

ITEM NUMBER: C 38/03/15

RECOMMENDATION FROM THE EXECUTIVE MAYOR: 19 MARCH 2015

MC 36/03/15 APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES IN TERMS OF THE LAND USE PLANNING ORDINANCE NO. 15 OF 1985 AND CONSENT IN TERMS OF THE FORMER SIMON'S TOWN ZONING SCHEME: ERVEN 448, 4621 AND 4626 SIMON'S TOWN, DIDO VALLEY ROAD

It is **RECOMMENDED** that Council recommend to the Competent Authority that the application for the consent of the Administrator, in terms of the transitional arrangements of the new Cape Town Zoning Scheme, to permit eleven Undetermined Use zoned erven to be used as Public Open Space, one Undetermined Use zoned erf to be used as a Public Walkway, four Undetermined Use zoned erven to be used for Public Road, one Undetermined Zoned erf to be used for a Public Transport Facility and four Undetermined Use zoned erven to be used for authority usage for electrical substations, be approved.



- 1 ITEM NUMBER :
- 2 APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES IN TERMS OF THE LAND USE PLANNING ORDINANCE NO. 15 OF 1985 AND CONSENT IN TERMS OF THE FORMER SIMON'S TOWN ZONING SCHEME: ERVEN 448, 4621 AND 4626 SIMON'S TOWN, DIDO VALLEY ROAD
- 2 AANSOEK OM HERSONERING, ONDERVERDELING EN AFWYKINGS INGEVOLGE DIE ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, NO. 15 VAN 1985, EN VERGUNNING INGEVOLGE DIE EERTYDSE SIMONSTADSE SONERINGSKEMA: ERF 448, 4621 EN 4626 SIMONSTAD, DIDO VALLEYWEG
- 2 ISICELO SOKWAHLULWA KWAKHONA KOMMANDLA, UKWAHLULWAHLULWA NOKUNDULUKA NOKUNGQINELANA NOMMISELO WOCWANGCISO LOKUSETYENZISWA KOMHLABA ONGUNOMB. 15 WANGO-1985 NEMVUME NGOKWEMIGAQO YEQUMRHU ELIPHETHEYO LOKWAHLULWA KWEMIMANDLA E-SIMON'S TOWN: KWIZIZA-448, 4621 NESINGU 4626 E-SIMON'S TOWN, DIDO VALLEY ROAD

LSU E5071/E5374

On 15 October 2014 the Spatial Planning, Environment and Land Use Management Committee (SPELUM) considered the attached report dated 7 October 2014. The Committee resolved that:

- a) the application for the rezoning of erven 448, 4621 and 4626 Simon's Town, from undetermined use area and single residential use area to subdivisional area in terms of the transitional arrangements of the new Cape Town Zoning Scheme (to permit group housing zone, undetermined use area, general residential use Area, Single Residential Use Area and Business Use area), be approved in terms of section 16 of the Land Use Planning Ordinance, no. 15 of 1985, subject to the conditions as set out in annexure A to the report dated 7 October 2014, and
- b) the application for the subdivision of erven 448, 4621 and 4626 Simon's Town, in accordance with the plan of subdivision LUM/67/448, be approved in terms of section 25 of the Land Use Planning Ordinance, no. 15 of 1985, subject to the conditions as set out in annexure A to the report dated 7 October 2014, and



- c) the application for departures for erven 448, 4621 and 4626 Simon's Town, in terms of the transitional arrangements of the new Cape Town Zoning Scheme, as set out in annexure A to the report dated 7 October 2014, be approved in terms of section 15 of the Land Use Planning Ordinance, no. 15 of 1985, and
- d) the application for the consent of Council in terms of the transitional arrangements of the new Cape Town Zoning Scheme, to permit eleven Undetermined Use zoned erven to be used as public open space, one undetermined use zoned erf to be used as a public walkway, four undetermined use zoned erven to be used for public road, one undetermined zoned erf to be used for a public transport facility and four undetermined use zoned erven to be used for authority usage for electrical substations, be approved.

3 RECOMMENDATION FROM THE SPATIAL PLANNING, ENVIRONMENT AND LAND USE MANAGEMENT COMMITTEE: 15 OCTOBER 2014 (SPEL 27/10/14)

To recommend to the Executive Mayor, together with the Mayoral Committee:

To recommend to Council that it be recommended to the Competent Authority that the application for consent of the Administrator, in terms of the transitional arrangements of the new Cape Town Zoning Scheme, to permit; eleven Undetermined Use zoned erven to be used as Public Open Space, one Undetermined use zoned erf to be used as a Public Walkway, four Undetermined Use zoned erven to be used for Public Road, one undetermined zoned erf to be used for a public transport facility, and four undetermined use zoned erven to be used for authority usage for electrical substations, be approved.

3 AANBEVELING VAN DIE KOMITEE OOR RUIMTELIKE BEPLANNING, DIE OMGEWING EN GRONDGEBRUIKBESTUUR: 15 OKTOBER 2014 (SPEL 27/10/14)


Aanbeveling by die uitvoerende burgemeester tesame met die burgemeesterskomitee:

Aanbeveel by die Raad dat daar by die bevoegde owerheid aanbeveel word dat die aansoek om die administrateur se vergunning ingevolge die oorgangreëlings van die nuwe Kaapstadse soneringskema om toe te laat dat 11 erwe gesoneer vir onbepaalde gebruik as openbare oop ruimte gebruik word, een erf gesoneer vir onbepaalde gebruik as 'n openbare voetpad gebruik word, vier erwe gesoneer vir onbepaalde gebruik as openbare pad gebruik word, een erf gesoneer vir onbepaalde gebruik as 'n openbare vervoerfasiliteit gebruik word en vier erwe gesoneer vir onbepaalde gebruik vir owerheidsgebruik vir elektriese substasies gebruik word, goedgekeur word.

3 ISINDULULO SEKOMITI YOCWANGCISO LOMHLABA ONGAMABALA, OKUSINGQONGILEYO NOLAWULO LOKUSETYENZISWA KOMHLABA: 15 OKOTIBA 2014 (SPEL 27/10/14)

Kundulwe ukuba uSibonda weDolophu weSebe loMbuso eliLawulayo, ehlangene neKomti kaSibonda weDolophu:

Ukuba kwenziwe isindululo kwiBhunga sokuba lenze isindululo kuGunyaenziwe ongeZakhono sokuba makuphunyezwe isicelo semvume yezoMlawuli, ngokungqinelana nezicwangciso zotshintsho kwiNkqubo entsha engezoCando yaseKapa ukuze kuvumeleke; iziza zokusetyenziselwa ngokungamiselekanga ezilishumi elinanye ukuba zisetyenziswe njengomthabalala webala loLuntu, ummandla omnye wokusetyenziselwa ngokungamiselekanga ukuba usetyenziselwe iNdawo yokuhamba uLuntu, iziza ezine zokusetyenziselwa ngokungamiselekanga ukuba zisetyenziselwe iNdlela yoLuntu, isiza esinye esicandwe ngokungamiselekanga ukuba sisetyenziselwe isakheko sezothutho loluntu, kwakhona neziza ezine ezicandwe ngokungamiselekanga ukuba zisetyenziselwe ukusetyenziswa ngokwegunya ukuba ibezizikhululwana zombane.


