

Sibonelesihle Shabalala

From: Carla Garcia <riaanandcarla@gmail.com>
Sent: Saturday, 29 August 2020 09:07
To: Comments_Objections Blaauwberg
Cc: david@alleasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

1. Property Values of Neighbouring Properties

The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

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2. Adherence to Policy

The application incorrectly claims that this application adheres to current policy. The applicant makes false and misleading statements within this application. We would remind the City that the omitting of critical details in an application and misleading the City in an application is an offence in terms of the MPBL and would demand that the City takes the required action against the applicant.

2.1 In sections 5.2,6 and 8 of the application the applicant makes the claim 'The Site is located within the Urban Inner Core Spatial Transformation Area' in which the MSDF calls for the land use intensification' This is an incorrect claim as the application site only partially within the Urban Inner Core with the boundary cutting across the middle of the property. Indeed, it must be noted that Canary Crescent falls outside the Urban Inner Core. It is incorrect of the applicant to claim the site is within the Urban Inner Core. The applicant cannot claim to be compliant with the MSDF and has misled the City with this claim.

2.2 The applicant makes the claim is section 5.1 'the area is well served by most necessary amenities and facilities, including hospitals, schools, shops' had the applicant and the case worker taken the time to read the Blaauwberg District plan 2012 they would have found the following:

'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

2.2.1 The Blaauwberg District Plan states in Section 6.2.1

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It goes on to guide planners to the Blaauwberg Road Management Strategy as the existing framework.

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We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

2.3 TOD (Transport Orientated Development Strategic Framework)

The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

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The is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

3. Incorrect Advertising

The applicant repeatedly makes the claim that this application is policy compliant. The property is not within the Urban Inner Core, not policy compliant with the Blaauwberg District Plan, Management Strategy for Blaauwberg Road, Transport Orientated Development Strategy, The Tall Building Policy and there is not compliant with the MSDF. The Blaauwberg District Plan insists that non policy compliant applications must be advertised as non-compliant. The Blaauwberg District Plan states:

Should a deviation from policy be determined to be necessary, this should be advertised as part of the land use application

Given the that this application falls outside of council policy/s this application must be advertised as such and should feature the justification for this deviation. The Municipal Planning Tribunal cannot approve an application that is not compliant with council policy unless it is correctly advertised and justified. Guidance for this is found in Act No. 16 of 2013: Spatial Planning and Land Use Management Act, 2013

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4. Infrastructure

This City of Cape Town has documented in the Blaauwberg District Plan the infrastructure deficiencies with the area where this property is situated. Whilst the applicant misleads the City with the claim the area is well served by most necessary amenities' this is indeed false. The Blaauwberg District Plan points to a lack of amenities such as schools, health care facilities and work opportunities. It must be noted that this property is on land that was destined to house a school and as such this application is taking a scarce local amenity whilst claiming that this area is well served by schools.

The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

The main sewer lines to the Potsdam Waste Water Plant are collapsing and in need of repair. We see regular sewer pump failure resulting in raw sewage pumping into the Table Bay Nature Reserve and our beaches

5. NEMA (National Environmental Management Act)

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Conclusion

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Table view

Cape town , Western cape 7741

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2.2.2 Management Strategy for Blaauwberg Road does not allow buildings with a height of four story's in any other roads apart from Blaauwberg Road and average of 3 – 5 Story's (Mixed Use Development) and two story's in Arum Road and North Road. It then refers to group housing restricted to two story's in the areas from Arum Road and North Road to Raats Drive. It does not support four story buildings on the property in question.

We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

2.3 TOD (Transport Orientated Development Strategic Framework)

The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

2.4 Tall Building Policy

The is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

3. Incorrect Advertising

The applicant repeatedly makes the claim that this application is policy compliant. The property is not within the Urban Inner Core, not policy compliant with the Blaauwberg District Plan, Management Strategy for Blaauwberg Road, Transport Orientated Development Strategy, The Tall Building Policy and there is not compliant with the MSDF. The Blaauwberg District Plan insists that non policy compliant applications must be advertised as non-compliant. The Blaauwberg District Plan states:

Should a deviation from policy be determined to be necessary, this should be advertised as part of the land use application

Given the that this application falls outside of council policy/s this application must be advertised as such and should feature the justification for this deviation. The Municipal Planning Tribunal cannot approve an application that is not compliant with council policy unless it is correctly advertised and justified. Guidance for this is found in Act No. 16 of 2013: Spatial Planning and Land Use Management Act, 2013

(1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework.

(2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework.

This application must be advertised as non-compliant. The rights of the local community and all objectors have been infringed by the application.

4. Infrastructure

This City of Cape Town has documented in the Blaauwberg District Plan the infrastructure deficiencies with the area where this property is situated. Whilst the applicant misleads the City with the claim the area is well served by most necessary amenities' this is indeed false. The Blaauwberg District Plan points to a lack of amenities such as schools, health care facilities and work opportunities. It must be noted that this property is on land that was destined to house a school and as such this application is taking a scarce local amenity whilst claiming that this area is well served by schools.

The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

The main sewer lines to the Potsdam Waste Water Plant are collapsing and in need of repair. We see regular sewer pump failure resulting in raw sewage pumping into the Table Bay Nature Reserve and our beaches

5. NEMA (National Environmental Management Act)

NEMA clearly states that any development must be sustainable and cannot damage the environment. The Potsdam Waste Water Plant is not able to cope with current demand and is currently polluting the Diep River, Table Bay Nature Reserve and Milnerton Lagoon. This development will add to this pollution and as such is not sustainable.

