



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500130787

**Remainder Erf 7309 & Erven 9858,
9859, 9860 & 9861, Imizamo Yethu,
Hout Bay Main Road**

Development Management

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Application for Rezoning, Subdivision, &
Approval of Street names for Remainder
Erf 7309 & Erven 9858-9861, Hout Bay

March 2026

Directorate Human Settlements
Department Informal Settlements



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
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TABLE OF CONTENTS

1.	INTRODUCTION.....	3
1.1.	BACKGROUND/PURPOSE.....	3
1.2.	PROPERTY LOCATION	3
1.3.	PROPERTY DETAILS	6
1.4.	SUMMARY OF APPLICATIONS.....	8
2.	DEVELOPMENT OBJECTIVES AND INFORMANTS.....	8
2.1.	PLANNING PRINCIPLES.....	8
2.2.	LAYOUT INFORMANTS	14
2.3.	DEVELOPMENT CONCEPT	14
3.	DEVELOPMENT PROPOSALS	14
3.1.	DEVELOPMENT APPROACH.....	14
3.2.	PROPOSED LAYOUT / SUBDIVISION	
15.		16
4.	MOTIVATION PROPOSAL ASSESSMENT	17
4.1.	CONSIDERATION CRITERIA IN TERMS OF SECTION 99(2) OF THE MPBL:	17
4.2.	CONSIDERATION CRITERIA IN TERMS OF SECTION 99(3) OF THE MPBL: EXTENT OF DESIRABILITY OF THE DEVELOPMENT PROPOSALS.....	25
5.	CONCLUSION AND REASONS FOR APPROVAL	27
5.1.	COMPLIANCE WITH PLANNING POLICY.....	27
5.2.	CONCLUDING REMARKS.....	27
6.	ANNEXURES	28

1. INTRODUCTION

1.1. Background/Purpose

The ongoing and rapid growth of informal settlements and illegal occupation of land remains one of the core developmental challenges facing the City of Cape Town's Human Settlements Directorate. This application concerns Imizamo Yethu (IY), which is one of the largest townships located on the slopes of Hout Bay, in the southern region of Cape Town. Over time (pre-2000), this township has gradually developed from being an illegal squatter camp with shacks, to a township with approved development rights inclusive of a mix of housing typologies and tenure options with access to basic municipal services.

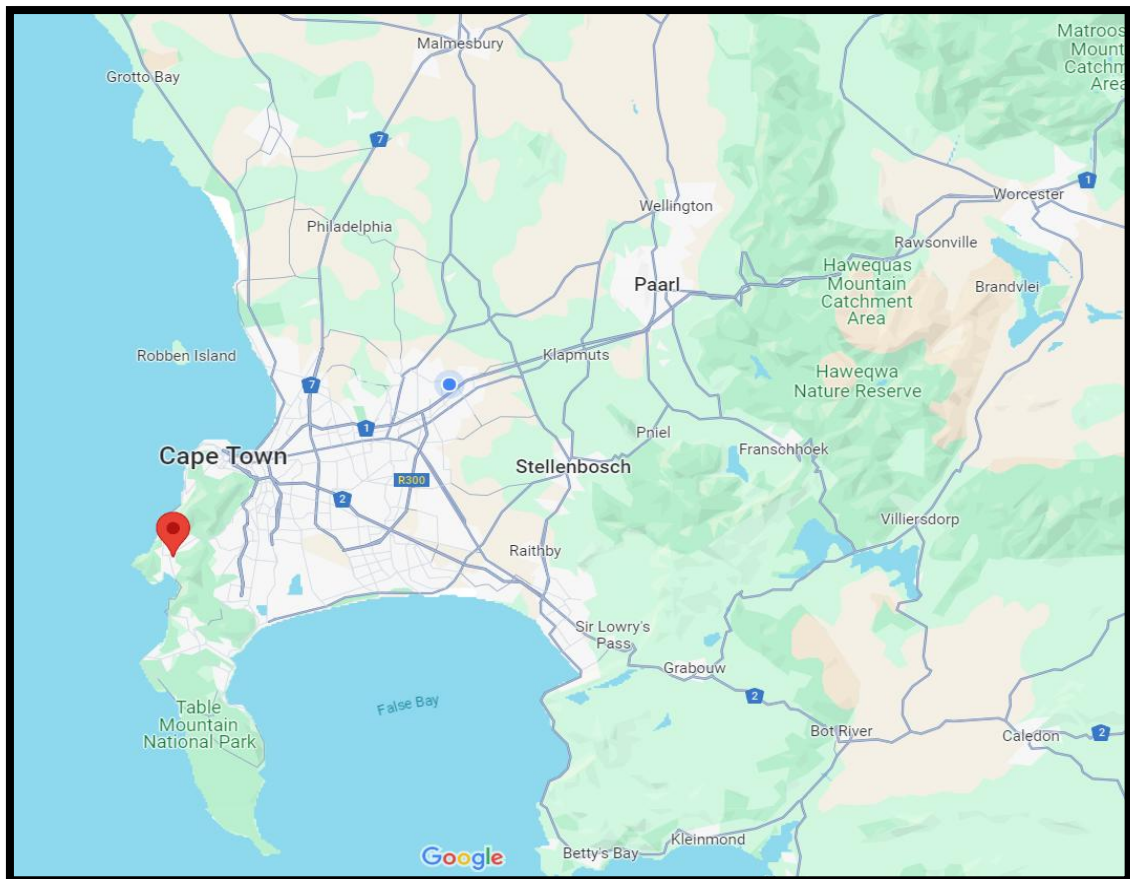
Imizamo Yethu development area comprises of three core areas, namely sites 1-3 that lay in extent of approximately 34ha in total. Of this area, approximately 18ha is designated for residential purposes, as approved in terms of the then applicable legislation, the Less Formal Township Establishment Act, 1991. The May 2010 approval (in terms of the Less Formal Township Establishment Act, 1991) granted the establishment of approximately 1100 housing opportunities across all three sites with a validity period until 17 October 2021. This approval also met the necessary Heritage and Environmental requirements with approvals granted in terms of the Heritage Resources Act (25/1999) and the National Environmental Management Act (1998) being granted, too. The land use rights that were previously granted in relation to the aforementioned approval have therefore lapsed in October 2021, as they were not extended further or acted upon.

Housing Development Department, initially planned to develop Community Residential Units (CRU's) on the higher levels of the sites (now intended for public open space) and double-storey BNG "flats" / terraced housing would have been built on the lower slopes/portions. Further, a geotechnical investigation undertaken proved that some of the aforementioned portions of the sites are unsuitable to develop top structures. Apart from the aforementioned, National Human Settlements previously indicated that the funding for formal subsidized housing will in future be granted for a limited number of categories, for example qualifying beneficiaries over sixty or disabled categories. In addition, the CRU model has become less and less feasible because of cost escalation. It is with this background that Housing Development Department transferred the project to Informal Settlement Department for implementation.

As indicated above, the original rezoning to subdivisonal area overlay approval has lapsed hence a new land use application is being applied for. Therefore, the application will consist of application for rezoning to subdivisonal area overlay zones (residential, public open space(s), public roads and utility), and approval of street names (**see Annexure: A & Q**). In addition, the development will include provision of residential units with top structures as detailed in this report to qualifying beneficiaries for a housing subsidy.

1.2. Property Location & Accessibility

The subject property is accessible via OR Tambo Road, which intercept Hout bay's main road to the near south of the study area.