EXECUTIVE DIRECTOR

Comment:

NAME J HUGO

DATE 11.11.2014



LEGAL COMPLIANCE

REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

NON-COMPLIANT

NAME Sarah van Zyl

Comment:

TEL 021 400 9446

DATE 13.11.2014

Certified as legally compliant:
Based on the contents of the report.

A.G.R.

EXECUTIVE DIRECTOR: COMPLIANCE AND
AUXILIARY SERVICES (ED: CAS)

NAME G RAS

SUPPORTED FOR ONWARD SUBMISSION
TO MAYOR / MAYCO / COUNCIL

NOT SUPPORTED

REFERRED BACK

DATE

14/11/14

COMMENT:

J. van der Merwe

MAYORAL COMMITTEE MEMBER

NAME J VAN DER MERWE

COMMENT:

DATE

14/11/2014



**REPORT TO SPATIAL PLANNING, ENVIRONMENT AND LAND USE
MANAGEMENT COMMITTEE**

APPLICATION NO	208164		
FILE REFERENCE	LUM/67/4621		
AUTHOR	P. Eward		
PHONE NO	021-444 7726		
SECTION HEAD	P. Hoffa		
PHONE NO	021-444 7724		
DISTRICT	Southern		
SUBCOUNCIL	19		
WARD	61		
WARD COUNCILLOR	S. Liell-Cock		
REPORT DATE	2014-10-07		
INTERVIEW REQUESTED	APPLICANT	YES	NO
	OBJECTOR(S)		

ITEM NO SPEL 27/10/14

APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES IN TERMS OF THE LAND USE PLANNING ORDINANCE NO. 15 OF 1985 AND CONSENT IN TERMS OF THE FORMER SIMON'S TOWN ZONING SCHEME: ERVEN 448, 4621 AND 4626 SIMON'S TOWN, DIDO VALLEY ROAD

AANSOEK OM HERSONERING, ONDERVERDELING EN AFWYKINGS INGEVOLGE DIE ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, NO. 15 VAN 1985, EN VERGUNNING INGEVOLGE DIE EERTYDSE SIMONSTADSE SONERINGSKEMA: ERF 448, 4621 EN 4626 SIMONSTAD, DIDO VALLEYWEG

ISICELO SOKWAHLULWA KWAKHONA KOMMANDLA, UKWAHLULWA-HLULWA NOKUNDULUKA NGOKUNGQINELANA NOMMISELO WOCWANGCISO LOKUSETYENZISWA KOMHLABA ONGUNOMB. 15 WANGO-1985 NEMVUME NGOKWEMIGAQO YEQUMRHU ELIPHETHEYO LOKWAHLULWA KWEMIMANDLA E-SIMON'S TOWN: KWIZIZA-448, 4621 NESINGU 4626 E-SIMON'S TOWN, DIDO VALLEY ROAD

LSU E5071

1 EXECUTIVE SUMMARY

Property description	Erven 448, 4621 & 4626 Simon's Town		
Registered owner	City of Cape Town		
Applicant / agent	Urban Dynamics Western Cape		
Site extent	238m ² , 3.2108ha, 14.7659ha respectively		
Applicable Zoning Scheme	Former Simon's Town Zoning Scheme		
Current zoning	Undetermined Use Area and Single Residential Use Area – See plan attached as Annexure D.		
Current land use	Vacant and derelict dwelling houses.		
Title deed restrictions	Yes	No	√
Application components / description (state briefly)	<ul style="list-style-type: none"> To rezone Erven 448 and 4621 from Undetermined Use Area and Erf 4626 from Undetermined Use Area and Single Residential Use Area to Subdivisional Area. 		

	<ul style="list-style-type: none"> • The subdivision of Erf 4621 and the consolidated Erven 448 and 4626 into 600 Group Housing erven, 2 Single Residential erven for an Early Childhood Development Centre and a Place of Worship, 1 General Residential erf for a clinic, 11 Public Open Spaces (which include 2 retention ponds), 4 Public Roads, 1 public walkway, 1 public transport facility, 4 electrical substations and 2 Business erven. See plan of subdivision attached as Annexure F. • The Consent of Council and the Administrator (i.e. the Western Cape Government) in terms of Section 8.7 of the Simon's Town Zoning Scheme Regulations to permit: 11 Undetermined Use zoned erven to be used as Public Open Space, 4 Undetermined Use zoned erven to be used for Public Road, 1 Undetermined Zoned erf to be used for a public walkway, 1 Undetermined Zoned erf to be used for a Public Transport Facility and 4 Undetermined Use zoned erven to be used for authority usage for electrical substations. • Departures from the former Simon's Town Zoning Scheme Regulations, as set out in the attached Annexure A, relating to density, parking, building lines and the provision of lock up garaging and storerooms. • The proposal is to permit a low income (subsidised) housing development, as per the Site Development Plan (SDP) and plan of subdivision attached as Annexure F.
Submission date	2011-07-05
Special / Conservation area	No
Subject to PHRA / SAHRA	Yes
Any unauthorised land use / building work? (for background info; not to form part of consideration or basis of decision)	None
Public participation outcome summary (key words only)	2 comments and 8 objections have been received.
Policies / plans applicable	<ul style="list-style-type: none"> • Cape Town Densification Policy • Simon's Town Structure Plan • Southern District Plan • Cape Town Spatial Development Framework • Council's Natural Interface Study: Veldfire Related Planning Guidelines
Policy compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Recommended decision	Approval <input checked="" type="checkbox"/> Refusal <input type="checkbox"/>
Delegation no & extract	Part 22 Section 1: SPELUM has the power to take decisions which are not compliant with structure plans or approved Council policy which is used to guide decision making; where an EIA or TIA or HIA is required in order to assess the application; where an application straddles Sub-council boundaries; all of the aforementioned being subject to SPELUM deciding to approve the application and being in agreement with the recommendation from the ED EESP. If SPELUM

	decides to refuse an application or is not in agreement with the recommendation from the ED: EESP, the Mayor together with the Mayoral Committee has the power to decide the application. When exercising its power, if, after applying its mind, SPELUM decides not to follow a structure plan or approved Council policy when considering an application, it must give reasons and this will be recorded as a deviation from the policy.
Reason(s) for coming to SPELUM (if applicable)	This application required a Traffic Impact Assessment (TIA) and a Heritage Impact Assessment (HIA).