Conclusion

The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

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Ms Cara Thomas

deocarathomas@hotmail.com

Parklands

Cape Town, Western Cape 7441

Sibonelesihle Shabalala

From: Philippe Roche <roche@icon.co.za>
Sent: Saturday, 29 August 2020 11:55
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

1. Property Values of Neighbouring Properties

The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

Section 7 of the National Building Regulations and Building Standards Act Reads:

Approval by local authorities in respect of erection of buildings

- (1) If a local authority, having considered a recommendation referred to in section 6 (1) (a)-
 (a) is satisfied that the application in question complies with the requirements of this Act and any other applicable law, it shall grant its approval in respect thereof; [Para. (a) substituted by s. 4 (a) of Act 62 of 1989.]
 (b) (i) is not so satisfied; or
 (ii) is satisfied that the building to which the application in question relates-
 (aa) is to be erected in such manner or will be of such nature or appearance that-
 (aaa) the area in which it is to be erected will probably or in fact be disfigured thereby;
 (bbb) it will probably or in fact be unsightly or objectionable.
 (ccc) it will probably or in fact derogate from the value of adjoining or neighbouring properties;

2. Adherence to Policy

The application incorrectly claims that this application adheres to current policy. The applicant makes false and misleading statements within this application. We would remind the City that the omitting of critical details in an application and misleading the City in an application is an offence in terms of the MPBL and would demand that the City takes the required action against the applicant.

2.1 In sections 5.2,6 and 8 of the application the applicant makes the claim 'The Site is located within the Urban Inner Core Spatial Transformation Area' in which the MSDF calls for the land use intensification' This is an incorrect claim as the application site only partially within the Urban Inner Core with the boundary cutting across the middle of the property. Indeed, it must be noted that Canary Crescent falls outside the Urban Inner Core. It is incorrect of the applicant to claim the site is within the Urban Inner Core. The applicant cannot claim to be compliant with the MSDF and has misled the City with this claim.

2.2 The applicant makes the claim is section 5.1 'the area is well served by most necessary amenities and facilities, including hospitals, schools, shops' had the applicant and the case worker taken the time to read the Blaauwberg District plan 2012 they would have found the following:

'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

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Support densification along Blaauwberg Road in terms of proposals contained in the Blaauwberg Road Management Strategy (1999) and any future reviews of this policy. Support mixed use development along Blaauwberg Road with average building heights of 3-5 storeys.

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We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

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The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

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There is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

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The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

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Conclusion

The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

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Mr Philippe Roche
roche@icon.co.za
116 Circle road
tableview, western cape 7441

Sibonelesihle Shabalala

From: Kelly Erxleben <kelzmoore1@gmail.com>
Sent: Saturday, 29 August 2020 12:39
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

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We call on the City of Cape Town to not support this application

--

Mrs Kelly Erxleben
kelzmoore1@gmail.com
78 C Janssens Avenue private road Table View
Cape Town , Western Cape 7441



OBJECTION, COMMENT OR REPRESENTATION to an application received by the City

(prescribed form in terms of section 90 of the City of Cape Town Municipal Planning By-Law, 2015 (MPBL))

If you wish to object, comment or provide representation in terms of section 90 of the City of Cape Town Municipal Planning By-law, 2015 (MPBL) towards a land use application being considered by the City you will be required to complete this form to ensure the objection, comment or representation is valid.

Use of this form does not limit any supplementary documentation that you may wish to bring to the attention of the decision authority. All documents you wish to submit for consideration by the decision authority should be attached and submitted simultaneously with this form.

Please complete/tick the appropriate boxes below, provide a motivation/explanation of your answer, attach any supplementary documentation to this form and submit it to the relevant email address as specified in the notice.

Subject to section 90(7) of the MPBL your submission may appear on a public agenda. In terms of section 92 of the MPBL your submission will be referred to the applicant to allow for a response to the City.

SECTION A: APPLICATION DETAILS

Case ID Subject erf number

Street address of the subject property

How did you become aware of the application?

- Registered letter via post
 Onsite notice
 Newspaper
 City of Cape Town website
 Other, please specify

SECTION B: DECLARATION BY AFFECTED PARTY OR PARTIES/ PROPERTY OWNERS

In respect of the aforementioned application, I/we the registered owner(s) or resident(s) of the undermentioned premises, formally:

- Object
 Comment on
 Provide representation

If the activity is currently in operation, how does the activity affect you?

The decision-maker will use section 99(3) of the MPBL to determine the desirability of the application. Should you wish to align your submission with the above-mentioned criteria please visit the City website to peruse the MPBL.

Reason for objection, comment or representation must include:

- I. Your interest in the application.
- II. Effect the application will have on you, your property or the area.
- III. Any aspect of the application that is considered to be inconsistent with policy, and how.
- IV. What impact the development has on your property.

Are you objecting to the whole application or only part of it? If in part, provide more details below:

Would you support the application if particular conditions were imposed?

Such condition(s) must be reasonable and relate to the application at hand in terms of section 100 of the MPBL. If so, state the reason and propose conditions below:

Section 120(11) of the MPBL provides that a person may make a request to the Municipal Planning Tribunal (MPT) to make an oral submission. For such request to be considered it must comply with the following requirements:

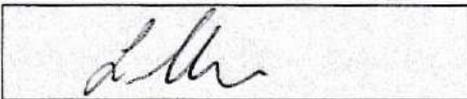
1. Must be a written request emailed to the following address: MPT.oralhearings@capetown.gov.za.
2. Adequate reasons must be given for such request.
3. The request must be received at the above-mentioned address at least five days before the MPT meeting where the application(s) will be considered, or closer to the meeting if good cause is shown.

