



REPORT TO: **MUNICIPAL PLANNING TRIBUNAL**

ITEM NO

**WARD 01: APPLICATION FOR DELETION OF A RESTRICTIVE TITLE CONDITION, AMENDMENT OF CONDITIONS RELATED TO AN EXISTING APPROVAL AND CONSENT USE IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015: ERF 659, GOODWOOD, 2 BOTHMA STREET, MONTE VISTA**

**MPTNE22/11/18**

Case ID	70419434
Case Officer	Darrel Stevens
Case Officer phone number	021 444 7510
District	Tygerberg
Ward	01
Ward Councillor	Cheryl Visser
Report date	22 October 2018

**1. EXECUTIVE SUMMARY**

Property description	Erf 659, Goodwood
Property address	2 Bothma Street, Monte Vista
Application components / description	For the deletion of restrictive title conditions to allow for a consent use to be operated from a section of the existing dwelling. The consent use is for a place of instruction, n.l. an Early Childhood Development Centre, accommodating 30 children.
Site extent	771 m <sup>2</sup>
Current zoning	Single Residential 1
Current land use	Dwelling house
Overlay zone applicable	None
PHRA or SAHRA heritage	None
Public participation outcome summary	12 objections were received against the application.
<b>Recommended decision</b>	
Approval	<input checked="" type="checkbox"/>
Refusal	<input type="checkbox"/>
Approval in part & Refusal in part	<input type="checkbox"/>

**2. BACKGROUND FACTS**

None.

**3. SUMMARY OF APPLICANT'S MOTIVATION**

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

- The intension is to utilize a portion of the existing dwelling house as a place of instruction between the hours of 07:00 until 17:30, which is being restricted by certain title deed conditions, that are 71 years old.
- The ECD will provide a huge social benefit to parents and their kids by providing a safe care centre for the proposed 30 children.
- Due to the operating hours the neighbourhood won't be affected by any noise from the children, as most people will be at work.
- There will be sufficient parking on the property, which means that there will be no parking occurring in the street.

#### 4. PUBLIC PARTICIPATION

	Applicable	Dates / Comments
Advertising	Notice in the media (s81)	✓ Closing date: 22 October 2018
	Notice to a person (s82)	✓ Closing date: 22 October 2018
	Notice to Community organization (s83)	✓ Closing date: 22 October 2018
	Notice to Ward Councillor (s83)	✓ Closing date: 22 October 2018
	Notice of no objection (s84)	
	Notice to Provincial Government (s86)	
	Notice to an Organ of State (s87)	
	Public meeting	
Outcome	On-site display	✓ Closing date: 22 October 2018
	Objections	✓ 12 objections
	Objection petition	
	Support / No objection	
	Comments	
Ward Councillor response		

##### Summary of objections / comments/ support received

4.1. The objections received against the application (see Annexure E) may be summarised as follows:

- This peaceful and quiet neighbourhood, where there are many retired persons within close proximity, will be affected by the significant increase in noise levels with the proposed 30 children to be accommodated on the subject property.
- The proposed activity will also impact negatively of property sale value and the demand for these properties.
- There is not sufficient parking on the property, which will result in parking on-street and causing increase in traffic congestion.
- The property itself is too small to accommodate 30 children.
- The proposed activity will not align with the character of the area.
- There is a concern that the sanitary facilities within the existing dwelling would not be sufficient for the number of children and staff.

##### Summary of applicant's response to public participation

4.2. The applicant's response to objections received (see Annexure G) may be summarised as follows:

- In terms of the indoor and outdoor spaces it is considered to be in line with the prescribed requirements of relevant policies and laws.

- The children will only be playing outside for a period of 45 minutes, during which the possibility of a marginal increase in noise levels will occur. Noting that the intension is not to disrupt the neighbours.
- The parents won't pick-up or drop-off their children at the same time, whilst also not adding to any possible increase in traffic congestion, with sufficient on-site parking available.
- Having a ECD nearby might actually increase the desirability of families with children to want to buy in the area.
- There will still be a residential component, wherein the operator will reside.

## 5. BACKGROUND TO PROPOSAL

### Background

- 5.1. None.

### Description of the area / surrounding land uses

- 5.2. The Monte Vista suburb is predominantly a low density residential area, with ample public open spaces and small local business hubs. The area has a relatively flat topography. The immediate surrounding properties are all developed for dwelling houses.

### Property description

- 5.3. The subject property currently has a dwelling house and outbuildings related to the dwelling.

### Proposed development

- 5.4. The owner intends to convert a portion of the dwelling house and garage into a place of instruction, whilst retaining the remainder for residential occupation. This involves the relaxation of the relevant development rules as per the Development Management Scheme as well as the restrictive conditions of title, which the applicant has applied to delete.

## 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 correct application types have been applied for and the application was duly advertised in accordance with the Notification Operational Policy.
  - All the processes and procedures have been correctly undertaken.
  - This report was prepared by a registered planner as prescribed by Section 97(5) of the MPBL.
- 6.1.2. Compliance or consistence with the municipal spatial development framework;

The subject property is located within the incremental growth and consolidated areas, where development is encouraged as well as diversification of mono-use residential patterns.

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

**a. socio -economic impact;**

The ECD will employ 5 staff members and will thus be providing employment to the unemployed, whilst seeking to enroll at least 2 under privileged children, free of charge. This business activity will stimulate economic opportunities for other entrepreneurs who wants to partner with the ECD, i.e. Monkey Nastix, etc.

**b. compatibility with surrounding uses;**

As mentioned the subject property is located within a residential suburb and the surrounding properties are all low density residential properties. The intension is to retain the residential character of the dwelling house, as it will still be utilized as such with only converting a portion thereof and the garage for the ECD, which will be mainly internal alterations and only replacing the existing garage doors with windows. Thus from a visual aspect of compatibility the proposed is considered in line with the surrounding properties. In terms of land use the dwelling house measures approximately 190 m<sup>2</sup> in extent with only approximately 80 m<sup>2</sup> to be used for the ECD, which exclude the shared toilets between the 2 land uses. It is thus clear that in terms of use the proposed ECD will be minor in scale of use than that of the residential dwelling house and considered compatible with the surrounding uses. It should further be noted that the property is located along Kronenburg Street, which serves as a service road to Rothschild Boulevard, which is a distributor (dual lane) road and link from Monte Vista Boulevard and Giel Basson Drive. Thus although the property is located within the suburb of Monte Vista, it is considered on the periphery of the residential area in very close proximity to a major distributor road.

**c. Impact on the external engineering services;**

The relevant internal departments have indicated that there is sufficient capacity.

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

Not applicable.

**e. impact on heritage;**

Not applicable.

**f. Impact on the biophysical environment;**

Not applicable.

**g. traffic Impacts, parking, access and other transport related considerations; and**

Provision is made for 6 on-site parking bays, which is in line with the prescribed number of on-site parking bays for the land uses on the property of which 2 will be for residential and 4 for the place of instruction.

In terms of the Development Management Scheme a minimum of 1 bay per 10 children and a stop-and-go facility is required for a place of instruction. The application proposal was supported by the TDA: Development Control department.

- h. Conditions that can mitigate an adverse impact of the proposed land use.**  
Not applicable.

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

In terms of the Tygerberg District Plan the subject property is within an area earmarked for urban development, which allows for buildings and infrastructure with a residential purpose serving a dual purpose.

6.2.2. relevant criteria contemplated in the DMS

As there will be no additions to the existing dwelling house, the proposed is considered compliant to the Development Management Scheme regulations.

6.2.3. applicable policy or strategy approved by the City to guide decision making, in terms of the City of Cape Town's Policy for Early Childhood Development Centres (ECDC) approved during May 2013, the applicant's proposal is considered as a small-scale childcare facility as only 30 children will be accommodated on the property. The ECDC policy consideration criteria have been taken into account to ensure compliance with the said policy.

The total indoor floor area to be utilised for classrooms measures approximately 80 m<sup>2</sup> in extent, for the accommodation of 30 children aged between 1 - 6 years. The minimum indoor space required for the children is 1,5 m<sup>2</sup> per child, which for the 30 children would be 45 m<sup>2</sup>, which is less than the provided 80 m<sup>2</sup>. Provision is made for an outdoor play area, which measures a ±60 m<sup>2</sup> outdoor play area, which is in line with the prescribed of 60 m<sup>2</sup>, calculated a 2 m<sup>2</sup> per child. The proposed indoor and outplay areas is considered suitable for the proposed number of 30 children.

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

Please refer to paragraph 6.1.3 above.

6.2.5. other considerations prescribed in relevant national or provincial legislation.

Spatial Planning and Land Use Management Act (SPLUMA), 2013 and Land Use Planning Act (LUPA), 2014

The proposal is consistent with the "Development principles" of the Spatial Planning and Land Use Management Act (SPLUMA) as well as the "Land Use planning principles" of the Land Use Planning Act (LUPA). The principles within both are similar and contain broad statements for development with five main sections and include spatial justice, spatial sustainability, principles of efficiency and principles of good administration.

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

**Removal, suspension or amendment of a restrictive title condition**

- 6.3. When the Monte Vista township was created the Administrator of the Cape imposed certain conditions, which were inserted as title deed restrictions. At the time zoning schemes did not exist and thus title deed restrictions were the method used to achieve a particular look and feel of a township, in order to set the development parameters and uses permitted on the erf. These conditions, when read together, created a particular low density single dwelling residential character, with relatively large gardens and the dwelling being of a particular value.
- 6.4. Subsequent to the creation of the township, zoning schemes were established to regulate land use development and character within Cape Town. Further, with the creation of the City of Cape Town, development and spatial policies were created to guide spatial transformation of the City going forward, which included land use change and intensification in well located areas, which is the case with the subject property. These changes promote a different development form to those as were originally set out in the township's title deed.
- 6.5. The applicant has applied to remove the conditions relating to land use and development parameters. The rest of the conditions will remain in place.
- 6.6. When assessing whether or not to uplift these restrictions, the decision maker must have regard to the provisions in the MPBL, section 39 (5) of Land Use Planning Act and, where relevant, section 49 of Spatial Planning and Land Use Management Act (SPLUMA).
- 6.7. In s39(5) of LUPA you must have regard to:
  - 6.7.1. Financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal to vest in the person as the owner of the dominant tenement
    - The deletion of the restrictive conditions will increase the financial benefit to the holder of the rights as it would allow for the further development of the residential and as well as other possible consent use to its full potential. It is considered that there are no financial benefits to the dominant tenement of the conditions in that the look and feel intended for the area as a result of the development rules created by the title deed conditions are no longer applicable given the change

in the character of the area as a result of previous approvals and the implementation of various zoning schemes.

6.7.2. The personal benefits which accrue to the holder of the rights in terms of the restrictive condition

- It can be argued that given current planning legislation and the subject properties location, the restrictive conditions has little to no benefit to the holder's rights, hence the holder seeking to remove the conditions. The holders of the rights and surrounding property owners do not have much personal benefits given the change in the development rules over the years for the area and also the introduction of relevant zoning schemes. The personal benefits once held has over the years dissipated with the gradual change in the character of the area.

6.7.3. The personal benefits which will accrue to the person seeking the removal, suspension of the restrictive condition if it is removed, suspended or amended.

- The deletion of the restrictive conditions will also allow for converting the existing garage and a portion of the dwelling house into a place of instruction, which will allow the applicant/owner to reside on the property as well as operate a business activity, which bears personal and well as community benefits.

6.7.4. The social benefit of the removal, suspension or amendment of the restrictive condition

It is important to note that some of the properties in the Monte Vista have already undergone similar changes in land use in the past, which have proven not to be to the detriment of the surrounding social fabric. The facility being created would also create more accessible social facilities in appropriate locations.

6.7.5. Whether the removal, suspension or amendment of the restrictive condition will completely remove all the rights enjoyed by the beneficiary or only some of those rights

- The removal of these conditions in the title deed will not remove all the rights of the property owners in this Township. They still benefit from the remaining conditions in the title deed, as well as the rights conferred on them by the Development Management Scheme.

6.8. In s47 of SPLUMA;

- The deletion of the restrictive conditions will not amount to arbitrary deprivation of property as set out in section 25(1) of the Constitution.

6.9. Since the title deed conditions were imposed in terms of the Townships Ordinance, No 33 of 1934 application for the deletion of previous conditions of approval was also submitted for consideration.

**I am satisfied that the decision making criteria in Section 39(5) of the LUPA and Section 47 of SPLUMA have been complied with.**

## 7. REASONS FOR DECISION

7.1. Reasons for the recommended decision for **approval** relating to the application for the deletion of restrictive title conditions, amendment of conditions relating to

an existing approval, consent use and permanent departure may be summarised as follows:

- 7.1.1. The proposal complies with the Tygerberg District Plan in that the property is within an area identified for urban development.
- 7.1.2. Evaluated in terms of section 39(5) of LUPA and section 47 of SPLUMA and it is considered that the social benefit/public interest to the wider community and to the individual owner outweigh any benefits to the immediate property owners and those who are the beneficiaries of the restrictions.
- 7.1.3. The proposal is compatible with the changing land use character of the Monte Vista.
- 7.1.4. The proposal is not likely to have a detrimental impact on neighbouring property rights.
- 7.1.5. That the proposal is considered compliant with principles of section 99(3) of the Municipal Planning By-law.