2 DECISION AUTHORITY

	Recommendation	Decision
Subcouncil		
SPELUM	√	√
EESP		
MayCo		
Council		
WCG		√

3 BACKGROUND

- 3.1 The site is apparently a portion of the land which was set aside by the former Simon's Town Municipality in the 1990's for subsidy based residential development. In 2003/2004 the City initiated a mixed use development of a larger scale than is currently under consideration which included a residential component of ±990 residential units and included "gap" housing which was to be subsidized by the sale of open market residential units which were incorporated into the area. This application was however withdrawn.
- 3.2 A Basic Environmental Impact Assessment was undertaken in terms of the National Environmental Management Act (No. 107 of 1998) (NEMA). Environmental Authorisation was issued by the Provincial Department of Environmental Affairs and Development Planning (DEADP) on 2012-06-14 (see Annexure ZA), subject to conditions, for various activities including: The transformation of undeveloped land, the clearance of an area of 300m² or more of vegetation where 75% or more of the vegetation is indigenous and, the clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetation is indigenous. An addendum to the above Environmental Authorisation was then issued by DEADP on 2013-01-29 to include: The construction of canals, channels, bridges, etc. within a watercourse or within 32m thereof and, the infilling or depositing of any material of more than 5m³ or the dredging, excavation or moving of soil from a watercourse.
- 3.3 Although the Environmental Authorisation has been issued by DEADP, it has now been determined that a Water Use License is required from the Department of Water Affairs for construction within the stream and seep area. The applicant has however now amended the proposal by introducing phasing, with the seep and stream area being separated from the balance of the proposed development so as not to further delay the processing of this

application. The portion requiring the Water Use Licence is Phase 2, comprising 65 dwelling houses. It must be noted that the Phases 1A & 1B are not dependant on the granting of the Water Use Licence for Phase 2.

- 3.4 The current application was submitted in July 2011 and advertised in February 2012. The main reason for the delay in processing this application has been awaiting the outcome of the environmental process in terms of NEMA and issues regarding the need for a Water Use License from the Department of Water Affairs.
- 3.5 Although Council's Notification Policy for Land Use Development Applications usually requires readvertising of a proposal when more than 30 months have passed between advertising and a decision, as the main reason for the delay has been as a result of the NEMA process, it is not necessary to readvertise this application.
- 3.6 The application when advertised included portion of Erf 4625 which is portion of Scala Road and Dido Valley Road. As these roads are to remain they have now been excluded from the application.
- 3.7 The application for the Consent of the "Administrator" (now the Western Cape Government) to permit the Undetermined Use zoned erven to be used as Public Open Space, Public Walkway, Public Road, a public transport facility and electrical substations will be submitted to WCG for a decision.
- 3.8 Some of the specialists reports attached refer to a larger area. However, the current proposal is for only a portion of the original site that was previously being considered for development. Furthermore, the advertised SDP and plan of subdivision (see Annexure E) differs somewhat from that which is currently under consideration (see Annexure F). This is as a result of the stream and seep area being excluded from the development proposal, revised unit types and redesign due to Council's veld fire guidelines and urban design concerns. The changes are however relatively minor and internal to the development, and therefore it is not considered necessary to readvertise the application.
- 3.9 The street naming has not been included in this application. However, should this current application be approved the required street naming application will be submitted, advertised, and a report submitted to the relevant committee for consideration.

4 SUMMARY OF APPLICANT'S MOTIVATION

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

- The development is consistent with the Provincial Spatial Development Framework (PSDF) and other relevant spatial development policies.
- The application area is located within the Urban Edge demarcated by the approved Cape Town Spatial Development Framework (CTSDF).

- The application area falls within the urban edge as delineated in the Southern District Plan.
- The location of the site, in close proximity to Simon's Town, allows for good accessibility to the economic and social opportunities provided for in Simon's Town.
- The site has good linkages with the metropolitan road and rail network as well as the local road network.
- The site's excellent location relative to existing infrastructure, economic activity and facilities will serve to redress past spatial inequalities.
- The proposed development is to accommodate the residents of the Redhill informal settlement thereby providing an opportunity for the beneficiaries to improve their standard of living.
- This development would contribute towards achieving the Department of Human Settlement's aim to create sustainable human settlements i.e. creating living spaces and environments which addresses the economic and social needs of a community.
- The layout design has been informed by a number of factors, including slope conditions, drainage patterns and accessibility.
- The layout makes provision for large open space areas and therefore the impact of the development will be restricted, rather than spreading the development over the entire site.
- An Environmental Authorization was furnished by the Department of Environmental Affairs & Development Planning after thorough consideration of all factors, potential impacts and proposed mitigating measures.
- The proposal complies with the requirements as set out in Section 36 of the Land Use Planning Ordinance (1985).

5 PUBLIC PARTICIPATION

			Comments
Advertising	Press	√	2012-02-17
	Gazette	√	2012-02-17
	Notices	√	2012-02-15
	Ward councillor	√	2012-02-15
	On-site display	√	2012-02-17
	Community organisation(s)	√	2012-02-15
	Public meeting		
Outcome	Objections	√	8 objections received
	Comment	√	2 comments received
	Comment/Conditional No objection		
	No objection		
	Ward councillor response		No response was received

5.1 Summary of the objections/comments received

The objections/comments received in respect of the application (see Annexure M) may be summarised as follows:

5.1.1 Comments

- Traffic calming must be investigated to ensure the safety of future residents.
- All building work must meet the requirements of the National Building Regulations and the City's building standards.
- The guidelines for buildings in a fire zone must be respected.
- It must be confirmed that the existing services are adequate to cope with the current proposal and future Marine Oil Development.

5.1.2 *Objections*

- The geotechnical report supports single storey residential structures; however the proposal is for double storey structures.
- Has the further geotechnical investigation referred to in the geotechnical report been undertaken?
- The proposal will exacerbate the current situation regarding flooding and landslides.
- The cost summary in the Basic Assessment Report was incorrect and has still not been corrected.
- The proposal is to squash in as many dwelling units as possible into the area to be more economically viable.
- The proposed density is incorrect and actually equates to 75 du/ha.
- There has been no public notice in the local papers.
- In terms of the title deed the Department of Defence is to have use of Dido Valley Road.
- The portion of the site rezoned, but formally undeveloped, may be occupied by informal dwellings.
- Green spaces should be retained.
- The proposal will negatively impact on property prices in the area.
- Adding more traffic to Dido Valley Road will increase its already unsatisfactory safety levels.
- The proposal will impact negatively on the fauna and flora in the area.
- Insufficient information has been provided and the process to try and obtain additional information unacceptable.
- The municipality cannot maintain the existing infrastructure. How will it maintain the proposed additional infrastructure?
- Urban design guidelines referred to in the motivation document were not available.
- The proposal is to accommodate the Red Hill community and could result in people jumping the queue with regard to the housing waiting list.
- The pedestrian route across the public open space has not been provided.
- The position of the Urban Edge is not clear.
- The application does not comply with the requirements of Section 36 of the Land Use Planning Ordinance No. 15 of 1985.
- The proposed house types were developed for flat sites and are inappropriate for a site with steep slopes.
- The bedroom illustrated for Unit A does not comply with the minimum requirements in terms of the National Building Regulations.
- Sewerage and water services are a concern.
- The proposal will impact on security in Glen Marine.