To assist you in deciding whether you would like to make such request, go to the following web link to view the MPT meeting dates: <http://www.capetown.gov.za/Family%20and%20home/meet-the-city/city-council/Meeting-calendar>.

You will be able to view MPT meeting dates, agendas and reports using erf numbers, physical addresses and case ID.

Requestor to note that you will be required to identify when the application to which you wish to make oral submission on, will appear on the Tribunal agenda in order for you to submit the request in time as per the above requirement.

SECTION C: SIGNATORIES DETAILS

Full name and surname	Susan Christine Laubscher		
Erf number	12233	Postal address	122 Circle Road, Table View , 7441
Email address for correspondence*	susanclaubscher@gmail.com		
Contact number	083 265 1891	Signature	
Cell number	083 265 1891	Date	4-9-2020

* If this form is submitted using a different email address than the one stated above, then note that the City will only communicate with you using the email address from which the form was received.

EXTRACT FROM THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015

90 Objection to an application

- 1) A person who has been invited to comment or object, or any person in response to a public invitation to comment or object, may object to, comment on or make representations about the application in accordance with this section.
- 2) An objection, comment or representation must be in writing.
- 3) A late objection, comment or representation will not be considered unless the City Manager condones the late submission in terms of subsection (4).
- 4) The City Manager may condone the late submission of an objection, comment or representation if good cause is shown and consideration of the late objection, comment or representation would not -
 - (a) cause an unreasonable delay; or
 - (b) prejudice the public interest.
- 5) A person who submits an objection, comment or representation must provide on the prescribed form -
 - (a) sufficient details of the application for it to be readily identified;
 - (b) their full name;
 - (c) their address and other contact details and the method by which they may be notified;
 - (d) their interest in the application;
 - (e) the reason for their objection, comment or representation, including at least -
 - (i) the effect that the application will have on them or the area;
 - (ii) any aspect of the application that is considered to be inconsistent with policy, and how.
- 6) An objection, comment or representation which does not meet the requirements of subsection (5) may be disregarded.
- 7) The City Manager may keep the information provided under subsections (5)(b) and (5)(c) confidential on good cause shown.
- 8) No person may request the payment of money or any other form of consideration from the applicant or any person involved in the application in return for not submitting an objection or in return for submitting a notice of no objection or a supportive comment.
- 9) No person may offer a person payment of money or any other form of consideration in return for not submitting an objection or for submitting a notice of no objection or a supportive comment.
- 10) Subsections (8) and (9) do not prohibit the request for or the offer to undertake measures to mitigate the impact of the development contemplated in the application.
- 11) A person who contravenes subsections (8) or (9) is guilty an offence and upon conviction is liable to the penalties contemplated in sections 133(2) and 133(3).

Method and date of notification

The date of notification is determined as follows:
if the notification is provided -

- (a) orally, it is the date of oral communication;
- (b) by hand, it is the date of delivery or collection;
- (c) by registered post, it is regarded as the fourth day after the date stamped upon the receipt for registration issued by the post office which accepted the notice; or
- (d) by email or fax, it is the date that the email or fax is sent.

Interpretation Act No 33 of 1957 section 4

- (4) Reckoning of number of days. - When any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusive of the first and inclusive of the last day, unless the last day happens to fall on a Sunday or on any public holiday, in which case the time shall be reckoned exclusive of the first day and exclusive also of every such Sunday or public holiday.

As an example, if the date of notification is 1 October, then the first day of calculation of the 21 day appeal period will be 2 October and the 21st day would be 22 October. If 22 October is either a Sunday or a public holiday, then the closing date will be the next following day that is not either a Sunday or a public holiday.

Susan Christine Laubscher
 122 Circle Road
 Table View
 7441

S. Laubscher -4-9-2020

083 265 1891

Objection reasons for proposed application for rezoning, subdivision, regulation departure and SDP approval in terms of the Cape Town Municipal Planning By-Law: Erf 38599, Milnerton, 21 Canary Crescent, Sunridge, 7441

To Point I. My interest in the application;

I own and reside at a property in Circle Road, Table View, 7441. The application, if approved, will negatively impact the already failing infrastructure in the immediate area and surrounds. It will negatively impact the living conditions for myself, my family and my neighbours, and it will decrease the value of my property.

To Points II. Effect the application will have on me, my property or the area, III. Any aspect of the application that is considered to be inconsistent with policy, and how, and IV. What impact the development has on my property;

1. Our roads (Circle Road, North Road, Gie Road, Raats Drive and adjoining streets) are already overloaded and failing due to heavier traffic than planned for.
 - Bottom compacting layer coming through the asphalt everywhere
 - Serious cracks of 2m and longer appearing everywhere
 - Middle of the road splitting open
 - Numerous potholes forming regularly, even large sinkholes
2. Traffic congestion and lack of access out of the suburb, the roads are backed up solid during peak hours and often during normal hours, the roads cannot cope with the amount of traffic already using them particularly gaining access to Blouberg Road and thence to R27, or Koeberg Road. The Sandown Road exit out to the N7 is continually compromised by the creeping of informal settlements into the area, rioting and disturbances, making it a no go area. The N7 has been closed on many occasions at Platteflood road as Malabongwe and Potsdam Roads have been no-go areas, this happens regularly shutting off main arteries and traffic having to find alternate routes through the suburb.
3. The sewage system in the area is already overloaded due to densification complexes that were approved to be built on Gie Road, Circle Road, North Road, Study Road, Briza Road, Arum Road.
 - Sewage overflows in the roads at times
 - Potsdam sewage works is totally overloaded and spills into the lagoon regularly and the city is aware of this
 - Same sewage plant is handling Parklands densification and Table View