## 8. RECOMMENDATION

In view of the above, it is recommended that:

- 8.1. The application for deletion of restrictive title conditions in respect of erf 659, Goodwood, relating to Subject B. (a) –(f) of Deed of Transfer no T 28568/2018 **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 CT\_2018 005 dated July 2018 attached as Annexure C, subject to the conditions contained in Annexure A.
- 8.2. The application for amendment of conditions relating to an existing approval in respect of erf 659, Goodwood, **be approved** in terms of Section 98(b) of the City of Cape Town Municipal Planning By-law, 2015.
- 8.3. The application for consent use in respect of erf 659, Goodwood, to allow for a place of instruction to accommodate 30 children **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 CT\_2018 005 dated July 2018 attached as Annexure C, subject to the conditions contained in Annexure A.

## ANNEXURES

Annexure A	Application details and approval conditions to be imposed
Annexure B	Locality map and Public participation map
Annexure C	Site plan
Annexure D	Applicant's motivation
Annexure E	Objections/comments/support received
Annexure F	Internal departmental comments
Annexure G	Applicant's response to objections
Annexure H	Title deed



1203

Registered Planner

Name:

Daryl Stoyas

*[Signature]*

Section Head

Name: Chad Newman

Tel no: 021 444 7525

Date: 29/10/2018

SACPLAN NO:

A/1641/2013

*[Signature]*

District Manager

T. A. BOOYSEN.

021 - 444 17840.

29/10/2018.

1204

# Annexure

# A

# ANNEXURE A

In this annexure:

"City" means the City of Cape Town

"The owner" means the registered owner of the property

"The property" means **erf 659, Goodwood**

"Bylaw" and "Development Management Scheme" has the meaning assigned thereto by the City of Cape Town Municipal Planning Bylaw, 2015 (as amended)

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

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

**CASE ID: 70419434**

## 1. APPLICATIONS GRANTED IN TERMS OF SECTION 98 (b) OF THE BYLAW

- 1.1. Deletion of restrictive title deed conditions
- 1.2. Amendment of conditions relating to an existing approval
- 1.3. Consent use for place of instruction from a portion of the property

## 2. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF SECTION 100 OF THE BYLAW

### 2.1. RELATING TO THE CONSENT APPROVAL

#### TDA: Development Management

- 2.1.1. That the place of instruction be used generally in accordance with the Site Layout Plan no CT\_2018 004, dated July 2018 attached as Annexure C.
- 2.1.2. That the place of instruction be limited to accommodate 30 children, with a maximum of 5 staff members involved in the daily operations.
- 2.1.3. That the hours of operation shall be between the hours of 07:00 till 17:30 from Mondays to Fridays.
- 2.1.4. That a minimum of 4 on-site parking bays shall be provided for on the property, in accordance with the Site Layout Plan no CT\_2018 004, dated July 2018 attached as Annexure C.
- 2.1.5. That the operator shall reside on the property.
- 2.1.6. That the no outdoor advertising signs be displayed on the premises, other than one unilluminated sign or notice, not projecting over the road reserve and not exceeding 0,2m<sup>2</sup> in area, indicating only the name and telephone number of the Early Childhood Development Centre. Such signage shall comply with Council's outdoor Advertising By-law.

# Annexure

# B



**Overview**

Erf: **659** District: **TYGEBERG**  
 Allotment: **GOODWOOD** Suburb: **MONTE VISTA**  
 Ward: **1** Sub Council: **3**



1:7 499

Notices Served



Support Received



Petition Signatory



Objections Received



Generated by:

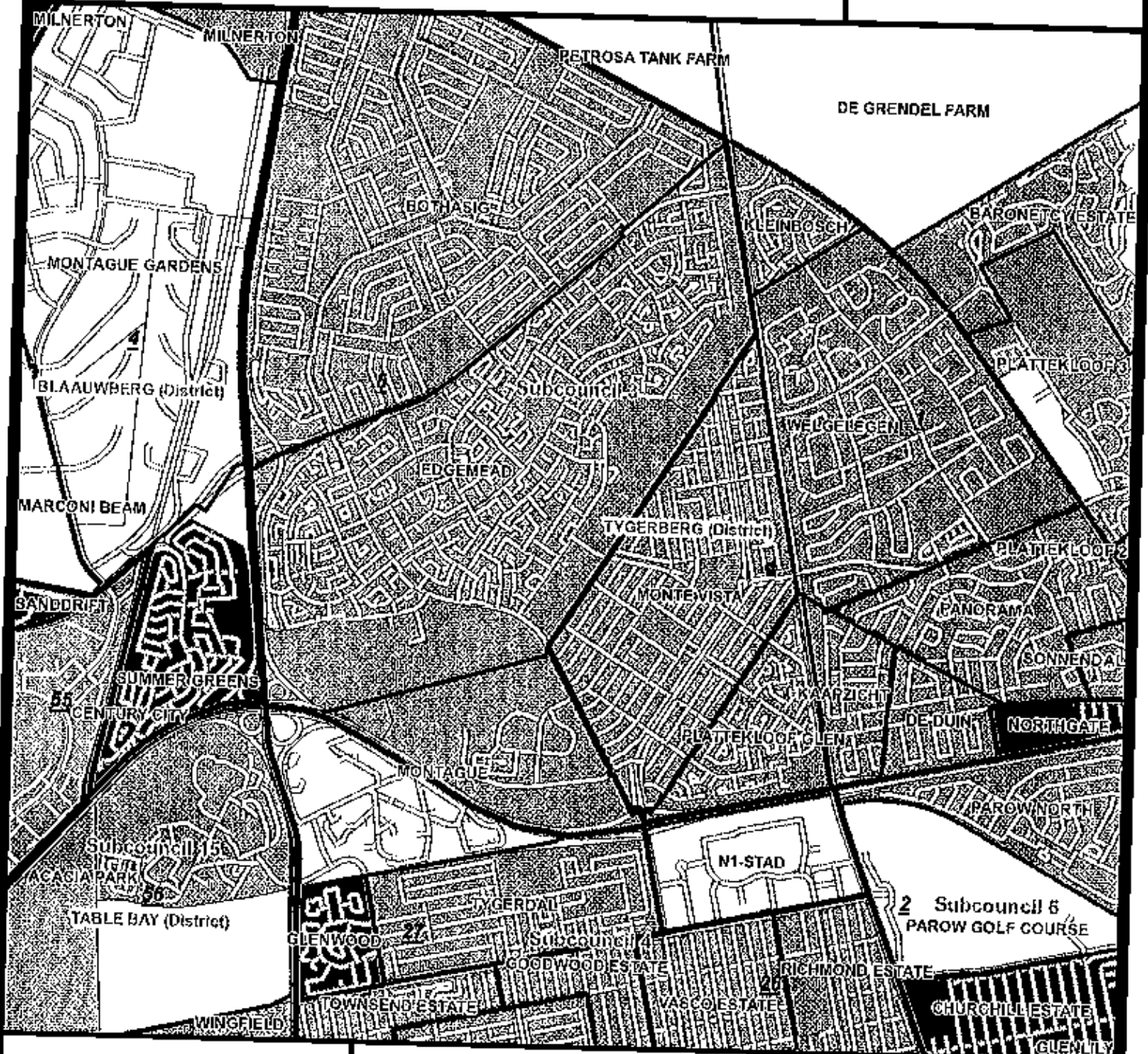
Date: Thursday, October 25, 2018

File Reference:



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

Making progress possible. Tiesedus.



Overview

Erf:	659	District:	Tygerberg
Allotment:	GOODWOOD	Suburb:	MONTE VESTA
Ward:	2	Sub Council:	3



1:29 995

Notices Served



Support Received



Petition Signatory



Objections Received



Generated by:

Date: Thursday, October 25, 2018

File Reference:



CITY OF CAPE TOWN  
 ISIXEKO SASEKAPA  
 STAD KAAPSTAD

Making progress possible. Together.

# Annexure

# C

ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL ELECTRICAL REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.

area of erf	753m <sup>2</sup>
perm coverage	60%
existing dwelling	150m <sup>2</sup>
percentage covered	35%
no of bathrooms	3
no of new garages	0

# HOUSE MAMOJOE

ERF 659 GOODWOOD CAPE TOWN

AS BUILT

1210

DATE: 11/08/2018

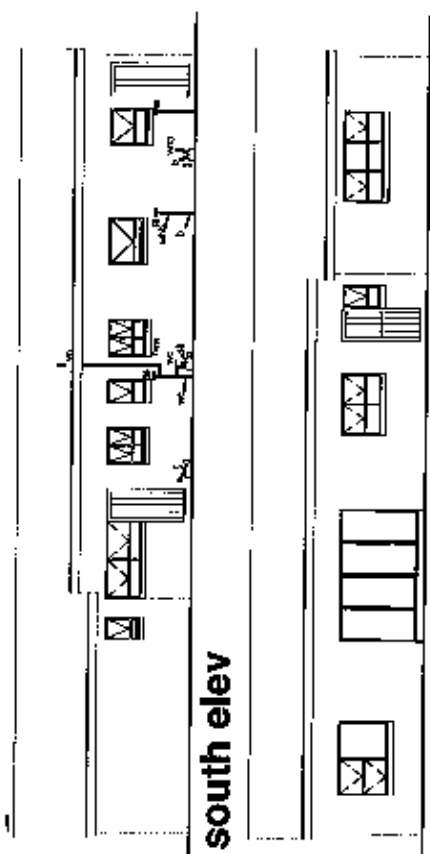
BY: [Signature]

PROJECT: [Signature]

SCALE: 1:1000

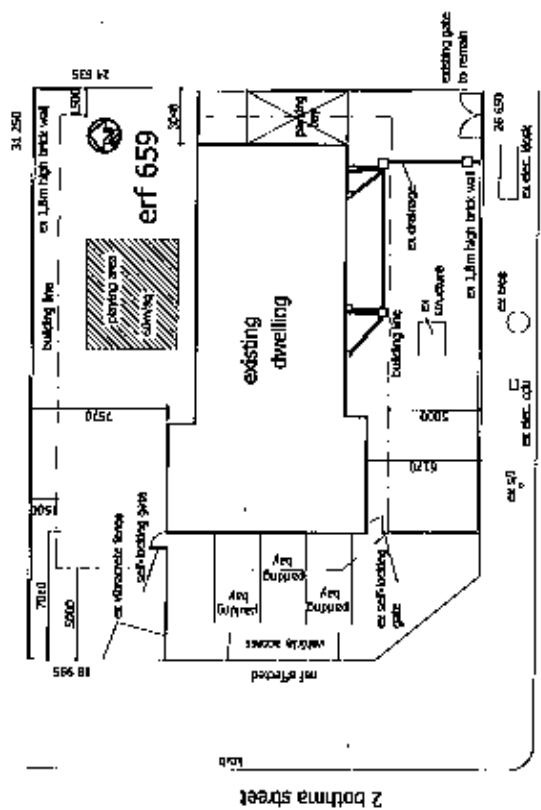
CT\_2018 005

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.



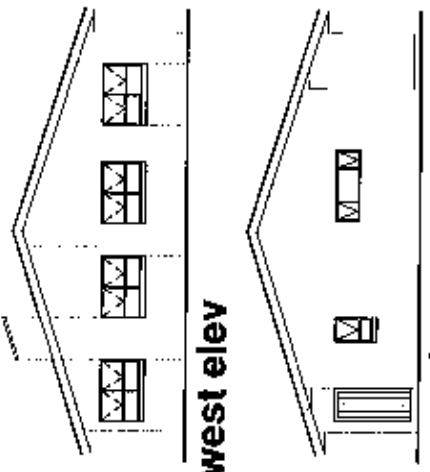
## amended

1. existing gate to remain

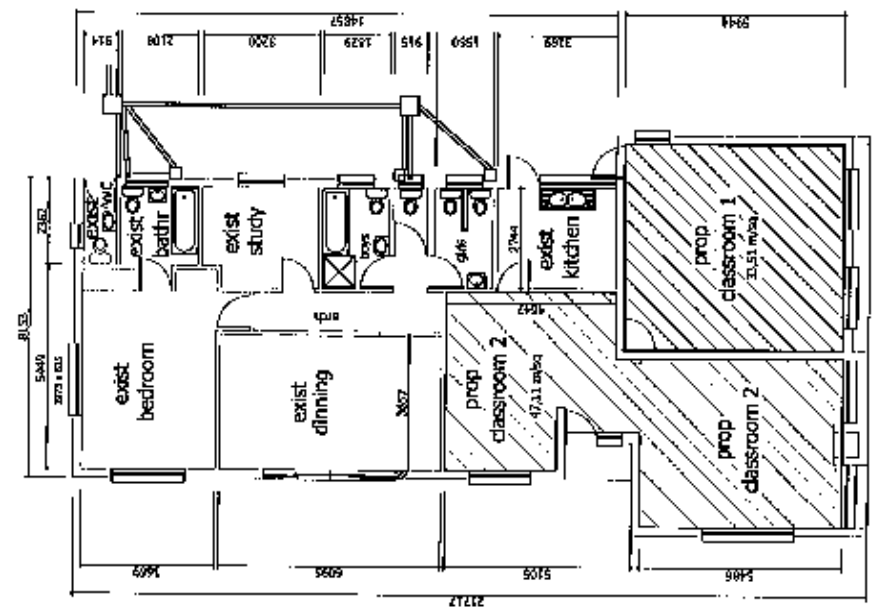


## site plan

1:1000



## east elev



## plan

1211

# Annexure

# D

City of Cape Town  
 Parow Municipality  
 Voortrekker Road  
 Cape Town

Dear Sir/Madam

**MOTIVATION FOR THE OPENING OF A PRE-SCHOOL- MONTESSORI SCHOOL**

**PERSONAL DETAILS:**

I am a qualified Montessori Directress and I am accredited with SETA, my certificates are attached.