5.2 Summary of applicant's response

The applicant's response to the objections/comments received (see Annexure N) may be summarised as follows:

- The motivation documentation submitted addressed many of the concerns raised.
- A detailed Geotechnical Investigation was undertaken which concludes that *'The Phase I geotechnical site investigation indicates that the site is suitable for project linked subsidy housing development, although a number of design precautions will need to be considered in view of the nature of the site'*.
- The PSDF proposes an average gross residential density of 25du/ha which implies that certain areas within the City could have a gross density of 12du/ha whilst other areas may increase to 40-60du/ha to create an overall average of 25du/ha.
- The development includes 600 residential units on a site of ± 18 ha, which implies a gross density of ± 33.3 du/ha.
- The application area is located within the urban edge as per the CTSDP and is allocated for urban development.
- With the current depressed residential market it is not possible to ascertain whether or not the siting of a subsidy housing project in Dido Valley would have a negative impact on property values.
- The biodiversity and environmental sensitivity were thoroughly addressed in the Basic Assessment, which was conducted in terms of NEMA and recently approved by DEADP.
- The City appointed engineering consultants to address certain bulk infrastructure upgrades. The design process for these infrastructure upgrades are currently in process.
- Great care has been taken to creating functional public areas, which will improve the overall design and appearance of the development.
- The Environmental Authorisation specifies conditions regarding landscaping and the external appearance of the buildings that will contribute towards the improved aesthetics of the development.

5.3 Evaluation of the objections / comments / response

See Section 7 below.

5.4 Departmental comments of significance

See Section 7 below.

6 SUSTAINABILITY IMPLICATIONS

Does the activity in this report have any sustainability implications for the City?	Yes	√	No	
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- 6.1 The approval of this application indirectly facilitates environmental, social and economic sustainability.

7 PROPOSAL ASSESSMENT

Location, character of the area and surrounding land uses

- 7.1 The property is situated within the Dido Valley at the intersection of Dido Valley Road and Scala Road, with Dido Valley Road being the northern boundary of the site and Scala Road the western boundary. Dido Valley Road runs in an east/west direction, linking Main Road which runs along the False Bay coast to Da Gama Park in the west. Scala Road winds along from Dido Valley Road in a north/south direction to Red Hill Road. The area is predominantly undeveloped with the exception of the clusters of urban development being Glen Marine to the east, Da Gama Park to the west, the naval development on Red Hill to the south and the small Woodlands residential development to the north, on the opposite side of Dido Valley Road.

Description of the property

- 7.2 The property is moderate to steeply sloping from the west down to the south east, with a varying topography of steeply sloping areas and flatter plateaus. The property is primarily vacant with the exception of 2 rows of derelict row-houses (comprising a total of 64 dwelling units) which were built by the municipality in the late 1920's and a gravel road which traverses the site in an east/west direction. The remainder of the site is vacant and is covered with both alien and indigenous vegetation. A watercourse, which has associated wetlands, traverses the site in an east/west direction down to Dido Valley Road.

Zoning

- 7.3 A large portion of the subject property as well as most of the immediately surrounding properties are zoned Undetermined Use Area in terms of the former Simon's Town Zoning Scheme which is now Limited Use in terms of the new Cape Town Zoning Scheme. A portion of the site on which the derelict houses are located is however zoned Single Dwelling Use Area and the cluster of residential properties to the north of the subject property are zoned Group Housing in terms of the former Simon's Town Zoning Scheme (now General Residential Subzone GR1 in terms of the new Cape Town Zoning Scheme). As the application was received before 2013-03-01 the application is being assessed in terms of the former Simon's Town Zoning Scheme.

The proposal

- 7.4 The application is to rezone the property to Subdivisional Area to provide subsidised housing, basic social facilities and a small commercial component. The proposed development comprises the subdivision of the property into 600 Group Housing zoned erven for individual dwelling units, 2 Business Use Area zoned erven, 2 Single Residential Use Area zoned erven for an Early Childhood Development Centre and Place of Worship, 1 General Residential Use Area zoned erf for a clinic, 11 Undetermined Use Area

zoned even to be used for 9 Public Open Spaces and 2 retention ponds, 4 Public Roads, 1 Public Walkway (linking Dido Valley Road with the northernmost section of the development), 1 Undetermined Use Area zoned erf with consent to be used for a public transport facility (taxi rank) and 4 Undetermined Use Area zoned even with consent to be used for electrical substations, as per the plan of subdivision attached as Annexure F. Various departures from the Simon's Town Zoning Scheme Regulations, as listed in Annexure A, relating to density, parking, building lines and the provision of lock up garaging and storerooms are also required. Access to the development will be via 2 access points off Scala Road.

- 7.5 Due to concerns and possible delays regarding the issuing of a Water Use License by the Department of Water Affairs, the plan of subdivision (see Annexure F) has been divided into 2 phases with phase 2 comprising 65 of the 600 Group Housing erven, 2 of the Public Open Spaces and portion of road. Phase 2 takes into consideration the watercourse and will only be implemented if and when the Water Use License has been issued. It must be noted that Phases 1A & 1B are not dependant on the granting of the Water Use Licence for Phase 2.
- 7.6 The proposed unit types (as can be seen in Annexure G) will comprise of single and double storey dwellings which will be semi-detached or row housing. The details of the unit types have not been finalised, and the attached proposals are simply indicative of what could be built, and not necessarily of what will be built.

Policies

- 7.7 This application is aligned with the Provincial Spatial Development Framework (PSDF) (approved as a 4(6) structure plan in terms of LUPO) The PSDF includes the following policies which have relevance to this application:
- Restructuring of urban settlements so as to break down the spatial barriers created by apartheid and to make settlements convenient and pleasant to live in.
 - Address the development of publicly owned land and require that these areas be made available to achieve urban restructuring.
- 7.8 This application is aligned with the Cape Town Spatial Development Framework (CTSDF). In terms of the CTSDF the site is situated inside the urban edge line, and is designated as 'urban development'. The CTSDF includes the following policies which have relevance to this application:
- Contain the development footprint of the city and protect natural, rural, urban, and heritage assets with development edges. The development of this Dido Valley site is intended for the relocation of Red Hill residents out of an area outside the urban edge.
 - Increase efforts to protect and enhance biodiversity networks at all levels of government.
 - Redress existing imbalances in the distribution of different types of residential development, and avoid creating new imbalances.
 - Identify land for land reform and publicly led housing delivery programmes.