Metropolitan Context



Figure 1: Locational Context



**9859, 9860
Re-7309
Hout Bay**

Legend

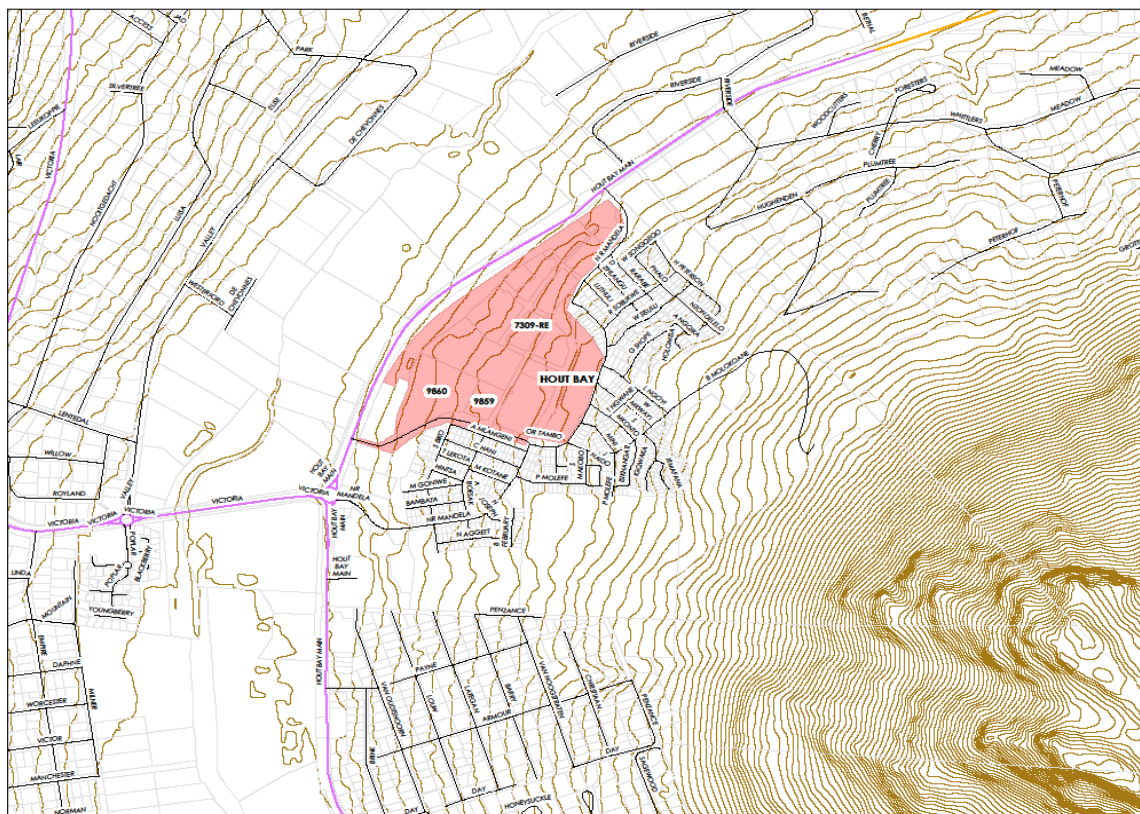
- Imizamo Yethu
 - Land Parcel
- Aerial Imagery January 2023



Scale: 1:2000
 Transverse Mercator Projection,
 Central Meridian 19° 30' E,
 False Easting 400 000 m,
 Unit: Metres

Please Note:
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 Date: March 2023



**9859, 9860
Re-7309
Hout Bay**

Legend

- Imizamo Yethu
 - Land Parcel
 - 5 Meter Contours
- Roads**
- Freeway/Expressway
 - Primary Arterial
 - Secondary Arterial
 - Other Roads



Scale: 1:5000
 Transverse Mercator Projection,
 Central Meridian 19° 30' E,
 False Easting 400 000 m,
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Figure 2: Aerial & Locality Maps Page 5 of 28

1.3. Property Details

- 1.3.1. Property Description:** Remainder Erf 7309 & Erven 9858-9861, Hout Bay **(see Figure 1)**
- 1.3.2. Registered Owner:** City of Cape Town & Provincial Government Western Cape, Department of Education
- 1.3.3. Applicant:** Mgcineni Sandiso obo (CoCT): Directorate Human Settlements, Department: Informal Settlements
- 1.3.4. Extent:** **Re-Erf 7309= 8,7ha, Erven 9858 - 9861 = 3.72ha (Total = 12.4)**
- 1.3.5. GP/Diagram:** Various **(see attached Annexure: N)**
- 1.3.6. Title Deeds**
- 1.3.7. Restrictive Title Conditions:** None
- 1.3.8. Applicable Zoning Scheme:** City of Cape Town Development Management Scheme
- 1.3.9. Current Zoning:** Utility (UT) **(see Figure 3 & Table 2)**
- 1.3.10. Current Land use** Vacant & PTNS Informal settlements **(see Figure 1-4)**

	Erf/ Portion of an Erf	Extent in ha / m ²	Title deed number(s)	Linked conveyance certificate
	7309	8.7		(see Annexure:H)
	9858	1.3		(see Annexure:H)
	9859	0.36		(see Annexure:H)
	9860	1.4		(see Annexure:H)
	9861	0.66		(see Annexure:H)
Total	5	12.4	3	



Figure 4: Aerial Photography

1.4. Summary of Applications

A pre-consultation meeting was held on 24 June 2024 by Informal Settlements Department and internal Departments coordinated with Development Management Departments to discuss the application process, departmental requirements etc. The minutes of this meeting and details of relevant departmental representatives attended are attached as **(Annexure: F)** to the application. Furthermore, a follow up discussion was hosted at Plumstead on 7th November 2025, with Development Management & Urban Planning & Design

The subject properties are currently zoned Utility (UT) in terms of the City of Cape Town Municipal Planning By Law, 2015 (MPBL). It is proposed that the current zoning be altered to General Residential Zone 2 (GR2) and associated urban uses.

The applications applied for, are as follows:

- Application for rezoning of remainder erf 7309, & erven 9858-9861, Hout Bay, from Utility Zone (UT) to sub-divisional area overlay zone as indicated on drawing nr **3.012.01/REV/5 (Subdivision Plan_Rev 5)** dated 28 November 2025 as detailed below:
 - 7 Residential portions to be zoned General Residential 3 (GR3) (4.7ha).
 - 7 Utility portions to be zoned Utility (UT) (0.47ha).
 - 2 portions to be zoned Community 1 (CO1) (2.9ha).
 - 2 portions to be zoned Open Space 2 (OS2) (2.4ha).
 - 3 portions to be zoned Transport 2 (TR2) (2.98ha).
- Application to subdivide the property into a total of 21 portions as per drawing nr **3.012.01/REV/5 (Subdivision Plan_Rev 5)** dated 28 November 2025.
- The applications include approval of street names in terms City of Cape Town Municipal Planning By-Law, 2015 as indicated on drawing no: **3.012.01/REV/5 (Subdivision Plan_Rev 5)** dated 28 November 2025.

Completed LUMS application form is attached as **Annexure: A** to this application.

2. DEVELOPMENT OBJECTIVES AND INFORMANTS

2.1 Surrounding Land Uses

The subject property, as indicated previously, is currently undeveloped. On the eastern boundary, locates Single Residential 2 (SR2) and Single Residential 1 (SR2) dwellings further east. On the north western boundary by Hout Bay Main Road situates Rural Zoned dwellings and the southern boundary with predominantly single dwellings units (**see Figure 5, 6, 7 & Photos 1-8**). A local South African Police Service (SAPS) abuts the site immediately to the south-west.

2.2 Site analysis and constraints

Topography & earthworks

The subject property slopes from east to north-western boundary, towards the existing DISA primary school. The City of Cape Town desktop topographical survey, it indicates a slope interval of 5m from east to north-western boundary. Figure 2.2 below indicates current topography of all the portions.

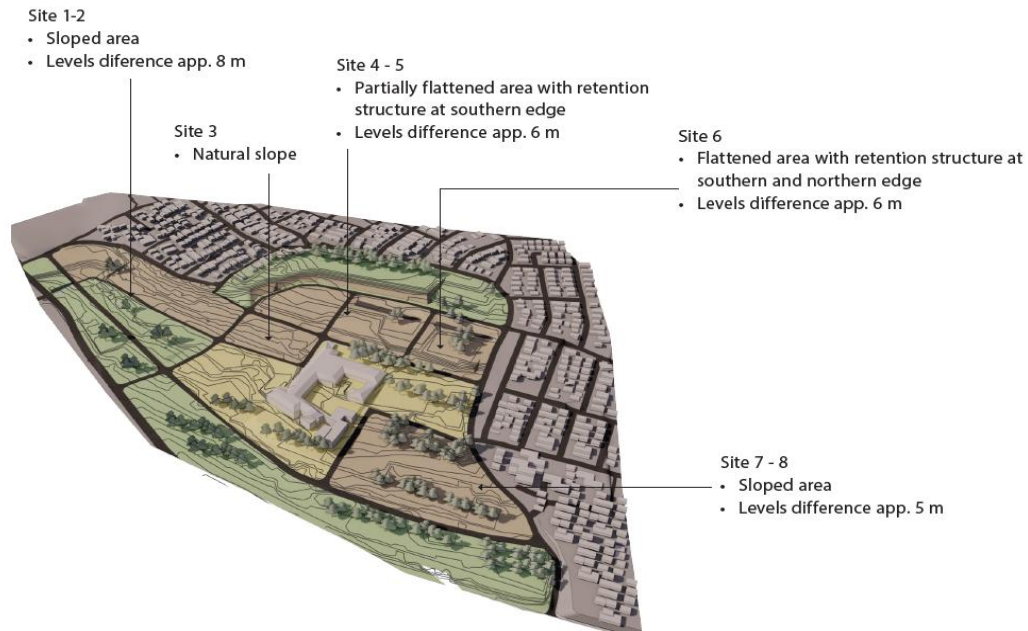


Figure: 2.2

In addition, a geotechnical investigation was undertaken to establish the underlying material and its suitability for residential development prior to implementation. The sites currently proposed as POS on the proposed subdivision plan were initially intended for residential development but geotechnical investigations outcome proved that the upper portions are unsuitable to hold residential structures. The rest of the portions remain suitable for residential development with top structures included (see **Annexure: J**, geotechnical report).

