

**SPECIAL MEETING  
- MINUTES -**

**OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING TRIBUNAL:  
NORTH WESTERN REGIONAL PANEL MEETING HELD ON WEDNESDAY, 11 OCTOBER 2017  
AT 10:00 IN GOODWOOD COUNCIL CHAMBERS, GOODWOOD MUNICIPAL OFFICES,  
FIRST FLOOR, VOORTREKKER ROAD, GOODWOOD**

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**PRESENT:  
MEMBERS:**

Mr D Daniels	Chairperson
Mr S Holden	Deputy Chairperson
Mr W Johnstone	
Mr D Visser	
Mr N Titus	

**COUNCILLORS:**

Alderman Brian Watkyns	Ward 53
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**OFFICIALS:**

Cheryl Walters	Director: Development Management
Mr R Walton	Head: Development Management
Mr M Williamson	Regional Head: TCT
Mr M Mupariwa	- District Manager: Development Management
Ms San Giorgio	- Development Management
Mr G September	- Development Management
Ms B Fick	- Development Management
P Koen	- Transport and Urban Development Authority
M Williamson	- Transport and Urban Development Authority
M Adams	- Transport and Urban Development Authority
W Nande	- Transport and Urban Development Authority
A Mitev	- Transport and Urban Development Authority
L Bruiners	- Transport and Urban Development Authority
L Khangwe	- Transport and Urban Development Authority

**COMMITTEE SECRETARIAT:**

Ms R Petersen	MPT
Mr N Sikiti	MPT

*OPS*

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**PUBLIC AND PRESS:**

A Lambrecht  
M Munro  
A Ferreira  
P Albertus  
N Smith  
A Rendall  
T Bruk  
E Smith  
L Hopkins  
L Swartz  
R Davids  
C Clark  
G Alkana  
H De Sousa  
R Reid  
F Gamielien  
R Williams  
C Campbell  
N Schwartz  
L Mpahlwa  
H Spies  
C Hillman

**SMPTNW 01/10/17 OPENING AND MOMENT OF SILENCE**

The Chairperson, Mr David Daniels welcomed all present to the special meeting of the North Western panel of the Municipal Planning Tribunal. He requested that a moment of silence be observed and then declared the meeting as officially opened.

**NOTED**

**SMPTNW 02/10/17 APOLOGIES / LEAVE OF ABSENCE**

Apologies were received from Mr Spriggs.

**SMPTNW 03/10/17 DECLARATION OF INTEREST**

**RESOLVED**

That it **BE NOTED** that no member of the Municipal Planning Tribunal, North Western panel declared any interest.

*DPD*

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**SMPTNW 04/10/17    DECLARATION THAT AGENDA HAS BEEN READ**

**RESOLVED**

That it **BE NOTED** that the declaration of the agenda being read was signed by all members.

**SMPTNW 05/10/17    MATTERS RECEIVING ATTENTION**

**RESOLVED**

**INTERVIEW ITEM**

**SMPTNW 06/10/17    APPLICATION FOR PERMANENT DEPARTURE AND CITY'S APPROVAL  
IN RESPECT OF ERF 537-RE TAMBOERSKLOOF, 41 GILMOUR HILL  
ROAD**

The applicant, Jason Spriggs, indicated that he would not be present and conveyed his apology.

Mr September introduced this application and pointed out minor errors in the case officer's report.

Mr Smith addressed the panel on behalf of the objectors.

After panel discussion, it was agreed to approve this application.

The Chairperson reminded the objector of his right to appeal.

**UNANIMOUSLY RESOLVED that:**

- a. The departures stipulated in Annexure A on Erf 537 Tamboerskloof, **BE APPROVED** in accordance with the plans in Annexure C.
- b. The application for Councils approval stipulated in Annexure A on Erf 537 Tamboerskloof, **BE APPROVED** in accordance with the plans in Annexure C.

*SPS*

### REASONS FOR DECISION

The MPT APPROVED the application for the reasons set out in the Planner's Report and agreed to amend reasons 1 and 4 as follows:

1. The proposal and applications are consistent with the Table Bay District Plan.
4. The street building line departure bears no adverse impact on the built form.

#### Add to conditions:

- 1.3 The plan to be amended before submission to indicate the minor changes that are still evident on the property and not in line with the proposed plan.

**ACTION BY: SOARES / SEPTEMBER**

## INTERVIEW ITEM

**SMPTNW 07/10/17 APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURES IN TERMS OF THE MUNICIPAL PLANNING BY-LAW 2015: IN RESPECT OF REMAINDER ERF 112657 AND REMAINDER ERF 112656, FOREST DRIVE EXTENSION, PINELANDS / THORNTON**

Ms San Giorgio introduced this application and pointed out errors in the case officer's report.

Mr Alastair Rendall spoke on behalf of the applicant.

Speaking for the objectors, Mr Riad Davids addressed the panel.

Mr Rendall was given an opportunity to rebut.

Alderman Watkyns addressed the panel.

Mr Williamson spoke on behalf of Transport & Urban Development.

After panel discussion, this application was approved by 4 votes to 1. Specific attention needs to be given to the detailed planning, as well as the proposed Management Structure for the development, as these will be key contributing factors to the success of this project.

The Chairperson reminded parties of their right to appeal.

