being in close proximity to other existing public transport services.

Proposed road improvements arising from this development, will benefit both the recipient and wider communities as it will connect the east and west.

The development therefore will have a favourable impact on the area both in the short and long term.

While the site may be structurally separated from neighbouring communities by existing infra-structure the provision of recreational open space such as sportsfields, parks and pedestrian routes is an imperative to creating accessibility, integration and inclusiveness. This is provided for in the development proposed. Pedestrian access will be gained via Odin Way while further opportunities will be explored at a later stage. Vehicular and pedestrian access will be gained from Forest Drive extension. (Further aspects associated with the connectivity of the site to the context is addressed below while certain conditions are also proposed.)

6.2.3 Integrated Human Settlement Framework (IHSF)

While the Integrated Human Settlement Framework relates to the City's provision of housing, it acknowledges the need to change the way in which housing is provided in the city by the City. Proposals such as this must deliberately restructure the manner in which housing is provided. One of the core programmes of the IHSF influencing this application is that the City must support higher density developments in transport corridors and priority nodes. Furthermore, fostering partnerships is also one of the key requirements for the IHSF to achieve the City's medium to long term goals. Through adopting the latter principles the IHSF aims, amongst others, to address the inefficiencies in past planning and promote the intensification and diversification of the use of land.

6.2.4 Transport Orientated Development Strategic Framework

The primary goal of TOD is "about changing, developing and stimulating the built form of the city in such a way that movement patterns of people and goods are optimised to create urban efficiencies and enable social equality and economic development." The development of high density human settlements and/or mixed uses at nodes or in corridors that are served by high capacity public transport systems (buses and commuter trains) is essential in order to successfully implement TOD and realize its full dividends. According to the calculations by the TDA (transport planning), "the economics of public transport are such that it cannot break even until there are about 40 to 45 dwellings per hectare. Transport provision will only become profitable once there are about 75 dwellings per hectare". The proposed development is

mixed use with a density of 164 dwelling units per hectare, which is more than double the threshold density required to support the provision of a viable and sustainable public transport system.

The proposed density as well overall design supports the principles in the City's Transport Orientated Development Strategic Framework (TOD) as the development:

- is high density mixed use with more than double the density threshold for the provision of viable public transport system (164 dwelling units per hectare).
- is located close to existing and planned public transport stations and stops, which includes a 10 minutes or less walk/cycle to train stations and future integrated public transport network routes. (IPTN)
- has reduced parking ratios and which encourages the use of public transport.
- Is designed to discourage the use of motor vehicles in support of other modes of transport (walking, bicycles/scooters, trains, buses and trains).
- promotes walking through design that prioritizes surveillance thereby creating a safe neighborhood.
- has both trip generating and trip attracting land uses by virtue of it being mixed use-high density.
- reduces travel distances by intensifying and diversifying urban development close to public transport systems
- represents appropriate land use mix, residential development and social and economic activity at, and between, urban nodes along higher-order transport corridors
- is a departure from low density single use developments that perpetuates the legacy of the apartheid spatial planning system.
- represents a good example of compact and livable human settlement planning that meaningfully signals the City's intent to curb urban sprawl.

6.2.5 Cape Town Spatial Development Framework, 2012

The proposal is consistent with the CTSDF as it is in line with the following policy guidelines:

- Land use intensification and mixed use development.
- The activity will be located on Forest Drive extension and within walking distance of public transport (Old Mutual and Thornton train stations) and bus and taxi routes while IRT stops are proposed on interleading roads.
- Notwithstanding the PT2 location of the site, a reduced parking ratio has been applied – all parking provided is therefore voluntary.
- The development transforms the city because of the location and nature of the development whereas surrounding communities are comparatively mono-functional and low density.
- A diverse range of housing types is proposed.
- Various heritage components on the site will be retained and incorporated into the development.

- The rezoning will be compatible within the existing environment and will serve as a transition between business and industrial properties and also ensure appropriate zones to be located alongside existing residential uses.
- The range of land uses proposed will support the functioning of the development as well as the surrounding area.
- The development will incorporate recreational facilities, open spaces and certain community facilities.

6.2.6 Table Bay District Plan, 2012

The property is located within the metropolitan node in Sub-district 4 of the Table Bay District Plan. The proposed development is consistent with the Table Bay District Plan in terms of the following principles:

- The site is favourably located along a transport corridor to accommodate the high density, increased intensification and mixed use proposed as it comprises both a housing and employment component.
- The development will further promote ridership being located close to public transport and will facilitate access to opportunities within the city.
- It is proposed to improve the connection of the site to the wider metropole by providing links with Voortrekker Road through the Aerodrome Road extension and by providing pedestrian links across the Elsiesriver Canal which, in turn, will offer access to Viking Way – the site will be integrated with the wider city. It is acknowledged that due to physical barriers such as the canal, railway line and the abutting neighbouring site, opportunities for meaningful integration is limited.
- The development will incorporate walking, jogging and cycle paths which will link with existing cycle paths in Pinelands and Thornton.
- A public open space component is incorporated into the proposal linked to the Elsieskraal River Canal. The provision of running, walking track will be provided. The open space alongside the canal will be widened. Green "fingers" will extend into the site and will link with the open space positioned alongside the canal. The proposal must provide a positive interface with the Elsieskraal River Canal by preventing blank edges and promoting overlooking onto open spaces.
- Certain social facilities will be provided on the property – these are not for the exclusive use of those accommodated on the property but will be open for the use of surrounding residential areas.

6.2.7 Densification Policy

The proposal represents appropriate densification which facilitates a gradual restructuring of the City and is vital in terms of social, economic and environmental sustainability. It is an important mechanism towards improving the inefficient city structure that currently exists. It is widely accepted in professional and academic planning circles that a compact urban form is an essential pre-condition for well performing cities.

The proposal is consistent with this policy's objectives for the following reasons:

- It ensures the optimal and efficient use of infrastructure, services, facilities and land.
- It supports the development of a viable public transport system and improves the levels of access to the City's services and amenities.
- It will enhance the built environment.
- It helps to provide property investors with a level of certainty regarding areas that will be targeted for various types of densification.
- The scale of the proposal is appropriate in the immediate context.
- It provides a mix of land uses, opportunities and integrated living environments.
- It contributes to place-making and the development of attractive safe urban environments.

6.2.8 Urban Design Policy

The detail of the proposal must give effect to the Urban Design Policy. The scale and level of the development proposal is such that the detail of the principles cannot be demonstrated at this stage. Notwithstanding this the application motivation refers to the principles and the manner in which the proposed development will unfold. The submission of SDP's along with suitable conditions will require the applicant at the time to demonstrate compliance with City policy.

6.2.9 Parking Policy

The City's Parking Policy and certain policy directives have relevance. The provision of reduced parking ratios should be supported where public transport is provided. In this instance the property is located in a PT2 area where a zero parking requirement in terms of the Development Management Scheme prevails. Notwithstanding this a certain minimum number of parking bays will be provided which will be shared between residential and non-residential uses. Shared parking is encouraged as it ensures the better utilization of parking facilities. Further aspects of the mentioned policy are discussed below.

