

**MINUTES: CITY OF CAPE TOWN MUNICIPAL
PLANNING TRIBUNAL: NORTH EASTERN
REGIONAL PANEL**

09 APRIL 2019

- MINUTES -

**OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING TRIBUNAL: NORTH
EASTERN REGIONAL PANEL MEETING HELD ON TUESDAY, 09 APRIL 2019, IN
BELLVILLE COUNCIL CHAMBERS, VOORTREKKER ROAD, BELLVILLE AT 10:00.**

PRESENT:

MEMBERS:

Mr. S Holden (Chairperson)
Mr. G Underwood
Mr. R Cronwright
Mr. P Koekemoer
Ms. N Titus

COUNCILLORS:

Cllr W Jafra
Cllr L van der Walt
Cllr C Janse van Rensburg

OFFICIALS:

Mr J van der Westhuizen	-	Development Management
Mr S van Rensburg	-	Development Management
Ms T Kotze	-	Development Management
Ms F Benting	-	Development Management
Ms. P Jansen	-	Subcouncil 6 Manager
Ms X Ndwayana	-	Subcouncil 6

PUBLIC AND PRESS:

Mr D Loots
Ms E Rodrigues
Mr J Lech
Ms K van Zyl
Mr T Rodrigues
JJ van Tonder
G van Tonder
M Alexander
K Alexander
Ms E van Zyl (DRDLR)
Mr M Dlamini (DRDLR)
Mr T Mthethwa (DRDLR)

**MINUTES: CITY OF CAPE TOWN MUNICIPAL
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COMMITTEE SERVICES:

Mr Danfred Pheiffer - Benjamin
Mr W Etzebeth

MPTNE 01/04/19 OPENING AND MOMENT OF SILENCE

The Chairperson, Mr S Holden, declared the meeting opened and welcomed all present to the meeting of the North Eastern panel of the MPT. He requested that a moment of silence be observed.

NOTED.

MPTNE 02/04/19 APOLOGIES / LEAVE OF ABSENCE

That it **BE NOTED** that apologies for not being able to attend this meeting, have been received from

Cllr C Visser
Cllr D Visagie
Mr D Daniels (Chairperson)

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

MPTNE 03/04/19 DECLARATION OF INTEREST

That it **BE NOTED** that no members, of the Municipal Planning Tribunal North Eastern region have declared any interest.

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

MPTNE 04/04/19 DECLARATION THAT AGENDA HAS BEEN READ

That it **BE NOTED** that the declaration that the agenda has been read, has been signed by all members.

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

**MPTNE 05/04/19 NOTING OF CONFIRMED MINUTES OF PREVIOUS MEETING:
12 MARCH 2019**

That the confirmed minutes of the previous meeting held on 12 March 2019, **BE NOTED.**

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

MPTNE 06/04/19 MATTERS RECEIVING ATTENTION

None

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

MPTNE 07/04/19 WARD 02: APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: ERF 3712, PAROW, 64 TONER-NORTH STREET, OOSTERZEE

Ms. T Kotze introduced the item

The applicant Mr. D Loots made an oral submission; the presentation is attached to the official minutes as Addendum A

The objector Mr. J Lech made an oral submission, the presentation is attached to the official minutes as Addendum B

The applicant was given an opportunity to respond

After extensive discussion the MPTNE Panel refused the application by 3 votes to 2. The parties were informed of their right to appeal.

RESOLVED

- a. That the application for consent use in respect of erf 3712, Parow to allow for the erection of a 25 m high freestanding mast and telecommunication base station **BE REFUSED** in terms of Section 98(c) of the Municipal Planning By-law, 2015.
- b. That the application for permanent departure in respect of erf 3712, Parow involving the relaxation of the 5 m street building line to 2 m **BE REFUSED** in terms of Section 98(c) of the Municipal Planning By-law, 2015.

REASONS FOR DECISION:

The MPT **REFUSED** the application for the reasons set out in the planner's report

FOR INFORMATION:

ACTION: D STEVENS / T KOTZE

**MPTNE 08/04/19 WARD 5 : APPLICATION FOR CONSENT USE AND
PERMANENT DEPARTURES IN TERMS OF THE CITY OF CAPE
TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 29752, 12
LINCOLN STREET, BOSTON, BELLVILLE**

After some discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY

That the application for consent use to operate a guest house from Erf 29752, Bellville, Boston, **BE APPROVED** in terms of Section 98(b) of the Municipal Planning By-law, 2015, subject to the conditions attached as annexure A.