On site features

The portions of the development area are generally vacant as discussed above and in the below sections, however there are existing old buildings that needs to be demolished during implementation. DISA TRA is the only established temporary settlement onsite which will be relocated during implementation. In addition, further east between the intersection of Luthuli Avenue and Nr Mandela Road situates a row of encroached informal settlements, which will be relocated.

Apart from the existing installed road infrastructure network, natural shrubs/ bushes and few trees cover the remaining portions of the development area. Additionally, there is a series of green natural landscape along north-western boundary abutting Hout Bay main Road (**see Figure 1-4 & Photo 1-8 below**).



1. Onsite view overlooking the sites.



2. Onsite view, overlooking DISA TRA & Primary School



3. Onsite view showing existing infrastructure.



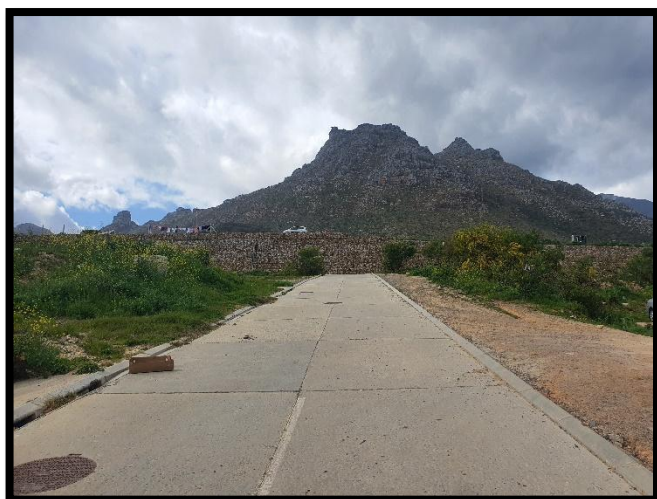
4. Onsite view showing existing streets towards Hout Bay Main Road



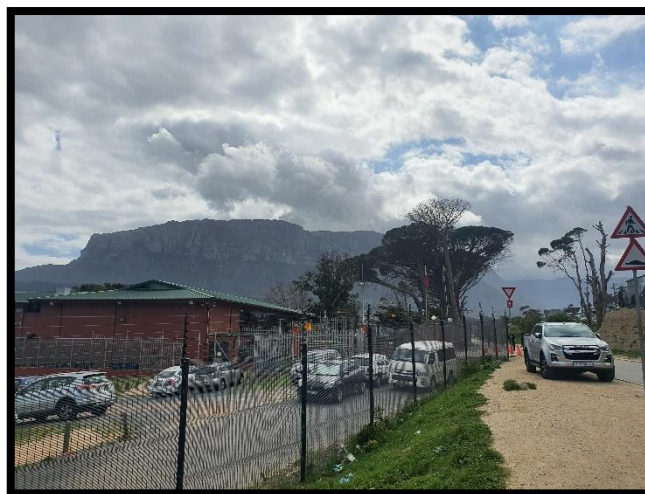
5. Onsite Street view from south to north showing existing infrastructure & site features.



6. Onsite Street view towards Hout Bay Road



7. Onsite Street view from north to south of the site.



8. Street view from south to north Showing DISA Primary School.

i. Services

Lukhozi Consulting Engineers were previously appointed to undertake infrastructure provision onsite. Accordingly, no civil engineering drawings and/or storm water management plan was submitted as per the initial rezoning and subdivision application, however a condition requiring approval of the civil engineering plans prior to transfer of phases 1 and 2 was imposed. The civil engineering services designs were submitted to the City of Cape Town's services Departments for approval and were constructed accordingly onsite also depicted above onsite features.

During our pre-consultation meeting, Water & Sanitation (Bulk Services) indicated that a storm water management plan will be required showing how storm water will be managed onsite as the sites will generate more run-off based on additional hardening. Additionally, if the ponds run into capacity issues or whether will have outfalls directly into the Hout Bay River needs to be either considered/ investigated in the managing of the storm water run-off. Informal Settlements Department has already appointed Lyners Consultants to undertake storm water management plans to give effect to the requirements of Water & Sanitation Department.

ii. Access

Innovative Transport Solutions compiled a transport impact assessment report on March 2021 (**see Annexure E**) and the following information is extracted from the aforementioned report:

According to the findings contained in the report, the proposed development is expected to generate 125 weekday AM and PM peak hour trips respectively. In addition, the expected residents to live in this new housing development is already living in the Imizamu Yethu area and the expected vehicular trips are already on the road network, but a re-distribution of existing trips are expected.

It is further anticipated that with the relocation of existing residents, new residents will move into the vacant informal structures currently occupied. Accordingly, the development trips are viewed as additional trips and not just re-distributed trips; a more conservative approach.

The report proposes and recommends a number of upgrades along / between the intersection of Hout Bay Main road and Nelson Mandela Road North, Victoria Road and Hout Bay Main Road and Mokokoko Street **(see Annexure E)**.

Public Transport

I. Passenger Rail

There is no Metrorail Station or railway line located in close proximity to the subject development and the immediate area surrounds.

II. Minibus taxi

The minibus-taxi station and routes are operating in the area, along Hout Bay Main Road, OR Tambo Road , and Victoria Road, situated approximately within 250 m (± 5 minute walk) **(see Annexure E)**. There is also an existing Mini bus taxi rank temporary operating onsite along OR Tambo road. In terms of the proposed subdivision plan, portion 9 will now be a designated as mobility hub.

The land parcel currently being used for this purpose cannot be utilised for residential purposes, our Department has designated the aforementioned portion as indicated below figure: **2.2a** as an ideal site for future mobility hub for the association.

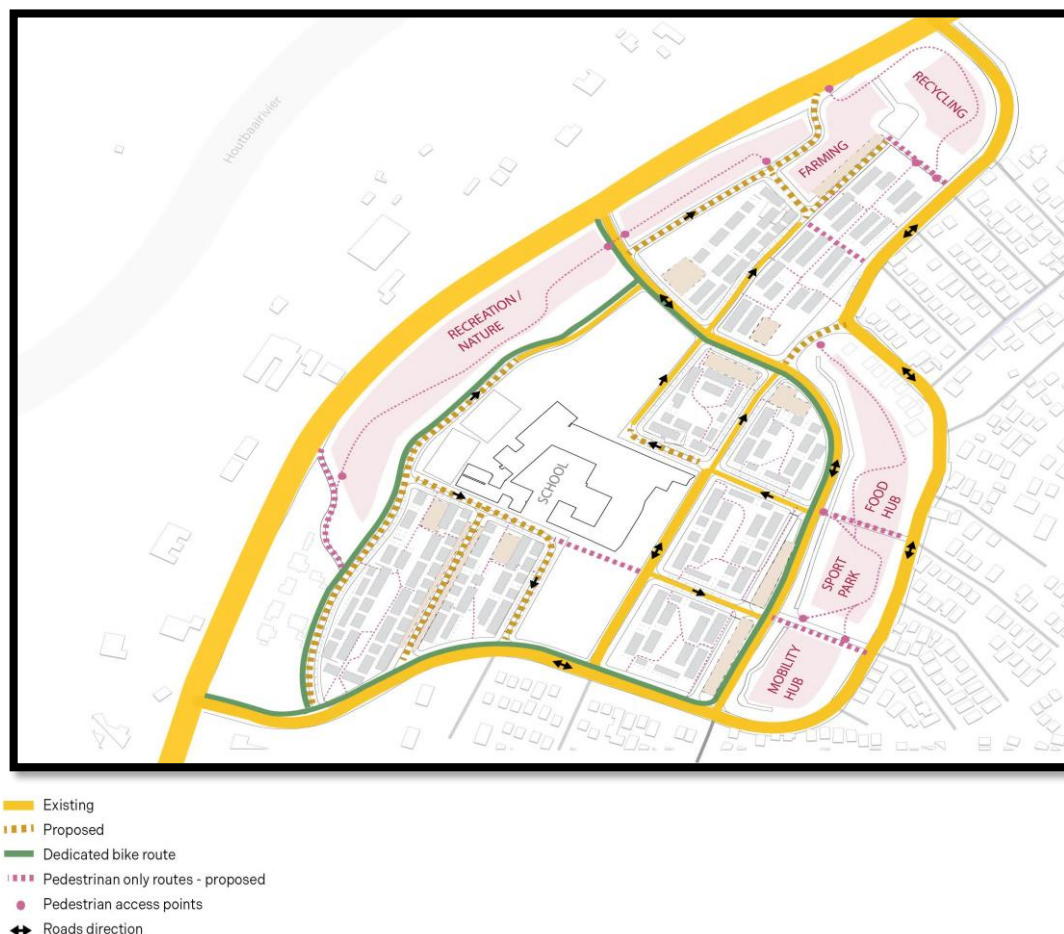


Figure: 2.2a Location of the proposed taxi rank

III. Busses

My Citi routes run along Hout Bay Main road and with dedicated bus stops (**see Annexure E**).