6.3. **Consideration in terms of Section 99(3) of the desirability of the following criteria**

a) Socio-economic impact

The proposal will provide employment opportunities on a short and long term basis within households and businesses alike. The proposed mixed use development, of which 15% will comprise non-residential uses, will provide employment during and after construction. The proposal includes the opportunity for employment internal to the development in light of the non-residential uses also proposed on the site. The development will also offer economic benefit due to the development of the site and consequent economic injection it will present to the area and wider metropole. Various modes of public transport and private transport opportunities ensure the accessibility of the site to the wider metropole.

Employment opportunities created will have an indirect, positive social impact as a consequence of employment that will be created and the opportunity for employment that will result.

b) Compatibility with surrounding uses

The proposal will accommodate a mixed use development comprising dwelling units, offices, retail activities, service trade, sporting, recreational activities and other community related uses. These uses conform to the area as uses of a similar nature surround the property such as on Erven 3078, 4211, 3132 and 3065 which accommodate offices, retail activities, educational uses, flats and sporting facilities.

Figure illustrating Site Context



Thornton industrial activities are located south-west of the site.

The range of uses proposed is therefore not dissimilar to that already located in the immediate vicinity.

c) Impact on the external engineering services

The application was circulated to a number of service branches who raised no objections. Individual branch requirements will be imposed as conditions. Issues raised with respect to Stormwater mitigation and impacts of moving the canal and environmental assessment are addressed in the response contained in the Annexure E attached.

[It must be noted that the proposal as originally submitted suggested the realignment of the Elsieskraal River Canal. This proposal would have required a further Development Contribution (DC) payable to the City upon further comments being submitted by the Director: Asset Management and Maintenance (Catchment Management). The amended proposal excludes the realignment of the Elsieskraal River Canal so that additional costs are not incurred and therefore does not affect the DC calculation.]

d) Impact on safety, health and wellbeing of the surrounding community

The proposal will not adversely impact on the safety, health or well-being of surrounding communities.

A number of objections were expressed in respect of the impact of the proposal and crime likely to be introduced. The site presently is vacant and poses as safety risk to properties abutting onto the site. The development of the site will benefit surrounding communities as it will invite improved surveillance where none presently exists.

Further, the notion of the development introducing crime is spurious and no direct link between this type of development and crime has been proven. The City's IDP and Social Development Strategy acknowledge the need for a transversal approach to crime prevention and as a consequence encourages the establishment of neighbourhood watches to assist in combating of crime. It is believed that this neighbourhood, once established, will be no different.

The provision of facilities such as sportsfields, running and walking paths have been incorporated into the development which will have a direct benefit on the health and well-being of those who will occupy the development and the surrounding communities - these facilities will be open for use by the general public as the development will not be a gated community.

Issues with respect to noise have been addressed in point 4 above.

e) Impact on heritage

The property is not located in a heritage area.

Since the site exceeds 1ha in extent, the necessary Record of Decision from Heritage Western Cape was issued, see Annexure D attached.

The site accommodates buildings of heritage significance. All of these elements will be retained and incorporated into the development as previously explained.

The Jewish Cemetery, a small section (approximately 12m - 13m) of which abuts the site, as indicated below, also has heritage significance. However, the development is not anticipated to have any adverse impact on the cemetery since it is separated from the Jewish cemetery by the Orthotic and Prosthetic Centre (Erf 112656). However, certain mitigating measures are required such as limiting the height of buildings abutting onto the site, amongst others.



While the HWC decision requires certain mitigating measures to minimise potential impact on the Jewish Cemetery, it is believed that they will, in any event, be minimally impacted on.

f) Impact on the biophysical environment

The proposal will not have any impact on the biophysical environment. The property is located within an urban area and does not contain any elements of environmental significance. It is located alongside the Elsiekraal River which is fully canalised. A letter was obtained from the Department of Environment and Development Planning (DEA&DP) who indicated that the proposal does not trigger the need for an EIA, see Annexure E attached.

A number of trees line the site and will be retained and incorporated into the development. New vegetation will also be planted to buffer the development visually from the railway line to the south-west. In addition, the presentation of the development to Forest Drive extension will also be treated with planting. The applicant will be required to incorporate the sporting, walking, running and cycle paths into the landscaped areas and provide a landscape plan for consideration by this department. The application will be conditioned accordingly.

g) Traffic impacts, parking, access and other transport related considerations

The development serves as a catalyst for road construction relating to various upgrades including:

- (a) Upgrades to the intersections of Forest and Jan Smuts Drives,
- (b) Upgrades to Jan Smuts Drive and Forest Drive extension.

These, amongst others, will allow Phase 1 of the development to proceed based on a GLA of 128 100m².

A future Aerodrome Road link to Voortrekker Road will offer traffic relief in respect of the future Phase 2 and will need to be constructed prior to the commencement of this Phase 2. The various road upgrades will also benefit the wider area.

As previously stated, voluntary parking is proposed in light of the PT2 zone, where a zero parking requirement prevails. The proposal motivation refers to the principle of shared parking. This ensures the better utilisation of parking by enabling multiple uses/parties to use on-site parking such as, enabling non-residential uses to enjoy the benefit of parking by day. The reverse would apply after hours. The parking requirement is eased due to the close proximity to various modes of public transport.

Notwithstanding the above, public transport is also proposed to access the development. The application will be conditioned so that this matter is addressed and discussed during the detailed design stages.

Two signalised vehicular access points to the development is proposed:

- (a) Opposite, and aligned with, the Erf 4211 (MuPine) entrance. These accesses are presently staggered.
- (b) Opposite, and aligned with, Erven 3136 and 3065, (Anfield Village) entrance.

These accesses are integral to ensure optimal functionality.

A pedestrian access will be provided across Odin Way across the Elsiekraal River Canal although further opportunities need to be explored.

Pedestrian crossings will also be accommodated at all intersections as a requirement of this approval. While it is not intended to provide vehicular access via Thor Circle the applicant must explore the possibility to enhance connectivity with the Thornton. The application will be conditioned accordingly.

The provision of motorised and non-motorised transport possibilities must be provided internal to the development and also feed into the existing movement system around the site. These must be refined and approved when the detailed design is furnished.

The City's Transport Planning Department has no objection to the proposal.

Further issues raised with respect to traffic, parking and public transport provision has also been addressed in Annexure E attached.

- h) Conditions that can mitigate any adverse impacts of the proposed land uses
Conditions will be imposed relating to
 - The provision of a landscape master plan and landscape plan dealing with planting, hard surfacing, in relation to structuring elements like

pedestrian walk ways, running and cycle tracks. The location and design details relating to public spaces and vehicular movement. The detail would need to be addressed at SDP stage.

- A transport plan showing the provision of roads, pedestrian sidewalks, cycle paths and the provision of public transport collection points internal to the development and on the perimeter of the development.
- A stormwater master plan is required to address stormwater run-off and flood management and how this will be dealt with in detail.
- Built form relating specifically to the interface of buildings at grade and in relation to the public realm.
- A development contribution.
- Service provision at a later stage after conclusion of the super block subdivision.
- Servitudes to be registered in favour of the general public.
- Maximum floor area which will be needed to maintain a register of development rights to be maintained and updated as the development progresses.