SL

4. The storm water drain system in the area is overloaded and floods over in the streets regularly. The storm water drain system is old and not maintained correctly, resulting in regular pipe bursts and days of repair and traffic inconvenience for surrounding areas.
 - Gie Road, Circle Road, North Road, Study Road, Jansen Road, Briza Road, Arum Road
 - It flows out at every serious rain or storm and overflows into the roads

5. This voluntary City process of densification in Table View, Flamingo Vlei, Sunridge, West Riding has seen crime increases that are impossible to comprehend.
 - The area has seen a massive demographic population rise in the last 5 years
 - Street corner invasions by unemployed individuals is uncontrollable. These individuals loiter, urinate and defecate against boundary walls, litter, and taint the image of a suburban, residential area
 - Table View SAPS is inundated with cases and not able to cope
 - SAPS already cannot cope with the number of issues resulting from this increase in population, how will they cope with even more residents and potential cases? This area should have remained, as intended, a single dwelling population, not an area with large complexes that have been irresponsibly and inconsiderately approved and developed already

6. Changing the zoning to the next category will
 - destroy the character of this suburb
 - allow for multiple 4-storey high developments to emerge, thereby destroying the existing, already failing, infrastructure
 - result in the destruction and disappearance of lawns, green spaces and trees from our area
 - result in the destruction and disappearance of walkways or sidewalks
 - result in a further influx of residents and vehicles, which will add to the existing traffic congestion
 - lower the value of properties in the area

This area should NOT be considered for rezoning to GR2.

7. Allowing the request for the boundary walls to now be 2m from the street will:
 - remove green spaces
 - remove trees
 - make the sidewalks narrower and dangerous
 - increase the flow of storm water into the overloaded storm water drains in the area

Building lines to remain as originally set. No departures should be allowed.

8. **Approval of the site development plan should not be considered at all as the development is non-contextual, unsightly and greatly exceeds the accepted densification of 50 units per ha.**

9. Furthermore, I deem it **unacceptable** that this application was initially handled without following the correct protocol of informing all residents in the area of the application, thereby not providing all residents the fair opportunity to object. A petition, and more, was required to ensure the correct process was eventually followed.

Due to above-mentioned reasons I **ABSOLUTELY OBJECT TO THE WHOLE APPLICATION.**

500

Sibonelesihle Shabalala

From: Susan Laubscher <susanlaubscher@gmail.com>
Sent: Saturday, 29 August 2020 16:04
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

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The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

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2. Adherence to Policy

The application incorrectly claims that this application adheres to current policy. The applicant makes false and misleading statements within this application. We would remind the City that the omitting of critical details in an application and misleading the City in an application is an offence in terms of the MPBL and would demand that the City takes the required action against the applicant.

2.1 In sections 5.2,6 and 8 of the application the applicant makes the claim 'The Site is located within the Urban Inner Core Spatial Transformation Area' in which the MSDF calls for the land use intensification' This is an incorrect claim as the application site only partially within the Urban Inner Core with the boundary cutting across the middle of the property. Indeed, it must be noted that Canary Crescent falls outside the Urban Inner Core. It is incorrect of the applicant to claim the site is within the Urban Inner Core. The applicant cannot claim to be compliant with the MSDF and has misled the City with this claim.

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'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

2.2.1 The Blaauwberg District Plan states in Section 6.2.1

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The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

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There is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

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The applicant repeatedly makes the claim that this application is policy compliant. The property is not within the Urban Inner Core, not policy compliant with the Blaauwberg District Plan, Management Strategy for Blaauwberg Road, Transport Orientated Development Strategy, The Tall Building Policy and there is not compliant with the MSDF. The Blaauwberg District Plan insists that non policy compliant applications must be advertised as non-compliant. The Blaauwberg District Plan states:

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The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

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Conclusion

The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

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Ms Susan Laubscher
susanclauscher@gmail.com
122 Circle Road
Table View, Western Province 7441

Sibonelesihle Shabalala

From: Marian White <Shanewhitesa@gmail.com>
Sent: Saturday, 29 August 2020 16:06
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

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Ms Marian White
Shanewhitesa@gmail.com
119 Circle Road Table View
Cape Town, Western Cape 7441

Sibonelesihle Shabalala

From: Hilda Billington <hildabill@vodamail.co.za>
Sent: Saturday, 29 August 2020 16:12
To: Comments_Objections Blaauwberg
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Sent: Saturday, 29 August 2020 18:21
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

1. Property Values of Neighbouring Properties

The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

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The application incorrectly claims that this application adheres to current policy. The applicant makes false and misleading statements within this application. We would remind the City that the omitting of critical details in an application and misleading the City in an application is an offence in terms of the MPBL and would demand that the City takes the required action against the applicant.

2.1 In sections 5.2,6 and 8 of the application the applicant makes the claim 'The Site is located within the Urban Inner Core Spatial Transformation Area' in which the MSDF calls for the land use intensification' This is an incorrect claim as the application site only partially within the Urban Inner Core with the boundary cutting across the middle of the property. Indeed, it must be noted that Canary Crescent falls outside the Urban Inner Core. It is incorrect of the applicant to claim the site is within the Urban Inner Core. The applicant cannot claim to be compliant with the MSDF and has misled the City with this claim.