I am an Indian female, so I fall under the bracket of BEE.

I worked at a school Minions Montessori in Port Elizabeth, as well as in Vietnam at the American Montessori Institute.

**ECONOMIC IMPACT:**

The school will provide employment to five people, two by Lead Montessori Teachers, one by the teaching assistant, one by the administrator and one by the domestic cleaner. The school will therefore be assisting economically by providing work to the unemployed; the staff employed will fall under the category of Black female. There is a shortage of schools, so this will be aiding the need for more schools. Parents who work need to have their kids enrolled at a pre-school, the school will provide an after care service, the school will therefore be providing a solution to parents looking for pre-schools close to where they live. Cape Town has a very high rate of abused kids, by having a pre-school; I will be providing a place of safety and care for the kids.

**SOCIAL IMPACT:**

I come from a family who is currently running a successful business in Port Elizabeth. My family is involved with social upliftment and they do a lot of charity work. The School our PE business currently works with is Sancton High School, situated in the Northern Areas of PE; a reference can be obtained from Mr Appollis January and he can be contacted on C: 0844031363 or the W: 041-4812657. I will be endeavoring to follow in my parents footsteps by uplifting our under privileged communities. I will strive to enroll at least two kids from an under privileged background at a no-fee policy. I also intend doing motivational talks at school/social events educating them on the Montessori method of educating. I will endeavor to partake in social events in the community of Monte Vista. My intention is to be a positive role model to the younger generation and in particular people of colour.

**CAPITAL INVESTMENT:**

The current structure will not be touched; the only renovation will be to open a room to enable the kids to eat in the dining area. The main priority is to be compliant with SA Laws. There will be four kids' toilets, which needs to be added, two for the girls and two for the boys. The kitchen must be renovated to comply with our Laws, which is required for a pre-school. All safety measures as required by the South African Laws need to be put into place; this includes the changing of the flooring, having all entry points non-accessible, the use of certain materials in the house. The school must also have all the learning materials as per Montessori School requirements. All compliance

certificates will be obtained regarding plumbing and electrical changes to be made. The cost of the capital investment is estimated at R350 000.

**COMPATIBILITY WITH SURROUNDING AREAS:**

There is currently a huge need for this type of school in the area, Montessori being a specialized pre-school, the demand for this school in and around the immediate area of 2 Bothma Street is very high. Parents have been sending tweets and posts enquiring as to the need for a school in the surrounding areas. There is one about 10km's away which is a very small school, there is therefore a definite need for the school to alleviate the problems parents are facing having to travel long distances to find a Montessori school. Because this is a residential area, the school will be highly compatible with the needs of the Community. The traffic won't be affected, Bothma Street is a service road off Giel Basson, so on the main traffic and bus routes. The property has sufficient parking, so there will be no parking in the street. The property is situated opposite a Strip Mall, on the East side; there is also a Strip Mall two streets away from the property on the South side. The school is therefore surrounded by business zoning.

**COMPLIANCE - AS PER SOUTH AFRICAN LAWS/MONTESSORI REQUIREMENTS:**

The school has to be registered with the South African Montessori Institution (SAMA), who will come to the school to do an inspection before the School can start operating. The school also has to be compliant with our South African Laws, all this will be put into place before operation. A social worker has to be called in to inspect the school, all compliance certificates relating to safety and health will be in place before the school starts operation.

**HERITAGE:**

No impact on any Heritage site in Cape Town.

**PROPERTY FEASIBILITY:**

There will be no impact on engineering. The premises will be renovated to be fully compliant with regards to the safety of the kids. The property can easily accommodate a minimum of six cars for parking as it is a corner plot, so no infringement of parking on the neighbor's property or in the street. There will be security gate to buzz parents in. The property will also have camera footage. Being an institute of education this should not pose as a danger to the surrounding community, rather it will enhance safety, as it is a place of education, so with consistent movement in the area it should enhance safety in the area. The neighborhood won't be affected by any noise from the kids, as the school operating hours will be between 08:00 am to 5:30 pm. There will be two classrooms measuring in excess of the laid down requirement of 1.5 square meter per child, the outside playing area is also well in excess of 2 square meter per child.

**MONTESSORI METHOD OF TEACHING**

Montessori is not the traditional pre-school education, it is a method of education that is based on self-directed activity, hands-on learning and collaborative play. The educational approach is based on scientific observation of the child.

The eight principles of Montessori Education is as listed below:

- Movement & Cognition
- Choice
- Interest
- Extrinsic rewards are avoided
- Learning from and with peers
- Learning in Context
- Teacher ways and child ways

- **Order in Environment and Mind**

The role of a Montessori teacher is that of an observer whose ultimate goal is to intervene less and less as the child develops. The teacher's first objective is to prepare and organize the learning environment to meet the needs and interests of the children as well as promote independence. The key factor therefore being "respect for the child". Since this is a specialized pre-school, there is a definite need for this in this area.

**SCHOOL SIZE:**

There will be two class rooms measuring 47,11 m/sq and 33,51 m/sq so well in excess of the requirements as laid down 1,5 m/sq per child. The play area as indicated on the sketch is well in excess of 60 m/sq. The school will have five employees. The amount of children catering for is 30. The grades are 1-2 years and 3-6 years. Montessori requires one Lead Teacher for 25-40 kids.

**DAILY ROSTER:**

- 07:00 am – 08:00 am: Children arrive at school.  
 08:00 am – 08:30 am: Circle time – Introductions and outlining theme of the week.  
 08:30 am – 11:30 am: Work Cycle – during this time kids will work amongst the activities in each area consisting of language, culture and maths.  
 11:30 am – 12:15pm: Pack away and prepare for eating time, each child joins in on circle time. After packing away their work, kids are called to wash their hands, collect their lunch bags and eat in the eating area section.  
 12:15 pm – 13:00 pm: Play time  
 13:00 pm – 13:30 pm: Home time  
 13:00 pm – 17:00 pm: Aftercare – during this time a series of activities such as word games, lego building and sing along, a choice of napping and eating.  
 11:30 am – 12:00 pm: The children that is partaking in extra mural activities such as Monkey Nastic, soccer stars And Madressah will be done during this time.

**REASON FOR APPLYING FOR REMOVAL OF RESTRICTION ON TITLE DEED:**

The title deed needs to change to enable the use of the property as partial residence and partial pre-school. The title deed currently states "residence"

City of Cape Town  
Parow Municipality  
Voortrekker Road  
Cape Town

**LAND USE APPLICATION MOTIVATION**

Erf - 659 Tygerberg

Dear Sir/Madam

We hereby apply for the below;

- a) Section 42(b), permanent departure from the 5.0m common boundary building line to regularize the existing building.
- b) Section 42(g), removal of restrictive title deed conditions (condition B(a),(b),(c),(d),(e) and (f) from the Title Deed number T28568.
- c) Section 42(i) consent use to permit a place of instruction to accommodate 30 children (ECDC).
- d) Section 42(j), application for the deletion of conditions of a previous approval relating to the township establishment.

The primary reason for the application is to have the restrictive conditions in our title deed removed is to enable us to use a part of the residence as an ECDC, the exact purpose being a Montessori Pre-school.

**Land Use Planning Act**

**Section 39 (5) (a)**

"The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vests in the person as the owner of a dominant tenement."

The deed of transfer is dated the 10<sup>th</sup> July 1947, exactly 71 years ago, considerable development and changes have been made to the existing suburb. Based on the time period when this deed was drawn as well as the major developments during the past 71 years it prompts the question whether the building lines applicable when this house was built could now be modified to enable us to qualify for our Land Use Application.

**Section 39 (5) (b)**

"The personal benefits which accrue to the holder of rights in terms of the restrictive condition."

The current conditions have no benefit to us at all as it is hampering the possibility of us trying to use a part of the residence to earn an income from. The conditions are too restrictive. Similar conditions have been removed for a quite a few residents in the immediate locality.

**Section 39 (5) (c)**

"The personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is removed, suspended or amended."

The proposed change being to use the residence partially as a Pre-school will have a financial benefit for us as we will be earning an income from the school."

**Section 39 (5) (d)**

The social benefit of the restrictive condition remaining in place in its existing form."

There will be no social benefit, on the contrary the fact that this is an ECDC, it will enhance the social benefit, Cape Town in general is in need of early childhood care schools, so this is an absolute positive reason for the restrictive condition to be removed.

**Section 39 (5) (e)**

"The social benefit of the removal, suspension or amendment of the restrictive condition."

There will be a huge social benefit, parents in the immediate locality work, they need to put their kids in safe care Centres, since the school will operate from 08:00 am to 17:30 pm, the school will provide a service to the community. Parents in the immediate suburb won't have to travel long distances to have their kids enrolled.

**Section 39 (5) (f)**

"Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights."

We request that only the conditions restricting the right to use the property as a Pre-school be removed in our favor.

**Section 47 of SPLUMA**

**Section 47 (b) and (c)**

"With due regard to the respective rights of all those affected, and to the public interest."

The Pre-school will operate between 08:00 am to 17:30 pm so the noise levels will not cause any disturbance to the neighbors.

The removal and deletion of the restrictive condition will not strip or deprive any individual of property.

**REASON FOR APPLYING FOR THE REMOVAL OF THE RESTRICTION ON TITLE DEED**

The title deed need to change to enable the use of the property as partial residence and partial business. The Title deed currently states "Residence".

# Annexure

# E

**Darrel Stevens**

1218

**From:** Comments\_Objections Tygerberg  
**Sent:** Friday, September 14, 2018 10:56 AM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Application no 70419434 Erf 659 Monte Vista.

fya

---

**From:** Geoff Fairman [mailto:Frey@garden-tips.co.za]  
**Sent:** 13 September 2018 02:13 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Application no 70419434 Erf 659 Monte Vista.

Dear Sirs.

I have a problem with the traffic that this school facility will produce.

Bothma street is a very short, quiet residential street with twelve houses in it.

This school aims to have 30 children which will have to be dropped off daily and collected each afternoon.

That means that each day +-60 cars will be looking for parking and be racing up and down this street from early morning to drop off their children.

The owner of the school has very little parking on her premises so most parents will be looking for parking in our street.

Kroonburg Street which borders onto the property( Erf 659) has a large electrical transformer on it just outside the wall of the property which will limit parking thus forcing parents to park in Bothma street.

Many of the residents in Bothma street have pets which sometimes cross the road and these will be endangered by the traffic racing along it.

I have chatted to the owner and told her of my concerns regarding the extra parking that will be required. She assured me that she would have people waiting for parents to arrive in the morning who will usher the kids into the facility without the necessity of the parents having to find parking.

Everyone knows that small children cannot just be dropped off in the street as they want to be taken inside by the parents. With all the recent bad press of children being abducted it is my opinion that this will not work and that parents will have to find parking somewhere so that they can safely deliver their children inside the facility.

As there is very little parking in the street, especially if all 30 parents arrive at more or less the same time, they will have no option other than to pull into residents driveways and park there. This is not an option. Bothma street residents do not need the extra traffic or the parking chaos that will happen if this facility is allowed to open.

1219

Parking or access to Bothma Street must be restricted forcing parents to park in the parking bays of the nearby shops in Monte Vista Boulevard.

We trust that you will take cognisance of this problem before granting permission for this facility to be opened.

Thanking you.

G T Fairman

Owner Erf 655

6 Bothma Street

Monte Vista.

Phone 021 5583765

**Darrel Stevens**

**From:** Comments\_Objections Tygerberg  
**Sent:** Friday, September 28, 2018 10:31 AM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Application No 70419434 - Mr M Mamoojee

fya

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**From:** Esme - Parow Wesley [mailto:parowwesleymc@telkomsa.net]  
**Sent:** 27 September 2018 11:48 AM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Application No 70419434 - Mr M Mamoojee

Dear Sir / Madam

Your letter of 7 September refers.

Planning Application for Deletion of Restrictive Title Conditions – Erf 659

Comments:

Bothma Street Monte Vista is a short road with only 12 houses in it - six on one side of the road and six on the other.

Erf 659 - No 2 Bothma street is on the corner of Bothma and Kroonenberg streets. If this erf is rezoned and a crèche is opened for 30 children to start off with, where are the cars going to stop to drop off the children? They cannot all park outside the property because it is situated on a corner which also happens to be a 'stop' street.

Bothma street as well as Kroonenberg street have become quite busy in morning and evening peak hours and also because people stop at the shops situated in the Boulevard behind us.

Bothma and Kroonenberg streets are also used to access Giel Basson street, Rothschild Road and the Monte Vista Boulevard.

It stands to reason that if parking is not available at the property itself parents will make use of the rest of the street. They will not be concerned if it happens to be in front of someone's drive way especially if it is raining. This will inconvenience the residents.

The number of cars will also cause congestion at the corner 'stop' street.

What about the noise factor?

The applicant wants this property rezoned as a business in a primarily residential area where they themselves do not even live but where some of us have lived for many years.

Objections:

Having houses in residential areas rezoned as businesses is very concerning.

1221

**It is also of concern that building alterations have already started on the inside of number 2 Bothma street and that trees are being cut down prior to the cut-off date for comments and objections.**

**In view of the above I hereby affirm that I object to the rezoning of this property for the purposes of opening a crèche.**

Thank you.

Mr Charles Willam Smith  
5 Bothma Street (Erf 639)  
Monte Vista

Tel: 021 5584779

(For purposes of this application use email address as above).