IV. Pedestrian and cycling

There is an existing pedestrian pathway along Hout Bay Main road abutting the development immediately to the north. In addition, there are also proposed sidewalks within the development. Pedestrian only routes are proposed within the development as indicated below and pedestrian oriented routes (O.R. Tambo Road) & (A. Boesak Road) will fulfil this function. The transport assessment report indicates no cycle routes are planned within the development area.



iii. Environment & heritage

Department of Environmental Affairs and Development Planning (DEADP) initially approved Environmental Authorisation, in 2010. The aforementioned application was amended in March 2013. In addition, DEADP confirmed in September 2015 that no further amendments were required prior to the implementation of the changes proposed in the initial amendments approved (**see Annexure: O**).

The initial activities prescribed in the Environmental Authorisation approval were commenced with onsite and therefore the EA remains valid. However, the proposed subdivision plan is slightly departing from the initial approved subdivision plan (**see Annexure: O & P**) linked to the previously approved / amended EA. Therefore, non-substantive amendments will be required from DEADP and our Internal Environmental Management Department has submitted the application, which will run concurrently with the subject application (**see Annexure: O**) acknowledgement of submission from DEADP.

In terms of heritage aspects, a Notification of Intent to Develop (NID) was previously applied for and a Record of Decision (RoD) was issued by Heritage Western Cape (**see Annexure: G**).

The planning principles that informed the layout design include:

- **The need to create safe and secure environments**

- Using layouts that promote passive surveillance of space and access points
- At least one façade of each unit must overlook public places or the roads.
- Need to create a positive interface with the receiving residential environment and landowners.
- Provides a safe, secure and safe built environment for the residents.

- **The need to respond to the movement patterns of the end users**

- The layout needs to accommodate different movement patterns: public / non-motorised / pedestrian.
- Need to accommodate different conditions of movement: late at night / early morning / inclement weather / with children.
- Recognition that people will take the shortest route between two points.
- Consideration for various road widths for various uses.
- The need to respond to the access limitations of the site.
- Access arrangements should not negate the long-term development of adjacent sites.

- **The need to respond to the needs of the end users:**

- Ensuring a cost-effective design in terms of the engineering services required to sustain the proposed development

2.2 Layout Informants

Factors on and around the subject property that will influence the layout design of the proposed development:

- Creating a suitable interface with the existing land uses that are located on the north, east, south and western boundary of the site.
- Provide a safe, secure and safe built environment for the residents.
- The extension/ link of the surrounding road network onto the subject property will allow the development to become integrated into the future development pattern of the surrounding area.
- The proposed layout plan positively responds to the existing routes networks of the surrounding residential areas.
- The subject property is well accessible to public transport routes, local and regional context through Hout Bay main Road which connect the area to local, regional and metropolitan context.

3. DEVELOPMENT PROPOSALS

The followings section unpacks the proposed subdivision layout (**see Annexure P & Q**) in relation to the background and site informants provided above and below;

3.1 Development Approach

The town planning approach is informed by the need and desire to provide security of tenure in the form of mixed type residential units to qualifying beneficiaries currently living onsite, surrounds and on backyards.

In terms of the proposed subdivision plan, the development makes provision for 9 superblock portions which will be developed incremental. The illustration below on **figure 3.1a** depicts the overall typical development of the site from portion 1-9.



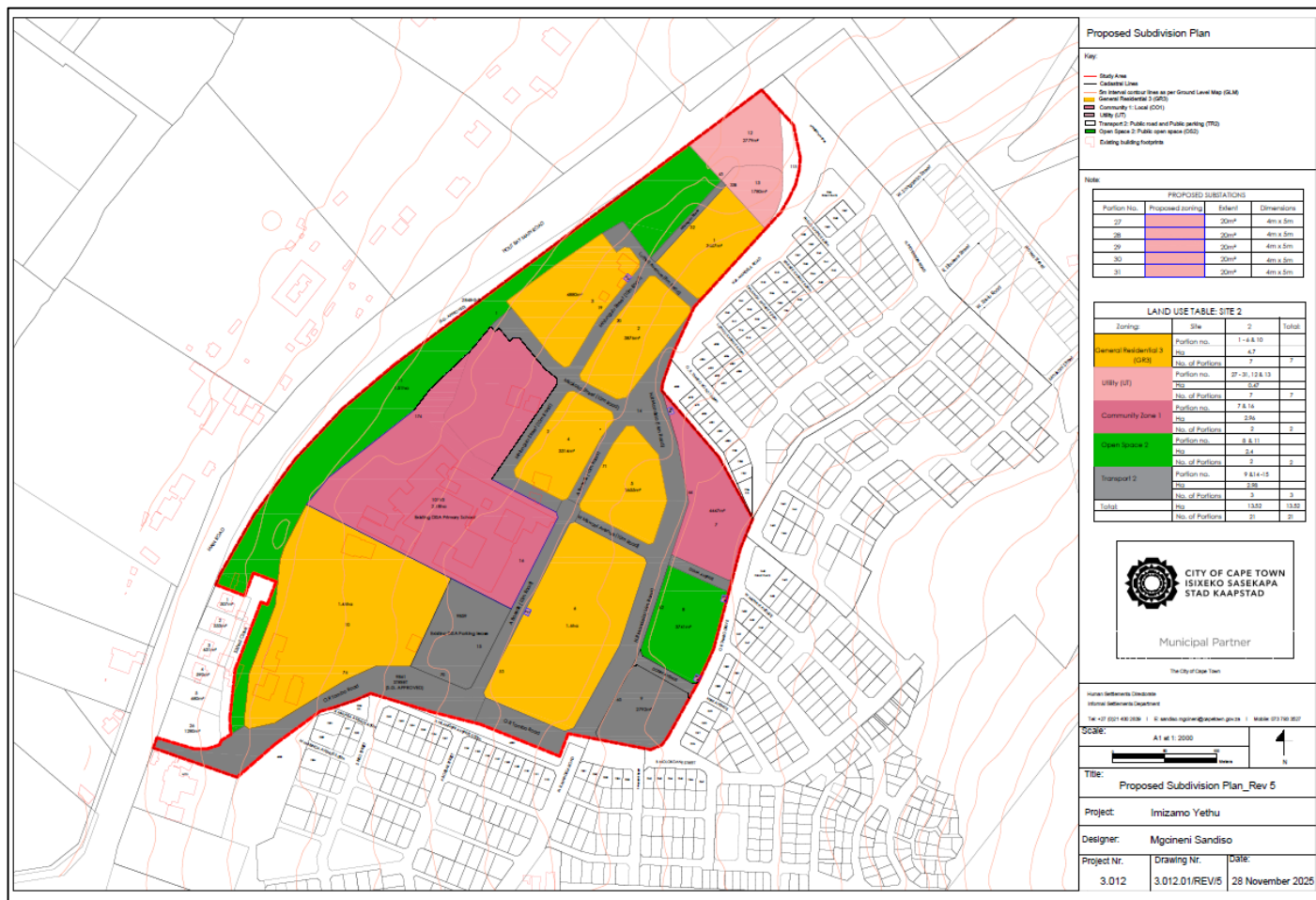
Figure 3.1a

In addition, non-residential land uses being utility facilities & public open space/recreational area will be provided as part of the development. Even though there is still a need to provide additional amenities in the area there is also a challenge of limited land available for development visa particular for residential development. However, a community facility site will be reserved/provided for future development of community related facility aimed at serving the local community for medium to long-term period.

In the interim, the existing community related facilities should be able to sustain the existing community in the short term. It should further be noted most of the land parcels in the development area are vacant except the portion occupied by DISA TRA of which the dwellers will be relocated during the implementation of the project.

3.2 Subdivision

The proposed subdivision plan is designed to integrate with the existing immediate land uses and is scaled to accommodate block sizes and road network that will be in keeping with the surrounding context. As indicated in this report, this development will be implemented incrementally in approach with top structures. The development proposal for IY includes the development of 7 residential blocks, a mobility hub and multifunctional park.



Proposed Subdivision Plan (see Annexure: P)

3.1.1 Unit Types & Construction

Following the approval of the subject application, an architect will be appointed to submit detail building plans depicting unit typologies for approval to Development Management.