- Generally support development, rezoning, subdivision and similar applications that promote a greater mix of land uses, people and/or densities.
- 7.9 This proposal is aligned with the Southern District Plan (approved as a 4(10) structure plan in terms of LUPO):
- In terms of the District Plan the site is inside the urban edge line, and is designated as 'new urban infill'.
 - The District Plan includes a supporting development guideline stating that "Available greenfield opportunities within the urban edge for lower income residential development need to be retained (e.g. Dido Valley) and developed to accommodate existing areas of inappropriate development (e.g. Red Hill & parts of Masiphumelele)".
- 7.10 Cape Peninsula Protected Natural Environment (CPPNE): The site falls outside of the CPPNE and therefore this application is aligned with this proclamation.
- 7.11 This application is aligned with the Simon's Town Structure Plan (approved as a 4(6) structure plan in terms of LUPO) which indicates the subject property as in most part residential but also public open space. Furthermore, the Structure Plan identifies this site as an area 'suitable for affordable housing'.
- 7.12 Although not an ideal area for densification, given the compliance with the CTSDP, the Southern District Plan and the Simon's Town Structure Plan, the proposal is consistent with Council's Densification Policy.

World Heritage Site

- 7.13 The Cape Floral Region World Heritage Site (WHS) WHS was proclaimed in 2009 and the subject property is within the WHS 'Buffer' area, which forms part of the proclaimed WHS area (not part of the core area). The fundamental principles of the World Heritage Convention Act include the following:
- Cultural and heritage management must be sensitive to the people and their needs and must equitably serve their physical, psychological, developmental, cultural and social interests;
 - Development must be socially, culturally, environmentally and economically sustainable;
 - Equitable access to WHS must be pursued and measures must be taken to ensure access thereto by historically disadvantaged persons.
- 7.14 The Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites which was made under National Environmental Management: Protected Areas Act, 2003) appears to require that permission be obtained from the National Department of Environmental Affairs for this proposal. A condition to this effect is contained in Annexure A. This Department is of the opinion that this application does not conflict with the WHS and there is no reason why the approval of this application cannot

be granted prior to the said permission from the Department of Environmental Affairs being obtained.

Heritage

- 7.15 The Heritage Impact Assessment (HIA) (see Annexure V) concludes that no further studies are required and that the proposed development be supported. It is also recommended that the roofs of the proposed buildings be grey or charcoal in colour, and that a tree planting/landscaping plan be implemented.
- 7.16 An archaeological assessment (see Annexure T) undertaken found that the importance of the finds and the significance of the site are low, and recommends that a demolition permit be issued for the 64 red-brick houses.
- 7.17 The Record of Decision (ROD) from Heritage Western Cape (HWC) endorsed the recommendations of the HIA (see Annexure ZB) and a further letter relating to the Archaeological Impact Assessment concluded no objection based on this aspect.
- 7.18 Council's Heritage Resources Section (HRS) has assessed this application (see Annexure ZD), and is of the opinion that the socio-economic benefits that will result from this development will, in the long term, outweigh any negative impact the development will have on the cultural landscape. HRS endorses the recommendation of the HIA.

Visual Impact Assessment

- 7.19 The Visual Impact Assessment (VIA) (see Annexure U) recommends that any new development should be restricted to the areas identified as being of a low visual sensitivity. The proposed development is located within an area identified as having low, moderate and high visual sensitivity. However, the bulk of the development is located within an area of low visual sensitivity. The VIA also recommends mitigation measures, the most practical of which have been incorporated into the conditions of the Environmental Authorisation.

Botanical Study

- 7.20 The botanical study (see Annexure Q) undertaken as part of the EIA process, which includes the larger area, concludes that development in the low lying areas, which includes the subject property, should not have a significant negative direct effect on the natural vegetation of the valley. Furthermore, the botanical study states that "*...the community could be an important tool in the management of alien infestations..... Of immediate concern however, will be the increased likelihood of veld fires....*". "A very important recommendation would thus be that a substantial firebreak, probably at least 20m wide should surround any development in the area".

Geotechnical Study

- 7.21 A geotechnical report was submitted with the application which addressed a larger area. A revised geotechnical report (see Annexure P) which deals specifically with the subject property has now been provided. The revised geotechnical report, provided after advertising, concludes *"that the site is suitable for project linked subsidy housing development, although a number of design precautions will need to be considered...."*

Geohydrological assessment

- 7.22 The findings of the geohydrological assessment (see Annexure X) are that *"due to the shallowness of the bedrock below Scala Road, the planned development can go ahead. However the area must be constructed with adequate drainage"* and that the *"foundations of buildings will need to be excavated to the bedrock."*

Fresh water screening report

- 7.23 The fresh water screening report (see Annexure Y) states that *"the loss of the wetland..... is considered to be of low to moderate negative significance, and may be mitigated down to low negative significance through the identification and protection of a suitable off-site biodiversity offset, in addition to other on-site mitigation measures."* The report addresses 2 alternatives, 1 with building work over the seep and stream area and the 2nd which avoids this area but extends up to the boundary. The report states that for the proposal which avoids the wetland which is the application currently under consideration *"there is no need to identify a biodiversity offset"*. The report states that water sensitive urban design principles must be applied and that the location of housing close to a wetland has some hazards and that adequate drainage must be provided. Should the development require the discharge of stormwater into the stream and seep, this will require a water use license or a water use registration.

Catchment Management

- 7.24 Council's Catchments: Stormwater Sustainability Unit has considered the application (see Annexure ZD). A number of amendments to the plan of subdivision were required and have been done. Council's Catchments: Stormwater Sustainability Unit has no objection to the proposal, subject to conditions which have been included in Annexure A.

Environment

- 7.25 A Basic Environmental Impact Assessment was undertaken in terms of NEMA. Environmental Authorisation was issued by DEADP on 2012-06-14 (see Annexure ZA) for various activities including: The transformation of undeveloped land, the clearance of an area of 300m² or more of vegetation where 75% or more of the vegetation is indigenous and, the clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetation is indigenous, subject to conditions, including:
- The implementation of an approved Environmental Management Programme,

- the appointment of a suitably experienced environmental control officer,
- the approval and implementation of a landscape plan,
- an integrated waste management approach being used,
- no surface or ground water being polluted,
- all Red Data threatened plant species being appropriately marked for rescue or prorogation,
- the colour of the roofs of the buildings being in the grey to charcoal range,
- any heritage remains exposed being reported to Heritage Western Cape,
- a qualified archaeologist being contracted when required, and
- a fire management plan being prepared.

7.26 An addendum to the above Environmental Authorisation was then issued by DEADP on 2013-01-29 to include: The construction of canals, channels, bridges, etc. within a watercourse or within 32m thereof and, the infilling or depositing of any material of more than 5m³ or the dredging, excavation or moving of soil from a watercourse.

7.27 Although the Environmental Authorisation has been issued by DEADP, a further geohydrological assessment and freshwater screening report have been undertaken (see Annexures X & Y). The findings were that a Water Use License or Water Use Registration may be required from the Department of Water Affairs for construction within the stream and seep area and for the discharge of stormwater into the stream and seep. The applicant has however now amended the proposal by introducing phasing, with the area identified as a stream being separated from the balance of the proposed development so as not to further delay the processing of this application.