6.4 Impact on existing rights (other than the right to be protected against trade competition)

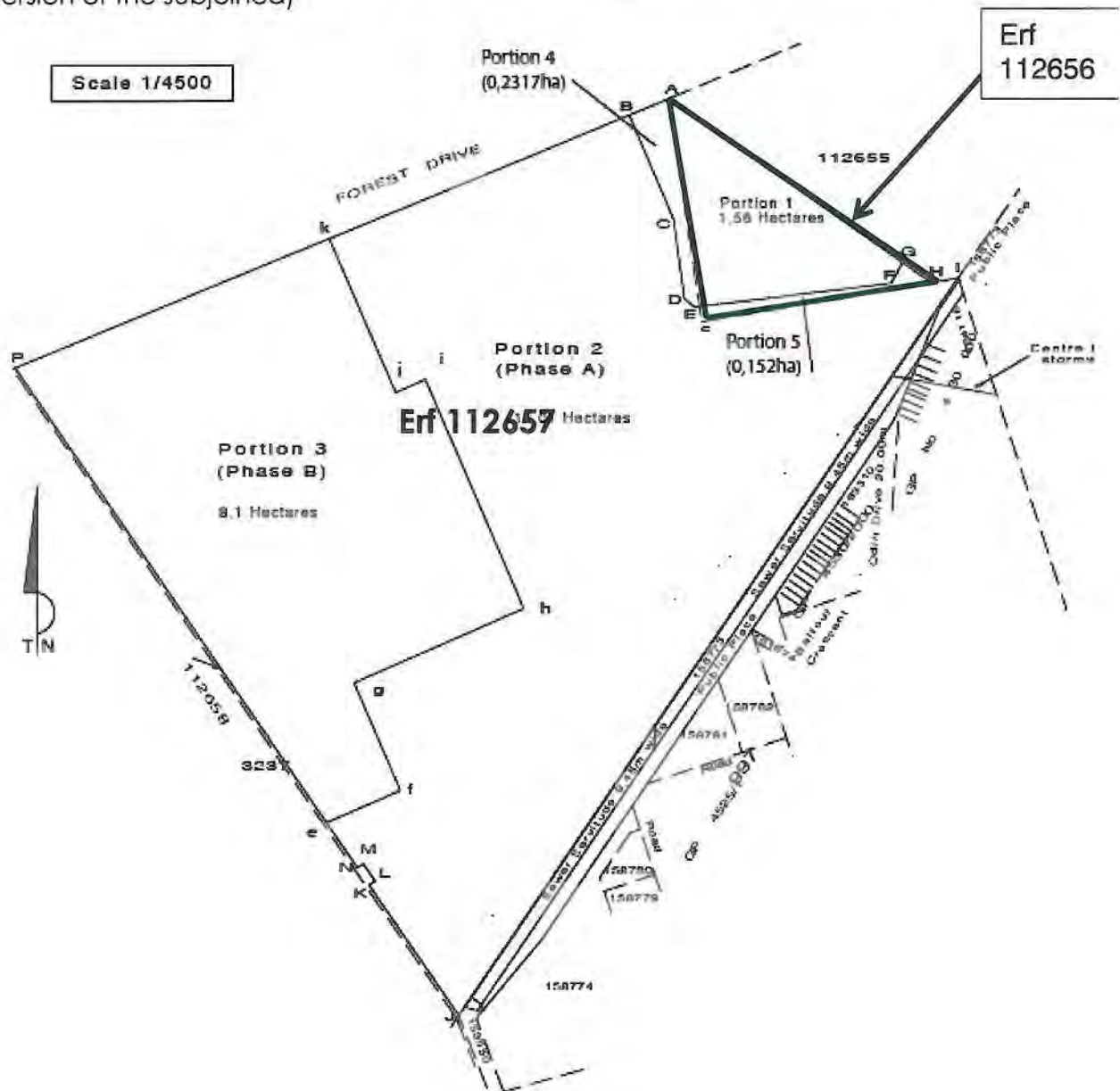
6.4.1 Subdivision

It is re-iterated that in order to facilitate the development various erven will be consolidated and subdivided. The OPC (Erf 112656) will continue to be a standalone erf and will be excluded from the development site. The development site will be subdivided into two superblocks, as explained.

The subdivisions will occur as follows:

- Erf 112656 to be subdivided into 2 portions. A portion of approximately 1520m² in extent (i.e. portion 5) will be alienated from said property and consolidated with Erf 112657.
- Erf 112657 to be subdivided into 2 portions. A portion of approximately 2317m² in extent (portion 4) will be alienated from said property and consolidated with the remainder of Erf 112656.
- After the consolidations have occurred, the newly established consolidation of portion 5 with Erf 112657 will be subdivided into two superblock subdivisions to become portions 2 and 3. (At a later stage each of the superblocks will be subdivided further.)

Figure illustrating the subdivision/consolidation (Annexure D contains an A4 version of the subjoined)