3.1.2 Movement

Vehicular access to the subject development is proposed from O.R Tambo Road and N.R Mandela Road. Internal vehicular circulation will be through Luthuli Avenue, Mkokoko Street, A Boesak and Mkwazi Avenue (see Annexure P). The aforementioned vehicular circulation routes were constructed in compliance with the CoCT Minimum Standards. Additionally, pedestrian access ways are catered into the aforementioned routes and proposed various residential streets.

3.1.3 Recreational areas

The proposed development makes provision for designated multifunctional park /recreational area being a total of 0.81ha in extent. Furthermore, our Department will separately submit a detail-landscaping plan should it be required or be imposed as a condition of approval to this application.

The multifunctional park

Site plan



Figure: 3.1.3

4. MOTIVATION PROPOSAL ASSESSMENT

4.1 Consideration criteria in terms of Section 99(2) of the MPBL:

The proposed development is being undertaken to improve the living conditions of the community members who are in desperate conditions. This is an example of an incremental development within an existing urban area that is well served by public transport and engineering services.

Section 99 of the City of Cape Town is planning bylaw sets out the criteria for deciding applications. The preceding sections and the legislative review below, show how this proposal meets the criteria set by section 99:

Cape Town Integrated Development Plan (IDP), 2022 – 2027

The Cape Town IDP rests on five pillars that underpin the growth and development of the City: The Opportunity City, The Safe City, The Caring City, The Inclusive City and The Well-Run City. One of the key strategic focus areas of The Caring City entails the provision of integrated, sustainable human settlements and access to housing to those in need in an incremental manner. In addition, among the City's 16 objectives linked to its priorities and foundations, the following relates to housing:

IDP Objectives 7 & 8

- "Increased supply of affordable & well-located homes; and
- Safer, better quality homes in informal settlements and backyarders over time".

Western Cape Provincial Spatial Development Framework (PSDF)

The Sustainable Human Settlements Strategy of the Western Cape Provincial Government advocates for achieving sustainable human settlements (as opposed to housing construction) by encouraging the establishment of integrated developments that promote economic growth and empowerment in a manner that contributes to greater social equity.

The overall purpose of this strategy identifies the current problem experienced by the community, and proposes realistic objectives together with actions that should be implemented to achieve its overall goal of bringing housing opportunities closer to work, transport networks and economic opportunities.

Municipal Spatial Development Framework (MSDF), Approved by Council in January 2023

Cape Town's Municipal Spatial Development Framework (MSDF) sets out the spatial vision and development priorities to achieve a reconfigured, inclusive spatial form for Cape Town. The document is a spatial interpretation of the City of Cape Town's Integrated Development Plan and flows from the five-year review of the previous MSDF, which was drafted in 2012.

The newly approved MSDF gives effect to the City's commitment to spatial transformation through four primary Spatial Transformation Areas (STAs) to manage environmental protection and urban growth and investment.

Such areas are informed by the existing built extent of the city that is not immediately framed by main structuring elements and, where bulk infrastructure allows, prioritise public sector investment in existing and future human settlements; the optimisation of public land development; incremental land-use intensification; and the spending of government grants and capital investment associated with infrastructure and service redress. The MSDF identifies four localised 'unique' areas namely:

- An Urban Inner Core
- **Incremental Growth and Consolidation Areas (IGA);**
- Discouraged Growth Areas (DGA);
- Critical Natural Areas (can)

The proposed development falls within designated "Incremental Growth and Consolidation Areas" (IGA) where the desired spatial outcomes and land use guidelines are:

1. Diverse and dense land uses, where bulk engineering infrastructure allows.
2. Diversification of mono-use residential patterns and cross subsidisation for the provision of social infrastructure.
3. Incremental intensification (density and diversity) via subdivisions/second and third dwelling and rezoning.
4. Public sector investment in existing and future human settlements permitted (MSDF, 2023: 63).

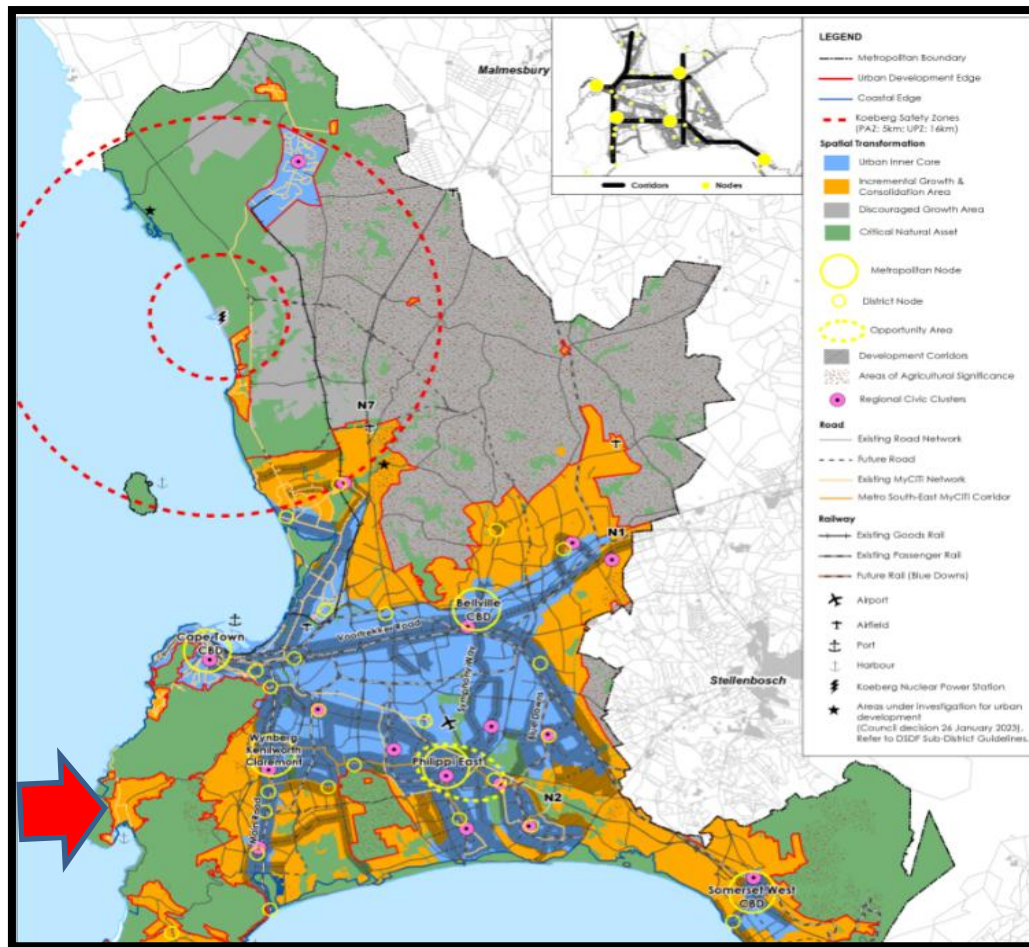


Figure 6: Site on the MSDF Map- 2023

The proposed Incremental Upgrading of the Imizamo Yethu Informal Settlements is in keeping with the aforementioned MSDF policy guidelines and objectives.

Southern District Plan (Integrated Spatial Development Framework and Environmental Management Framework, January 2023)

The **Southern District Plan (SDP)**, was approved as a 4(10) structure plan in 2023 and is aligned with updated 2023 MSDF and which has an approval status in terms of the Municipal Systems Act, 2000 (Act 32 of 2000) ("MSA").

