

REPORT TO: **MUNICIPAL PLANNING TRIBUNAL**

ITEM NO **MPTNE12/07/19**

WARD 26: APPLICATION FOR PERMANENT DEPARTURE IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 13595, GOODWOOD, 14 KARPAS STREET, RICHMOND ESTATE

Case ID	70439656
Case Officer	ERHARD PIENAAR
Case Officer phone number	021 444 7843
District	TYGERBERG
Ward	26
Ward Councillor	Franchesca Walker
Report date	11/06/2019

1. EXECUTIVE SUMMARY

Property description	ERF 13595, Goodwood,				
Property address	14 Karpas Street, Richmond Estate				
Application components / description	Relaxation of the 3m common boundary building lines to 1,5 to permit a second dwelling and domestic quarters.				
Site extent	500m ²				
Current zoning	Single Residential 1				
Current land use	Dwelling house				
Overlay zone applicable	None				
PHRA or SAHRA heritage	None				
Public participation outcome summary	1 objection received from an abutting neighbour.				
Recommended decision					
Approval	✓	Refusal		Approval in part & Refusal in part	

2. BACKGROUND FACTS

2.1. None

3. SUMMARY OF APPLICANT'S MOTIVATION

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

- The proposed use of the 2nd dwelling & domestic quarters will have a positive socio-economic impact on the immediate environment.

- The scale and character of the structure will remain compatible with that of surrounding residential properties.
- The impact on external engineering services is considered minimal.
- The proposal will have no adverse impact on the safety, health and wellbeing in this regard.
- The development will have no impact on traffic because there is sufficient undercover parking.

4. PUBLIC PARTICIPATION

		Applicable	Dates / Comments
Advertising	Notice in the media (s81)		
	Notice to a person (s82)	✓	07 March 2019
	Notice to Community organization (s83)		
	Notice to Ward Councillor (s83)		
	Notice of no objection (s84)		
	Notice to Provincial Government (s86)		
	Notice to an Organ of State (s87)		
	Public meeting		
	On-site display		
Outcome	Objections	✓	1 objection received from an abutting neighbour.
	Objection petition		
	Support / No objection		
	Comments		
	Ward Councillor response		

Summary of objections / comments/ support received

- 4.1. Objections received in respect of the application (see Annexure D) may be summarised as follows:
- The owner does not maintain his property and has allowed the tenants to become a nuisance to the surrounding neighbours.
 - There are several people residing on the property and they have no consideration towards their fellow neighbours.
 - The objector was forced to raise his boundary walls to minimize the noise and disturbances caused by the tenants.
 - Approval of this application will allow more people on the premises with additional safety implications.
 - The objector is not able to sell his property as a result of the aforesaid.

Summary of applicant's response to public participation

- 4.2. The applicant's response to objections received (see Annexure E) may be summarised as follows:
- The owner was never contacted by the objector regarding the behavior of his tenants.
 - If the allegations are true why has nobody else objected to the proposal?
 - The owner confirms that the premises are kept clean at all times.
 - The property is not being used for any other purpose other than residential.

5. BACKGROUND TO PROPOSAL

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Property description

- 5.1. The property is located within the fully developed residential area of Richmond Estate.

Proposed development

- 5.2. Proposed relaxation of the 3m common boundary building lines to 1,5m to permit the second dwelling and domestic quarters.

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

The application submitted is in compliance with the requirements of Section 99 of the MPBL.

- 6.1.2. Compliance or consistence with the municipal spatial development framework

The nature and scale of the proposed departure to permit the relaxation of common boundary building lines has no relevance to the objectives of the municipal spatial development framework (Tygerberg District Plan).