2.2 The applicant makes the claim is section 5.1 'the area is well served by most necessary amenities and facilities, including hospitals, schools, shops' had the applicant and the case worker taken the time to read the Blaauwberg District plan 2012 they would have found the following:

'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

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We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

2.3 TOD (Transport Orientated Development Strategic Framework)

The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

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The is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

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The applicant repeatedly makes the claim that this application is policy compliant. The property is not within the Urban Inner Core, not policy compliant with the Blaauwberg District Plan, Management Strategy for Blaauwberg Road, Transport Orientated Development Strategy, The Tall Building Policy and there is not compliant with the MSDF. The Blaauwberg District Plan insists that non policy compliant applications must be advertised as non-compliant. The Blaauwberg District Plan states:

Should a deviation from policy be determined to be necessary, this should be advertised as part of the land use application

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The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

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We call on the City of Cape Town to not support this application

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Conclusion

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We call on the City of Cape Town to not support this application

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3 Circle Road
Tableview , Western Cape 7441

Sibonelesihle Shabalala

From: Warren Buyskes <mawbuy@gmail.com>
Sent: Saturday, 29 August 2020 18:23
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

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Sent: Saturday, 29 August 2020 18:24
To: Comments_Objections Blaauwberg
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The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

--

Mr Devon Justus
 devonjustus87@gmail.com
 55 Gie Road
 Cape Town, Western Cape 7405

Sibonelesihle Shabalala

From: Catherine Austin <catherine@hbs.co.za>
Sent: Saturday, 29 August 2020 19:07
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

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The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

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'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

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We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

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26 Dikkop Crescent, Sunridge
Cape Town, Western Cape 7441

Sibonelesihle Shabalala

From: Diane Ferraris <dianeferraris@yahoo.co.uk>
Sent: Saturday, 29 August 2020 18:57
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

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52 Arum Rd, Tableview
Cape Town, Western Cape 7441

Sibonelesihle Shabalala

From: Meggan Willemse <megganaw1@gmail.com>
Sent: Saturday, 29 August 2020 19:42
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

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Mrs Meggan Willemse
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28 eagle crescent, sunridge, tab
Table view, Cape town 7441

Sibonelesihle Shabalala

From: Angie Weyers <angie.weyers@hotmail.com>
Sent: Saturday, 29 August 2020 19:48
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
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The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

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Support densification along Blaauwberg Road in terms of proposals contained in the Blaauwberg Road Management Strategy (1999) and any future reviews of this policy. Support mixed use development along Blaauwberg Road with average building heights of 3-5 storeys.

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We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

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The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

2.4 Tall Building Policy

There is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

3. Incorrect Advertising

The applicant repeatedly makes the claim that this application is policy compliant. The property is not within the Urban Inner Core, not policy compliant with the Blaauwberg District Plan, Management Strategy for Blaauwberg Road, Transport Orientated Development Strategy, The Tall Building Policy and there is not compliant with the MSDF. The Blaauwberg District Plan insists that non policy compliant applications must be advertised as non-compliant. The Blaauwberg District Plan states:

Should a deviation from policy be determined to be necessary, this should be advertised as part of the land use application

Given the that this application falls outside of council policy/s this application must be advertised as such and should feature the justification for this deviation. The Municipal Planning Tribunal cannot approve an application that is not compliant with council policy unless it is correctly advertised and justified. Guidance for this is found in Act No. 16 of 2013: Spatial Planning and Land Use Management Act, 2013

(1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework.

(2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework.

This application must be advertised as non-compliant. The rights of the local community and all objectors have been infringed by the application.

4. Infrastructure

This City of Cape Town has documented in the Blaauwberg District Plan the infrastructure deficiencies with the area where this property is situated. Whilst the applicant misleads the City with the claim the area is well served by most necessary amenities' this is indeed false. The Blaauwberg District Plan points to a lack of amenities such as schools, health care facilities and work opportunities. It must be noted that this property is on land that was destined to house a school and as such this application is taking a scarce local amenity whilst claiming that this area is well served by schools.

The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

The main sewer lines to the Potsdam Waste Water Plant are collapsing and in need of repair. We see regular sewer pump failure resulting in raw sewage pumping into the Table Bay Nature Reserve and our beaches

5. NEMA (National Environmental Management Act)

NEMA clearly states that any development must be sustainable and cannot damage the environment. The Potsdam Waste Water Plant is not able to cope with current demand and is currently polluting the Diep River, Table Bay Nature Reserve and Milnerton Lagoon. This development will add to this pollution and as such is not sustainable.

Conclusion

The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

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Ms Angie Weyers
angie.weyers@hotmail.com
9 Darter Road
Cape Town, Western Cape 7441

Sibonelesihle Shabalala

From: Wayne Willemse <waynegw01@gmail.com>
Sent: Saturday, 29 August 2020 19:42
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

1. Property Values of Neighbouring Properties

The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

Section 7 of the National Building Regulations and Building Standards Act Reads:

Approval by local authorities in respect of erection of buildings

- (1) If a local authority, having considered a recommendation referred to in section 6 (1) (a)-
 (a) is satisfied that the application in question complies with the requirements of this Act and any other applicable law, it shall grant its approval in respect thereof; [Para. (a) substituted by s. 4 (a) of Act 62 of 1989.]
 (b) (i) is not so satisfied; or
 (ii) is satisfied that the building to which the application in question relates-
 (aa) is to be erected in such manner or will be of such nature or appearance that-
 (aaa) the area in which it is to be erected will probably or in fact be disfigured thereby;
 (bbb) it will probably or in fact be unsightly or objectionable.
 (ccc) it will probably or in fact derogate from the value of adjoining or neighbouring properties;

2. Adherence to Policy

The application incorrectly claims that this application adheres to current policy. The applicant makes false and misleading statements within this application. We would remind the City that the omitting of critical details in an application and misleading the City in an application is an offence in terms of the MPBL and would demand that the City takes the required action against the applicant.