Spatial Planning

7.28 The District Spatial Planning Section has assessed this application (see Annexure ZD) and has no objection thereto. They note that all City planning policies have identified this site as being inside the urban edge, for urban infill development and specifically for affordable housing. While the site is not well located with respect to spatial structuring elements, it is considerably more appropriately located than the Red Hill settlement, for whom the site is primarily earmarked to accommodate.

Urban Design

7.29 The application has been circulated to Council's Urban Design Branch (see Annexure ZD) which supports the proposal subject to the following conditions: (1) blank building façades onto Dido Valley and Scala Roads are to be avoided, (2) the placement of units along Dido Valley Road must orientate onto and be placed on the Dido Valley Road side of the erven, (3) boundary walling/fencing must comply with Council's Boundary Walls and Fences Policy, (3) dwellings must actively orientate onto all public open spaces, including the smaller parks and larger undeveloped areas, (5) the plans for the community facilities and commercial node be submitted to the Urban Design Branch prior to approval.

Traffic

7.30 A Traffic Impact Assessment (TIA) was undertaken (see Annexure W). The TIA has taken into consideration the proposed Marine Oil Refinery development. The findings of the TIA are that (1) the development will generate 183 vehicle trips during the AM & PM peak hours, (2) the spacing to the development along Dido Valley Road fulfill the requirements of an unsignalised intersection spacing (3) geometric improvements are not required to the intersection of Main Road and Dido Valley Road, (4) the intersection of Scala and Dido Valley Roads are anticipated to operate at acceptable levels of service. However, for pedestrian and motorist safety some geometric improvements, road marking alterations and signage additions to the Dido Valley Road / Scala Road intersection are proposed. The TIA includes the following recommendations:

- A public transport interchange is proposed at the business node fronting onto Scala Road.
- A mini-roundabout is proposed at the first access to the development with Dido Valley Road.
- A bus and mini-bus taxi embayment is recommended for the northbound direction downstream of the Main Road / Dido Valley Road intersection.
- Both on-street and off-street parking be provided at 1 parking bay / unit plus 1 bay per 4 dwellings for visitors, and the business and community area to have their own parking.
- Pedestrian movement is accommodated via the existing 1.4m sidewalk on the north edge of Dido Valley Road.
- A dedicated footpath be provided at the southern end of the site linking onto Dido Valley Road.

7.31 Council's Manager: Transport for Cape Town: Transport Planning has assessed this application (see Annexure ZD) and states that the TIA is sufficient. Due to the development being for the lower income market, relatively low vehicle ownership and a higher use of public transport among peak-hour commuters is assumed. The total vehicle trip generation is predicted at 183 trips. The Manager: Transport for Cape Town: Transport Planning therefore has no objection to the establishment of the proposed development subject to, inter alia, the following minimum requirements and conditions:

- Parking within the development area to be provided at 1.25 parking bays / dwelling unit (although this does not need to be provided on the individual erven). The larger units are to have 1 on-site parking bay.
- 4 parking bays / 100m² GLA for the commercial / business node.
- 1 parking bay / 6 occupants for the community facilities.
- 1 bay / 100m² for the Clinic.
- A mini-roundabout is to be constructed at the first entrance to the development.
- The intersection of Scala and Dido Valley Roads is to be upgraded.
- A taxi embayment must be constructed on Scala Road.

- A 1.8m wide footpath must be constructed along the east side of Scaia Road.
 - All internal 2 way roads are to include a hard surfaced carriageway of a minimum width of 5.5m and footways / surfaced verges of a minimum width of 1.4m.
- 7.32 With a minimum road reserve width of 8m and with some of the roads having a reserve width of 13m, although on-site parking may not be available on each individual erf, there is adequate space available to accommodate the minimum parking requirements on the property.
- 7.33 The provincial Department of Transport and Public Works (DTPW) has assessed the proposal and has no objections to the proposal subject to conditions (see Annexure ZC).

Services and infrastructure

- 7.34 The applicant has provided a summary bulk services availability report (see Annexure Z) in conjunction with a previous bulk services report (also attached as Annexure Z).
- 7.35 Regarding water reticulation, a detailed water network modeling exercise was undertaken and the resulting bulk water upgrading requirements for the Dido Valley development are:
- The upgrading of the Clovelly pump station. (Note that this is currently being undertaken.)
 - The upgrading of the pumping water main between Clovelly and Harrington sump. (Note that this is currently being undertaken.)
 - The construction of a new 160mm diameter gravity main from Da Gama Park top reservoir along Dido Valley Road.
- 7.36 Regarding foul sewer reticulation:
- There is sufficient spare capacity at the Simon's Town Waste Water Treatment works to accommodate the runoff from the Dido Valley Site.
 - The existing pump station is operating within capacity and will be able to accommodate the Dido Valley project.
 - The existing 200mm and 150mm diameter sewer mains running from the site down to Dido Valley Road will need to be replaced.
- 7.37 Regarding stormwater infrastructure, there is no bulk stormwater infrastructure within the vicinity. The scope of the upgrades required will only be determined during the prelim and detailed design stage.

Veld fire issues

- 7.38 Concern has been raised regarding the vulnerability of the site to potential veld fires. The area is far better located and easier to access than the existing Red Hill Informal Settlement. The area is well served by roads and has 2 public roads which serve as fire breaks. Control of the existing alien vegetation will assist in reducing the fire risk and further fire breaks will be

provided around the perimeter of the developed area. This is included in the conditions of approval. Attention will need to be given to fire-tender access and the provision of turning space, particularly in respect of the south-eastern edge of the development, and the provision of adequate fire hydrants. It must also be noted that the application has been circulated to Council's Fire and Rescue Services which has no objection to the proposal. Furthermore, a fire management plan is required in terms of the Environmental Authorisation issued by the DEADP.

- 7.39 Given the abovementioned factors, this Department is of the opinion that the proposal is consistent with the Natural Interface Study: Veldfire Related Planning Guidelines.

Impact on the area

- 7.40 This Department is of the opinion that this proposal will not have a negative impact on the neighbouring properties or the character of the area for the following reasons:

- The site already has some form of urban development, although derelict and unoccupied, with further urban development on the opposite side of Dido Valley Road, being the Woodland residential development.
- The area is already serviced by an existing road network and all service departments have considered the application and have no objections to the proposal, subject to conditions.
- The proposed development is located inside the Urban Edge which includes the entire Dido Valley between the established urban development along the coast to Da Gama Park to the west.
- All relevant specialist studies have been undertaken and support the proposal, subject to appropriate conditions.
- A large amount of open space will be retained.
- The visual impact will be low.
- The proposal is to relocate the residents from the Red Hill Informal Settlement, the current location of which, from an environmental perspective, is of a far more sensitive nature. Furthermore, the proposed location is significantly more accessible, has better access to services, and social and economic opportunities.
- The scale of the development will not have a negative impact on traffic.
- Due to the location of the site and the relatively minor nature of the departures applied for, the approval of the departures will not impact on any of the surrounding owners.