- 6.1.3. Consideration in terms of Section 99(3) of the desirability of the following criteria:

- a. Socio-economic impact on the area:
None, as explained in paragraph 6.2.4 below.
- b. Compatibility with surrounding uses:
This application will be compatible with surrounding uses as no land-use changes are proposed.
- c. Impact on external engineering services:
There will be no impact on external engineering services.
- d. Impact on safety, health and wellbeing of the surrounding community:
An insignificant impact is foreseen as explained in paragraph 6.2.4.d below.
- e. Impact on heritage:
The proposed development will have no detrimental impact on heritage as explained in paragraph 6.2.4.e.
- f. Impact on the biophysical environment:
Due to the nature of the application there will be no impact on the biophysical environment.

- g. Impact on traffic and parking:
The potential impact on traffic and parking will be insignificant as sufficient off-street parking is provided for.
 - h. Mitigation conditions:
This office believes that there is no need to impose any mitigation conditions.
- 6.1.4. Would approval of the application have the effect of granting the property the development rules of the next subzone within a zone?
No.

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. Any applicable spatial development framework

The Tygerberg District Plan earmarks this area for urban development. However, it does not provide guidance required to assess an application at this level of detail.

6.2.2. Relevant criteria contemplated in the DMS

The application complies with the principles of the DMS with no evidence of any evasion of intent.

Even though the second dwelling and domestic quarters are a mirror image of each other, with a shared entrance patio, it is not in contravention of any DMS development rules.

6.2.3. Applicable policy approved by the City to guide decision making include discussion on IDP

Considering the nature and scale of the proposal this office believes that there is no policy to guide decision making at this level.

6.2.4. Consideration in terms of Section 99(3) of the extent of desirability of the following criteria:

a. Socio-economic impact

As application is merely made for the relaxation of the common boundary building lines from 3m to 1,5m, this office is of the opinion that it will not have a detrimental socio-economic impact on the area as a whole or on the objecting neighbour.

The objection to the conduct of the tenants has no relevance to the departure application itself, i.e. for the relaxation of the 3m building line to 1.5m, and is therefore not considered valid. The aforesaid is based on the fact that the positioning of the structures on the property will have no impact on human behaviour.

b. Compatibility with surrounding uses

The proposal will have no impact on the surrounding uses as no use changes are proposed.

Due to the positioning of the proposed structures at the back of the property, and not being visible from the street, it will have no impact on the streetscape; neither will it detract from the residential character of the area.

c. Impact on the external engineering services

As the proposed dwelling extensions require no additional services it will have no impact on the capacity of external engineering services.

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

The proposed relaxation of building lines will not have any detrimental impact on the safety, health or wellbeing of the surrounding area or objecting neighbour for reasons argued in paragraph 6.2.5.

e. Impact on heritage

The area has also not been identified as an area with any significant heritage value.

Furthermore, the proposed structures will have no impact on the residential appearance for reason mentioned before.

f. Impact on the biophysical environment

No impact is foreseen as, inter alia, no trees will be affected.

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

The additional dwelling will have no negative traffic impact as it complies with the requirements of second dwellings in terms of the DMS.

h. Conditions that can mitigate an adverse impact of the proposed land use

As the proposed relaxation of the building lines is not foreseen to have any significant impact on the neighbours there will be no further need to mitigate its potential impact by means of the imposition of conditions.

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

It is not foreseen that this application will have any detrimental impact on any existing rights considering the fact that the only objector to the application has based his objection on the apparent unruly behaviour of the current tenants and the potential increase in inhabitants, rather than to the relaxation of the building lines per se.

The fact further remains that the second dwelling and domestic quarters are an additional and primary use right on the property and that the positioning thereof within the building lines, as motivated above, will not necessary lead to any further reduction in potential value of the neighbouring properties.

It is also important to note that as this property is smaller than 650m² in terms of the DMS the 3m common boundary building lines only applies to those structures that exceeds 60% of the total remaining linear distance along all common boundaries, as defined in Item 22(d) of the DMS. Therefore in this instance only approximately 7m of the proposed structures are located within the remaining 40% of the total remaining linear distance along all common boundaries. This is considered a relatively modest departure.