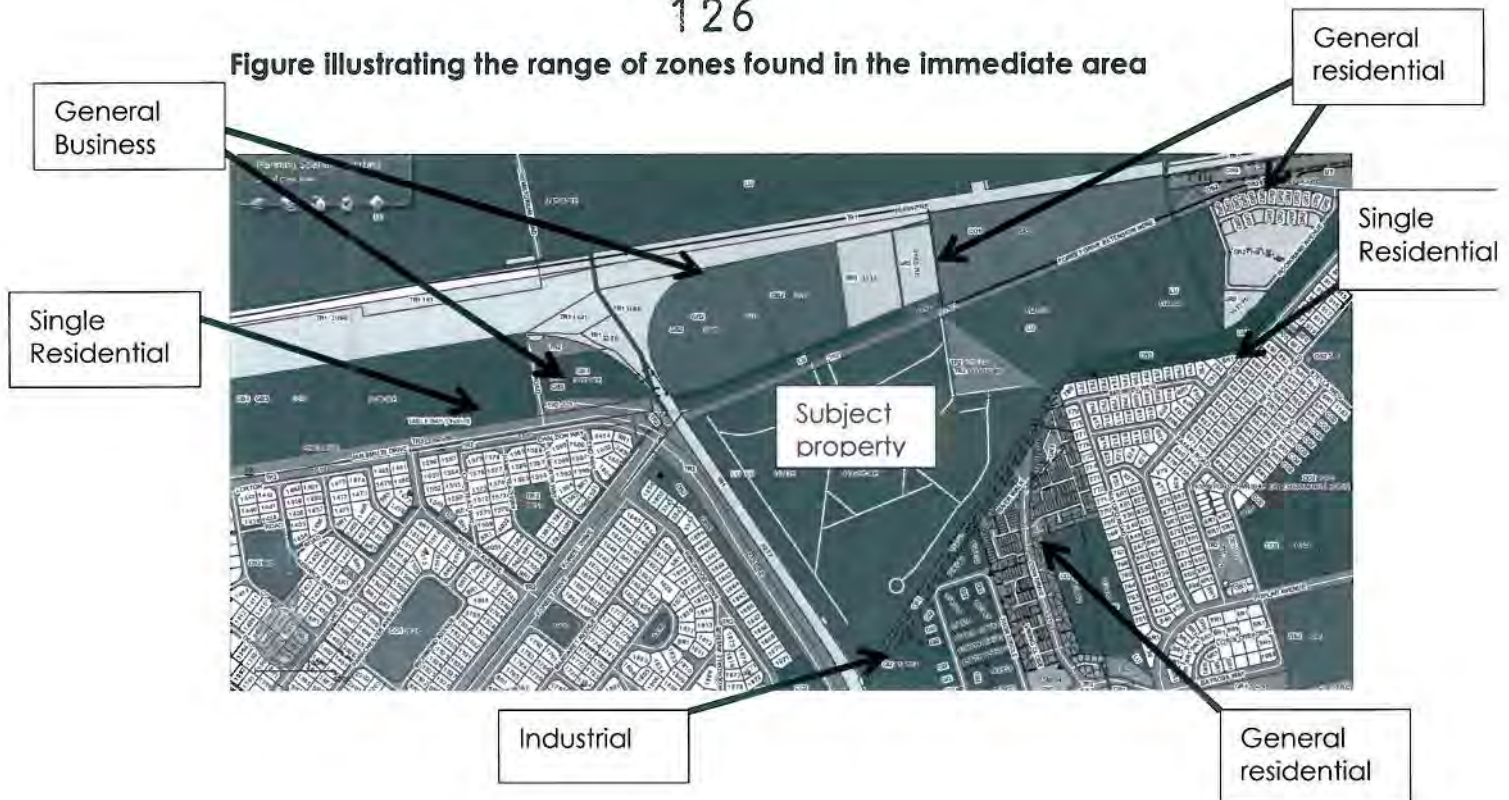


Development of the individual superblocks will be phased as a funding mechanism for the second superblock. Certain limited services will initially be provided to facilitate and allow aspects of the development to occur.

6.4.2 Appropriateness of the rezoning of the property

The property is located in a Limited Use zone within which no development can occur unless the property is rezoned. Notwithstanding the intention to develop the site, the rezoning to a subdivisational area (comprising a Mixed Use, General Residential, Open Space zones and Transport Zone 2) is appropriate given the intended land use mix. These zones are compatible

Figure illustrating the range of zones found in the immediate area



within the immediate area while the development will serve as transition between the General Business and General Industrial properties to the south and south-east.

At a more detailed level, a portion of the site abutting Viking Village will be zoned for General Residential purposes. This is appropriate as an interface and transition between Viking Village and the development of the site and may serve to minimise and mitigate any impacts of the mixed use development.

The Open Space Zoned portions will abut onto the Elsiekraal River Canal and include recreational facilities. An Open Space zone 3 was purposely selected as it is acknowledged that the City has limited capacity to maintain open spaces. To this end, while the selected zone implies the open space will be private, it is not intended that the use of said open space should be limited to those occupying the development on the site. Rather a servitude will be registered across said open space to enable use by the general public. The site overall will not be a gated development but rather opportunities will be used, in respect of the way it interfaces with Forest Drive Extension and Odin Way and the presentation of the edge with the canal, to integrate it with its context.

6.4.3 Departures

While three departures were advertised, two remain (see point 2 above for an explanation in respect thereof). Setback departures apply to portions of buildings in Mixed Use zones above the 10,0m height.

Relaxation of this requirement proposes that buildings be positioned at 0m. Given that these occur on the outskirts of the site and they abut the railway

127
line, Jan Smuts Drive and Elsieskraal River Canal it is not anticipated that these would cause negative impacts on neighbouring properties. However, façade details will be required to ensure appropriate fenestration and detail at the SDP stage.

The proposed berm along the length of the south-east site boundary is to be no higher than 3.0m above the ground while 2.0m is permitted. The berm will be 8.0m from the site boundary. It will act as part of the flood attenuation measures. Abutting properties will not be impacted in any way nor will the functioning of the canal be impacted. The berm will be incorporated into the site landscaping within the open space system.

6.5 Impact of consolidation of land units

In terms of the assessment of consolidation, the MPBL stipulates the following criteria:

- a. Scale and design of the development;
- b. The impact of the building massing and
- c. The impact on surrounding properties.

The consolidation, as previously explained, will not result in a significant change to the site extent. The Executive Summary explains the series of subdivisions and consolidations. The consolidations, particularly, are therefore required to rationalise the cadastral boundary of the site to facilitate future development commensurate with this application. The nature or character of the development of the site will not be altered significantly. As previously stated the portions to be consolidated with each of the properties are negligible when considered in context.

6.6 Other considerations prescribed in relevant national or provincial legislation

The Land Use Planning Act of 2014 and the Spatial Planning and Land Use Management Act of 2013 require that land development must have regard for certain principles/guidelines when development is considered. These relate, in essence to

- Spatial justice;
- Sustainability principles;
- Protection of the environment;
- Safe use of land;
- Prioritise social, economic and environmental benefits;
- Efficiency principle and
- Good administration

among others.

The proposal is a catalyst in attempting to address the previously distorted spatial patterns which still exist in that it is a brownfield site located in an established area. It is serviced by various forms of public transport. It abuts onto industrial and business land and is located close to Voortrekker Road,

128

Ndabeni and other places of opportunity. The surrounding suburbs accommodate community facilities that will benefit the development; in addition certain uses, such as community facilities and businesses that will benefit the recipient and potentially the wider communities.

The property will require certain service provision and upgrades however it could be argued that the cost of service provision will be greatly reduced due to the accessibility of the site and the opportunity to feed into existing services. A dense development is accommodated on the property that ensures the intensification of the use of the land in question. A diverse range of uses will be accommodated on the property.

The application was advertised to a number of service branches and departments, all of whom have indicated their requirements. Each response has been positive in support of the proposal. The various requirements specified will be imposed as conditions to this application.

While the property is not located in an environmentally sensitive area, it is located below the 1:100 year floodplain. It is reiterated that the proposal is a brownfields development. The Elsieskraal River canal abuts onto the site and has successfully managed flooding in the area over time. It, together with the buffer zones located on either side of the canal, attenuates flooding. Notwithstanding this, the proposal will incorporate its own flood attenuation measure. To this end, the applicant has engaged the City Catchment Management Department who have indicated their no objection to the proposal. They are further satisfied with the measures proposed and introduced. They will however require detailed designs which must be furnished and provided at a later stage of the development of the proposal.

I am satisfied that the requirements in Section 99(3) of the MPBL have been complied with.

6.7 National Human Settlements Policy Framework
Constitution of the Republic of South Africa

Government's human settlements development mandate emanates from Chapter 2 Section 26 of the Constitution which states that

- "(1) Everyone has the right to have access to adequate housing.
- (2) The State must take reasonable legislative and other measures within its available resources, to achieve the progressive realisation of this right".

The Government is therefore duty bound to ensure that all South Africans have access to secure tenure, housing, basic services materials, facilities and infrastructure on a progressive basis.