Regarding the objections

- 7.41 Most of the issues raised by the objectors have been addressed above. However, some additional points are addressed below.
- 7.42 The TIA has taken the proposed Marine Oil development into consideration. Furthermore, that development, which is of a far larger scale, is tied to conditions requiring the appropriate upgrades to the surrounding road network.

- 7.43 The application has been advertised in the local press, Provincial Gazette and by registered mail to interested and affected parties. This Department considers the extent of the advertising to be acceptable and in accordance with the requirements of the Land Use Planning Ordinance No. 15 of 1985 and Council's Notification Policy for Land Use Development Applications.
- 7.44 Considering the extent of open space provided (due primarily to the topography), and with the proposal being for predominantly individual dwelling units, the proposed density is not considered to be excessive.
- 7.45 The unit types included in the advertised application were those of a housing project in Philippi and which were used to inform the subdivision layout. These unit types have however become redundant (due partly to government requiring energy efficiency in buildings) and replaced by the unit types attached as Annexure G. These revised units are a better product, aesthetically more attractive with a wider range of typologies. The revised unit types are also more suitable in addressing the requirements of Council's Urban Design Section with regard to blank facades facing public streets and open spaces. It must however be noted that the unit types are indicative of what can be built and not necessarily what will be built.
- 7.46 Building plans for any building work on the property will be required to comply with the zoning scheme requirements and the National Building Regulations and Building Standards Act.
- 7.47 This Department is of the opinion that this proposal will not impact negatively on the value of the surrounding properties and the objectors have provided no proof to back up their claim regarding alleged property devaluation.
- 7.48 The proposal will result in the opportunity for additional private home ownership for which there is a growing need across all income groups. In any event, the allocation of housing is not a criterion for decision-making in terms of the Land Use Planning Ordinance.
- 7.49 The property is situated some distance from the Urban Edge. There will be no impact on the National Park and/or World Heritage Site.
- 7.50 The proposal will have no impact on the ability of the Department of Defence to use the existing legal rights of way.
- 7.51 There is no thoroughfare proposed through Glen Marine and with the proposed provision of a public transport facility on Dido Valley Road it is unlikely that there will be pedestrian traffic through the surrounding residential areas. This Department disagrees with the allegation that this proposal will affect security in Glen Marine.

8. REASONS FOR DECISION

Reasons for the recommended decision may be summarised as follows:

- The approval of this application is consistent with the Provincial Spatial Development Framework, Cape Town Spatial Development Framework, Southern District Plan, Simon's Town Structure Plan and the City's Densification Policy.
- The individual specialized departments support the development, subject to conditions.
- The proposal would not negatively impact on the surrounding community's health and safety.
- An Environmental Authorisation has been issued by the DEADP and the environmental issues have all been addressed.
- The proposal will not have a negative heritage impact.
- The proposed development will not result in any unacceptable traffic impact / congestion or unsafe traffic / pedestrian conditions, subject to the implementation of relatively minor mitigation measures.
- Sufficient services infrastructure capacity will be available to support the proposed development or the required services will be upgraded.
- The proposed development, with appropriate conditions will be of an appropriate scale and/or form that will relate to the surrounding natural and built environment.
- The proposed development would result in a more appropriate use of the subject property.
- The proposed development would not detract from any existing rights by way of overlooking, overshadowing or obstruction of primary views.
- The proposal will not impact significantly on the surrounding properties.
- The location of the development is far more appropriate and desirable than the area currently occupied by the Red Hill Informal Settlement.
- No negative impact on the existing road network is foreseen subject to the implementation of the relevant conditions.
- Adequate off-street parking will be provided.
- Measures to mitigate the risk of veld fires have been considered, and Council's Fire and Rescue Services has no objection to the proposal.
- The proposal does not lack desirability or impact on any existing rights and thus, in so far as the rezoning, subdivision and departures are concerned, complies with the approval requirements of the Land Use Planning Ordinance.

9. RECOMMENDATION / AANBEVELING / IZINDULULO

In view of the above, it is recommended that:

In die lig van die bostaande word daar aanbeveel dat:

Ngokuphathelele noku kungentla, kundululwe ukuba

- 9.1 The application for the rezoning of erven 448, 4621 & 4626 Simon's Town, from Undetermined Use Area and Single Residential Use Area to Subdivisional Area in terms of the transitional arrangements of the new Cape Town Zoning Scheme (to permit Group Housing Zone, Undetermined Use Area, General Residential Use Area, Single Residential Use Area and Business Use Area), **be approved** in terms of section 16 of the Land Use Planning Ordinance No. 15 of 1985, subject to the conditions contained in annexure A.

- 9.2 The application for the subdivision of erven 448, 4621 & 4626 Simon's Town, in accordance with the plan of subdivision LUM/67/448, **be approved** in terms of section 25 of the Land Use Planning Ordinance No.15 of 1985, subject to the conditions contained in annexure A.
- 9.3 The application for departures for erven 448, 4621 & 4626 Simon's Town in terms of the transitional arrangements of the new Cape Town Zoning Scheme, as set out in annexure A, **be approved** in terms of section 15 of the Land Use Planning Ordinance No.15 of 1985.
- 9.4 The application for the Consent of Council in terms of section 8.7 of the Simon's Town Zoning Scheme Regulations to permit; 11 Undetermined Use zoned erven to be used as Public Open Space, 1 Undetermined Use zoned erf to be used as a Public Walkway, 4 Undetermined Use zoned erven to be used for Public Road, 1 Undetermined Zoned erf to be used for a Public Transport Facility and 4 Undetermined Use zoned erven to be used for authority usage for electrical substations **be approved**.
- 9.5 The application for Consent of the Administrator in terms of section 8.7 of the Simon's Town Zoning Scheme Regulations to permit; 11 Undetermined Use zoned erven to be used as Public Open Space, 1 Undetermined use zoned erf to be used as a Public Walkway, 4 Undetermined Use zoned erven to be used for Public Road, 1 Undetermined Zoned erf to be used for a Public Transport Facility and 4 Undetermined Use zoned erven to be used for authority usage for electrical substations **be supported**, and the Competent Authority be advised accordingly.
- 9.1 Die aansoek om die hersonering van erf 448, 4621 en 4626 Simonstad van onbepaaldegebruik-gebied en enkelresidensiëlegebruik-gebied na onderverdelingsgebied ingevolge die oorgangsreëlings van die nuwe Kaapstadse soneringskema (om groepbehuisingssone, onbepaaldegebruik-gebied, algemeenresidensiëlegebruik-gebied, enkelresidensiëlegebruik-gebied en sakegebruik-gebied toe te laat) **goedgekeur word** ingevolge artikel 16 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, onderworpe aan die voorwaardes vervat in bylae A.
- 9.2 Die aansoek om die onderverdeling van erf 448, 4621 en 4626 Simonstad, in ooreenstemming met die onderverdelingsplan LUM/67/448, **goedgekeur word** ingevolge artikel 25 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, onderworpe aan die voorwaardes vervat in bylae A.
- 9.3 Die aansoek om afwykings ten opsigte van erf 448, 4621 en 4626 Simonstad ingevolge die oorgangsreëlings van die nuwe Kaapstadse soneringskema, soos uiteengesit in bylae A, **goedgekeur word** ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985.
- 9.4 Die aansoek om Raadsvergunning ingevolge artikel 8.7 van die Simonstadse soneringskemaregulasies om toe te laat dat 11 erwe gesoneer vir onbepaalde gebruik as openbare oop ruimte gebruik word, een erf gesoneer vir onbepaalde gebruik as 'n openbare voetpad gebruik word, vier erwe