**Darrel Stevens**

1222

**From:** Comments\_Objections Tygerberg  
**Sent:** Monday, October 1, 2018 12:43 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Objection erf659,Goodwood,2 Bothma street Monte Vista

fya

---

**From:** Pieter & Leona Kellermann [mailto:pieter-leona@vodamall.co.za]  
**Sent:** 01 October 2018 11:20 AM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Objection erf659,Goodwood,2 Bothma street Monte Vista

I G.P.Kellermann, erf670,10 Cloete street object too the alteration as proposed in the application number 70419434 for the following reasons:1 Bothma 2 is on the corner with Kroonenberg singel which is a block away from the convenient shop on the next corner which could cause traffic promblems when 30 parents ofload and collect their children in the mornings and in the evenings and then you have the trucks delivering the bread in the mornings, with 30 cars overflowing in Kroonenberg it will become total chaos,what about the residents in the area.2 The noise levels will increase as kidsrin outside and shout at the top of their voices,what happens too our quiet,restful neighbourhood.Most of the neighbourhood are Pensioners and trust are area too remain a calm area.I would suggest that you and your colleagues do a on site inspection too look at the traffic dilemma that lam writing about .G.P.Kellermann.

**Darrel Stevens**

1223

**From:** Comments\_Objections Tygerberg  
**Sent:** Monday, October 1, 2018 12:53 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Proposed Application for deletion: Application number 70419434

fya

---

**From:** Eirine Fourie [mailto:elrinefourie001@telkomsa.net]  
**Sent:** 27 September 2018 05:13 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Proposed Application for deletion: Application number 70419434

Dear Mr. Darrel Stevens,  
In connection with Application number 70419434, Applicant Mr. M. Mamoojee, Erf number 659, Goodwood at 2 Bothma Street, Monte Vista.  
I Mr. N.M.G. Fourie, ID number 4509215011087 hereby Strongly Object to the proposed application for deletion of restrictive title conditions.  
It is absurd to even think of using these premises for a Childcare centre.

Firstly: The premises ( the playground) is too small for 30 children as well as the house. There is already workers busy in the house breaking down and what not, will the house be safe?.

Secondly: There is not enough space for parking, the streets are narrow and this will cause huge traffic jams, because the property is on a corner.

Thirdly: The noise of the kids during the day will certainly be very disruptive.

Fourthly: As a pensioner and have been a home owner in Monte Vista for the last 46 years in a quiet area, this will be a huge disturbance for me and my family as well as for the other home owners and dogs in the surrounding area.

Please do not take our quiet area away from us.

Thanking you

Mr. N.M.G. Fourie.  
28 September 2018

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**From:** Comments\_Objections Tygerberg  
**Sent:** Monday, October 1, 2018 2:13 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Objection

fya

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**From:** may [mailto:trumay@xsinet.co.za]  
**Sent:** 01 October 2018 12:59 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Objection

**CASE ID: 70419434**

M.E. Hannah  
**ERF NO 650**  
11 Cloete Street,  
Monte Vista,  
7460

### **Objection to conversion of ERF 659**

1) This property is not appropriate for an "Early Development Centre" for 30 children!!

**REASONS:**

- 1) Property is too small.
- 2) Property is on the corner of a busy road (Near the Shopping Centre on the corner)
- 3) No designated parking.
- 4) Increase of Traffic in the area!!
- 5) Increase of Noise Levels
- 6) Potential devaluation of Property Valuation.

Yours Sincerely  
May Hannah

**Darrel Stevens**

1225

**From:** Comments\_Objections Tygerberg  
**Sent:** Wednesday, October 3, 2018 12:39 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Application Number 70419434 - Proposed Application for Deletion of Restrictive Title Conditions, Deletion of Conditions in respect of an Existing Approval, Consent Use and Permanent Departure: Erf 659, Goodwood, 2 Bothma Street Monte Vista.

fya

-----Original Message-----

**From:** Nigel Ireland [mailto:nigelire@gmail.com]  
**Sent:** 02 October 2018 12:16 PM  
**To:** Comments\_Objections Tygerberg; Riana de Wet; Cheryl Visser  
**Subject:** Application Number 70419434 - Proposed Application for Deletion of Restrictive Title Conditions, Deletion of Conditions in respect of an Existing Approval, Consent Use and Permanent Departure: Erf 659, Goodwood, 2 Bothma Street Monte Vista.

Good Day,

With regard to the above proposed application, I want to comment on the administrative process that the City of Cape Town has implemented. It appears to be onerous on many property owners not affected by the application. The notice sent via Registered Post required property owners to collect it at the Goodwood Post Office as Monte Vista does not have a Post Office. This is approximately 10km round trip from Monte Vista to Goodwood and the time involved to collect the Registered Item is time wasted, and even more so for those who are still working. Many neighbours who received the notices have indicated an unhappiness with the process especially as the above proposal does not affect them at all.

The process that has now been put into practice is seen as additional "Red Tape" that must have a cost attached, and is the Ratepayer going to be affected and have to carry this additional cost? If this process is the new norm, many residents may well ignore Registered Post that could be to their detriment. Could the use of e-mails be considered or other forms of communication that is less costly and onerous?

I have no objection to the above application as my property is about 500m away from 2 Bothma Street and is not on a direct road route or vehicular connection. Furthermore, I will not be inconvenienced by noise pollution or increased vehicular traffic which, in many instances, is associated with childhood development centres.

I have copied my local Ratepayers Association and Councillor for their information.

Yours sincerely,

Nigel S Ireland

61 Platteklouf Road, Monte Vista, Erf 544, Goodwood

e-mail: Nigelire@gmail.com

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1226

This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

**Darrel Stevens**

**From:** Comments\_Objections Tygerberg  
**Sent:** Wednesday, October 3, 2018 12:38 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Application for deletion of conditions :Erf 659 at 2 Bothma Street Monte Vista

fya

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**From:** Stephanie [mailto:steps1@telkomsa.net]  
**Sent:** 02 October 2018 03:44 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Application for deletion of conditions :Erf 659 at 2 Bothma Street Monte Vista

To whom it may Concern

I wish to air my strong objection against the above mentioned application to operate as a creche from these premises and my reasons are as follows:

1. this is a normal 3 bedroom house with kitchen and probably 2 bathrooms and a living area - no matter how many walls are broken down, the floor space remains the same and to want to accommodate 30 kids plus teachers, assistants and other staff is not possible
2. the sanitary facilities will be inadequate as 30 plus people require more than 2 toilets, especially children
3. In the winter when it rains there is not enough playing space for the amount of kids and in summer the noise will drive the residents insane
4. this is an older area of Monte Vista and the residents consist of mainly elderly people who will not appreciate noise of kids playing outside
5. the dwelling is a corner property and alongside Kroonburg Square which in turn lies parallel to Monte Vista Boulevard which is a feeder road to and from the N1 during peak hours in the mornings and afternoons. An extra 30 vehicles twice a day dropping off and collecting children will cause major traffic problems and increase the possibility of traffic accidents
6. Close by these premises there is a pub which is not only open at night time
7. Besides there are at least 5 other such facilities in our suburb already and another is therefore not a necessity at all
8. All in all the premises are too small, too close to major roads like the Boulevard, Rothchild Ave and Giel Basson Drive
9. I have not spoken to a single person who is in favour of this proposal excluding the owner of the property, but for him it is a business opportunity and he may not have considered the humanitarian aspects.

Yours sincerely  
 Mrs FG VOGLER  
 109 Plattekloof Road  
 Monte Vista  
 Erf 644

**Darrel Stevens**

1228

**From:** Comments\_Objections Tygerberg  
**Sent:** Wednesday, October 10, 2018 10:35 AM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: OBJECTION FOR APPLICATION 70419434

FYA

---

**From:** Eldred Swartz [mailto:[eldred@siliconeoptions.co.za](mailto:eldred@siliconeoptions.co.za)]  
**Sent:** 08 October 2018 11:21 AM  
**To:** Comments\_Objections Tygerberg  
**Subject:** OBJECTION FOR APPLICATION 70419434

TO WHOM IT CONCERN  
Dear Sir/ Madam

As the Lessee/Tenant of erf number 660, I object to the proposed application title conditions in respect of erf 659.  
Goodwood, 2 Bothma Street, Monte Vista.

Application number: 70419434

Full Name: Eldred Winston Swartz ID Number 620818 5202 085  
Interest in the application: The proposed early learning centre is directly on the border of our residence.  
Address: Corner of 1 Cloete Street & 6 Kroonenburg Square, Monte Vista  
Contact details 021 558 0835 / 084 558 5657  
Method of notification: email – [eldred@siliconeoptions.co.za](mailto:eldred@siliconeoptions.co.za)  
Date submitted: 08/10/2018

**REASONS FOR THE OBJECTION:**

1. There are more than 8 creches/ educare/ childcare centres with in 3km walking distance of the proposed premises already in the area.
2. There will be a significant increase in noise levels in the neighbourhood due to the facility.
3. Increased traffic for drop-off and collection of children. There already exists traffic problems at peak times due the entrance and exiting of street due to its locally.
4. There is minimal/limited parking which will add to the point stated in objection no.3 above and create many potential accident scenarios as well as adding to an already tense traffic situation.
5. The devaluation of the property would be a major concern as it would literally border the learning centre.
6. What is very concerning is that alterations/renovation had begun more than a month ago, which leads one to conclude that the application might well have been approved prior to the letters of the proposed application being circulated.
7. I am semi-retired and enjoy the quiet, peaceful neighbourhood that currently exists.
8. I have resided at the current address since November 2005 and if the application is approved, I would be forced to relocate elsewhere. I am of the opinion that the purpose of the proposed application letter is not to uproot peaceful settled families.

1229

Based on the above, I together with my household, object to the proposed application in the strongest terms possible.

Regards

Eldred Swartz

Cell: 0845585657

Tel: 021 5580835

Fax: 021 5598945

**Darrel Stevens**

---

**From:** Comments\_Objections Tygerberg  
**Sent:** Wednesday, October 10, 2018 10:34 AM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: COMMENTS IN RE APPLICATION 70419434: ERF 659, GOODWOOD  
**Attachments:** Scanned data from the Itec network scanner.

**Importance:** High

FYA

---

**From:** Lutchmlah, Merencia M [mailto:Merencia.Lutchmlah@standardbank.co.za]  
**Sent:** 08 October 2018 08:49 AM  
**To:** Comments\_Objections Tygerberg  
**Cc:** courtlin arendse  
**Subject:** COMMENTS IN RE APPLICATION 70419434: ERF 659, GOODWOOD  
**Importance:** High

Good Morning Sir/Madam,

Kindly find enclosed herewith my comment in response to the above application submitted by Mr. Mamojee in respect of erf 659, Goodwood. My comments are specific in respect of the early childhood development centre.

I am a property owner in Bothma Street, Monte Vista and would like to comment as follow:

- Insufficient parking bays; I may be restricted in terms of my access to my property, and may be parked in at times;
- Traffic can be affected negatively which may result in an increase in congestion insofar as the dropping of, or collection of children are concerned.
- Safety of my family in the sense that this may be a 'draw card' in respect of human trafficking.
- Noise pollution should the application be approved;
- Waste that may be generated and in respect of possible blockages and pipe bursts; collection of refuse.
- This application is not aligned with the character of our neighbourhood;
- Already two other early childhood development centres in the immediate area i.e one in Monte Vista Boulevard and Pikkie Park around the corner from erf 659, Goodwood.

Insofar as inconsistencies in the policy and even the Municipal Planning By-law is concerned, I expect that the City of Cape Town and its officials with its delegations and vast resources will ensure compliance with its by-laws and various policies.

I prefer to receive communication at this email address.



1231

**Merencia Lutchmiah**

Private Banker

4 Dreyer Street, Claremont, 7708

Private Banking Cape Town

Tel +27 (21) 6735420

Mobile +27 (70) 3144325

E-mail: [merencia.lutchmiah@standardbank.co.za](mailto:merencia.lutchmiah@standardbank.co.za)

[www.standardbank.co.za](http://www.standardbank.co.za)



**WHAT'S *your* NEXT?**

We would love to come along for the journey.

**Maurischa Rhode**

Transactional Banker

Tel +27 (21) 6735418

E-Mail: [maurischa.rhode@standardbank.co.za](mailto:maurischa.rhode@standardbank.co.za)

Standard Bank Moving Forward

1232

To: [comments\\_objections.tygerberg@capetown.gov.za](mailto:comments_objections.tygerberg@capetown.gov.za)

Subject: Objection for application 70419434

The Development Manager

CITY OF CAPE TOWN

Parow and Building Development Management

Planning Administrative Building

Cnr Voortrekker and Talent Streets, Parow, 7500

Dear Mr Stevens

Proposed Application for deletion of restrictive title conditions, deletion of conditions in respect of an existing approval, consent use and permanent departure; ERF 659, Goodwood, 2 Bothma Street, Monte Vista.

Objection to early learning centre application

We have received your registered letter under reference Case ID: 70419434 BLUM010 and would like to lodge our strong objection to the application for the following reasons:

As a retired person i have an issue with the increase in noise levels 30 children in a confined area would generate. This is a quiet and peaceful neighbourhood and many retired people reside here.

Establishing an early learning centre in the neighbourhood will have a negative effect on property values, with detrimental effect on any future sales.

4 parking pays are shown on the proposed plan. These parking bays will most likely be for the staff of the early learning centre. No provision is made for the disembarking or collecting children safely. The property is located on a busy corner.