Housing White Paper 2004

The housing vision is underpinned by principles of sustainability, viability, integration, equality, re-construction, holistic development and good governance, i.e. striving toward inclusivity. South Africa's housing policy and

strategy must contribute to a non-racial, non-sexist, democratic integrated society. The goal is to improve the quality of living of all South Africans with an emphasis on the poor and those who cannot independently satisfy their basic housing needs.

National Housing Code

The National Housing Code, drafted by the National Department of Human Settlements, serves as the implementation tool of the broader National Human Settlements policy framework. It sets out all the housing programmes, with its respective policy intentions, rules, regulations and funding models to enable the provision of sustainable integrated human settlements. The programmes within the Code provide a range of tenure options for persons earning between R0 – R15 000 monthly household income with specific qualifying criteria.

The housing programmes proposed in this application is as follows:

- a) Social housing
- b) Financed Linked Individual Subsidy Programme (FLISP)
- c) Rent-to-buy (Institutional Housing); and
- d) Open Market housing

The programmes listed from a – c above are all partially funded by government and forms part of the National Housing Code and may be implemented within this context.

Social Housing Act of 2008

The Social Act of 2008 states that social housing can only be developed within approved restructuring zones. Restructuring zones are identified by the municipality, with the concurrence of the provincial government, for purposes of social housing and designated by the National Minister of Human Settlements in the Gazette for approved project.

The aim of development within a restructuring zone is to intimately link interventions in the land market: either to protect lower income people from displacement or to bring lower income into areas of economic and other forms of opportunity from which they would otherwise be excluded.

The development of Erf 112657 has been approved as a restructuring zone. The development of the site as proposed is therefore in line with the mentioned policy framework.

7 REASONS FOR DECISION

7.1 The applications for the subdivisions, consolidation, rezoning and departures comply with the requirements of Section 99(1) of the MPBL for the following reasons:

- The applications comply with the MSDF
- All the applications required in terms of the MPBL have been applied for and relevant public participation processes followed.

7.2 The considerations in Section 99(2) of the MPBL have been taken into account in respect of City policies and are considered compliant for the following reasons:

- The proposal will result in intensification and densification of the land where development on the site was previously sparse.
- A diverse range of land uses will be accommodated on the property.
- Accommodation will be provided for various socio-economic income groups.
- The site is accessed by various modes of public transport.
- The property provides access to opportunity being located close to, and providing access to, places of employment and various services and amenities.
- The proposal will also provide opportunities for employment.
- Densification and intensification of land contributes toward the restructuring of the City and ensures better utilization of the service infrastructure.
- Reduced parking provision ensures improved thresholds for public transport use.
- Shared parking also ensures the better utilization of parking provided on-site.

7.3 All considerations in respect of Section 99(2) of the MPBL have been taken into account in the assessment of the above application which are considered to be desirable in terms of Section 99(3) of the MPBL for the following reasons:

- Short and long term employment opportunities will be created.
- The mixed use development is suitably located being surrounded by residential, business and industrial uses.
- There will be no adverse impact on the service infrastructure as either sufficient capacity exists or improvements to the services infrastructure will be necessitated to accommodate the proposal.
- The development of the property ensures the better utilization of the land which presently stands vacant.
- Heritage components will be incorporated into the development.
- It will result in road improvements that will offer wider connections to various parts of the city.
- The reduced parking ratio is considered rational as the site is located within a public transport corridor.
- The proposal complies with LUPA and SPLUMA principles.

8 RECOMMENDATION

In view of the above, it is recommended that:

8.1 The applications for the subdivision as contained in the attached Annexure A in respect of

- **Erf 112656, Forest Drive Extension, Thornton/Pinelands**

- **Erf 112657, Forest Drive extension, Thornton/Pinelands**

be approved in terms of section 98 of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure D.

- 8.2 The applications for the consolidation as contained in the attached Annexure A in respect of

- **Erf 112656, Forest Drive Extension, Thornton/Pinelands**
- **Erf 112657, Forest Drive extension, Thornton/Pinelands**

be approved in terms of section 98 of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure D.

- 8.3 The application for the rezoning of the property from a Limited use Zone to a Subdivisional Area as contained in the attached Annexure A in respect of the consolidated **Erf comprising remainder portion of Erf 112657 after subdivision and the alienated portion of Erf 112656, Forest Drive extension, Thornton/Pinelands as referred to in 2.2 contained of Annexure A attached, be approved** in terms of section 98 of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure C.
- 8.4 The application for the departures as contained in the attached Annexure A in respect of the consolidated **Erf comprising remainder portion of Erf 112657 after subdivision and the alienated portion of Erf 112656, Forest Drive extension, Thornton/Pinelands, as referred to in 2.2 contained of Annexure A attached, be approved** in terms of section 98 of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure C.

ANNEXURES

Annexure A	Application details and approval conditions to be imposed
Annexure B	Locality plan / Public participation map
Annexure C:	Concept plan
Annexure C1:	Landscape plan
Annexure D:	Subdivision/Consolidation plan
Annexure E:	Record of Decision (HWC)
Annexure F:	DEA&DP comment
Annexure G1:	Applicant's motivation September 2016
Annexure G2:	Applicant's amended motivation March 2017
Annexure G3	Revised TIA
Annexure H	Summary of objections/ comments received and applicant's response

132

Annexure H1: Objections/comments received (Round 1)
Annexure H2: Objections/comments received (Round 2)
Annexure H3: Applicant's response to objections /comments/support received
Annexure I1: Internal departmental comments (Oct/Nov 2016)
Annexure I2: Internal departmental comments (May/June 2017)
Annexure J: Conveyancer's certificate
Annexure K: Title deed



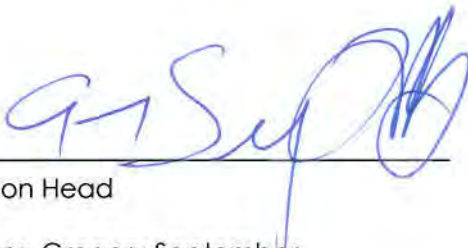
Registered Planner

Name:

GREGORY SEPTEMBER

SACPLAN NO:

A/2445/2016



Section Head

Name: Gregory September

Tel no: 021 400 6447

Date:

29/09/2017



District Manager

Name: Marx Mupariwa

Tel no: 021 400 6443

Date:

29/9/2017

Annexure A:

Application
details and
approval
conditions to
be imposed

134 ANNEXURE A

REF: Case ID: 70306568

In this annexure:

"City" means the City of Cape Town

"The owner" means the registered owner of the property

"The property" means **Erf 112656 AND 122657, FOREST DRIVE EXTENSION THORNTON/PINELANDS**

"By-law" and "Development Management Scheme" has the meaning assigned thereto by the City of Cape Town Municipal Planning Bylaw, 2015

"Item" refers to the relevant section in the Development Management Scheme

"Commissioner: TDA" means Commissioner: Transport and Urban Development Authority or his/her delegatee.

"Director: DM" means Director: Development Management or his/her delegatee.