*DPD*



**RESOLVED that:**

- a. The applications for the subdivision as contained in the attached Annexure A in respect of Erf 112656, Forest Drive Extension, Thornton / Pinelands and Erf 112657, Forest Drive extension, Thornton / Pinelands **BE APPROVED** in terms of Section 98(b) of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure D.
- b. The applications for the consolidation as contained in the attached Annexure A in respect of Erf 112656, Forest Drive Extension, Thornton / Pinelands and Erf 112657, Forest Drive extension, Thornton / Pinelands **BE APPROVED** in terms of Section 98(b) of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure D.
- c. The application for the rezoning of the property from a Limited use Zone to a Subdivisional Area as contained in the attached Annexure A in respect of the consolidated Erf comprising remainder portion of Erf 112657 after subdivision and the alienated portion of Erf 112656, Forest Drive extension, Thornton / Pinelands as referred to in 2.2 contained of Annexure A attached, **BE APPROVED** in terms of Section 98(b) of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure C.
- d. The application for the departures as contained in the attached Annexure A in respect of the consolidated Erf comprising remainder portion of Erf 112657 after subdivision and the alienated portion of Erf 112656, Forest Drive extension, Thornton / Pinelands, as referred to in 2.2 contained of Annexure A attached, **BE APPROVED** in terms of Section 98(b) of the Municipal Planning By-Law subject to conditions contained in Annexure A attached and in accordance with the plans in Annexure C.

**REASONS FOR DECISION**

The MPT APPROVED the application for the reasons set out in the Planner's Report and agreed to amend the reasons as follows:

- 7.1 Add 3<sup>rd</sup> reason: The application complies with the City's development principles, as contained in its Integrated Development Plan
- 7.3 Add 9<sup>th</sup> reason: This is an attempt at addressing one of the City's most critical challenges, ie. the need for affordable housing in accessible locations

Add 10<sup>th</sup> reason: Suitable attenuation measures will be put in place to address stormwater management related to the 1:100 flood line



Amend conditions as follows:

- 3.1 Rezoning from a Limited Use Zone to Subdivisional Area comprising portions zoned for:
- 4.2 From Item 126 of the Development Management Scheme to permit an earthbank/retaining structure (berm) along the south-east common boundary to be 3.0m in lieu of 2.0m.
- 5.1 The development on the property shall be generally in accordance with the revised concept plans, as per presentation which must be attached.
- 5.1.1.1.3 Further to 5.1.1.1.2 above, a detailed Site Development Plan shall be provided to the satisfaction of the Director: Development Management showing:
- 3<sup>rd</sup> bullet: The relationship of the site to the public realm (the interface with Forest Drive extension properties, Forest Drive extension with pedestrian and bicycle links) and relationship to surrounding properties;
- 6<sup>th</sup> bullet: The interface of buildings with Jan Smuts Drive and Forest Drive extension;
- 13<sup>th</sup> bullet: Any other details as may reasonably be required by the Director: Development Management
- 14<sup>th</sup> bullet: Provision of educational facilities
- 5.2 Building plans for the development of the property shall be substantially in accordance with the Site Development Plan referred to in 5.1.1.1.3
- 5.3 When approving the SDP referred to in 5.1.1.1.3 above, the Director: Development Management may impose further conditions to ensure the appropriate development of the subject property
- 5.9 Prior to the commencement of construction of phase 1, the following shall be constructed and/or provided:
- 3<sup>rd</sup> bullet: Pedestrian connections to Odin Way (including the construction of the bridge across the Elsieskraal River Canal)
- 5.10 Prior to the commencement of construction of phase 2 Aerodrome Road extension shall be constructed from Forest Drive Extension to Voortrekker Road in accordance with the Transport Master Plan referred to in 5.4.1 above.
- 5.11 Remove 'Places of Assembly' from the list

*BPS*

- 5.12 9<sup>th</sup> bullet: All buildings fronting onto the public realm and open/recreational spaces shall be interactive where feasible

Add bullet: Particular attention must be given in terms of Council's Urban Design Policy to the interface of the 25m high residential buildings with abutting residential areas and the public realm

- 5.13 The building setback above 10.0m on the portion zoned for Mixed Use, Sub-zone MU2, shall be articulated to the satisfaction of the Director: Development Management in consultation with the Director: Urban Integration (Urban Design)

- 5.14 Amend DC calculation to R66 694 740.57

- 5.14.1 The development contribution referred to in 5.14 above shall relate to:

- 5.16 Rename condition 5.16 to 'Note'

Add new condition: One sport facility, including at least one full size football field and indoor multipurpose sport facility, must be provided before over 1800 residential units are approved for construction.

**ACTION BY: SAN GIORGIO / SEPTEMBER**

## INTERVIEW ITEM

**SMPTNW 08/10/17 APPLICATION FOR DELETION/AMENDMENT OF TITLE DEED RESTRICTIONS, DEPARTURES, DELETION / AMENDMENT OF CONDITIONS GRANTED PREVIOUSLY AND IS NOW VALID IN TERMS OF THE MUNICIPAL PLANNING BY-LAW 2015: ERF 4211, 187 – 213 FOREST DRIVE EXTENSION PINELANDS**

After panel discussion, it was agreed that this application be **REFERRED BACK**. Council's officials to inform relevant parties of the next meeting date in order for the applicant and objector to make oral representation.

**ACTION BY: SAN GIORGIO / SEPTEMBER**

**SMPTNW 09/10/17 MEETING CLOSING**

The Chairperson thanked the SMPTNW panel members, Councillors and Officials for their input and for logistical arrangements of the meeting.



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**SMPTNW 10/10/17 NEXT MEETING DATE**

Date of next MPTNW meeting: 7 November 2017.

The meeting ended at 13:30.

Items were discussed in the following sequence:

SMPTNW01/10/17	SMPTNW02/10/17	SMPTNW03/10/17
SMPTNW04/10/17	SMPTNW05/10/17	SMPTNW06/10/17
SMPTNW07/10/17	SMPTNW08/10/17	SMPTNW09/10/17
SMPTNW10/10/17		



**MR DAVID DANIELS  
CHAIRPERSON**

*16 October 2017*

**DATE**