Conditions 2.1 and 2.2 are amended as follows:

- 2.1 That the use of the property shall be operated in general accordance with the Site Development Plan attached as Annexure B and that Landscaping be depicted on such Site Development Plan to the satisfaction of the authorized official
- 2.2 That the number of guest bedrooms is limited to 10 at any given time

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons in the Planner's report and added two additional reasons that read as follows:

- 7.1.6 This is a sustainable use of a large property
- 7.1.7 The traffic generation will generally be off peak which will have a negligible impact.

FOR INFORMATION:

ACTION: E PIENAAR / T KOTZE

**MPTNE 09/04/19 WARD 8: PROPOSED APPLICATION FOR THE DELETION OF
RESTRICTIVE TITLE DEED CONDITIONS AND DELETION OF
EXISTING CONDITIONS OF APPROVAL IN TERMS OF THE
CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015:
ERF 178, KUILS RIVER (STELLENBOSCH), 11 ANNANDALE
ROAD, SONEIKE I**

After some discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY

- a. That the application for the deletion of conditions B. (5) and (6) (a-d) from Title Deed No: T22746/2016 in respect of Erf 178 Kuils River (Stellenbosch) **BE APPROVED** in terms of Section 98 (b) of the Municipal Planning By-law, 2015.

APPLICATIONS GRANTED

Application 1.2 is deleted

Condition 2.1 is deleted

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons in the Planner's report except reason 7.1.3 which is deleted and 7.1.4 which is amended as follows:

- 7.1.4. The removal of the conditions will accord with the principles and provisions contained in SPLUMA and LUPA

FOR INFORMATION:

ACTION: J DIDO / T KOTZE

MPTNE 10/04/19 APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL AND PERMANENT DEPARTURES IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 651, GERSHAM, KUILSRIVIER (1 FROST DRIVE, ON THE CORNER OF NEW NOOIENSTON ROAD AND BELHAR DRIVE)

After some discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY that:

- a. The application for amendment of conditions 2.1 to 2.4, 2.9 and 2.10, as imposed by the City with the approval (on 13 June 2017) of the rezoning application in respect of erf 651, Kuilsrivier, **BE APPROVED** in terms of Section 98(b) of the Cape Town Municipal Planning By-law, 2015, subject to further conditions attached as Annexure A.

The conditions herewith amended to read as follows:

Condition 2.1

That a detailed Site Development Plan (SDP) for the proposed development be submitted for approval by the Director: Development Management, or his/her delegates, prior to building plan submission. The SDP shall be substantially in accordance with the preliminary SDP, drawn by Mack Architecture, consisting of 7 sheets (no's 1-1 to 1-7 revision 8), dated 30 November 2017, and must include the following as part of the "package of plans/documents" to accompany the SDP.

Condition 2.2

That the development be restricted to 90 units.

Condition 2.3

That a minimum of 112 on-site parking bays be provided in accordance with the preliminary SDP, drawn by Mack Architecture, consisting of 7 sheets (no's 1-1 to 1-7 revision 8), dated 30 November 2017.

Condition 2.4

That 22 parking bays be signed/marked as visitors parking bays.

Condition 2.9

The Development Charges have been determined at R 2 717 462.66 and is subject to annual escalation up to date of payment. The amount payable will therefore be the amount as calculated at the time that payment is made.

Condition 2.10

Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units (i.e. more than 90 units), will result in the recalculation of the Development Charges based on the proposed total number of units.

- b. The application for permanent departure in respect of erf 651, Kuilsrivier, **BE APPROVED** in terms of Section 98(b) of the Cape Town Municipal Planning By-law, 2015, in order to allow the relaxation of the 4,5m street building line along Frost Drive to 0,0m for the construction of a gatehouse and 3,0m for a 3 storey apartment building, in accordance with the preliminary SDP, drawn by Mack Architecture, consisting of 7 sheets (no's 1-1 to 1-7 revision 8), dated 30 November 2017.