The **Southern District Plan** designates the site as "New Development Areas", this can be noted in Figure 6 below. In addition, medium-to-medium high-density general residential development and ideal mixed-use developments and public transport interchanges being encouraged along the interface of Hout Bay Main road. Further spatial development objectives and land use guidelines is provided below,

SPATIAL DEVELOPMENT OBJECTIVES (WHAT)	SUPPORTING LAND USE GUIDELINES (HOW AND WHERE)	PROPOSAL ALIGNMENT
Future use Primarily residential, but also limited mixed use, public facilities, and open space.	The site(s) should most appropriately include medium- to medium high-density general residential development. In addition, limited and appropriate mixed-use development and public transport stops/ interchanges should be accommodated along the interface with Hout Bay Main Road.	The proposed development represent intensification of land uses but it should be noted that the subject property is being developed in accordance with the provision of Single Residential 2 (SR2) zone, which allows incremental approach to areas of informality.
Development opportunities City-owned (south of Main Road) and Housing Development Agency land (north of Main Road).	Future development should also include community facilities (as appropriate) to meet overall needs in the area.	Designated recreational area, which should benefit the receiving community, will be provided.
Inside the urban development, edge Site(s) within, and immediately adjacent to, the existing formal Imizamo Yethu (IY) area. Relatively large, amalgamated site(s).	The overall aim of the development/redevelopment process should be to improve general living conditions in IY, enhance the interfaces of the site with adjacent sites and Main Road, and maximise integration of the site into the surrounding area.	The proposed development respond positively to this guideline since its aimed at improving living conditions of people in desperate situation without degrading the receiving natural and built environment.
Development constraints Relatively steep slope areas south of Main Road. A large part of the site north of Main Road is low-lying and in a flood-prone area. Imizamo Yethu has grown both massively and in a poorly managed manner in recent years. This has led to land invasion, infrastructural and social problems and intra- and inter- community conflict. Is (and will be) subject of protracted land settlement processes.	Limit future urban development (residential, commercial), to above the 1:100-year floodline. Retain the area below the floodline recreation and other open space uses.	Noted
	Careful attention should be given to development adjacent to Main Road, given that this is a scenic route.	Noted
	Detailed further planning is required to progress and finalise local area planning and development outcomes.	Noted

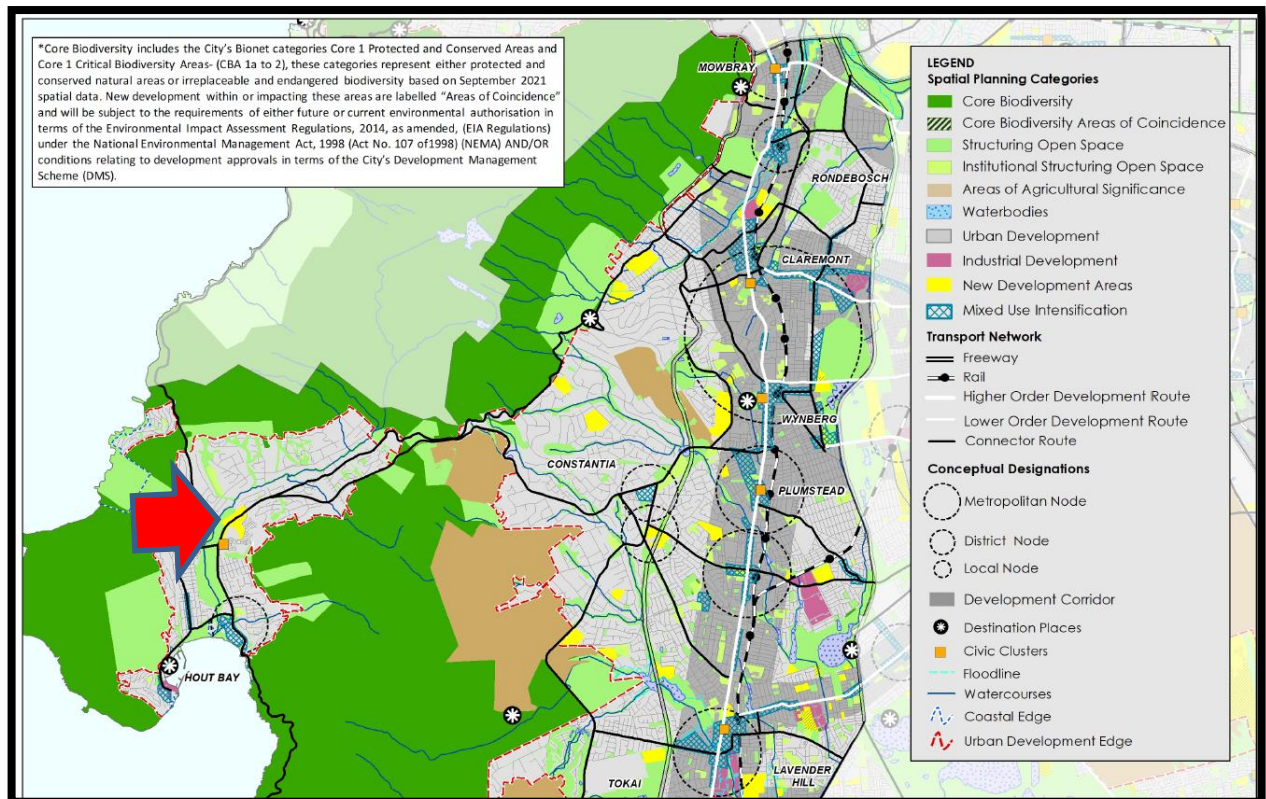


Figure: 6. **Sub-district 1: Hout Bay and Llandudno**- Site on the Southern District Plan - 2023

The proposed development application is deemed consistent with envisioned development objectives in the area and is in keeping with the guidelines of the aforementioned applicable policy.

Applicable policy approved by the City to guide decision-making:

Cape Town Urban Design Policy, (2024)

The design of the proposed subdivision plan needs to be informed by good principles of urban design, as stipulated in the Cape Town Urban Design Policy. Specifically, the policy identifies three core principles:

- 3.1 The greater public good;
- 3.2 The "whole" above the "parts"; and
- 3.3 Identity, Context and Place Making.

These are given effect by nine tangible objectives, of which are all relevant to the proposed upgrading:

- OBJECTIVE 1: Ensure legible spatial structure
- OBJECTIVE 2: Create good quality open space through place making
- OBJECTIVE 3: Contribute to the creation of healthy & safe communities
- OBJECTIVE 4: Design streets as positive public space
- OBJECTIVE 5: Promote intensity, diversity and adaptability of uses
- OBJECTIVE 6: Ensure positive interface onto the public realm
- OBJECTIVE 7: Provide support to sites of informality
- OBJECTIVE 8: Value and enhance green open spaces
- OBJECTIVE 9: Respond to the character and identity of an area



Proposal Alignment with the aforementioned “core principles”:

- **Ensure legible spatial structure;** the proposed layout planning/ subdivision of the settlement takes into account existing spatial structure of the neighbourhood both formally and informally. Additionally, the layout plan respond to the creation of residential blocks to individual erven and proposed access roads and how they link with the existing route network of the area and its surrounds. The aforementioned takes into consideration the incremental growth and development of the settlements into a formal residential area over time.
- **Create good quality open space through place making;** proposed development makes provision / recreational hub dedicated for recreational spaces. It is recognised that the settlement area has limited or no ideal designated recreational spaces aimed at servicing the community. The location of the designated open space in close proximity to public transport facility will enable sustainable use of the space. As per the above site layout, the public open space will be provided and a detail-landscaping plan for the recreational area will be submitted for approval.
- **Contribute to the creation of healthy and safe communities;** the department recognises and acknowledges informality within the site surrounds. Furthermore, the proposed incremental development will improve the living conditions of those currently residing in informal structures under unsafe and alarming conditions. The development is within an established residential area with no risks of natural disasters or flood prone area etc. Additionally, as discussed in this report, additional feasibility studies have been undertaken to ensure integration with the existing neighbourhood and sustainability of the settlement.
- **Design streets as positive public spaces;** apart from the challenging landscape/steep slope of the area, the streets have been designed to allow accessibility and positive interaction by end-users and. Additionally, pedestrian walkways will be provided for non-motorised users.
- **Promote intensity, diversity and adaptability of uses;** despite the desirable need to provide and maximise housing opportunities for the beneficiaries, proposed development makes provision for complimentary land uses being (designated site for future community facility, recreational areas and public transport facilities). The aforementioned land uses spaces can potentially be used for other various activities for the benefit of the community.
- **Ensure positive interfaces onto the public realm;** the layout plan shares positive and safe edges and integrate positively with the exiting surrounding land uses. As can be seen above. the structuring of land uses and streets designs contributes to positive public interface. Furthermore, placement of buildings structures during construction phase will further addresses the aspects positive interface.
- **Provide support to sites of informality;** the overall development objectives of Human Settlements for the subject application is to address/ respond to the current informality with the site surround. Additionally, the feasibility studies accompanying the application seeks to address the issues pertaining to the informality.

- **Value and enhance green open spaces;** the proposed development observes the natural landscape of the area and the potentially impact of the development to the receiving naturally environment and the impact of the environment towards the proposed development. Furthermore, initial environmental impact assessment was undertaken and as mentioned above, an amendment application is underway to the competent authority to minimise any potential impact the development may have to the receiving environment.
- **Respond to the character and identity of an area;** as discussed in this report, the proposed development is considered compatible with the surrounding land uses, existing character and unique identity of the area. Furthermore, detail design of building top structures will observe the character of the area and formal building plans will be submitted for approval to this effect.