2.1 In sections 5.2,6 and 8 of the application the applicant makes the claim 'The Site is located within the Urban Inner Core Spatial Transformation Area' in which the MSDF calls for the land use intensification' This is an incorrect claim as the application site only partially within the Urban Inner Core with the boundary cutting across the middle of the property. Indeed, it must be noted that Canary Crescent falls outside the Urban Inner Core. It is incorrect of the applicant to claim the site is within the Urban Inner Core. The applicant cannot claim to be compliant with the MSDF and has misled the City with this claim.

2.2 The applicant makes the claim is section 5.1 'the area is well served by most necessary amenities and facilities, including hospitals, schools, shops' had the applicant and the case worker taken the time to read the Blaauwberg District plan 2012 they would have found the following:

'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

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We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

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There is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

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We call on the City of Cape Town to not support this application

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Mr Wayne Willemse
waynegw01@gmail.com
28 eagle crescent, sunridge, tab
Table view, Cape town 7441

Sibonelesihle Shabalala

From: Rainier Jordaan <jordaan88@gmail.com>
Sent: Monday, 14 September 2020 13:34
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

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We call on the City of Cape Town to not support this application

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Mr Rainier Jordaan
jordaan88@gmail.com
34 Arum rd
Table view, Western cape 7441



Deadline 18/9/2020

Reason ~~is~~ CO1 Public / Schooling
to GR2 Residential up to 4/5 storeys

OBJECTION, COMMENT OR REPRESENTATION to an application received by the City
(prescribed form in terms of section 90 of the City of Cape Town Municipal Planning By-Law, 2015 (MPBL))

If you wish to object, comment or provide representation in terms of section 90 of the City of Cape Town Municipal Planning By-law, 2015 (MPBL) towards a land use application being considered by the City you will be required to complete this form to ensure the objection, comment or representation is valid.

Use of this form does not limit any supplementary documentation that you may wish to bring to the attention of the decision authority. All documents you wish to submit for consideration by the decision authority should be attached and submitted simultaneously with this form.

Please complete/tick the appropriate boxes below, provide a motivation/explanation of your answer, attach any supplementary documentation to this form and submit it to the relevant email address as specified in the notice.

Subject to section 90(7) of the MPBL your submission may appear on a public agenda. In terms of section 92 of the MPBL your submission will be referred to the applicant to allow for a response to the City.

SECTION A: APPLICATION DETAILS

Case ID 70494419 Subject erf number 38599.

Street address of the subject property 21 Canary Crescent Sunridge.

How did you become aware of the application?

Registered letter via post Onsite notice Newspaper City of Cape Town website

Other, please specify Neighbours

SECTION B: DECLARATION BY AFFECTED PARTY OR PARTIES/ PROPERTY OWNERS

In respect of the aforementioned application, I/we the registered owner(s) or resident(s) of the undermentioned premises, formally:

Object Comment on Provide representation

If the activity is currently in operation, how does the activity affect you?

See Addendum.

The decision-maker will use section 99(3) of the MPBL to determine the desirability of the application. Should you wish to align your submission with the above-mentioned criteria please visit the City website to peruse the MPBL.

Reason for objection, comment or representation must include:

- I. Your interest in the application.
- II. Effect the application will have on you, your property or the area.
- III. Any aspect of the application that is considered to be inconsistent with policy, and how.
- IV. What impact the development has on your property.

[Empty box for providing details for the reasons listed above]

Are you objecting to the whole application or only part of it? If in part, provide more details below:

[Empty box for providing more details if objecting to part of the application]

Would you support the application if particular conditions were imposed? NO

Such condition(s) must be reasonable and relate to the application at hand in terms of section 100 of the MPBL. If so, state the reason and propose conditions below:

[Empty box for stating reasons and proposed conditions]

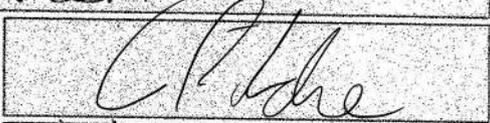
Section 120(11) of the MPBL provides that a person may make a request to the Municipal Planning Tribunal (MPT) to make an oral submission. For such request to be considered it must comply with the following requirements:

1. Must be a written request emailed to the following address: MPT.oralhearings@capetown.gov.za.
2. Adequate reasons must be given for such request.
3. The request must be received at the above-mentioned address at least five days before the MPT meeting where the application(s) will be considered, or closer to the meeting if good cause is shown.

To assist you in deciding whether you would like to make such request, go to the following web link to view the MPT meeting dates: <http://www.capetown.gov.za/Family%20and%20home/meet-the-city/city-council/Meeting-calendar>.

You will be able to view MPT meeting dates, agendas and reports using erf numbers, physical addresses and case ID. Requestor to note that you will be required to identify when the application to which you wish to make oral submission on, will appear on the Tribunal agenda in order for you to submit the request in time as per the above requirement.