For these reasons this office is satisfied that the proposed relaxation of the common boundary building line will not have any detrimental impact on existing rights of the objector.

I am satisfied that the decision making criteria in Section 99(2) have been complied with.

7. REASONS FOR DECISION

7.1. Reasons for the recommended decision for **approval** relating to the application for the permanent departure may be summarised as follows:

7.1.1. The streetscape and character of the area will not be affected due to the proposed positioning of the structures towards the back of the property and not being visible from the street.

7.1.2. The proposed second dwelling and domestic quarters will have no impact on the surrounding uses as no land use changes are proposed.

7.1.3. Objection was not raised to the proposed departure application, viz. the relaxation of the said building lines, but rather to the use of the second dwelling and domestic quarters, which are an additional and primary use right.

7.1.4. The positioning of the structures within the common boundary building lines is not foreseen to be having a detrimental impact on the existing rights of the objector whose concerns rather relate to the behaviour of the current tenants on the property and the potential increase in occupants.

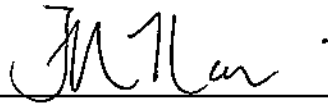
8. RECOMMENDATION

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- 8.1. The application for a permanent departure in respect of Erf 13595, Goodwood, for the relaxation of the 3.0m common boundary building line to 1.5m, in accordance with the building plan attached as Annexure A, **be approved** in terms of Section 98 (b) of the City of Cape Town Municipal Planning By-law, 2015,

ANNEXURES

Annexure A	Locality plan / Public participation map
Annexure B	Proposed building plan
Annexure C	Applicant's motivation
Annexure D	Objection received
Annexure E	Applicant's response to objection

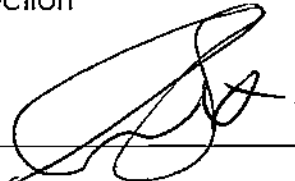


Section Head

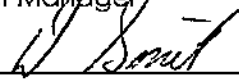
Name: T.R. Kotze

Tel no: 021 444 7506

Date: 20.06.2019



District Manager



021 444 7840

20/06/2019

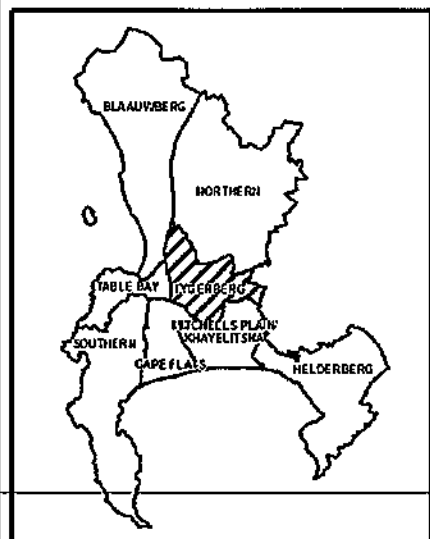
Annexure

A

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Erf: 13595	District: TYGERBERG
Allotment: GOODWOOD	Suburb: RICHMOND
Ward: 26	Sub Council: Subcouncil 4



1:2 400

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Generated by:

Date: Tuesday, June 11, 2019

File Reference:

Notices Served

Petition Signatory

Support
Received

Objections Received



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making secrets possible. Together.

Annexure

B

Council Stamps:

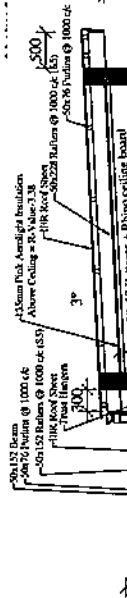
SR1 - 350up to 650m²
 North Linear mtr - 31485m-12000m =19485m
 South Linear mtr - 31485m-12000m =19485m
 East Linear mtr - 15742m =15742m
 Total linear mtr after 12mtr mark =54712m
 60% of remaining linear mtr
 54712m x 60% = 32827m
 Actual after 12m mark
 5077m+8077m+1500m+1500m+1500m = 17584m