- c. The application for permanent departure in respect of erf 651, Kuilsrivier, **BE APPROVED** in terms of Section 98(b) of the Cape Town Municipal Planning By-law, 2015, in order to allow the relaxation of the 5,0m street building line along New Nooiensfontein Road to 2,5m for the construction of a 4 storey apartment building, in accordance with the preliminary SDP, drawn by Mack Architecture, consisting of 7 sheets (no's 1-1 to 1-7 revision 8), dated 30 November 2017.
- d. The application for permanent departure in respect of erf 651, Kuilsrivier, **BE APPROVED** in terms of Section 98(b) of the Cape Town Municipal Planning By-law, 2015, in order to allow the relaxation of the 5,0m street building line along Belhar Drive to 2,0m for the construction of a 4 storey apartment building, in accordance with the preliminary SDP, drawn by Mack Architecture, consisting of 7 sheets (no's 1-1 to 1-7 revision 8), dated 30 November 2017.
- e. The application for permanent departure in respect of erf 651, Kuilsrivier, **BE APPROVED** in terms of Section 98(b) of the Cape Town Municipal Planning By-law, 2015, in order to allow the provision of 112 on-site parking bays in lieu of the required 180 bays, in accordance with the preliminary SDP, drawn by Mack Architecture, consisting of 7 sheets (no's 1-1 to 1-7 revision 8), dated 30 November 2017.

Condition 2.1 is amended as follows:

- 2.1 That all the conditions imposed by the City with the approval on 13 June 2017 of the application for rezoning and permanent departures in respect of the property excluding those conditions amended under recommendation 8.1, shall be complied with, where and when still applicable

Additional Conditions

- 2.1.1 That the conditions amended under recommendation 8.1 are also part of the approval conditions.

Note: Annexure A folio 334, under condition 2.1.2

That such a Landscaping Plan must take cognisance of the interface with the street and neighbouring properties.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons in the Planner's report

FOR INFORMATION:

ACTION: J LOOTS / T KOTZE

MPTNE 11/04/19 WARD 2: APPLICATION FOR DELETION OF RESTRICTIVE TITLE DEED CONDITIONS, DELETION OF CONDITIONS OF APPROVAL AND PERMANENT DEPARTURE IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 7810, 13 HARMONIE STREET, BOSBELL, BELLVILLE

After some discussions the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY

That the application for the deletion of conditions D(1)(A)(c) and D(1)(A)(d) in the Title Deed, No. T13583/2012 in respect of erf 7810, Bellville, **BE APPROVED** in terms of Section 98(b) of the City of Cape Town Municipal Planning By-law, 2015.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons in the Planner's report

FOR INFORMATION:

ACTION: J LOOTS / T KOTZE

MPTNE 12/04/19 WARD 12: APPLICATION FOR PERMANENT DEPARTURE IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 24762, BELLVILLE, 9 MORGENZON STREET, BELHAR EXT 16.

After some discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY that:

That the application for permanent departures in respect of Erf 24762, Bellville to permit encroachment of the 3.5m street building line and 3.0m common boundary building line to 0.0m and 2.0m respectively to permit a carport and dwelling extensions (ground & first floor), **BE APPROVED** in terms of Section 98 (b) of the City of

Cape Town Municipal Planning By-Law, 2015, in accordance with the site layout plan attached as Annexure B.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out in the Planner's report

FOR INFORMATION:

ACTION: Z MFEYA / T KOTZE

MPTNE 13/04/19 WARD 27: APPLICATION FOR PERMANENT DEPARTURE IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 7171, GOODWOOD, 18 SPENCER STREET, GOODWOOD ESTATE

After discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY

That the application for permanent departures in respect of erf 7171, Goodwood, involving the relaxation of the 3 m common boundary building line to 2 m and increasing the permissible bulk of 1.0 to 1.07, to allow for a dwelling house, second dwelling unit and domestic staff quarters **BE APPROVED** in terms of Section 98(b) of the City of Cape Town Municipal Planning By-law, 2015 in accordance with the site plan no 004/2018 dated 14 March 2018 attached as Annexure C, subject to the conditions as stipulated in Annexure A.

Condition 2.1 is deleted

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons in the Planner's report

FOR INFORMATION:

ACTION: D STEVENS / T KOTZE

MPTNE 14/04/19 WARD 22: APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: ERF 11986, PAROW, 37 HENNIE FORTUIN CRESCENT, RAVENSMEAD

After discussion the MPTNE Panel refused the application

RESOLVED UNANIMOUSLY

- a. That the application for consent use in respect of erf 11986, Parow to allow for the erection of a 25 m high freestanding mast and telecommunication base station **BE REFUSED** in terms of Section 98(c) of the Municipal Planning By-law, 2015.
- b. That the application for permanent departure in respect of erf 11986, Parow involving the relaxation of the 5 m street building line to 2 m **BE REFUSED** in terms of Section 98(c) of the Municipal Planning By-law, 2015.