gesoneer vir onbepaalde gebruik as openbare pad gebruik word, een erf gesoneer vir onbepaalde gebruik as 'n openbarevervoerfasiliteit gebruik word en vier erwe gesoneer vir onbepaalde gebruik, gebruik word vir owerheidsgebruik vir elektriese substasies, **goedgekeur word**.

- 9.5 Die aansoek om die administrateur se vergunning ingevolge artikel 8.7 van die Simonstadse soneringskema regulasies om toe te laat dat 11 erwe gesoneer vir onbepaalde gebruik as openbare oop ruimte gebruik word, een erf gesoneer vir onbepaalde gebruik as 'n openbare voetpad gebruik word, vier erwe gesoneer vir onbepaalde gebruik as openbare pad gebruik word, een erf gesoneer vir onbepaalde gebruik as 'n openbarevervoerfasiliteit gebruik word en vier erwe gesoneer vir onbepaalde gebruik, gebruik word vir owerheidsgebruik vir elektriese substasies, **gesteun word** en die bevoegde owerheid dienooreenkomstig ingelig word.
- 9.1 **Makuphunyezwe** isicelo sokwahlulwa kwakhona kwiziza-448, 4621 & 4626 Simon's Town, kwiNdawo eZingamiselwanga kuSetyenziswa kunye neeNdawo eziSetyenziselwa ukuhlala eZizodwa ukuya kwiiNdawo eZohlulahlulweyo kwiziza-448, 4621 & 4626 Simon's Town, ngokungqinelana namalungiselelo enguqulelo eQumrhu loKwahlulwa kweMimandla emitsha kwiDolophu yaseKapa (kuvumeleke uKwahlulwa kweMimandla eliQela, neeNdawo eZingamiselwanga kuSetyenziswa, lndawo zaSekuhlaleni jikelele neeNdawo eziSetyenziselwa uRhwebo), ngokungqinelanga necandelo 16 loMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb. 15 wango-1985, ngokuxhomekeke kwimiqathango ekhankanywe kwiSihlomelo A.
- 9.2 **Makuphunyezwe** isicelo sokwahlulwa-hlulwa kwiziza-448, 4621 & 4626 Simon's Town, ngokweplani yeSahlulo se-LUM/67/448, ngokungqinelana necandelo 25 loMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb. 15 wango-1985, ngokuxhomekeke kwimiqathango ekhankanywe kwisihlomelo A.
- 9.3 **Makuphunyezwe** isicelo sokunduluka kwiziza-448, 4621 & 4626 Simon's Town, ngokungqinelana namalungiselelo enguqulelo eQumrhu loKwahlulwa kweMimandla emitsha kwiDolophu yaseKapa njengokuba kukhankanyiwe kwisihlomelo A, ngokuhambelana necandelo 15 loMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb. 15 wango-1985.
- 9.4 **Makuphunyezwe** isicelo seBhunga leMvume ngokungqinelana necandelo 8.7 leMimiselo yeQumrhu elinika imvume yoKwahlulwa kweMimandla eSimon's Town; kwiziza ezili-11 eZingamiselwanga kuSetyenziswa ukuba zisetyenziswe njengeNdawo eVulelekileyo kuWonke-wonke, kwiziza esi-1 eSingamiselwanga kuSetyenziswa ukuba sisetyenziswe njengendlela yokuHamba kaWonke-wonke, iziza ezi-4 eZingamiselwanga kuSetyenziswa ukuba zisetyenziswe njeNdlela kaWonke-wonke, isiza esi-1 eSingamiselwanga kuSetyenziswa Sisetyenziswe njengeZiko leZithuthi likaWonke-wonke kunye neziza ezi-4 eZingamiselwanga kuSetyenziswa ziSetyenziswe ngabasemagunyeni njengezitishi zombane ezizodwa.

- 9.5 **Makuxhaswe** isicelo seMvume yoMphathi ngokungqinelana necandelo 8.7 leMimiselo yeQumrhu elinika imvume yoKwahlulwa kweMimandla eSimon's Town; kwiziza ezili-11 eZingamiselwanga kuSetyenziswa ukuba ziSetyenziswe njengeNdawo eVulelekileyo kuWonke-wonke, kwiziza esi-1 eSingamiselwanga kuSetyenziswa ukuba sisetyenziswe njengendlela yokuHamba kaWonke-wonke, iziza ezi-4 eZingamiselwanga kuSetyenziswa ukuba zisetyenziswe njeNdlela kaWonke-wonke, isiza esi-1 eSingamiselwanga kuSetyenziswa Sisetyenziswe njengeZiko leZithuthi likaWonke-wonke kunye neziza ezi-4 eZingamiselwanga kuSetyenziswa ziSetyenziswe ngabasemagunyeni njengezitishi zombane ezizodwa kwanokunika iingcebiso ezifanelekileyo kwabaseMagunyeni abaneZakhono zoKwenziwa koMsebenzi.

ANNEXURES

Annexure A	Departures and proposed conditions to be imposed
Annexure B	Locality plan and public participation map
Annexure C	Land use map
Annexure D	Zoning map
Annexure E	Advertised plan of subdivision
Annexure F	Amended plan of subdivision LUM/67/448
Annexure G	Advertised and revised house types
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Annexure V	Heritage impact assessment
Annexure W	Traffic impact assessment
Annexure X	Geohydrological assessment
Annexure Y	Freshwater screening report
Annexure Z	Engineering reports
Annexure ZA	Environmental Authorisations from DEADP
Annexure ZB	Heritage Western Cape's Records of Decision
Annexure ZC	Letter from the Department of Transport and Public Works
Annexure ZD	Internal departmental comments received
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P.H.
Section Head : Land Use Management

Comment

Name P. Hoffa

Tel no 021 4447724

Date 07/10/2014

Report compliant with Council's System of Delegation, policies, by-laws and all relevant legislation relating to the matter being considered

Report non-compliant

ACTWA

P.H.
District Manager

Name P. Hoffa

Comment

Tel no 021 4447724

Date 07/10/2014