Part	Material	Quantity	Unit	Value
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00

EAST ELEVATION
SCALE 1:100



Part	Material	Quantity	Unit	Value
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00
Roof	15mm Pink Asph/Flt Insulation	100.00	m ²	100.00



SECTION A-A
SCALE 1:50



SECTION B-B
SCALE 1:50



SECTION C-C
SCALE 1:50



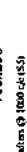
SECTION D-D
SCALE 1:50



SECTION E-E
SCALE 1:50



SECTION F-F
SCALE 1:50



SECTION G-G
SCALE 1:50



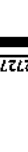
SECTION H-H
SCALE 1:50



SECTION I-I
SCALE 1:50



SECTION J-J
SCALE 1:50



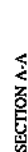
SECTION K-K
SCALE 1:50



SECTION L-L
SCALE 1:50



SECTION M-M
SCALE 1:50



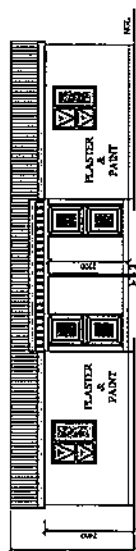
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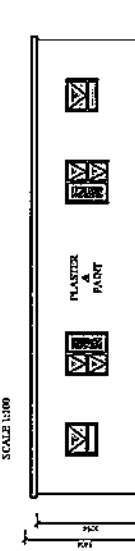
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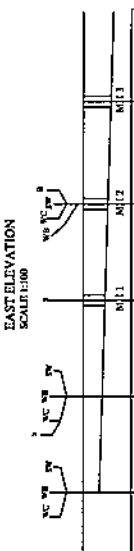
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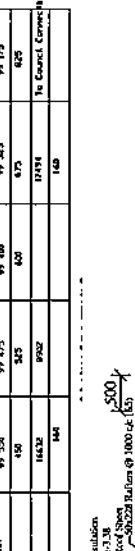
WEST ELEVATION
SCALE 1:100



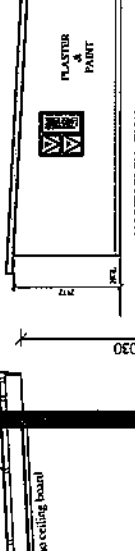
NORTH ELEVATION
SCALE 1:100



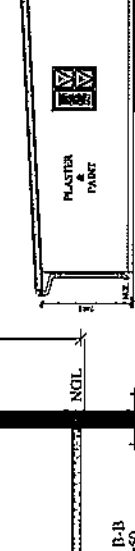
SOUTH ELEVATION
SCALE 1:100



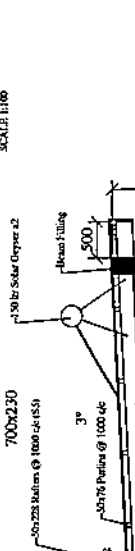
EAST ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



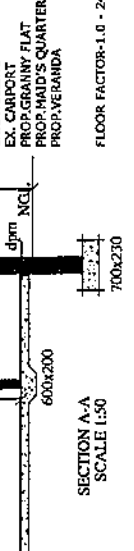
NORTH ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