Applications and conditions impose

1. SUBDIVISIONS GRANTED IN TERMS OF SECTION 98 OF THE MUNICIPAL PLANNING BY-LAW:

- 1.1 To permit the subdivision of Erf 112656 into two (2) portions in accordance with the attached subdivision plan in Annexure D being
 - Portion 5 (alienated EFGHc) to be 1520m² in extent
 - Remainder erf 112656 to be 14 790m² in extent.
- 1.2 To permit the subdivision of Erf 112657 into two (2) portions in accordance with the attached subdivision plan in Annexure D being
 - Portion 4 (alienated ABCDE) to be 1413.4m² in extent and
 - Remainder Erf 112657 to be 221 475m² in extent.

Subsequent to the consolidation mentioned in 2.2 below, the further subdivision into two portions (superblocks) in accordance with the attached subdivision plan in Annexure D being:

- 1.3 To permit the subdivision of consolidated erf comprising Portion 5(alienated EFGHc) with Erf 112657, as mentioned in 2.2 below, into two (portions) in accordance with the attached subdivision plan being
 - Portion 1 to be 8.1ha in extent and
 - Portion 2 to be 14.01ha in extent.

2. CONSOLIDATION GRANTED IN TERMS OF SECTION 98 OF THE MUNICIPAL PLANNING BY-LAW:

- 2.1 To permit the consolidation of Portion 4 (ABCDE alienated from Erf 112657) with rem. Erf 112656. (This will accommodate the Orthotic and Prosthetic Centre.)

- 2.2 To permit the consolidation of Portion 5 (EFGHc alienated from Erf 112656) with rem. Erf 112657.

3. REZONING OF THE CONSOLIDATED ERF REFERRED TO IN 2.2 ABOVE GRANTED IN TERMS OF SECTION 98 OF THE MUNICIPAL PLANNING BY-LAW:

- 3.1 Rezoning of the property from a Limited Use Zone to Subdivisional Area comprising portions zoned for
- Mixed Use, Sub-zone MU2;
 - General Residential, Sub-zone GR5;
 - Open Space 3: Private Open Space (OS3) and
 - Transport Zone 2: Public Road and Public Parking.

Generally depicted on the specific drawing/concept plan contained in Annexure C

4. DEPARTURES ON THE CONSOLIDATED ERF REFERRED TO IN 2.2 ABOVE GRANTED IN TERMS OF SECTION 98 OF THE MUNICIPAL PLANNING BY-LAW:

- 4.1 From Item 60 of the Development Management Scheme to permit the portions of buildings above 10.0m on the area zoned Mixed Use, Sub-zone MU2 to be 0m in lieu of 4.5m.
- 4.2 From Item 126 of the Development Management Scheme to permit an earthbank/retaining structure (berm) along the south-east common boundary to be 3.0m in lieu of 2.0m required.

THE CONDITIONS IMPOSED RELATE TO THE CONSOLIDATED ERF REFERRED TO IN 2.2:

CONDITIONS IMPOSED IN TERMS OF SECTION 100 OF THE MUNICIPAL PLANNING BY-LAW:

- 5.1 The development on the property shall be generally in accordance with the concept plans (contained in Annexure C attached)
- The superblock subdivisions
 - Phasing of the development
 - Vehicular movement
 - Pedestrian routes
 - Internal historic areas
 - Building heights
 - Recreation areas
 - Active edges.
- 5.1.1 Prior to building plan submission, the developer must submit:

5.1.1.1 A subdivision plan for the site showing subdivision areas for the different portions and land use zones allocated to each portion.

5.1.1.1.2 Precinct plans shall be submitted to the satisfaction and approval by the Director: Development Management showing detailed design of each precinct, land unit or portion thereof and showing at least floor space, number of parking bays and land uses in order to give effect to the concept plan.

5.1.1.1.3 A detailed Site Development Plan per land unit or portion thereof to the satisfaction of the Director: Development Management, showing:

- Existing and proposed cadastral boundaries.
- The two portions with identified precincts within each portion.
- The relationship of the site to the public realm (the interface with Forest Drive extension properties Forest Drive extension with pedestrian and bicycle links) and relationship to surrounding properties;
- The layout of the land unit or portion thereof indicating the use (land use mix including the provision of squares, potential for the provision of informal activities, etc.) of different portions of land unit or portion thereof.
- The massing, position and extent of buildings;
- The interface of buildings with Forest Drive extension;
- The position of parking, including loading bays if necessary, public squares and points of convergence/spots of public transport;
- Position of public, private and communal spaces;
- External signage detail;
- General landscaping proposals including compliance with the overall landscape plan;
- Statistical information such as the extent of the proposed development, floor area, building heights, land use allocations and parking supply, etc.
- Contribution of the development to the quality, safety and amenity of the surrounding and internal public environment;
- Any other details as may reasonably be required by Council.

5.2 Building plans for the development of the property shall be in accordance with the Site Development Plan referred to in 5.1.1.1.3

5.3 When approving the SDP referred to in 5.1.1.1.3 above, Council may impose further conditions to ensure the appropriate development of the subject property.

5.4 The Precinct Plans referred in 5.1.1.1.2 above shall be accompanied by:

5.4.1 A Transport master plan detailing accesses (vehicular, bicycle and pedestrian) from/onto Forest Drive extension, Odin Way and Thor Circle onto the property, within and around the property. The Transport master plan must make provision for public transport facilities internal to the development. To this end consideration must be given to the provision of a public transport hub.

- 5.4.2 Stormwater Management master plan detailing the flood attenuation measures including detention ponds, berm position and height, swales, etc.
- 5.4.3 Landscape master plan prepared by a qualified landscape architect registered with the South African Council for the Landscape Architectural Profession showing:
- The treatment of the edges of the site.
 - Structuring elements such as roads, pedestrian walkways and desire lines, view corridors, etc.
 - All detention ponds, swales, flood areas, etc.
 - Open/recreational spaces designated for the site and their different uses. The extent of each shall also be furnished.
- 5.4.4 Each plan referred to in 5.4.1, 5.4.2, and 5.4.3 above shall be submitted for the approval of the Director: Development Management in consultation with the Director: Integrated Transport Portfolio (Transport Planning); Director Informal Settlements, Water and Waste Services (Rivers, Stormwater and Catchment Management) and Director: Urban Integration (Urban Design), respectively.
- 5.5 Pedestrian and/or vehicular connection via Thor Circle shall be explored prior to the submission of precinct plan as referred to in 5.1.1.1.2 above.