Transit Oriented Development Strategic Framework Policy (2016)

The Council of the City of Cape Town approved the TOD Strategic Framework on 31 March 2016. The policy framework is seen as a policy mechanism to implement Transit-Oriented-Development of Cape Town. The TOD establishes principles for Urban Development, which are intended to foster spatial configurations that enable high quality, car free lifestyles. The principles are as follows:

- Develop neighbourhoods that promote walking [WALK]
- Prioritize non-motorized transport networks [CYCLE]
- Create dense networks of streets and paths [CONNECT]
- Locate development near high-quality public transport [TRANSIT]
- Plan for mixed use [PLAN]
- Match density and transit capacity [DENSIFY]
- Create compact regions with short commutes [COMPACT]
- Increase mobility by regulating parking and road use [SHIFT]

This application generally supports the principles of TOD, since the proposed development is located in close proximity to public transport routes (Hout Bay Main Road, Victoria Road & NR Mandela Road) and public minibuses & my Citi stations (**see Annexure: E**).

Impact on Existing Rights:

The proposal will have no undesirable impact on existing rights. The proposal is to enable incremental development of the subject properties into a formal township development for beneficiaries that are currently living in the area.

Furthermore, the proposal will not affect the City's ability to provide services to the existing surrounding residential areas and or community. Township establishment within the area will generally improve the overall development patterns of the existing surrounding areas.

Legal Considerations (national and provincial):

Spatial Planning and Land Use Management Act (SPLUMA), No. 16 of 2013

SPLUMA has provided a framework for development in order to redress the imbalances of the apartheid planning system. The issue of informality is one of the key informants thereof and is addressed in the development principles as detailed in Section 7 of the Act. Below follows an extract of the principles that have specific implications for the subject application:

Spatial Justice

- *To redress the past spatial and other development imbalances through improved access to and use of land*
- *SDFs to address the inclusion of persons previously excluded with an emphasis on informal settlements and areas characterised by widespread poverty and deprivation*
- *Land Use system that is flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas*
- *Procedures that accommodate access to secure tenure and the incremental upgrading of informal areas*

Spatial Resilience

- *Flexibility in spatial plans, policies and land use systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.*

Good administration

- *All spheres of government ensure an integrated approach to land use and land development.*

City of Cape Town Municipal Planning By-Law (MPBL), 2015

The City of Cape Town Municipal Planning By-law provides the mechanism for land use applications, including subdivisions. The By-law also provides the general procedures for all applications. The procedures include making an application, notice and comment, process and criteria for deciding application, the decision, the appeal process, etc.

When deciding whether to approve the application, the decision maker must consider all relevant considerations including the following:

- any applicable spatial development framework;
- relevant criteria contemplated in the development management scheme;
- any applicable policy approved by the City to guide decision making;
- the extent of desirability of the proposed land use as contemplated in subsection (3);
- impact on existing rights (other than the right to be protected against trade competition);
- in an application for the consolidation of land unit – (i) the scale and design of the development; (ii) the impact of the building massing; (iii) the impact on surrounding properties; and (g) other considerations prescribed in relevant national or provincial legislation.

It should be noted, after the initial rezoning to subdivisonal area overlay zone application lapsed, the subject properties are currently zoned Utility (UT), which do not permit intended development on site.

Therefore, a rezoning application for some of the portions is warranted in order to allow for residential development, open space, roads and community uses, utility and transport zones.

City of Cape Town Human Settlements Strategy (2021)

The aforementioned strategy seeks to achieve seven objectives:

- Human settlements that provides residents with healthy and safe living conditions,
- Human settlements that are more accessible, diverse, and responsive to the needs of residents,
- Human settlements that offer occupants the opportunity to realise the full value of their homes as a social, financial and economic asset,
- Human settlements that catalyse spatial transformation by achieving density and improving access to economic and social opportunities for all,
- Human settlements that supports the creation of sustainable, dignified, and integrated settlements,
- Human settlements that drive economic opportunity through an active housing construction sector and;
- Human settlements that incorporates principles related to climate change, resource efficiency, green infrastructure, and resilience, in order to improve living conditions for housing recipients through low-cost and no-cost interventions.

The proposed development promotes the attainment of the objectives mentioned and the proposal is therefore deemed to be in keeping with the mentioned strategic document.

4.2 Consideration criteria in terms of Section 99(3) of the MPBL: Extent of Desirability of the Development Proposals

Socio-economic impact

The planned project is to be undertaken using the Urban Settlements Development Grant (USDG) based on the policy principles, guidelines and standards as set in the National Housing Code and as prescribed by the National Department: Human Settlements.

In terms of specific requirements as stipulated in Section 99 of the MPBL, the proposed Incremental Development Area (IDA) is desirable from a number of different perspectives. Its greatest significance will be in terms of its socio-economic impact on both to the subject area as well as the rest of Imizamo Yethu area. The proposed development will represent an improvement to the quality of life for residents currently residing in poor conditions and unsafe surrounding environment, through access to housing, improved access to basic services and provision of socio-economic opportunities. Furthermore, the envision development will also contributes to an improved Urban Development Fabric of Imizamo Yethu area in relation to the surrounding local and regional areas.

Compatibility with surrounding land-use

The subject area falls within a predominant developed and developing residential areas of Imizamo Yethu. The eastern boundary of the site abuts existing single residential 2 erven (low cost in value) with informal settlements located further east. The north-western boundary of the site abutting Hout Bay Main road and is characterised by predominant Rural zoned areas with natural landscape along Hout Bay main road which separates the two areas.

It is arguable that, this section of Hout Bay is predominantly informal in nature and is envisioned to develop incrementally as per the policy designation, guidelines and objectives discussed above. The proposed development area falls within existing urban edge and therefore does not encourage urban sprawl and the development proposal deemed compatible with the existing urban fabric.

Impact on the external engineering services

As previously discussed, Lukhozi Consulting Engineers were previously appointed to undertake infrastructure provision onsite. Additionally, civil engineering services designs were submitted to the City of Cape Town's services Departments for approval and were constructed accordingly onsite. Also during pre-planning process, no concerns were raised pertaining to capacity challenges. It is to be noted that the installed infrastructure was based on high-density development, which is no longer viable, or to be implemented. The development mass has been reduced significantly and therefore even though the demand for additional services / carrying capacity within the site surrounds is not determined, the Department: Informal Settlements anticipates no negative impact on external engineering services.

Transport Network:

The subject development falls within an established residential area to the near east extending to the south with existing collector, distributor and access routes. The proposed subdivision/ layout plan responds positively to the existing routes and thereby by extends and links into the existing movement networks/ road patterns. Furthermore, majority of residents predominantly use public transport to commute and therefore no potential negative traffic impact is envisaged.

Innovative Transport Solutions were appointed by the City of Cape Town to undertake the Traffic Impact Assessment. The aforementioned consultants have completed the Traffic Impact Assessment study (**see Annexure: E**). The aforementioned TIA report indicated no negative traffic movement or undesirable impact/s as result of the proposed development.

Health and safety

This area of Hout Bay (Imizamo Yethu community) faces huge threats regarding the wellbeing and safety of the community due to lack of basic services such as water and sanitation, lack of public facilities, high levels of crime, and being prone to diseases due to densely populated informal settlements.

Therefore, by developing the under-utilised land parcels for the purposes of an integrated and cohesive settlement, the social-ills will be minimised and the quality of life will be improved within the area.

Impact on heritage and the biophysical environment;

IY, is surrounded by existing residential areas from near south, northeast and patches of informality extending further east to south and the subject area is considered to be inside the urban area. There are no known heritage resources on or in close proximity to the proposed development.

A notification of intent to develop, was initially issued by the Heritage Western Cape and is attached as **Annexure: G** to this application.

By developing this area with formal dwelling units, the increasing encroachments of informality towards south east of the area will be minimised. Apart from the required non-substantive amendment from the previously granted EA, no anticipated negative impact towards the natural environment is expected. Additionally, Environmental Control Officer (ECO) will be appointed prior to construction in order to monitor and ensure that implementation follows statutory approval guidelines and prevent any potential negative impact to the receiving natural environment.

5. CONCLUSION AND REASONS FOR APPROVAL

5.1 Compliance with Planning Policy

With reference to the contextual background, relevant legal framework, site conditions and the proposed layout, the compelling justification for the proposed development are listed below, addressing multiple directions and incentives.

SPLUMA

The proposed development directly addresses the SPLUMA principle of spatial justice, particularly focusing on human settlements development and enabling land ownership by previously disadvantaged areas. Proposed development will in future enable dignified housing opportunities to Imizamo Yethu households currently living in poor and unsafe conditions posed by the existing crowded environment.

City of Cape Town IDP

The development of the parcels of land gives tangible effect to Objectives 7 & 8 of the City's IDP to provide dignified affordable human settlements and access to safer housing opportunities by informal settlements dwellers.