There has not been any sort of traffic impact study done for this proposal. With between 20 and 30 extra vehicles added to the traffic will cause traffic congestion during operating hours. There are already a few commercial enterprises in close proximity which have added to traffic build-up.

There are also a number of liquor outlets in close proximity to the proposed site. This would further add to the safety concerns for children. There are 3 liquor outlets, 1 supermarket selling alcohol and two very busy pubs, within 100m of the proposed early learning centre. There are also many vagrants that are always in close proximity the proposed site.

There are also many creches or early learning centres in the area. Surely there is no need for another.

I look forward to the acknowledgment of receipt of this email, my contact details are supplied below.

Regards

  
Raynard Thomas Capes

7 Cloete Street

Eff 653, Monte Vista

1233

# Annexure

# F



**TDA**  
CAPE TOWN

The City of Cape Town's Transport  
and Urban Development Authority

1234

# MEMORANDUM

**Ref:** 70419434  
**To:** Development Management  
**Attention:** Darrel Stevens  
**From:** Ubald Sauls  
**Date:** 21 September 2018  
**Subject:** **PROPOSED CONSENT AND PERMANENT DEPARTURE USE IN RESPECT OF ERF 659, 2 BOTHMA STREET, MONTE VISTA**

Your memorandum received via DAMS, changed on 03 September 2018, refers.

## 1. NATURE OF APPLICATION:

- 1.1 Application for consent use in order to permit a place of instruction (Educare Centre) for 30 children.
- 1.2 Permanent departure for the relaxation of the common building line from 5.0m to 0.0m.
- 1.3 Removal of restrictive title deed conditions pertaining to Title Deed number T28568.
- 1.4 Deletion of conditions of a previous approval relating to the township establishment.

## 2. COMMENTS:

- 2.1 According to our GIS record there are no existing underground services located on the subject erf.
- 2.2 In terms of section 8.2.f (i) of the Development Charges (DC) Policy for Engineering Services for the City of Cape Town (Approved Policy C41/05/14-29 May 2014) up to 34 children per erf of an early childhood development centre is exempted from DC's.

## 3. RECOMMENDATIONS:

This Department **does not** support the proposed application on Erf 659, based on the following:

- 3.1 According to the Municipal Planning By-Law (MPBL 140(1)), no vehicular ingress or egress shall be closer than 10m from an intersection as defined by the prolongation of street boundaries. A permanent departure application is required to have a carriageway crossing closer than 10m. No carriageway crossing will be allowed on the splay.

Yours sincerely

**Ubald Sauls**

Development Facilitation, Project Management & Design

TDA: Asset Management & Maintenance - District 3

[http://cityteams.capetown.gov.za/sites/rs\\_000\\_paj/Shared Documents/DEV FACIL/Dev Approv/Gwd - Parow/659 Sep2018 - TDA AMM, Consent ECB 30 children, Perm Dep.docx](http://cityteams.capetown.gov.za/sites/rs_000_paj/Shared Documents/DEV FACIL/Dev Approv/Gwd - Parow/659 Sep2018 - TDA AMM, Consent ECB 30 children, Perm Dep.docx)



**TDA**  
CAPE TOWN

The City of Cape Town's Transport  
and Urban Development Authority

1235

# MEMORANDUM

**To:** Darrel Stevens  
**From:** Nazier Samodien  
**Date:** 10 September 2018

**CASE NO 70419434 : PROPOSED APPLICATION FOR DELETION OF RESTRICTIVE TITLE CONDITIONS, DELETION OF CONDITIONS IN RESPECT OF AN EXISTING APPROVAL, CONSENT USE AND PERMANENT DEPARTURE : ERF 659, 2 BOTHMA STREET, MONTE VISTA**

## Application details:

- For the deletion of restrictive title conditions to allow for a consent use to be operated from a section of the existing dwelling, which involves the regularization of the existing building, i.e. relaxation of the 5m building line. The consent use to for a place of instruction, i.e. an early childhood development centre, accommodating 30 children.

## Comment:

The cwc is less than 10m from an intersection of streets.

## Recommendation:

Hence, this branch does not support the proposal until the above is addressed.

Regards

**Nazier Samodien**

Senior Principal Officer

TIA and Development Control

Parow Civic

C/O Tallent & Voortrekker Road, Parow, 7500  
Private Bag X4, Parow, 7498

Iziko Isoluntu

C/O Tallent & Voortrekker Road, Parow, 7500  
Private Bag X4, Parow, 7498

Burgersentrum

H/V Tallent & Voortrekker Weg, Parow, 7500  
Private Bag X4, Parow, 7498



1236

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DATE 2018 - 09 - 18  
To STRATEGY AND PLANNING  
Department : Planning & Building Development Management

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**RE: APPLICATION FOR CONSENT USE TO OPERATE AN EARLY CHILDHOOD DEVELOPMENT CENTRE: ERF 659, 2 BOTHMA STREET, MONTE VISTA 7441**

LUM APPLICATION NUMBER: 7049434

The Environmental Health Department has no objection against the above application.

**Approval is subject to the following health requirements:**

1. 30 children between the ages 1-6 years may be cared from Monday to Friday between 07h00-17h00
2. Written application must be made at the Environmental Health Department.
3. All health requirements must be complied with.
4. Registration must be made at Department of Social Services, Provincial Administration – Western Cape.

**(pp) DIRECTOR: CITY HEALTH**

1237

# Annexure

# G

**Darrel Stevens**

1238

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**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 1:55 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Application Number 70419434 - Proposed Application for Deletion of Restrictive Title Conditions, Deletion of Conditions in respect of an Existing Approval, Consent Use and Permanent Departure: Erf 659, Goodwood, 2 Bothma Street Monte Vista.

Good Day Mrs Rhoda

Please note the below mail is not an objection.

It is a complaint mail as to why residents who are not living in the immediate vicinity were issued with these notices.

Can I accept that I don't have to respond to this "objection"

Regards

Jasmin Mamoojee

-----Original Message-----

**From:** Comments\_Objections Tygerberg [mailto:Comments\_Objections.Tygerberg@capetown.gov.za]  
**Sent:** Wednesday, 03 October 2018 12:39  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Application Number 70419434 - Proposed Application for Deletion of Restrictive Title Conditions, Deletion of Conditions in respect of an Existing Approval, Consent Use and Permanent Departure: Erf 659, Goodwood, 2 Bothma Street Monte Vista.

fya

-----Original Message-----

**From:** Nigel Ireland [mailto:nigeliire@gmail.com]  
**Sent:** 02 October 2018 12:16 PM  
**To:** Comments\_Objections Tygerberg; Riana de Wet; Cheryl Visser  
**Subject:** Application Number 70419434 - Proposed Application for Deletion of Restrictive Title Conditions, Deletion of Conditions in respect of an Existing Approval, Consent Use and Permanent Departure: Erf 659, Goodwood, 2 Bothma Street Monte Vista.

Good Day,

With regard to the above proposed application, I want to comment on the administrative process that the City of Cape Town has implemented. It appears to be onerous on many property owners not affected by the application. The notice sent via Registered Post required property owners to collect it at the Goodwood Post Office as Monte Vista does not have a Post Office. This is approximately 10km round trip from Monte Vista to Goodwood and the time involved to collect the Registered Item is time wasted, and even more so for those who are still working. Many neighbours who received the notices have indicated an unhappiness with the process especially as the above proposal does not affect them at all.

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The process that has now been put into practice is seen as additional "Red Tape" that must have a cost attached, and is the Ratepayer going to be affected and have to carry this additional cost? If this process is the new norm, many residents may well ignore Registered Post that could be to their detriment. Could the use of e-mails be considered or other forms of communication that is less costly and onerous?

I have no objection to the above application as my property is about 500m away from 2 Bothma Street and is not on a direct road route or vehicular connection. Furthermore, I will not be inconvenienced by noise pollution or increased vehicular traffic which, in many instances, is associated with childhood development centres.

I have copied my local Ratepayers Association and Councillor for their information.

Yours sincerely,

Nigel S Ireland

61 Platteklouf Road, Monte Vista, Erf 544, Goodwood

e-mail: [Nigelire@gmail.com](mailto:Nigelire@gmail.com)

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

**Darrel Stevens**

1240

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**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 2:18 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** APPLICATION NO. 70419434 - Objection Notice Ms Michelle Taylor

Good Day

In response to the objections from Ms Michelle Taylor, please see my remarks in blue.

Regards  
Jasmin Mamoojee

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**From:** Michelle Taylor [mailto:michelle.taylor@worldonline.co.za]  
**Sent:** 11 October 2018 08:35 AM  
**To:** Comments\_Objections Tygerberg  
**Subject:** APPLICATION NO. 70419434  
**Importance:** High

I Michelle Taylor, live at 108 Monte Vista Boulevard and strongly oppose this application.

The road is already very congested as we have the 3 shops on the side where the development centre is supposed to be. There is also a bus stop and 2 big school buses collect kids at the shop on the corner (which is the road that would have to be used to get to this proposed development centre. There are no shops in Bothma street, there is a small strip mall which is a block away and has sufficient parking, it has absolutely no impact on Bothma road, so the road where the proposed ECDC is situated(viz; Bothma Street) is not congested at all.

To get onto Rothchild is already difficult due to the traffic so imagine when you have 30 more cars in and out. There is already more than enough development centre's in this area. There are three entries to the property, two from Rothschild one from the east of Bothma, all 30 cars won't be converging at the property at one given moment. We are proposing a Montessori ECDC, which is a specialised form of early childhood development, the nearest Montessori is 13km away.

The Boulevard is already a high accident zone so putting more pressure on it will just make it worse. I am lost as to what this means as it sounds like Ms Taylor is trying to add weight to her objection, I don't think there is any substance in this statement unless the objector can prove the "high accident zone" in comparison to similar suburbs.

You can contact me via e-mail, my cell number is 0722406692



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**Darrel Stevens**

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**From:** Comments\_Objections Tygerberg  
**Sent:** Tuesday, October 16, 2018 2:46 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** FW: Response to Objections on case id 70419434  
**Attachments:** Application Number 70419434 - Proposed Application for Deletion of Restrictive Title Conditions, Deletion of Conditions in respect of an Existing Approval, Consent Use and Permanent Departure: Erf 659, Goodwood, 2 Bothma Street Monte Vista.; APPLICATION NO. 70419434 - Objection Notice Ms Michelle Taylor; Application number 70419434 - Mr N M G Fourie; APPLICATION 70419434 - Mr Eldred Swartz; Objection Case id 70419434 - M E Hannah; Objection case id 70419434 -Merencia Lutchmiah; Objection case id 70419434 - P Stofile; Objection case id 70419434 - Mr R Christian; Objection Case ID 70419434 - Mr Raynard Capes; Objection Case id 70419434 - Mrs F G Vogler; Objection case id 70419434 - G T Fairman; Objection case id 70419434 - Ms Dalynne Muller

fya

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**From:** Jasmin Mamoojee [mailto:mamoojee@mweb.co.za]  
**Sent:** 15 October 2018 07:12 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Response to Objections on case id 70419434

Good Day

Please see attached responses to the 12 objections received from Mrs Rhoda today.

Regards  
Jasmin Mamoojee  
0735137860 / 0832124871

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**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 3:37 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** APPLICATION 70419434 - Mr Eldred Swartz

Good Day

In response to the objections from Mr E Swartz,  
Please note Mr Swartz is not the owner of the property so I don't feel the need to respond however will do so.

Please see my comments in blue

Regards  
Jasmin Mamoojee

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**From:** Eldred Swartz [<mailto:eldred@siliconeoptions.co.za>]  
**Sent:** 08 October 2018 11:21 AM  
**To:** Comments\_Objections Tygerberg  
**Subject:** OBJECTION FOR APPLICATION 70419434

TO WHOM IT CONCERN

Dear Sir/ Madam

As the Lessee/Tenant of erf number 660, I object to the proposed application title conditions in respect of erf 659.  
Goodwood, 2 Bothma Street, Monte Vista.

Application number: 70419434

Full Name: Eldred Winston Swartz ID Number 620818 5202 085  
Interest in the application: The proposed early learning centre is directly on the border of our residence.  
Address: Corner of 1 Cloete Street & 6 Kroonenburg Square, Monte Vista  
Contact details 021 558 0835 / 084 558 5657  
Method of notification: email – [eldred@siliconeoptions.co.za](mailto:eldred@siliconeoptions.co.za)  
Date submitted: 08/10/2018

REASONS FOR THE OBJECTION:

1. There are more than 8 creches/ educare/ childcare centres within 3km walking distance of the proposed premises already in the area. This is not true, there are 2 x childcare centres within a radius of 5km, our ECDC is a specialised child care centre viz: a Montessori school, the closest one being 13km away.
2. There will be a significant increase in noise levels in the neighbourhood due to the facility. Noise will only be during playtime (between 12-15 and 13-00) for 45 minutes only.
3. Increased traffic for drop-off and collection of children. There already exists traffic problems at peak times due to the entrance and exiting of street due to its locality. Traffic should not be affected, as all the cars won't be converging at the property at the same time.

4. There is minimal/limited parking which will add to the point stated in objection no.3 above and create many potential accident scenarios as well as adding to an already tense traffic situation. There are 5 proposed parking bays which conforms with the quantity of kids being applied for

5. The devaluation of the property would be a major concern as it would literally border the learning centre. On the contrary I think property prices will increase, as parents wanting to be close to a Montessori school would look at this area to buy.