SECTION C: SIGNATORIES DETAILS

Full name and surname	Christopher Adam Magon Ritchie		
Erf number	12197	Postal address	Unit H, 30 Goss Rd, Table View.
Email address for correspondence*	chrisritchie@zoho.com		
* If this form is submitted using a different email address than the one stated above, then note that the City will only communicate with you using the email address from which the form was received.			
Contact number	/	Signature	
Cell number	082 559 8037	Date	7/9/2020

EXTRACT FROM THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015

90 Objection to an application

- 1) A person who has been invited to comment or object, or any person in response to a public invitation to comment or object, may object to, comment on or make representations about the application in accordance with this section.
- 2) An objection, comment or representation must be in writing.
- 3) A late objection, comment or representation will not be considered unless the City Manager condones the late submission in terms of subsection (4).
- 4) The City Manager may condone the late submission of an objection, comment or representation if good cause is shown and consideration of the late objection, comment or representation would not -
 - (a) cause an unreasonable delay; or
 - (b) prejudice the public interest.
- 5) A person who submits an objection, comment or representation must provide on the prescribed form -
 - (a) sufficient details of the application for it to be readily identified;
 - (b) their full name;
 - (c) their address and other contact details and the method by which they may be notified;
 - (d) their interest in the application;
 - (e) the reason for their objection, comment or representation, including at least -
 - (i) the effect that the application will have on them or the area;
 - (ii) any aspect of the application that is considered to be inconsistent with policy, and how.
- 6) An objection, comment or representation which does not meet the requirements of subsection (5) may be disregarded.
- 7) The City Manager may keep the information provided under subsections (5)(b) and (5)(c) confidential on good cause shown.
- 8) No person may request the payment of money or any other form of consideration from the applicant or any person involved in the application in return for not submitting an objection or in return for submitting a notice of no objection or a supportive comment.
- 9) No person may offer a person payment of money or any other form of consideration in return for not submitting an objection or for submitting a notice of no objection or a supportive comment.
- 10) Subsections (8) and (9) do not prohibit the request for or the offer to undertake measures to mitigate the impact of the development contemplated in the application.
- 11) A person who contravenes subsections (8) or (9) is guilty an offence and upon conviction is liable to the penalties contemplated in sections 133(2) and 133(3).

Method and date of notification

The date of notification is determined as follows:

if the notification is provided -

- (a) orally, it is the date of oral communication;
- (b) by hand, it is the date of delivery or collection;
- (c) by registered post, it is regarded as the fourth day after the date stamped upon the receipt for registration issued by the post office which accepted the notice; or
- (d) by email or fax, it is the date that the email or fax is sent,

Interpretation Act No 33 of 1957 section 4

- (4) Reckoning of number of days. - When any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusive of the first and inclusive of the last day, unless the last day happens to fall on a Sunday or on any public holiday, in which case the time shall be reckoned exclusive of the first day and exclusive also of every such Sunday or public holiday.

As an example, if the date of notification is 1 October, then the first day of calculation of the 21 day appeal period will be 2 October and the 21st day would be 22 October. If 22 October is either a Sunday or a public holiday, then the closing date will be the next following day that is not either

CO1 REZONING This land must be reserved for a large Primary and High School. A vast majority of residents in the area cannot afford private tuition. While there are many private schools in the area there are very few government schools in Tableview, West Beach, Sunningdale, Parklands and Blaauwberg.

If the proposed site is to be used for 378 more dwellings and not schooling there will be approximately another 1000 children without an affordable school in the area.

The entire area MUST remain reserved strictly for public schooling purposes and remain zoned CO1. Should there be any land available after schools large enough (including recreational areas) are built on this land then the remainder should be used for community based projects i.e. a clinic or health community centre which is sorely lacking in this massive area.

TRAFFIC According to the documents provided there will be a total of 378 dwellings on the site. If one (conservatively) estimates 1.5 vehicles per dwelling this results in the need for some 567 parking bays. The proposal only provides for 368 bays – the remaining vehicles would have to be parked in the surrounding already congested narrow side streets.

TIA state that “traffic can be accommodated”. This is INVALID as at present traffic IS NOT accommodated! On any given morning and afternoon all roads are jammed from Gie Road, Koeberg Road, Blaauwberg Road, Otto du Plessis and Sandown Road! Commuters already use all side roads (including Circle Road) leading into these main routes causing gridlock. Anyone who lives in the area knows how dire the situation is already.

Now add to this another approximately 567 vehicles from just 1 block!!!

WASTE WATER AND WATER POLLUTION We quote from an article published in the Cape Argus of August 12 2020 where The Greater Table View Action Forum’s planning and biodiversity portfolio chairperson, Mr Davis Ayres stated “The problems with the Diep River, the Table Bay nature reserve and the Milnerton Lagoon have not been addressed. They all remain a huge City of Cape Town septic tank...”. He further adds “ that the City had approved developments that would see an increase in the problem. They do this in the knowledge that the Potsdam Waste Water plant and other critical infrastructure is unable to cope with this increased load.

SITE DEVELOPMENT PLAN The proposed development is planned to accommodate approximately 124 units/ha. We question whether this is within the recommended densification limits?

INCLUSIVITY We know for a fact that several residents in the area have had no information from the City regarding this proposed development, so the requirement for full public participation has not been fulfilled.

CONCLUSION The City and the developers see only financial gain from this project and have no regard for people and property owners who have lived in this area for many years. Current residents will bear the brunt of all the problems and the City and developers will simply move on!

For all the above reasons we therefore STRONGLY OBJECT to ANY REZONING, DEPARTURES OR SUBDIVISIONS of this land and insist that it remains reserved for educational purposes only i.e. for the public and not for private residential purposes.