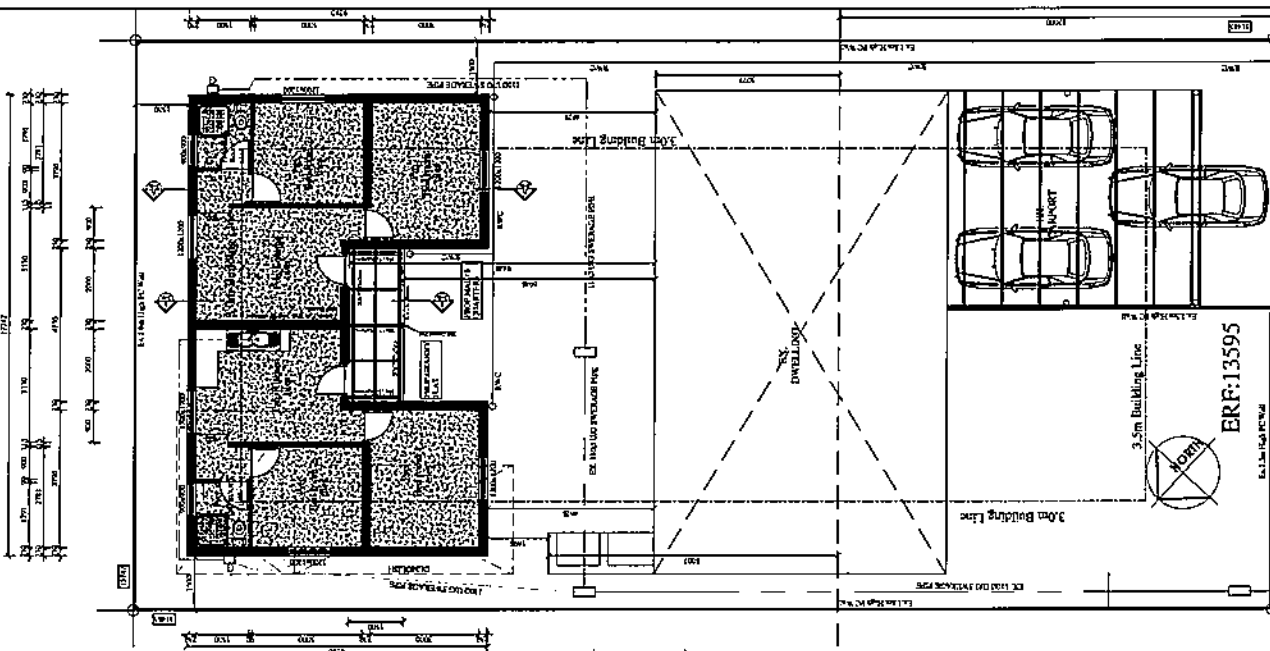
Specifications
ROOF-PROP GRANNY FLAT + MAID QUARTERS
 18R roof sheet fit to 50x76 purlins @ 1000 c/c nailed to 50x128 rafters @ 1000 c/c @ 3° pitch fix to wall with truss hangers on one side and fix existing wall with truss hangers 135mm Pink ambient insulation with R-Value of 1.38 above ceiling
Roof Accessories
 12x22x28 Fascia board nailed to rafters with pre-gutters fix to fascia
 Box gutter fixed in rafters in maid's quarters
Ceilings
 64mm Gyproc ceiling board on 38x38 battens @ 400 c/c & 40mm
WALLS EXTERNAL
 220mm External cavity wall build with 2 coats PVA prime
 1st painted trade only and fix bricks to match outside
 Bricks every 3rd course to match plastic under block
WALLS INTERNAL
 90mm Internal wall build with R.D.X bricks, plaster and pointed both sides
 Bricks every 3rd course & brick grip plastic under wall
OPENINGS
 All openings to be spanned by pre-cast/pre-stress reinforcement concrete lintels as well
 as 3 course brickwork over for openings up to 2.0m, 4 courses up to 3.0m & 5 course for openings that exceed 3.0m in width
CERLING
 Rhine board ceiling nailed to 38x38 battens @ 400mm c/c, 40mm and 70mm cornice all round
FLOORS
 Floor finish to be selected by owner on 30mm level screed, or concrete surface bed, on 250mm DPC on sand bed on well compacted back fill
 30mm subfloor insulation under concrete slab & 30mm subfloor insulation against outside foundation perimeter
FOUNDATION
 External walls on 700x250mm thick 100Mpa strip foundation
 concrete
 Internal walls on 700x250mm thick 100Mpa strip foundation concrete
NOTE!
 All dimensions & levels to be checked before any work starts
 No work to project beyond boundary line
 Any windows or doors in excess of 1m or 500mm above finish floor level to be safety glass
 11st water pipes insulation = R-Value 1.0