6. What is very concerning is that alterations/renovation had begun more than a month ago, which leads one to conclude that the

application might well have been approved prior to the letters of the proposed application being circulated. The renovations are only to have the windows replaced which we have an approved plan for. Internal renovations to have aged cupboards and flooring replaced are renovations that should not be the neighbours concerns.

7. I am semi-retired and enjoy the quiet, peaceful neighbourhood that currently exists. The peace in the neighbourhood won't be affected, we are not opening a nightclub, we are proposing a care center for kids.

8. I have resided at the current address since November 2005 and if the application is approved, I would be forced to relocate

elsewhere. I am of the opinion that the purpose of the proposed application letter is not to uproot peaceful settled families.

I hope I am not being impolite, the objector is leasing so surely I should not have to respond to this, the Landlord should have send a notice of objection, since the objector is leasing and feels so strongly about this, he does have many options as Cape Town is very big so he can lease elsewhere, would he look to keep moving though when residents apply to have a LUMA submitted. Comments like these defy belief and in my opinion is just petty.

Based on the above, I together with my household, object to the proposed application in the strongest terms possible.  
Noted

Regards

Eldred Swartz

Cell: 0845585657

Tel: 021 5580835

Fax: 021 5598945

**Darrel Stevens**

1244

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**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 3:45 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection Case id 70419434 - M E Hannah

Good Day

In response to the objection received from May Hannah  
Please see my response in blue

Regards  
Jasmin Mamoojee

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**From:** may [mailto:trumay@xslnet.co.za]  
**Sent:** 01 October 2018 12:59 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Objection

**CASE ID: 70419434**

M.E. Hannah  
**ERF NO 650**  
11 Cloete Street,  
Monte Vista,  
7460

### **Objection to conversion of ERF 659**

1) This property is not appropriate for an "Early Development Centre" for 30 children!!

**REASONS:**

- 1) Property is too small. Property conforms with SA laws around number of children.
- 2) Property is on the corner of a busy road (Near the Shopping Centre on the corner) a small strip mall is a block away from the property, this is not a busy road at all, it is service road off Rothschild
- 3) No designated parking. There is designated parking as per plan submitted
- 4) Increase of Traffic In the area!! All the cars won't be converging at one given moment.
- 5) Increase of Noise Levels only 45 minutes during the day (12-15 – 13-00),
- 6) Potential devaluation of Property Valuation. On the contrary, this could increase property valuation due to parents looking to be close to an ECDC and in particular to a specialised one, viz; Montessori

Yours Sincerely  
May Hannah

**Darrel Stevens**

**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 4:09 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection case id 70419434 -Merencia Lutcmiah

Good Day

In response to the objection received from Ms Merencia Lutcmiah, please note my comments in blue.

Regards  
 Jasmin Mamoojee

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**From:** Lutcmiah, Merencia M [<mailto:Merencia.Lutcmiah@standardbank.co.za>]  
**Sent:** 08 October 2018 08:49 AM  
**To:** Comments\_Objections Tygerberg  
**Cc:** courtlin arendse  
**Subject:** COMMENTS IN RE APPLICATION 70419434: ERF 659, GOODWOOD  
**Importance:** High

Good Morning Sir/Madam,

Kindly find enclosed herewith my comment in response to the above application submitted by Mr. Mamoojee in respect of erf 659, Goodwood. My comments are specific in respect of the early childhood development centre.

I am a property owner in Bothma Street, Monte Vista and would like to comment as follow:

- Insufficient parking bays; I may be restricted in terms of my access to my property, and may be parked in at times; there are 5 proposed parking bays, the school does intend having a person at the entrance for drop off and go purposes
- Traffic can be affected negatively which may result in an increase in congestion insofar as the dropping of, or collection of children are concerned. All the cars won't be converging at one given time, the property has ample parking so there should be no congestion of traffic
- Safety of my family in the sense that this may be a 'draw card' in respect of human trafficking Human trafficking is unfortunately something that can happen anywhere, I don't quite understand this statement, is the objector saying that an ECDC will attract human traffickers, I don't feel the need to respond to this objection as it does not make any logical sense. However to ensure our neighbors feel safe, we will be installing cctv, our primary aim is to ensure any child in our care is safe at all times, this cctv footage will extend to the street, so the objector can feel safe knowing someone will always be monitoring the premises and its surroundings.
- Noise pollution should the application be approved; Noise will only occur during playtime between 12-15 and 13-00 , for only 45 minutes, the noise is during the day when most people are at work
- Waste that may be generated and in respect of possible blockages and pipe bursts; collection of refuse. The ECDC will operate in the same manner a normal household does, waste will be put out as per standard requirements by the Municipality, so in the same manner our neighbors refuse will be collected I am sure since we are paying our rates/water etc, the Municipality will be collecting the proposed ECDC refuse also, I am not going to respond to "pipe bursts" as I don't understand the relevance.
- This application is not aligned with the character of our neighbourhood; I beg to differ, "our neighborhood" is for all the people residing there, the objector should explain what the character is of this neighborhood, it would

1246  
be very interesting to understand, all residential areas have ECDC's. Monte Vista should be no different. I don't know exactly how to respond to this objection as all residential areas have ECDC's so how is the character different in this said area?

- Already two other early childhood development centres in the immediate area i.e one in Monte Vista Boulevard and Pikkie Park around the corner from erf 659, Goodwood. The ECDC we are proposing is a specialized care center, viz; Montessori, the closest Montessori being 13km away, we will also be offering an additional service to the Muslim community where we will be offering Madressah classes for the Muslim enrolled kids, this is something no ECDC in the entire Monte Vista is offering at the present moment.

Insofar as inconsistencies in the policy and even the Municipal Planning By-law is concerned, I expect that the City of Cape Town and its officials with its delegations and vast resources will ensure compliance with its by-laws and various policies.

I prefer to receive communication at this email address.

**Merencia Lutchemiah**

Private Banker

4 Dreyer Street, Claremont, 7708

Private Banking Cape Town

Tel +27 (21) 6735420

Mobile + 27 (79) 3144325

E-mail: [merencia.lutchemiah@standardbank.co.za](mailto:merencia.lutchemiah@standardbank.co.za)

[www.standardbank.co.za](http://www.standardbank.co.za)

**Maurischa Rhode**

Transactional Banker

Tel +27 (21) 6735418

E-Mail: [maurischa.rhode@standardbank.co.za](mailto:maurischa.rhode@standardbank.co.za)



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**Darrel Stevens**

1247

**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 4:16 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection case id 70419434 - P Stofile

Good Day

In response to the objection received from P Stofile, please note my comments in blue

Regards  
Jasmin Mamoojee

**From:** MPT Oral Hearings  
**Sent:** Friday, October 5, 2018 7:55 AM  
**To:** Comments\_Objections Northern <Comments\_Objections.Northern@capetown.gov.za>  
**Subject:** FW: PROPOSED APPLICATION FOR DELETION OF RESTRICTIVE TITLE CONDITIONS, DELETION OF CONDITIONS IN RESPECTIVE OF AN EXISTING APPROVAL, CONSENT USE PERMANENT DEPARTURE: ERF 659, GOODWOOD, 2 BOTHMA STREET MONTE VISTA

**From:** Pazuna Stofile <pstofile66@gmail.com>  
**Sent:** Friday, October 5, 2018 7:54 AM  
**To:** MPT Oral Hearings <MPT.OralHearings@capetown.gov.za>  
**Subject:** PROPOSED APPLICATION FOR DELETION OF RESTRICTIVE TITLE CONDITIONS, DELETION OF CONDITIONS IN RESPECTIVE OF AN EXISTING APPROVAL, CONSENT USE PERMANENT DEPARTURE: ERF 659, GOODWOOD, 2 BOTHMA STREET MONTE VISTA

Please note my objection to the following proposal for the following reasons:

- This area is zoned as a residential and not business area- the LUMA application allows for part business and part residential if approved.
- The residence of this area are mostly elderly who will be be disturbed by the noise from the proposed business noise levels will only be affected during playtime viz; 12-15 to 13-00 so only for 45 minutes, every effort will be made to respect the neighbors, so even during this time kids will be under supervision.
- Traffic will be unbearably increased on this street. The cars won't all be converging at one given moment, parents have a full hour in the morning from 7-00am to 8-00am, there will also be a drop off and go option where a person will be at the entrance collecting the kids.

Kind regards,

P Stofile, No 11 Bothma Street, Monte Vista.

**Darrel Stevens**

1248

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**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 4:40 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection case id 70419434 - Mr R Christian

Good Day

In response to the objection received by Mr R Christian, please see my comments in blue.

Regards  
Jasmin Mamoojee

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**From:** Robby Christian [<mailto:christra@telkomsa.net>]  
**Sent:** 04 October 2018 01:34 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** OBJECTION FOR APPLICATION 70419434

TO WHOM IT MAY CONCERN

Dear Sir / Madam,

As the owner of erf number 666, I object to the proposed application title conditions in respect of erf 659, Goodwood, 2 Bothma Street, Monte Vista

**Application number :** 70419434

**Full Name :** Robert Anthony Christian

**Interest in the application :** One street away - in close proximity to my residence

**Address :** 6 Cloete Street, Monte Vista

**Contact details :** 0215586316 / 0847173252

**Method of notification :** email – [christra@telkomsa.net](mailto:christra@telkomsa.net)

**Date submitted :** 2018/10/04

**REASON FOR THE OBJECTION**

I object to the application for the following reasons :

- a) There are already more than 8 creches / educare / childcare centres within a 3km walking distance of the proposed premises in the area, there are only 2 educare centers within 3km, we are offering a specialized care center viz; Montessori, the nearest one being 13kms away.

- b) Anticipated increased noise levels in the neighborhood due to the facility – the majority of tenants in the area are all pensioners in retirement at their homes, there will be a minimum noise impact during playtime between 12-15 and 13-00 so only for 45 minutes, and this playtime will be under supervision.
- c) Increased traffic for drop-off and collection of children in an area – the premises is adjacent to a busy highway (Rothschild Avenue), the property is situated in Bothma street, all the cars won't be converging at one given moment, we are having a dedicated person at the entrance so parents can drop off and collect,
- d) Limited street parking in the area which will affect traffic turning from Rothschild Avenue – accident risk – there is sufficient parking on the premises
- e) This is a residential area and the approval could set off more applications for business rights in the area- an ECDC is a care center for kids, it cannot be opened anywhere else but in residential areas, it has not been zoned business.
- f) Devaluation of my property in the area, being close to a creche / childcare centre, should one want to sell one day – on the contrary I think this would increase property values as it gives parents who want their kids in a Montessori school an option to buy in the said area.

I have lived at my present premises since 1991 and the neighborhood has been relatively peaceful over the years – I intend to ensure that the serenity is maintained. We have no intention of disrespecting any of our neighbors, on the contrary we pride ourselves in having very high ethical values, we are investing heavily in the safety of the kids in our care, the CCTV footage will assist our neighbors as should an incident occur in the surroundings this footage could help.

I therefore, together with my household, object to the above application.

Yours faithfully,

Robby Christian

**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 5:18 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection Case ID 70419434 - Mr Raynard Capes

Good Day

In response to the objections received from Mr Raynard Capes.

Noise levels – the “confined” area the objector notes is well in excess of the space requires as laid down by SA laws. The kids will only be outside during playtime which is between 12-15 and 13-00 so a period of 45 minutes, the kids will be under supervision during this time, please note the rest of a full or half day the kids will have activities inside the premises including “sleep time”, it is not our intention to disrespect our neighbours.

Property Values negative impact – I disagree, in my opinion the property values are likely to increase, most of the objectors speak about 2 care centres in close proximity, yet they all fail to mention that their property values have increased significantly over the past few years. Parents with small kids looking to buy property will see this as an attraction, especially considering the closest Montessori is 13kms away.

4 Parking Bays – there are 5 parking bays shown on the proposed plan, there are 2 x parking bays for the staff, there is provision made for drop off and collecting children in a safe manner, the premises will have cctv footage to ensure safety. This property is not located on a busy corner, on the contrary, the entrance is at 2 Bothma street, which is fairly quiet.

Traffic Impact – all the cars won't be converging at the property at one given moment, regarding the commercial properties mentioned, I only know of one which is a block away, there are many entry points including one from Monte Vista main road so am not sure why that is even being mentioned as relating to Bothma street.

Liquor Outlets/Pubs/Vagrants – so I am not sure how to address this, suffice it to say I know of one liquor outlet in the Strip Mall, I don't quite understand how that has a bearing on an ECDC, since this is a place of child care, it blows my mind that people can send objections of this nature through, we have to have agreements between the parent/ECDC in place, ensuring we keep kids safe at all times. Is the objector implying the ECDC will be allowing kids (under the age of 7 years) to frequent pubs and liquor stores? I don't feel the need to respond to this objection.

On the issue of vagrants, I have not noticed this in the area, if this is the case though we are ensuring we have safety measures in place as per the Department of Social Development, so child safety is our primary concern hence us spending such a big amount on CCTV, secure gates, electric fencing etc.

Many creches no need for another – there are only two in a radius of 3km, we are offering a different and unique method of teaching viz; Montessori. The closest Montessori is 13kms away. This ECDC will also provide Madressah classes to Muslim kids attending, there is no pre-school in the entire Monte Vista giving parents that option.