REASONS FOR DECISION:

The MPT **REFUSED** the application for the reasons in the Planner's report and added an additional reason 7.1.4 which reads as follows:

- 7.1.4 There are other opportunities for co-location existing in the neighborhood.

FOR INFORMATION:

ACTION: D STEVENS / T KOTZE

MPTNE 15/04/19 APPLICATION FOR THE DETERMINATION OF AN ADMINISTRATIVE PENALTY IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015 (MPBL) IN RESPECT OF ERF 6236, PAROW, 23 AKASIA AVENUE

After some discussion the MPTNE Panel increased the penalty

RESOLVED UNANIMOUSLY

That an administrative penalty in the amount of R 5000 **BE DETERMINED** in terms of Section 129 of the City of Cape Town Municipal Planning By-Law, 2015 in respect of Erf 6236, Parow in accordance with site plan attached as Annexure B.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reason set out in the planner's report and added an additional reason 3 which reads as follows:

3. The duration of the contravention is short and the gravity is not regarded as being serious

FOR INFORMATION:

ACTION: B ABAY / T KOTZE

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MPTNE 16/04/19 WARD 112: APPLICATION FOR CONSENT AND PERMANENT BUILDING LINE DEPARTURE IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: ERF 919, VAN DER BYL AVENUE, DURBANVILLE

After some discussion the panel approved the application

RESOLVED UNANIMOUSLY

- a. That the application for consent to permit a Place of Instruction (ECD) on Erf 919, Durbanville **BE APPROVED** in terms of Section 98 (b) of the Municipal Planning By-law, 2015 in accordance with the plan attached as Annexure C and subject to the conditions contained in Annexure A.
- b. That the Regulation departure from the western common building line from 5m to 3m to accommodate the Place of Instruction within the existing dwelling on Erf 919, Durbanville, **BE APPROVED** in terms of section 98 (b) of the Municipal Planning By-law, 2015, in accordance with the site plan attached as Annexure C.

Conditions 2.11 be deleted

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out in the Planner's report

FOR INFORMATION:

ACTION: A SMIT / S VAN RENSBURG

MPTNE 17/04/19 WARD 8: APPLICATION FOR AMENDMENT OF AN APPROVED CONDITION IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: ERF 21229, BRACKENFELL, 52 VREDEVELD STREET, BURGUNDY

After discussion the MPTNE Panel approved the application

UNANIMOUSLY RESOLVED

That the application for amendment condition, to erect a carport extension to 0m in lieu of the 1.5m side building line on erf 21229, Brackenfell, **BE APPROVED** in terms of Section 98 (b) of the Municipal Planning By-law, 2015, in accordance with the Site Layout Plan no 21229 dated 25-03-2018.



REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out in the Planner's report

FOR INFORMATION:

ACTION: F BENTING / S VAN RENSBURG

MPTNE 18/04/19 WARD 103: APPLICATION FOR PERMANENT DEPARTURE AND AMENDMENT OF AN APPROVED CONDITION IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 22259, 7 ST PETERS STREET, VATICAN VILLAS, KRAAIFONTEIN

After extensive discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY:

- a. That the application for a permanent departure to permit an additional driveway, **BE APPROVED** in terms of Section 98 (b) of the City of Cape Town Municipal Planning By-law, in accordance with Site Layout Plan KF22259-JOSSTE/HANNELIE dated 28 AUGUST 2017, attached as Annexure C.
- b. That the application for amendment of condition 3 of Council's Decision letter dated 12 September 2001 to permit a pre-cast colored screen wall along the internal street, **BE APPROVED** in terms of Section 98 (b) of the City of Cape Town Municipal Planning By-law, in accordance with Site Layout Plan KF22259-JOSSTE/HANNELIE dated 28 AUGUST 2017, attached as Annexure

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out as set out in the planner's report

FOR INFORMATION:

ACTION: F BENTING / S VAN RENSBURG



MPTNE 19/04/19 WARD 105: APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: PORTION 412 OF FARM 728 PAARL, JOOSTENBERGVLAKE, 24 CANARY STREET

After some discussion the MPTNE Panel refused the application by 4 votes to 1.