Project:
 PROPOSED GRANNY FLAT AND MAID'S QUARTER ON
 ERF 13595 @ 14 KARPAS STREET, GOODWOOD
 FOR MR. LUKWAZA

Owner Sign:.....**Date:**.....
Draughtman:.....17 SEPT 2018
Scale: 1:100 & 1:50 **Dwg No:** 0095/13595
Drawn By: ANNE HARMSE
COUNCIL SUBMISSION

In 2 Plan
 Architectural Drafting Practice (Pty) Ltd
 andreharmse
 15 Albany Street, Rosemead 7493
 Ph/Fax (021) 9317740 - Cell: 079 8786 367
 Email: andrea.harmse@live.co.za

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ERR:13595

SITE & FLOOR PLAN
 Scale: 1:100
 KARPAS STREET

SITE AREA -496 m²
 EX-DWELLING - 42m²
 PROP GRANNY FLAT - 45m²
 PROP MAID'S QUARTER - 45m²
 PROP VERANDA - 6m²

FLOOR FACTOR-1.0 - 246m² =50%

Annexure C

Property description: 13595, Goodwood 243

Property address: 14 Karpas street, Goodwood

Application components / description: - Permanent departure to allow for a relaxation
Of the common building lines
From 3,0m to 1.500m on east elevation
And 3.0m to 1.500m on north and south building line
to allow Construction of granny flat and maid's quarters

Site extent: 495m²

Current zoning: Single Residential 1

Description of the area / surrounding land uses

- 1.1. The property is located at 14 Karpas street in the Goodwood area. The property is zoned for Single Residential SR1 purposes and is surrounded by Single Residential zoned properties. The property is located in close proximity of shops, schools and close to the N1 freeway and properties in the surrounding are zoned for Local Business and General Business.

Property description

- 1.2. The property measures 495m² and is developed with a single residence that is currently utilized for residential purposes.

Proposed development

- 1.3. A permanent departures are applied for to allow the construction of a 2nd dwelling and allow a maid's quarters on the property. The property allow three on-site parking bays with coverage and are accessed off Voortrekker road.
The reason for encroaching the street building line from 3.0m to 1.50m to allow a 2nd Dwelling and maid's quarters and it is positioned in such a way that you have access around the building and to allow window facing the boundaries.
The positioning of the 2nd dwelling and maid's quarters is triggering a departure of building line as follow:
The common building lines from 3.0m to 1.50m and the reason for this is there was no allowance made in front of house

Refer to the City of Cape Town By-law Section 99 the following points are relevant to the consideration of the council

a. socio-economic impact

The proposed use of the 2nd dwelling & maid's quarters will have a positive socio-economic impact on the immediate environment and will assist with any traffic congestion that could occur and strengthening of the existing surroundings in close proximity to the Goodwood area. The proposed permanent departures are applied for to allow the utilisation and construction of a 2nd dwelling and maid's quarters on the existing residence and support the positive socio-economic impact of the proposed use.

b. compatibility with surrounding uses

As the 2nd dwelling will be utilised for the proposed of housing his parents and the maids quarters for the utilisation of the maid during the week because she always need to travel far and the front door coverage during the winter season, the scale and character of structure will remain compatible with that of surrounding residential properties. The 2nd dwelling and maid's quarters will be less intrusive on residential properties.

c. impact on the external engineering services 2 4 4

As the proposed 2nd dwelling and maid's quarters are considered small scale, the impact on external engineering services is considered minimal.

d. impact on safety, health and wellbeing of the surrounding community

The proposed use of the 2nd dwelling and maid's quarters will have no impact on safety & the departures applied for, as mentioned above, are primarily required to support the use of the proposed 2nd dwelling and maid's quarters with no adverse impact on the safety, health and wellbeing in this regard.

e. impact on heritage

The proposed 2nd dwelling and maid's quarters will have no impact on impact on heritage issues.

f. impact on the biophysical environment

As stated above, the 2nd dwelling and maid's quarters is to be constructed within an existing residential property with no impact on the existing biophysical environment.

g. traffic impacts, parking, access and other transport related considerations

The Construction of 2nd dwelling and maid's quarters will have no impact on traffic because there is undercover parking for car.

h. Conditions that can mitigate an adverse impact of the proposed land use

The building of the 2nd dwelling and maid's quarters in this position on properties will have no adverse impact on Land used.