Regards  
Jasmin Mamoojee

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**From:** steve [<mailto:steve@greenzyme.co.za>]  
**Sent:** 08 October 2018 02:47 PM

**To:** Comments\_Objections Tygerberg  
**Subject:** Objection Case ID 70419434

1251

Dear Mr Stevens

Please accept the attached objection mailed on behalf of Mr Raynard Capes.

Thank you

Sent from my Samsung Galaxy smartphone.

**Darrel Stevens**

**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 5:46 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection Case id 70419434 - Mrs F G Vogler

Good Day

In response to the below objection from Mrs F G Vogler, please see my comments in blue

Regards  
 Jasmin Mamoojee

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**From:** Stephanie [<mailto:steps1@telkomsa.net>]  
**Sent:** 02 October 2018 03:44 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Application for deletion of conditions :Erf 659 at 2 Bothma Street Monte Vista

To whom it may Concern

I wish to air my strong objection against the above mentioned application to operate as a creche from these premises and my reasons are as follows:

1. this is a normal 3 bedroom house with kitchen and probably 2 bathrooms and a living area - no matter how many walls are broken down, the floor space remains the same and to want to accommodate 30 kids plus teachers, assistants and other staff is not possible – please note this has been addressed as per our LUMA application as part residence and part school. The space for classrooms as well as outside playing area is compliant with SA laws. Teachers and assistants won't be living on the premises, only the school principal will reside on the premises.
2. the sanitary facilities will be inadequate as 30 plus people require more than 2 toilets, especially children – the premises will be complying with child safety and health as per the Dept of Social Development
3. In the winter when it rains there is not enough playing space for the amount of kids and in summer the noise will drive the residents insane – kids will not be allowed outside when it rains, the same way there is enough space during Summer, there will be enough space in Winter, the size of the premises won't change as per the way our seasons change, if it rains the kids will be occupied with indoor activities.
4. this is an older area of Monte Vista and the residents consist of mainly elderly people who will not appreciate noise of kids playing outside – the noise level is at a minimum only 45 minutes during the day, between 12-15 and 13-00, this will be under supervision.
5. the dwelling is a corner property and alongside Kroonenburg Square which in turn lies parallel to Monte Vista Boulevard which is a feeder road to and from the N1 during peak hours in the mornings and afternoons. An extra 30 vehicles twice a day dropping off and collecting children will cause major traffic problems and increase the possibility of traffic accidents – the cars won't all be converging at one given time, there is a full hour in the morning.
6. Close by these premises there is a pub which is not only open at night time – the kids safety is our primary concern, since these are pre-school kids they will be under supervision at all times, they won't be allowed to go to a pub (apologies if that sounds sarcastic)
7. Besides there are at least 5 other such facilities in our suburb already and another is therefore not a necessity at all – there are only 3 ECDC's in a radius of 3km, this is a specialised school viz; Montessori of which the nearest is 13kms away, we will also provide an option to the Muslim parents residing in Monte Vista as there is no school offering Madressah classes.

8. All in all the premises are too small, too close to major roads like the <sup>1253</sup> Boulevard, Rothchild Ave and Giel Basson Drive – addressed under your concerns above.

9. I have not spoken to a single person who is in favour of this proposal excluding the owner of the property, but for him it is a business opportunity and he may not have considered the humanitarian aspects. The owner of the property does not reside in Cape Town, no resident has approached him, nor has he had a discussion with any of the neighbors so I don't understand where this statement stems from, yes this is a business opportunity for his daughter, however having said that, the proposed school will provide employment to our disadvantaged community as we will ensure we abide by the BEE principle of employing thus enhancing our economy, we will offer parents a service of having a Montessori school close to them instead of having to drive 13 kms to find the next closest one, we will be providing the Muslim Community a services of Madressah classes for their kids, something no pre-school in the entire Monte Vista has considered doing. On the "humanitarian aspect", your objection speaks as though we are not abiding by our SA laws around child safety and health, our reason for doing this application is to ensure we abide by our laws and more importantly ensure the health and safety of the kids. There are many ECDC's that have not gone through the trouble of doing all these applications, we have, so I find your objection about "humanitarian" totally unfounded.

Yours sincerely  
Mrs FG VOGLER  
109 Plattekloof Road  
Monte Vista  
Erf 644

**Darrel Stevens**

1254

**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 6:13 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection case id 70419434 - G T Fairman

Good Day

In response to the objection received from Mr G Fairman  
Please see my comments in blue.

Regards  
Jasmin Mamoojee

---

**From:** Geoff Fairman [<mailto:Frey@garden-tips.co.za>]  
**Sent:** 13 September 2018 02:13 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** Application no 70419434 Erf 659 Monte Vista.

Dear Sirs,

I have a problem with the traffic that this school facility will produce. – there will be minimal or no impact on traffic as all the cars won't be converging at one given moment.

Bothma street is a very short, quiet residential street with twelve houses in it.- Minimal noise, as kids will only be in playing area outside between 12-15 and 13-00. This is a time period of only 45 minutes.

This school aims to have 30 children which will have to be dropped off daily and collected each afternoon. That means that each day +-60 cars will be looking for parking and be racing up and down this street from early morning to drop off their children. I believe the objector is blowing this out of proportion, firstly there will be an hour in the morning for parents to drop their kids, all the parents won't be converging at one given moment, there could be a set of parents that have 2 kids in the school, or parents may form a lift club, +-60 cars is not cast in stone. Regarding "racing up and down", I think it is fair to say parents with kids in their cars won't be partaking in "racing", the school has sufficient parking bays so parents won't have to be looking for parking, there will also be a person at the entrance of the school to collect kids.

The owner of the school has very little parking on her premises so most parents will be looking for parking in our street. There are sufficient parking bays 5 available, viz; x 5

Kroonenburg Street which borders onto the property( Erf 659) has a large electrical transformer on it just outside the wall of the property which will limit parking thus forcing parents to park in Bothma street. Already addressed as per the above,

Many of the residents in Bothma street have pets which sometimes cross the road and these will be endangered by the traffic racing along it. Again I think it is fairly logical to accept that parents with kids won't be racing, putting their kids in danger. The objector should understand pets are supposed to be kept in the objector place

1255  
of residence, the streets are not there to accommodate pets roaming freely, however having said that I believe in a policy of "live and let live" it is always our policy to maintain peace and harmony in any environment, so I am sure the neighbours pets will be safe to roam around in Bothma street.

I have chatted to the owner and told her of my concerns regarding the extra parking that will be required. She assured me that she would have people waiting for parents to arrive in the morning who will usher the kids into the facility without the necessity of the parents having to find parking. Yes that is true, a neighbour did approach my daughter, where my daughter who will be running the proposed ECDC, did confirm the above.

Everyone knows that small children cannot just be dropped off in the street as they want to be taken inside by the parents. With all the recent bad press of children being abducted it is my opinion that this will not work and that parents will have to find parking somewhere so that they can safely deliver their children inside the facility. The measures we will be putting in place to ensure safety goes over and above what is required, it is the very fact that we are dealing with kids that we will be putting into place, electric fencing, cctv footage, security bars on all windows, there will be a teacher waiting to collect the kids in the morning at the entrance and usher them through a secure door, I don't know how much more safety we can provide. This amounts to the same thing as a parent escorting a child inside.

As there is very little parking in the street, especially if all 30 parents arrive at more or less the same time, they will have no option other than to pull into residents driveways and park there. This is not an option. Bothma street residents do not need the extra traffic or the parking chaos that will happen if this facility is allowed to open. All the parents won't be converging at the premises at one given moment, it is not our intention to provide duress to any of our neighbours, young or elderly, it is our sole purpose to provide a specialised and safe care facility to parents who work. The objector make an objection as though there will be absolute havoc in the street which is an exaggeration, there are child care centres in all residential areas running quite smoothly.

Parking or access to Bothma Street must be restricted forcing parents to park in the parking bays of the nearby shops in Monte Vista Boulevard. Already addressed, sufficient parking at premises.

We trust that you will take cognisance of this problem before granting permission for this facility to be opened.

Thanking you.

G T Fairman

Owner Erf 655

6 Bothma Street

Monte Vista.

Phone 021 5583765

**Darrel Stevens**

1256

**From:** Jasmin Mamoojee <mamoojee@mweb.co.za>  
**Sent:** Monday, October 15, 2018 6:34 PM  
**To:** Paulita Rhoda  
**Cc:** Darrel Stevens  
**Subject:** Objection case id 70419434 - Ms Dalynne Muller

Good Day

In response to the objection received from Ms Daylynnne Muller

Noise levels - the only time the kids will be outside is during playtime which will be between 12-15 and 13-00, this is only a period of 45 minutes, the kids will be under supervision.

Property Valuation decreasing – on the contrary I believe the property prices will increase, there are 2 ECDC's in the vicinity in a radius of 3 kms yet the property prices have been rising consistently over the past few years, parents looking to place their kids in a Montessori school would see this as an attraction to purchase property close to the school.

Traffic Impact – all the cars won't be converging at one given moment, there are sufficient parking bays on the premises, there are two x staff parking bays so traffic should not be affected, there are 3 x parking bays for parents so there will be no use of surrounding streets, there will be a teacher at the entrance collecting kids, child safety is our main focus and we have everything in place to ensure that, we are working with the Department of Social Development to ensure we comply. Residents should not be restricted access to their properties as again we have enough parking space on the premises.

Relaxation of the building line – the relaxation of the building line was to comply with Municipal requirements, it has no intention relating to increasing the number of children, however having said that should we wish to increase the number of children at a later date, we will once again do so within the regulations as set out by our SA laws

Regards  
Jasmin Mamoojee

---

**From:** Dalynne Muller [<mailto:dalynne@greenzyme.co.za>]  
**Sent:** 04 October 2018 05:02 PM  
**To:** Comments\_Objections Tygerberg  
**Subject:** OBJECTION FOR APPLICATION 70419434

t  
TO WHOM IT MAY CONCERN

Please find our Letter of Objection for Application 70419434 in the attachment.

Kind regards

# Annexure

# H

PROPERTY DETAILS PRINT FOR PORTION 8  
ERF NO 659  
TOWNSHIP GOODWOOD  
REG CITY NOT AVAILABLE

1258

PROVINCE WESTERN CAPE  
PREV DESCRIPTION  
DIAGRAM DEED NO T12886/1947  
EXTENT 771 SQM  
CLEARANCE CITY OF CAPE TOWN

FIRM NR : 999  
FIRM NAME : AKTERKANTOOR KAAPSTAD  
FILE NR : PREP  
FEE AMOUNT: R .00

NO INTERDICTIONS

DOCUMENTS	HOLDER & SHARE	AMOUNT	O/P/A	SCAN/MICRO REF	MDD
B13017/2018	SB GUARANTEE COMPANY (RF) (PTY) LTD	R2050000.00		20180625120225	0620

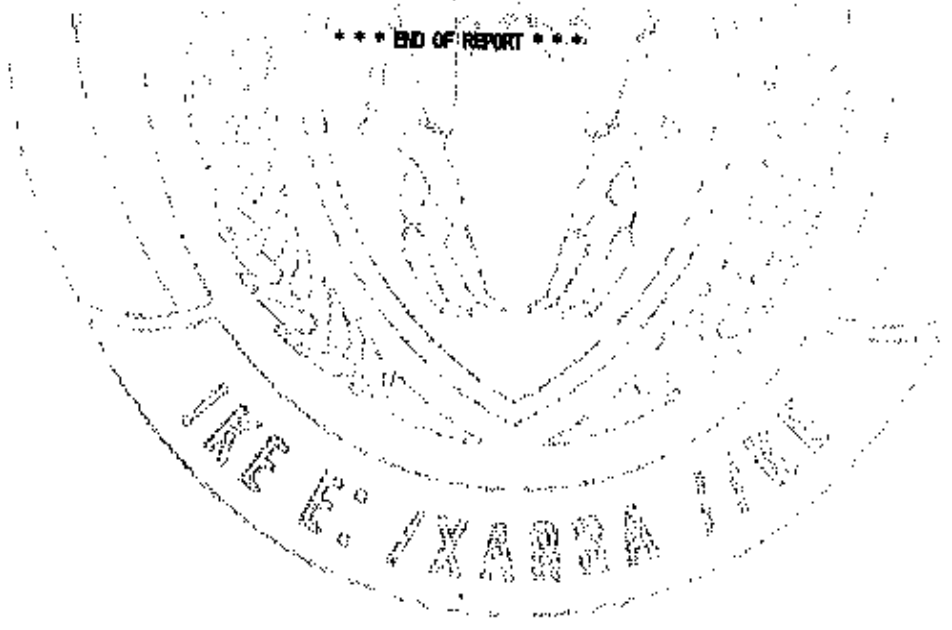
OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	DATE OF BIRTH	TITLE DEED	MDD	SCAN/MICRO REF
MAMDOOJEE JASMIN	20180309	R2050000.00		6211100105000	62/11/18	T28568/2018	0620	20180625120001
MAMDOOJEE MOEGAMAT SHAMIED	20180309	R2050000.00		6511845894003	65/11/04	T28568/2018	0620	20180625120001

\* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*



1521

L A DALVI & ASSOCIATES  
UNIT 1 RABAT VILLAGE  
VANGATE CITY  
ATHLONE  
7764

1259

Prepared by me

File number: 1521/1637/010314	
Purchase price/Value	R. 2,050,000.00
Mortgage capital Amount	R. ....
Reason for exemption	Exempt U.S. 6

  
CONVEYANCER  
ZAITOENNISA GAFFOOR

**VERBIND MORTGAGED**

VIR FOR R. 2,050,000.00

B 000013017 / 2018

20 JUN 2018

REGISTRAR/REGISTRAR

DATA VERIFY  
21 JUN 2018  
NANDIHA KETILE

T 000028566 / 2018

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ZAITOENNISA GAFFOOR PIETER CARLISLE HENNING

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

NADEEM AHMED  
Identity Number 860704 5240 08 6  
Married according to Muslim rites

which said Power of Attorney was signed at ATHLONE on 12 April 2018

DATA CAPTURE  
21 JUN 2018  
NOLUNG NTYAMBA

1260

And the appearer declared that his/her said principal had, on 9 March 2018, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**MOEGAMAT SHAHIED MAMOOJEE**  
Identity Number 651104 5094 08 3  
and  
**JASMIN MAMOOJEE**  
Identity Number 621118 0105 08 9  
Married in community of property to each other

their Heirs, Executors, Administrators or Assigns, in full and free property

ERF 859 GOODWOOD  
IN THE CITY OF CAPE TOWN,  
CAPE DIVISION, PROVINCE OF THE WESTERN CAPE

IN EXTENT 771 (SEVEN HUNDRED AND SEVENTY ONE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T 12886/1947 with Diagram SG Number 4881/1946 relating thereto and held by Deed of Transfer T77722/2008

- A. **SUBJECT** to such conditions as are referred to in Certificate of Registered Title Number 3938/1945 dated 29 March 1945.
- B. **SUBJECT FURTHER** to the conditions contained in Deed of Transfer Number T12886 dated 10<sup>th</sup> July 1947 imposed by the Administrator in terms of the Township's Ordinance 33 of 1934:

AS BEING in favour of the registered owner of any erf in the township and subject to amendment or alteration by the Administrator under the provisions of Section 18(3) of ordinance Number 33 of 1934:-

- (a) That this erf be used for residential purposes only
- (b) That only one dwelling together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.
- (c) That not more than one-third of the area of this erf be built upon
- (d) That no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 4,72 metres to the street line which

forms a boundary of this erf. No such building or structure shall be situated within 1,57 metres of the lateral boundary common to any adjoining erf.