MSDF and SDP

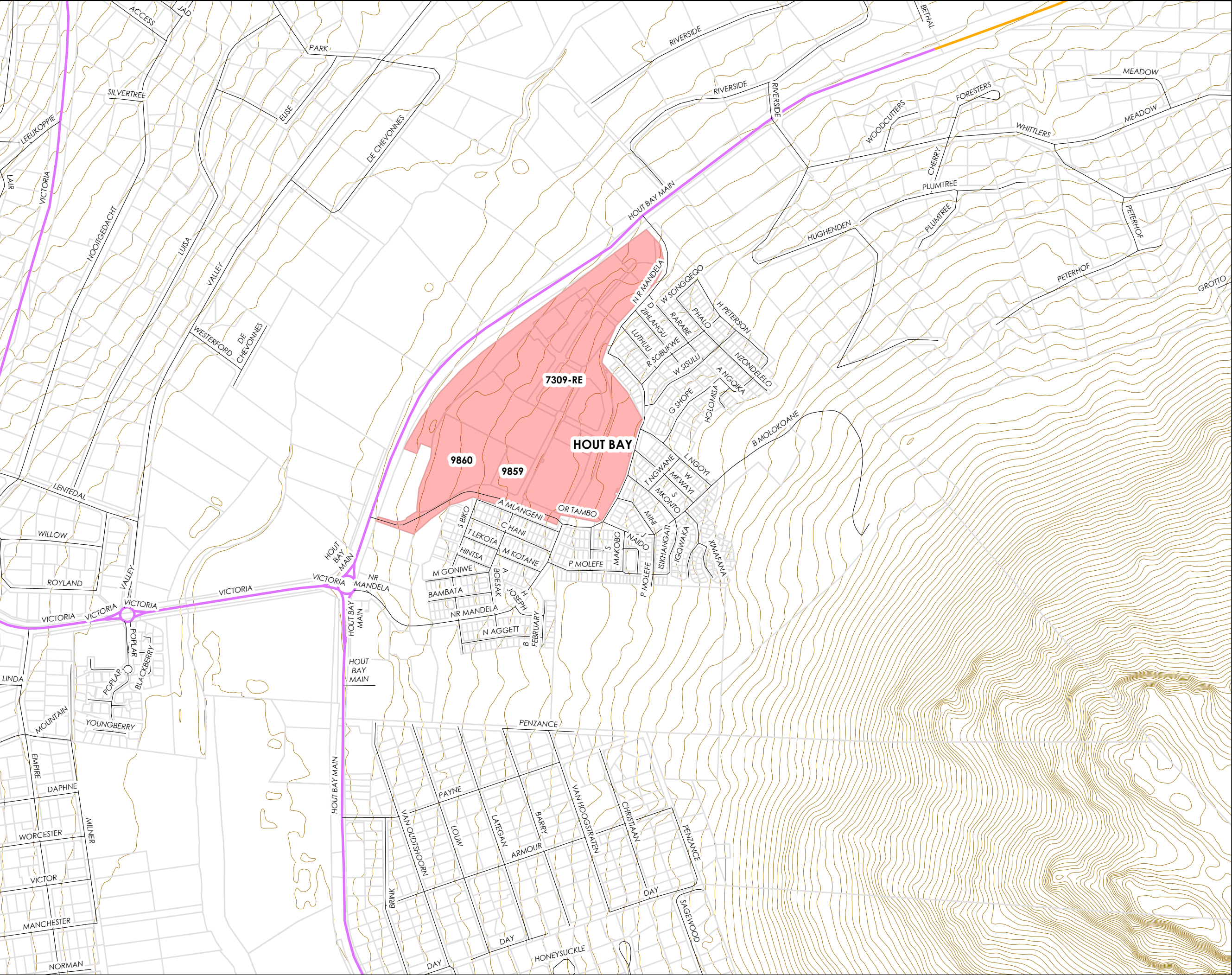
In terms of the relevant spatial development frameworks, the proposed development is in line with the guiding principles of **Incremental Growth and Consolidation Areas** in terms of the **MSDF** & **New Development Areas** in terms of the **SDP**. The proposed development will provide practical effect to the principle of incremental approach to housing development and community development, by assisting residents of informal settlements to gain access to housing opportunities and security of tenure.

5.2 Concluding Remarks

In conclusion, the intended development is envisioned to improve the living conditions of the community and further improves the spatial form of the area within the site surrounds. Additionally, the proposed development will provide safer housing opportunities and security of tenure to citizens of the area. The overall development approach focuses on improved public service delivery and has the potential to contribute positively to the socio-economic development of the area.

6. ANNEXURES:

- Annexure: A Land Use Management Application Form
- Annexure: B- Power of Attorney (POA) from Director: Informal Settlements
- Annexure: C- Aerial/ Contextual Map
- Annexure: D- Previous approved subdivision plans & approval letters
- Annexure: E- Transport Impact Assessment (TIA) dated 2021
- Annexure: F- Pre- consultation meeting & Internal departmental comments /consultation
- Annexure: G- Intent to Develop (NID) / ROD
- Annexure: H- Conveyance Certificates
- Annexure: I- SG Diagrams
- Annexure: J- Geotechnical Reports
- Annexure: K- Ownership/ Title Deed
- Annexure: L- Zoning Map
- Annexure: M- Metropolitan & District Spatial Development Plans
- Annexure: O- Previously approved EA & Acknowledgement of submitted Amendments from DEADP
- Annexure: P- Proposed Subdivision Plan
- Annexure: Q- Proposed Phasing Plan
- Annexure: R- Resolution on previously approved street names
- Annexure: S- List of previously approved street names & proposed names
- Annexure: T- Meeting notes/email correspondence with Development Management



9859, 9860
Re-7309
Hout Bay

Legend

- Imizamo Yethu
- Land Parcel
- 5 Meter Contours
- Roads
 - Freeway/Expressway
 - Primary Arterial
 - Secondary Arterial
 - Other Roads



0 20 40 80 120 160

Meters
1: 6000
Transverse Mercator Projection,
Central Meridian 19° East,
WGS84 Ellipsoid using the
Hartebeeshoek94 Datum

Please Note:
- Every effort has been made to ensure the accuracy of information in this map at the time of publication .
- The spatial data portrayed in this map is as current, accurate and complete as provided by the various line departments responsible for the maintenance of these datasets.
- The City of Cape Town accepts no responsibility for, and will not be liable for, any errors or omissions contained herein.

THIS MAP WAS COMPILED BY:
PLANNING
Informal Settlements

Contact Information:



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.



9859, 9860
Re-7309
Hout Bay

Legend

-  Imizamo Yethu
 -  Land Parcel
- Aerial Imagery January 2023



0 5 10 20 30 40

Meters
1: 2000
Transverse Mercator Projection,
Central Meridian 19° East,
WGS84 Ellipsoid using the
Hartebeeshoek94 Datum

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Contact Information:



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Making progress possible. Together.

Proposed Subdivision Plan

Key:

- Study Area
- Cadastral Lines
- 5m interval contour lines as per Ground Level Map (GLM)
- General Residential 3 (GR3)
- Community 1: Local (CO1)
- Utility (UT)
- Transport 2: Public road and Public parking (TR2)
- Open Space 2: Public open space (OS2)
- Existing building footprints

Note:

PROPOSED SUBSTATIONS			
Portion No.	Proposed zoning	Extent	Dimensions
27		20m²	4m x 5m
28		20m²	4m x 5m
29		20m²	4m x 5m
30		20m²	4m x 5m
31		20m²	4m x 5m

LAND USE TABLE: SITE 2

Zoning:	Site	2	Total:
General Residential 3 (GR3)	Portion no.	1 - 6 & 10	
	Ha	4.7	
	No. of Portions	7	7
Utility (UT)	Portion no.	27 - 31, 12 & 13	
	Ha	0.47	
Community Zone 1	Portion no.	7 & 16	
	Ha	2.96	
Open Space 2	Portion no.	8 & 11	
	Ha	2.4	
Transport 2	Portion no.	9 & 14 - 15	
	Ha	2.98	
Total:	No. of Portions	3	3
	Ha	13.52	13.52
		No. of Portions	21



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Municipal Partner

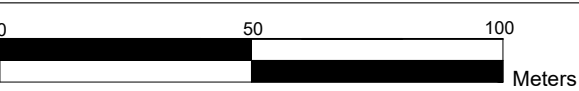
The City of Cape Town

Human Settlements Directorate
Informal Settlements Department

Tel: +27 (0)21 400 2839 | E: sandiso.mgcineni@capetown.gov.za | Mobile: 073 793 3527

Scale:

A1 at 1: 2000



Title:

Proposed Subdivision Plan_Rev 5

Project:

Imizamo Yethu

Designer:

Mgcineni Sandiso

Project Nr.

3.012

Drawing Nr.

3.012.01/REV/5

Date:

28 November 2025