Annexure

D

Reference: Reason for objection to below application

Application number: 70439656

Applicant/Owners: Andre Harmse / Lungelo Nokwaza

Erf Number: 13595, Goodwood

Physical Address: 14 Karpas Street, Richmond, Goodwood

Purpose of Application:

Relaxation of all the 3m Common boundaries to 1.5 to permit second dwelling and domestic quarters

Details for Objection:

I, Raquel Gombard, residing at 12 Karpas Street, Richmond, Goodwood and have experienced major problems with Mr Harmse & Nokwaza's tenants residing at 14 Karpas Street, Richmond, Goodwood.

Since I've been living here, my neighbours' tenants at (14 Karpas Street, Richmond, Goodwood) have made life unbearable for me and my family.

The owners (Mr Harmse & Nokwaza's) have been derelict in their duties to maintain the property and have allowed their tenants to cause grief and aggravation towards their surrounding neighbours especially for owners of 12 Karpas Street, Richmond, Goodwood

There are several foreign nationals residing at this premises and the owner does not reside there, and these tenants seem to be completely ignorant and out of control with no consideration towards their fellow neighbours.

The owner has never been contactable to discuss this problem, have not maintained the property nor been at the premises for the 6 years I have lived there, and thus this has affected me in that I am unable to sell my property.

I was forced to raise my existing front and side joining boundary wall to minimise the noise and disturbances caused by the tenants residing at 14 Karpas Street, Goodwood.

Below are a few issues that was raised with the Ward councillors, police and City of Cape Town.

Firstly:

The problem is that they operate a mechanical business from their home, and this causes

- congestion in the road as all the cars often block the road,
- Their clients park in front of my driveway and fence wall constantly
- My front wall fence is full of grease and grime marks as well as chipped marks as they use tools to knock on the fence wall
- They operate from 6am on weekends and starts knocking and banging from this time
- Tenants and their customers litter and congregate in front of my property
- There are several cars permanently parked in their drive way - +- 6 cars at a time
- Their friends and customers often speed down the road,
- Hoots and revs their cars loudly early the morning or late in the evening
- I have reported this to SAPS several times

Secondly:

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- From 10pm to 4am they cause so much noise and several neighbours including myself have had to call SAPS to come and restore peace and quiet. There is often loud music and many fights during this time.
- Weekends they have parties in their yard from 6am in the morning till 4am and often their music and talking is so loud the surrounding neighbours has had to close windows and back doors to try and block out some of the noise emanating from 14 Karpas Street Goodwood.
- I suspect that someone is selling booze occasionally on that property because I have seen and heard people coming out of their yard with beer bottles and heard people asking if they have beers.
- My baby daughter cannot sleep in her room as it sounds like they are literally in her room when they congregate in their passage along the house and thus wakes and scares her. I have asked them several times to lower their voices and be considerate when walking in their passage and talking but this has fallen on deaf ears.
- SAPS have a log of all the complaints relating to the extreme noise levels

Thirdly:

- Due to the amount of rubbish (refuse) that is in their yard and front garden, the vermin (rats and mice), cockroaches and flies are coming onto my property by digging holes under the vibracrete fencing. I have had to plug these holes with rocks and sand.
- The vermin aggravate my dog and causes him to bark constantly.
- Their driveway reeks of oil and petrol and often on a Monday morning there are shattered wine bottle glass and dirt stemming from their property.
- This is very concerning as I cannot allow my daughter to play in the yard or garden.
- I have reported this issue to the Municipality and waiting for the Health inspector to come out to view the property – Ref no.: 910 635 1769

My objection is as follows:

Should they be approved to build additional dwellings and relax the current common boundaries my fear is that they would allow more people to live on the property and cause more disruptions and frustrations to their fellow neighbours and affect their surrounding neighbour's property valuations and make their neighbours properties unsaleable.