AS BEING in favour of the Administrator:

(e) That this erf be not subdivided except with the consent in writing of the Administrator.

AS BEING in favour of the Local Authority:

(f) That the owner of this erf shall be obliged to allow the drainage or sewerage of any other erf to be conveyed over this erf if deemed necessary by the local authority and in such manner and in such position as may from time to time be reasonably required by the said local authority.

(g) That the owner of this erf shall be obliged to receive the material necessary to give a proper slope to the bank if the erf is below the level of the adjoining street, and if this erf is above the level of the adjoining street, he shall in like manner permit a safe slope to the bank unless in either case he shall elect to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

C. AND FURTHER SUBJECT to the conditions contained in Deed of Transfer Number T12886 dated 10<sup>th</sup> July 1947 imposed by Platte Kloof Estate and Investment Company (Proprietary) Limited (the said Company being also referred to in the conditions hereinafter set out as "the Transferor") for the benefit of the Company and its successors in title as owners of the remaining extent of the aforesaid Township:-

(a) The buildings shall be of good design and sound construction and the plans, elevations and the specifications thereof must be lodged with and approved by the Seller or its successors in title before tenders are called for, and no alterations in the plans, elevations and specifications, when so approved shall be made without the consent in writing of the Seller. The location of the buildings on the site must be approved by the Seller. The buyer shall not commence building operations until he has received written approval of the Seller to his plans, elevations and specifications. Any outbuildings shall not be erected prior to the construction of the main buildings.

- (b) The buildings to be erected by the buyer must not cost less than and not be of the less value than four thousand rand (4000). No building shall be constructed of galvanized iron or have a galvanized iron roof. The Lot shall not be fenced with galvanized iron. The roofing material to be used must be approved by the owners of the Township.
- (c) The Transferee or any tenant or occupier of the said Lot shall not do or suffer to be done on the same anything which in the opinion of the Transferor or anything which in the opinion of the Transferor or its successors in title is noisome, injurious or objectionable or a public or private nuisance or a source of damage or disturbance to the owners, tenants or occupiers of the land and buildings in the neighbourhood of the said lot. Private gardens and allotments shall be kept in such state as not to be a nuisance or annoyance to persons using the highway or to neighbours. If any Transferee, tenant or occupier of the said lot shall by act or omission commit a breach of this clause, the said Transferor may give him or them notice, to make good such breach within a time specified in such notice, and upon his or their failure to do so, the said Transferor or any person authorised by it, may enter upon the lot and take steps to abate such nuisance, and may recover the cost from any person served with notice.
- (d) The Transferee shall not, without the written consent of the seller or its successors in title use the said lot or any building erected or to be erected thereon for the purpose of advertising or display, or permit to be displayed thereon any advertisements. Such consent, if given, may be withdrawn by the seller, in which event the buyer shall remove and discontinue the use of any advertisements in which the said seller may take objection.
- (e) Any connection effected to any drain, sewers or water mains under or controlled by the Transferor shall be carried out by the Company at the costs and charges of the Transferee and his successors in title, and in any such costs and charges, the Company shall be entitled to include a sum of supervision.
- (f) Any costs and charges including any rates, general or special, charged or levied by the Divisional Council, or other public body, for the disposal of sewage from the property, shall be paid by the Transferee and his

1263

successors in title against whom any such charges or rates shall be a direct charge if the said Council or other body be prepared so to recover such charges, but if such charges or rates in any way fall upon the company it shall be entitled to recover the amount thereof from the Transferee and his successors in title without any cession of action and any costs and charges to which to Company may be put in and about such disposal of sewage, shall be recoverable by the Company from the transferee and his successors in title.

(g) Ex such water as may be supplied to the Company by the Municipality of Cape Town or any public body by arrangement with such municipality the transferee and his successors in title shall take and pay for such supply of water as, having regard to the health and convenience of residents on the whole estate the company may think its necessary for the owner of the said erf to take, but if and when the estate is incorporated into any municipal or village management board area or local board area, such supply of water shall be taken by the owner of the said erf from such municipality or village board or local board. The water supplied by the company hereunder shall be charged for it at cost price plus 15% on such price.

(h) The company, through its officials, workmen or duly authorised agents, shall have the right to enter upon this erf or any subdivision thereof at all reasonable times for the purpose of checking, recording, repairing, altering or removing any structural works constructed in terms of this condition. Nothing in this condition shall be taken to relieve the owner from any charges levied by the company or any local authority for the disposal or treatment of any drainage or sewage discharged from this erf into such drains or sewers or from the payment for any water delivered through the main to this erf. The annual payment referred to in this condition shall become payable as soon as there is in existence a sewer, drain or water main to which connection can be made, or, if such is already in existence, from the Deed of Transfer, provided that if such date be not the 1<sup>st</sup> January in any year only a pro rata charge shall be made for the first year on the basis of one-twelfth being paid from each month of such first broken period.

(i) No night soil, refuse, rubbish, slopwater or other waste or offensive matter shall be allowed to accumulate on any portion of this erf.

- (j) No system of drainage or sewerage shall be constructed on this erf unless and until the plans for same have been duly approved in writing by the company. The approval by the company may be made subject to such conditions as may seem expedient.
  
- (k) As from the date of transfer until a separate levy of rates shall be made by the divisional council or other public body, the transferee shall refund to the company pro rata share of the rates levied by such body upon the whole estate and such pro rata share shall be ascertained by taking the whole area of the estate and taking the measurement of the said erf in relation to the whole estate.
  
- (l) The transferor reserves to itself and its successors in title the right at any time hereafter to the free and undisturbed passage of electric telegraph or telephone wires and cables over or under the surface of any portion of the lots with further right of causing them to be affixed to any building or erection not less than 3,05metre from the ground with access at any time to such wires for the purpose of removal or maintenance.
  
- (m) The company for itself and its successors in title further reserve the right at any time to lay and maintain water and sewerage pipes over the said lot, with the further right reserved to have reasonable access to such piping for the purpose of maintenance, renewal, removal, extension or similar purpose, provided that the said right shall be exercised for the use or convenience of the owners of the remaining extent of the Monte Vista estate or the owners or occupiers of any lot or lots forming part of such estate. The aforesaid rights may be ceded or delegated to any village management board or other local authority within whose area the said estate may from time to time lie."

WHEREFORE the said Appearer, renouncing all rights and title which the said

**NADEEM AHMED, Married according to Muslim rites**

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**MOEGAMAT SHAHIED MAMOOJEE and JASMIN MAMOOJEE, Married as aforesaid**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 050 000,00 (TWO MILLION FIFTY THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

20 June 2018

*[Handwritten Signature]*  
\_\_\_\_\_  
D.G.

In my presence

*[Handwritten Signature]*  
\_\_\_\_\_

REGISTRAR OF DEEDS

Certified a true copy of the original filed of record in this Registry in terms of	
<i>Regees</i>	
Deeds Registry Cape Town	<i>[Signature]</i>
9107118	Registrar of Deeds

9

TP  
CDR GENERAL PLAN 556 LD  
MONTE VISTA TOWNSHIP

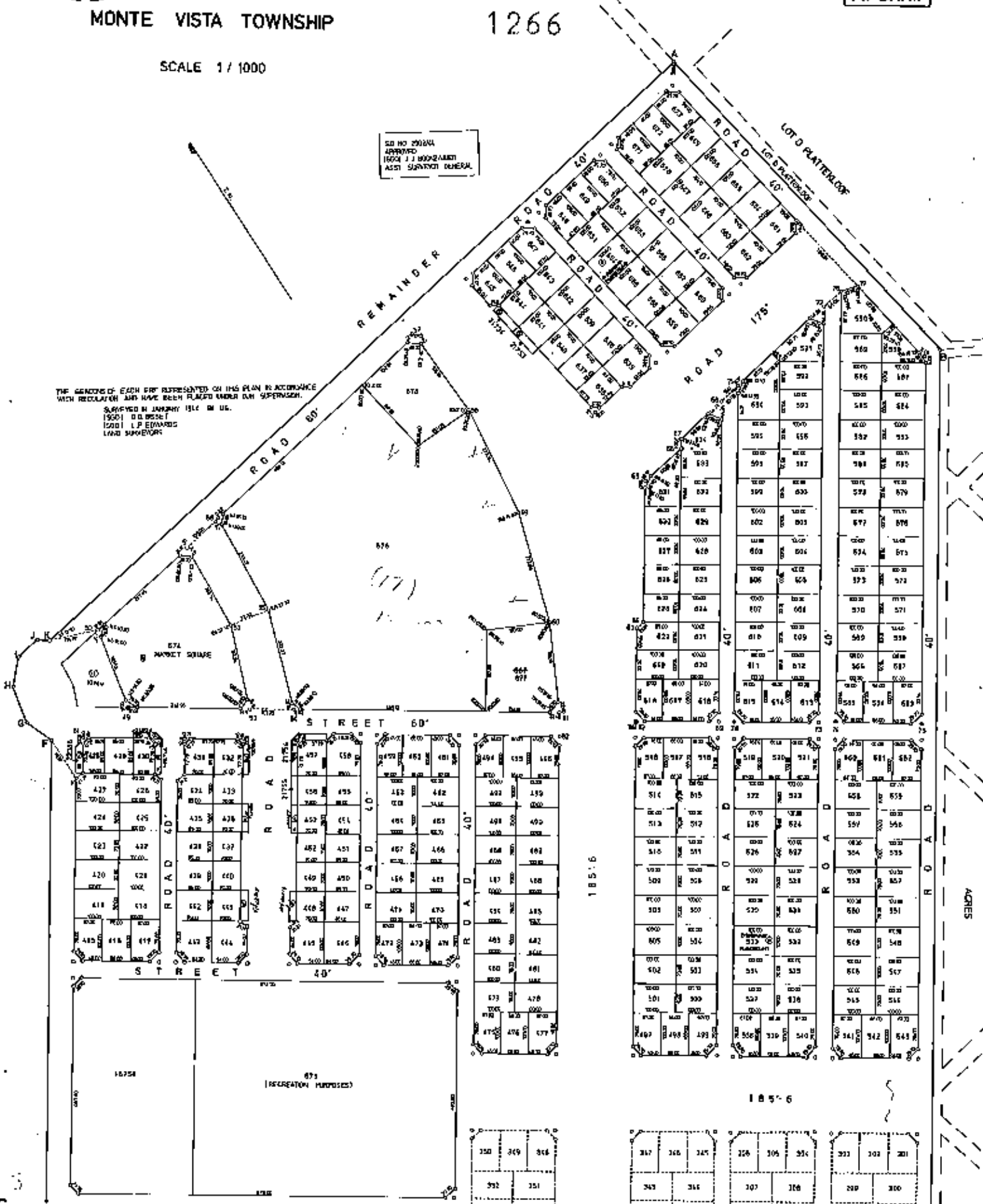
COPY  
AFSKRIF

1266

SCALE 1 / 1000

SD NO 29024  
APPROVED  
1954 J J HOGAN  
ASST SURVEY GENERAL

THE BOUNDS OF EACH LOT REPRESENTED ON THIS PLAN IN ACCORDANCE  
WITH REGULATORY AND HAVE BEEN PLACED UNDER DUN SUPERVISION.  
SURVEYED IN JANUARY 1954 IN D. U.  
19001 D. D. BRUCE  
19001 J. P. EDWARDS  
LAND SURVEYORS



S

SHEET 3 JOINS HERE

DRAWN BY: E. J. NICHOLSON  
CHECKED BY: [Signature]

S