Land Use

- 5.6 The development shall be limited to a maximum floor space of 350 000m².
- 5.7 Except with the approval of the Director: Development Management:
- 5.7.1 Read with condition 5.9 below, Phase 1 of the development shall not exceed a floor space of 128 100m² in extent.
- 5.7.2 Read with conditions 5.10 and 5.11 below, Phase 2 of the development shall not exceed a floor space of 121 000m² in extent.
- 5.8 The further development of the property in excess of that contemplated in 5.7.1 and 5.7.2 above to utilise the remaining floor space shall require the further approval of Director: Development Management.
- 5.9 Prior to the commencement of construction of phase 1 the following shall be construction and provision of
- The construction of flood and stormwater attenuation measures in accordance with the approved Stormwater Management master plan referred to in 5.4.2 above.
 - Water, sewer and electrical connections/provisions required
 - NMT connections to Odin Way (including the construction of the bridge across the Elsieskraal River Canal)
 - Two access points onto Forest Drive extension from the site connected to the internal road network

- Upgrades of the following intersections/roads
 - Forest Drive and Ringwood Drive
 - Forest Drive and Jan Smuts Drive
 - Jan Smuts Drive and
 - Forest Drive Extension.
- 5.10 Prior to the commencement of construction of phase 2 Aerodrome Road extension from Forest Drive Extension to Voortrekker Road in accordance with the Transport Master Plan referred to in 5.4.1 above.
- 5.11 Except with the approval of Director: Development Management the following land uses shall not be permitted:
- Industry
 - Places of Entertainment
 - Places of Assembly
 - Hospital.

Landscaping/Urban Design

- 5.12 The submission of Site Development Plan for each phase of development (i.e. phase 1 and phase 2) shall be accompanied by a detailed landscape plan for the approval by the Director: Development Management in consultation with the Director: Urban Integration (Urban Design) detailing
- Hard and soft landscaping.
 - Trees to be retained and removed.
 - Additional planting to be introduced on the property.
 - A movement hierarchy plan showing
 - Vehicular access onto and around the site having regard for the requirements of the Commissioner: Transport and Urban Development Authority (Roads and Transport Planning).
 - Parking provision
 - Bicycle lanes from Forest Drive extension
 - Bicycle parking provision
 - Pedestrian access/crossings from Forest Drive extension and around the property
 - How the recreation of areas beyond the buffer zones are affected by flooding during flood periods.
 - Maintenance responsibilities of the open spaces, recreation spaces and landscaped areas.
 - The implementation of landscaping in line with the phased development.
 - Proposed structures, retaining walls, street furniture, lighting, play equipment and hard surfaces.
 - All buildings fronting onto the public realm and open/recreational spaces shall be interactive.
 - No buildings shall back onto public or semi-public spaces.
 - Any further details in respect of the design of the proposal required by the Director: Development Management.
- 5.13 The building setback above 10.0m on the portion zoned for Mixed Use, Sub-

zone MU2 shall have a minimal setback to the satisfaction of the Director: Development Management in consultation with the Director: Urban Integration (Urban Design).

Transport/Traffic and other services

5.14 The owner shall pay a development charge (DC) in accordance with the Development Charges Policy for Engineering Services for the City of Cape Town. The total amount payable for the proposed land use right in accordance with the attached DC calculation is R66 6694 740.57. It must be noted that this amount is calculated for the period up until 30 June 2018 and that the amount due will be escalated annually with the Construction Price Adjustment Formula (CPAF) using the industry indices of StatsSA. The DC's shall be paid prior to approval of building plans.

5.14.1 The development contribution referred to in 5.14 above shall relate to the maximum permissible bulk shall be restricted to

- A total of 3605 dwelling units
- Schools 3944m2 GLA
- Hall, Admin Office, Sports hall 1913m2 GLA
- Retail and service industry 9520m2 GLA
- Offices 14714m2 GLA

And shall conform to the phasing as referred to in 5.7.1 and 5.7.2 above.

5.14.2 Notwithstanding 5.14 above, a Services Agreement between the developer/owner shall be entered into with the City for the installation/upgrade of bulk municipal services with respect to Roads and Transport as stipulated in the recommendations of the TIA by Hawkins Hawkins and Osborne dated March 2017, in lieu of development contributions. The road upgrades shall relate to alternative 3 i.e. the "elevated T" option and shall require upgrades to roads as referred to in 5.9 and 5.10 above to the satisfaction of the Director: Development Management in consultation with the Director: Integrated Transport Portfolio (Transport Planning).

5.15 Provision shall be made internal to the development for shared parking to occur between businesses and residential uses to prevent the underutilisation of parking.

5.16 Prior to the approval of a site development plan, any further permissions and approvals of Heritage Western Cape and/or the Department of Environment and Development Planning shall be obtained.

Note: 1. The requirements of the Director: Integrated Transport Portfolio (Asset Management and Maintenance).
 2. Various requirements of the National Water Act must be complied with in order to provide for certain water uses.
 3. The requirements of various service branches in respect of water and sanitation, water and sewer, solid waste and electrical connections to the

site.

4. These conditions shall be read in conjunction with the Record of Decision as submitted by the Heritage Western Cape dated January 2012 attached as Annexure I.
5. In respect of the subdivision: The conditions referred to be shall relate only to the subdivision of the consolidated property into portions 2 and 3. The further subdivision of portions 2 and 3 shall necessitate circulation to branches for comment and further service related conditions in respect of the subdivisions to be imposed.
6. A home owners association constitution shall be submitted after the further subdivision of each superblock for approval the approval of the Director: Development Management.

CONDITIONS IMPOSED IN RESPECT OF THE SUPERBLOCK SUBDIVISION I.E. THE SUBDIVISION INTO PORTIONS 2 AND 3 OF THE CONSOLIDATED ERF REFERRED TO IN 2.2:

6 SUBDIVISION CONDITIONS IMPOSED IN TERMS OF SECTION 100 OF THE MUNICIPAL PLANNING BY-LAW:

6.1 CONDITIONS IMPOSED ON ALL PORTIONS IN TERMS OF SECTION 100 OF THE MUNICIPAL PLANNING BY-LAW WHICH MUST BE COMPLIED WITH AT THE COST OF THE DEVELOPER AND TO THE SATISFACTION AND ACCEPTANCE OF THE COUNCIL PRIOR TO THE TRANSFER OR SEPARATE REGISTRATION IN THE DEEDS REGISTRY OF ANY LAND UNIT ARISING FROM THIS SUBDIVISION APPROVAL:

6.2 CLEARANCE CERTIFICATE: Once conditions of subdivision have been met the applicant must apply for a subdivision clearance certificate and such application must be accompanied by the original survey diagrams and/or general plan approved by the Office of the Surveyor General. **Documents to be lodged with covering letter on the 14th floor.**

6.3 RATES CLEARANCE: Applications for rates clearance to the City Treasurer for the individual portions of the subdivision must be accompanied by the subdivision clearance certificates. In the case where servitudes are created the Powers of Attorney to pass transfer must be submitted to this office and the clearance certificates will be endorsed on those documents. The rates clearances will be endorsed on the same documents. In terms of Section 137 of the MPBL, the City Treasurer will not issue a rate's clearance for any portion of this subdivision until such time as he is supplied with proof of compliance with the conditions of subdivision (i.e. the subdivision clearance certificate). **Documents to be lodged on 4th Floor Podium: Enquiries: (021) 400 2965**

6.4 MUNICIPAL SERVICES:

Note: Any alterations to services necessary as a consequence of the proposal or requested by the applicant shall be at the applicant/developer's cost.