There is also a safety factor to be considered as there will be an influx of new and additional unknown tenants living in the new dwellings.

To date the owners have made no effort and it appears that they are only interested in renting out the property to as many "problematic" people as possible.

I therefore implore the District Manager to consider my objection not to permit or approve the construction of additional dwellings and relaxation of boundary wall for 14 Karpas Street Richmond Goodwood.

Regards

Owner: Raquel Gombard

Physical address: 12 Karpas Street, Richmond, Goodwood

Annexure

E

14 Karpas Street
Goodwood
7460

29 April 2019

Att: Mr Jonathan Van Der Byl
Parow Municipality

Dear Sir

**RESPONSE TO AN OBJECTION RELATING TO PROPOSED UPGRADING OF A
PROPERTY SITUATED AT 14 KARPAS STREET**

I find it strange that the owner of number 12 Karpas street: Mr Raquel Gombard did not bring his allegations regarding the nuisance and irresponsible manner in which I manage my property situated at 14 Karpas to my attention till he was consulted by the municipality regarding the pending upgrades. His assertion that I am not contactable is unfounded and false. If he was keen to speak to me, he should have asked for my contact details from the people living at the property or request them to tell me that he would like me to contact him / talk to him when I visit them to inspect the property which I do very often.

As much as Mr Gombard emphatically alleges that he reported several times the dereliction of my responsibility in respect of proper upkeep as well as unbecoming behaviour and conduct of the occupants of the said property to the municipality, police and ward councillor, I have not been notified about his complaint by any of the said responsible authorities, beside the scathing allegations reeling as a result of his objection to the proposed upgrading of the property.

Though I will not respond to the allegations according to his bullet points because of their tedious nature, I would like to state in no uncertain terms that:

- a) Mr Raquel Gombard allegations are unfounded, false and in my view a simple ploy to frustrate development of my property and progress of the Goodwood area.
 - b) If the allegations put forward by Mr Raquel Gombard were true, I believe that their severity as demonstrated on his objection letter must have been a concern of all residents living in close proximity to 14 Karpas.
 - c) The fact that he is the only resident objecting to approval of the proposed upgrading plan of 14 Karpas cast a dim light in his allegations.
 - d) Premises of my property are kept clean and whenever there are visitors with cars they are parked in the same way as done in all households.
 - e) My property is not used for repair of vehicles / as a workshop but strictly for residential purpose.
 - f) Mr Gombard must not use my property and people living at the property as a scapegoat for his inability to market and sell his house.
 - g) There are only FOUR destitute foreign nationals with TWO young children staying at the property free of charge. They are not a menace to anyone as they have no
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substantive belongings, let alone musical equipment or money to organise parties. I keep these people in the property for security reasons. His explicit assertion that I keep a nation of foreign hooligans in the property smacks of xenophobia and it must not be taken lightly.

Mr Gombard's illustration of the alleged numerous violations and blatant disregard of applicable by-laws on my part is dramatic and spurious. The allegations seem to be a desperate attempt to tarnish my reputation and mislead municipality to disapprove the proposed plan based on his concocted allegations.

I would like to further emphasize that on completion of the upgrading, the property is going to be occupied by my first son and the upgrading of the property is meant to provide accommodation for a HELPER and my elder sister who is a pensioner.

Regards

A handwritten signature in black ink, appearing to read 'Lungelo Nokwaza', with a stylized flourish at the end.

Lungelo Nokwaza