RESOLVED

That the application for the amendment of conditions in respect of an existing approval granted to permit an office and storage facility on portion 412 of Farm 728 Paarl Road, Joostenbergvlakte **BE REFUSED** in terms of section 98(c) of the Municipal Planning By-law, 2015 subject to Annexure A.

REASONS FOR DECISION:

The MPT **REFUSED** the application for the reasons set out in the Planner's report

FOR INFORMATION:

ACTION: A SOLOMBELA / S VAN RENSBURG

MPTNE 20/03/19 WARD 112: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS, DELETION OF RELEVANT TOWNSHIP CONDITIONS, REZONING, CONSOLIDATION AND DEPARTURES IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015: ERF 859 AND 860, VAN DER BYL AVENUE, DURBANVILLE

After some discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY that:

- a. The application for the Removal of Restrictive Title Conditions B(b), (c), (d), (g) and (h) of Title deed 669397/2017 relating to Erf 859, Durbanville **BE APPROVED** in terms of Section 98(b) of the City of Cape Town Municipal Planning By-Law, 2015.
- b. The application for the Removal of Restrictive Title Conditions B(b), (c), (d), (g) and (h) of Title deed 2192/2018 relating to Erf 860, Durbanville **BE APPROVED** in terms of Section 98(b) of the City of Cape Town Municipal Planning By-Law, 2015.

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- c. The application for the Deletion of Conditions in respect of an existing approval relating to Erven 859 and 860, Durbanville **BE APPROVED** in terms of Section 98(b) of the City of Cape Town Municipal Planning By-Law, 2015.
 - d. The application for Consolidation of Erven 859 and 860, Durbanville **BE APPROVED** in terms of Section 98 (b) of the Municipal Planning By-law, 2015, in accordance with the attached Annexure D.
 - e. The application for Rezoning of Erven 859 and 860, Durbanville, from Single Residential Zone 1 (SR1) to General Residential Subzoning 4 (GR4) **BE APPROVED** in terms of Section 98 (b) of the Municipal Planning By-law, 2015, in accordance with the attached Annexure C and subject to the conditions contained in Annexure A.
 - f. The application for Permanent Departure to permit the lower ground floor to be set back 0m in lieu of 4.5m from the street boundaries **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw in accordance with the attached Annexure C.
 - g. The application for Permanent Departure to permit the lower ground floor to be set back 0m in lieu of 4.5m (after 18m from the street boundary) from the common boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - h. The application for Permanent Departure to permit the upper ground floor covered patios to be set back 3m in lieu of 4.5m from the Van der Byl street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - i. The application for Permanent Departure to permit the upper ground floor (covered patios) to be set back 3m in lieu of 4.5m from the Windell street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - j. The application for Permanent Departure to permit the upper ground floor (covered patios) to be set back 3m in lieu of 4.5m from the Oxford street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw in accordance with the attached Annexure C.

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- k. The application for Permanent Departure to permit the upper ground floor (parking level) to be set back 0m in lieu of 4,5m (after 18m from the street boundary) from the common boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - l. The application for Permanent Departure to permit the first floor (balconies) building to be set back 3m in lieu of 4,5m from the Van Der Byl street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - m. The application for Permanent Departure to permit the first floor (balconies) building to be set back 3m in lieu of 4,5m from the Windell street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - n. The application for Permanent Departure to permit the first floor (balconies) building to be set back 3m in lieu of 4,5m from the Oxford street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - o. The application for Permanent Departure to permit the first floor (balconies) building to be set back 3m in lieu of 4,5m (after 18m from the street boundary) from the common boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - p. The application for Permanent Departure to permit the second floor (balconies and portions of unit) building to be set back 3m in lieu of 6m from the Van Der Byl street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - q. The application for Permanent Departure to permit the second floor (balconies and portions of unit) building to be set back 3m in lieu of 6m from the Windel street boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.
 - r. The application for Permanent Departure to permit the second floor (balconies and portions of unit) building to be set back 3m in lieu of 6m from the Oxford street boundary



BE APPROVED in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.

- s. The application for Permanent Departure to permit the second floor (balconies and portions of unit) building to be set back 3m in lieu of 6m (after 18m from the street boundary) from the common boundary **BE APPROVED** in terms of 98 of the Municipal Planning Bylaw, in accordance with the attached Annexure C.