6.5 Bulk services

- 6.5.1 Bulk services/links/connections in respect of water, sanitation, sewerage, solid waste and electricity shall be provided to the satisfaction of the Director: Informal Settlements, Water and Waste Services (Water and Sanitation; Sewerage, Solid Waste Management) and Director: Energy (Electricity Generation and Distribution), if required.

Note: The handover of municipal water and sanitation services will be subject to quality control during construction.

A formal application must be made to provide new water or sewer connections to the development.

6.6 GIS / DATA CAPTURE: Tel: 021- 400-9590

- 6.6.1 An electronic copy (in either dxf, shp or dwg format) of the Surveyor General's Diagram or General Plan shall be submitted to the GIS Section after the survey records are approved by the Surveyor General.

Note: This information can also be e-mailed to Mohsin.Waggie@capetown.gov.za A copy of the email must be attached to diagram clearance documentation.

Note: The further subdivision of the property shall necessitate circulation to branches as a minimum requirement to satisfy subdivision requirements.

IMPORTANT INFORMATION AND STANDARD ADMINISTRATIVE REQUIREMENTS IN RESPECT OF SUBDIVISION APPROVAL, ESSENTIAL TO EFFECT REGISTRATION AND/OR TRANSFER OF SUBDIVIDED PORTIONS

In addition to the conditions of approval listed in Annexure A, the following further processes and standard administrative requirements are to be noted and complied with in full timeously.

Further processes

- 1 Generally, the further processes following subdivision approval involve the following sequence of events:
 - Actual site surveying and preparation of a survey diagram or General Plan by the owner / applicant's appointed land surveyor
 - Submission to and approval by the Surveyor General (SG) of the diagram or General Plan
 - Once services infrastructure have been installed and all conditions of subdivision have been complied with, upon application, subdivision clearance certification issued by Council in terms of Section 137 of the MPBL.
 - Once Section 137 subdivision clearance issued, upon application, rates clearance certification issued by the City Treasurer in terms of Section 118 of the Municipal Systems Act, No 32 of 2000
 - Supported by the above clearances, conveyancer application to the Registrar of Deeds for separate registration and/or transfer of newly subdivided portions
 - Upon individual registration, building plan approval, followed by construction, subsequent building completion certification by Council and eventual occupation
- 2 Kindly note, the subdivision approval in the accompanying decision letter will lapse unless separate registration of at least one land unit is effected in the Deed's office within 5 years of the date of Council's final notification letter of this approval (which letter will follow in due course), unless extension of the validity thereof has been granted by the Director: Development Management in terms of Section 137 of the MPBL prior to such lapsing.
- 3 After final Council notification of this subdivision approval, the SG will require preparation of a diagram or General Plan (illustrating any servitudes where applicable) of the newly created land unit(s) for its approval. Such diagram or General Plan is to be prepared by a land surveyor appointed by the owner / applicant. The owner / applicant or its surveyor is required to liaise directly with the SG in this regard. Upon approval thereof, the SG will indicate by means of an endorsement the date and reference number of this subdivision approval on the back of the diagram(s) of the newly created erven or on the front of the General Plan, whichever are applicable.

- 4 Upon or prior to submission to the SG office of such diagram(s) or General Plan for approval, an electronic copy thereof must be e-mailed to the Senior GIS technician in the district Planning office where the approval was issued at the relevant address reflected below. Proof of such e-mail transmission must accompany any subdivision clearance application or building plan submission to the Planning & Building Development Management Department, whichever may occur first.

District	e-mail address
Table Bay	p&bdev.tablebay@capetown.gov.za
Blaauwberg	p&bdev.blaauwberg@capetown.gov.za
Northern	p&bdev.northern@capetown.gov.za
Tygerberg	p&bdev.tygerberg@capetown.gov.za
Helderberg	p&bdev.east@capetown.gov.za
Mitchell's Plan / Khayelitsha	p&bdev.mitchellsplainskhayelitsha@capetown.gov.za
Cape Flats	p&bdev.capeflats@capetown.gov.za
Southern	p&bdev.southern@capetown.gov.za

- 5 Once the diagram(s) or a General Plan has been approved by the SG and all the conditions of subdivision have been met by the developer, application may be made by the owner (or his appointed conveyancing attorney) to the Director: Development Management at your nearest district Planning office for subdivision clearance certification in terms of Section 137 of the MPBL. Such application must be accompanied by the following:

- Completed and signed application form
- Information sheet (partially completed)
- Draft Power of Attorney (where necessary)
- SG approved General Plan / diagram(s) (original)
- Copy of original Council approval letter (including conditions of approval and approved plan of subdivision)
- Application fee / payment receipt
- Proof of e-mail transmission of electronic copy of General Plan / diagram to the district Senior GIS technician
- Any other supporting evidence necessary to substantiate condition compliance

Where servitudes are to be created as part of the subdivision or there is a requirement for a Home / Property Owners' Association to be established of which new owners are required to be members, a copy of the draft Power of Attorney to pass registration / transfer must be submitted to the Director : Development Management as part of the above application.

- 6 Required to effect registration and/or transfer, a rates clearance certificate in terms of Section 118 of the Municipal Systems Act, No 32 of 2000 may only be applied for to the City Treasurer once the Director : Development Management has certified that all conditions of subdivision have been complied with to its satisfaction, as per the foregoing paragraphs. Such applications for rates clearance certificates must therefore be accompanied

by the above subdivision clearance (condition compliance) certificate in terms of Section 137 of the MPBL.

- 7 The Registrar of Deeds will not permit registration of individual portion(s) or servitude area(s) and/or transfer of such new land unit(s) unless the City Treasurer has issued the above rates clearance certificate in terms of Section 118 of the Municipal Systems Act, No 32 of 2000 in respect of such land unit(s).

Geographic Information System (GIS) data capturing standards

- 8 In drawing up the General Plan or diagram(s) relating to this subdivision, the land surveyor must create the following separate layers in ESRI .shp or .dxf electronic file format in order for the data to reflect spatially correct:

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

- 9 Such drawing of the approved subdivision must include the following information:

- property boundaries
- co-ordinates
- parent erf number(s)
- newly allocated erf number(s)
- approved street name(s), including whether public or private
- approved street number(s) and/or unit numbers (if applicable)
- complex name (in case of a complex development, eg group housing or flats)
- suburb name (in case of creation of a new suburb / township)

No additional information other than that described above may be included with the different layers / features. Should it be necessary to include any

additional information with the diagram / General Plan, such information may not be included with any of the layers described above, but should rather be included in any other separately named layer.

- 10 It is important that each portion / servitude boundary is complete and forms a closed polygon, ie the line endpoints must touch each other (eg no undershoots or overshoots). In addition, each property number anchor must be located within the respective property's boundaries. Kindly also note, split remainders are not permitted and except for a single remainder, each cadastral unit should have a separate erf number.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the City of Cape Town Standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Metre

- 11 The above electronic data must be delivered (preferably by e-mail to the address supplied above) to the Senior GIS technician in the district Planning office where the subdivision approval was issued in standard dxf or shapefile format. If the data is to be supplied in shapefile format, then separate shapefiles are required for street names and numbers.