Conditions 2.1 and 2.2 are amended as follows:

DEVELOPMENT MANAGEMENT

Condition 2.1 be deleted

Conditions be re numbered accordingly 2.2 becomes 2.1

- 2.1 That a maximum of 62 dwelling units shall be constructed on the property.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out in the Planner's report except reason 7.8 which is amended as follows:

- 7.8. The building line departures are not regarded to have an adverse impact on the surrounding properties considering the contribution thereof to the positive urban design aspects and articulation of the architecture, as well as the height and placement of the building as addressed in paragraph 6 of the MPT report.

FOR INFORMATION:

ACTION: A SMIT / S VAN RENSBURG

MPTNE 21/04/19 WARD 21: APPLICATION FOR CONSENT USE TO PERMIT A PLACE OF INSTRUCTION IN TERMS OF THE MUNICIPAL PLANNING BY-LAW, 2015:ERF 2221 EVERSDALE, 15 TULIP STREET EVERS DAL

After some discussion the MPTNE Panel approved the application

RESOLVED UNANIMOUSLY

That the application for a consent use to permit a Place of Instruction (aftercare) on Erf 2221, Eversdale **BE APPROVED** in

terms of section 98 (b) of the Municipal Planning By-law, 2015, in accordance with the plan attached as Annexure C, subject to the conditions contained in Annexure A.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out in the Planner's report

FOR INFORMATION:

ACTION: A SOLOMBELA / S VAN RENSBURG

MPTNE 22/04/19 WARD 103: APPLICATION FOR ADMINISTRATIVE PENALTY IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015 (MPBL) IN RESPECT OF ERF 18470, 18 PATULA CRESCENT, LANGEBOEG RIDGE, KRAAIFONTEIN

After some discussion the MPTNE Panel approved the penalty

RESOLVED UNANIMOUSLY

That an administrative penalty in the amount of R600.00 **BE DETERMINED** in terms of Section 129 of the City of Cape Town Municipal Planning By-Law, 2015 in respect of Erf 18470, Kraaifontein.

REASONS FOR DECISION:

The MPT **APPROVED** the application for the reasons set out in the Planner's report and added an additional reason 6.5 which reads as follows:

6.5 The duration is relatively short.

FOR INFORMATION:

ACTION: F BENTING / S VAN RENSBURG

MPTNE 23/04/19 Ward 105: APPLICATION FOR ADMINISTRATIVE PENALTY IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015 (MPBL) IN RESPECT OF ERF 5818, 11 SHILLING STREET, VIERLANDEN, DURBANVILLE

After some discussion the MPTNE Panel approved the penalty

RESOLVED UNANIMOUSLY

That an administrative penalty in the amount of R16 458 **BE DETERMINED** in terms of Section 129 of the City of Cape Town Municipal Planning By-Law, 2015 to use a portion of Erf 5818, Durbanville for a doggy day-care facility.

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REASONS FOR DECISION:

The MPT APPROVED the application for the reasons set out in the Planner's report

FOR INFORMATION:

ACTION: F BENTING / S VAN RENSBURG

MPTNE 24/04/19 DATE OF NEXT MEETING

That it BE NOTED that the next meeting will be held on 14 May 2019 at 10:00 in Council Chamber, Bellville Civic Center.

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

MPTNE 26/04/19 CLOSING OF MEETING

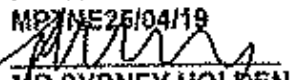
That it BE NOTED that the meeting closed at 12:30

FOR INFORMATION:

ACTION: DANFRED PHEIFFER-BENJAMIN

Items were discussed in the following order:

MPTNE01/04/19	MPTNE02/04/19	MPTNE03/04/19
MPTNE04/04/19	MPTNE05/04/19	MPTNE06/04/19
MPTNE12/04/19	MPTNE07/04/19	MPTNE19/04/19
MPTNE08/04/19	MPTNE09/04/19	MPTNE10/04/19
MPTNE11/04/19	MPTNE13/04/19	MPTNE14/04/19
MPTNE16/04/19	MPTNE16/04/19	MPTNE17/04/19
MPTNE18/04/19	MPTNE20/04/19	MPTNE21/04/19
MPTNE22/04/19	MPTNE23/04/19	MPTNE24/04/19
MPTNE25/04/19		


MR SYDNEY HOLDEN
CHAIRPERSON

11/4/2019
DATE