Sibonelesihle Shabalala

From: David Ayres <daaanat@gmail.com>
Sent: Friday, 28 August 2020 19:03
To: Comments_Objections Blaauwberg
Cc: david@alleasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

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'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

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The is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

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The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

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Mr David Ayres
daaanat@gmail.com
3 Pine Road
Table View 7441

Sibonelesihle Shabalala

From: Helen Matthew <helen@violacottage.co.za>
Sent: Saturday, 29 August 2020 21:08
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

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helen@violacottage.co.za

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Cape Town , Western Cape 7441

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Sent: Saturday, 29 August 2020 21:44
To: Comments_Objections Blaauwberg
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Sibonelesihle Shabalala

From: Shantel Gentle <shantel.gentle@gmail.com>
Sent: Saturday, 29 August 2020 21:53
To: Comments_Objections Blaauwberg
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The is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

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Conclusion

The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

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Mrs Shantel Gentle

shantel.gentle@gmail.com

no11 circle road

tableview, cape town, W.CAPE 7441

Sibonelesihle Shabalala

From: Brian Blignaut <bvblignaut@gmail.com>
Sent: Saturday, 29 August 2020 21:42
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

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The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

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There is a stark contrast between the proposed buildings and the existing single-story dwellings in the area. This would make this development non-compliant with the Tall Building Policy

3. Incorrect Advertising

The applicant repeatedly makes the claim that this application is policy compliant. The property is not within the Urban Inner Core, not policy compliant with the Blaauwberg District Plan, Management Strategy for Blaauwberg Road, Transport Orientated Development Strategy, The Tall Building Policy and there is not compliant with the MSDF. The Blaauwberg District Plan insists that non policy compliant applications must be advertised as non-compliant. The Blaauwberg District Plan states:

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(1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework.

(2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework.

This application must be advertised as non-compliant. The rights of the local community and all objectors have been infringed by the application.

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This City of Cape Town has documented in the Blaauwberg District Plan the infrastructure deficiencies with the area where this property is situated. Whilst the applicant misleads the City with the claim the area is well served by most necessary amenities' this is indeed false. The Blaauwberg District Plan points to a lack of amenities such as schools, health care facilities and work opportunities. It must be noted that this property is on land that was destined to house a school and as such this application is taking a scarce local amenity whilst claiming that this area is well served by schools.

The Blaauwberg District Plan also points to critical infrastructure limitations. The area has aging water, electricity, and sewage infrastructure.

We see regular pipe burst due to a lack of investment. The Potsdam Waste Water Works has for years discharged non-compliant effluent into the Diep river, Table Bay Nature Reserve and Milnerton Lagoon.

The main sewer lines to the Potsdam Waste Water Plant are collapsing and in need of repair. We see regular sewer pump failure resulting in raw sewage pumping into the Table Bay Nature Reserve and our beaches

5. NEMA (National Environmental Management Act)

NEMA clearly states that any development must be sustainable and cannot damage the environment. The Potsdam Waste Water Plant is not able to cope with current demand and is currently polluting the Diep River, Table Bay Nature Reserve and Milnerton Lagoon. This development will add to this pollution and as such is not sustainable.

Conclusion

The applicant makes that claim that this application is compliant with City of Cape Town policy. In so doing the applicant misleads the City. The property is not even within the Inner Urban Core, yet the applicant claims that it is. This application does not comply to TOD principles or the tall building policy. The development is not supported by the Blaauwberg District Plan or the Management Strategy for Blaauwberg Road. The proposed buildings are out of context and will be objectionable and as such any future planning application will not comply to the National Building Regulations and Building Standards Act. Should this development proceed it will increase pollution and contravenes NEMA. The applicant has infringed the rights of the local community by wrongfully advertising this application.

We call on the City of Cape Town to not support this application

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Mr John Barata
 nickvxg@gmail.com
 12 Pinto road
 Table View , Western Cape 7441

Sibonelesihle Shabalala

From: Stephen Twine <spotpro@gmail.com>
Sent: Sunday, 30 August 2020 00:21
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
Subject: Objection to Case ID 70494419

Erf 38599 21 Canary Crescent Sunridge

We would by this document lodge our objection to the land use application Case ID 70494419 The proposed land use application is out of context with the surrounding area. The erven to which this application refers is surrounded by single residential properties.

1. Property Values of Neighbouring Properties

The City in accepting this application failed to consider section 7 of the National Building Regulations and Building Standards Act. You will find the relevant section below. The proposed building would not be permitted should the land use application be successful as the buildings would be objectionable and would derogate from the value of the neighbouring properties. By accepting this application, the City has wasted the time of the local community and erred in its reading of the National Building Regulations & Building Act.

Section 7 of the National Building Regulations and Building Standards Act Reads:

Approval by local authorities in respect of erection of buildings

- (1) If a local authority, having considered a recommendation referred to in section 6 (1) (a)-
 (a) is satisfied that the application in question complies with the requirements of this Act and any other applicable law, it shall grant its approval in respect thereof; [Para. (a) substituted by s. 4 (a) of Act 62 of 1989.]
 (b) (i) is not so satisfied; or
 (ii) is satisfied that the building to which the application in question relates-
 (aa) is to be erected in such manner or will be of such nature or appearance that-
 (aaa) the area in which it is to be erected will probably or in fact be disfigured thereby;
 (bbb) it will probably or in fact be unsightly or objectionable.
 (ccc) it will probably or in fact derogate from the value of adjoining or neighbouring properties;

2. Adherence to Policy

The application incorrectly claims that this application adheres to current policy. The applicant makes false and misleading statements within this application. We would remind the City that the omitting of critical details in an application and misleading the City in an application is an offence in terms of the MPBL and would demand that the City takes the required action against the applicant.

2.1 In sections 5.2,6 and 8 of the application the applicant makes the claim 'The Site is located within the Urban Inner Core Spatial Transformation Area' in which the MSDF calls for the land use intensification' This is an incorrect claim as the application site only partially within the Urban Inner Core with the boundary cutting across the middle of the property. Indeed, it must be noted that Canary Crescent falls outside the Urban Inner Core. It is incorrect of the applicant to claim the site is within the Urban Inner Core. The applicant cannot claim to be compliant with the MSDF and has misled the City with this claim.

2.2 The applicant makes the claim is section 5.1 'the area is well served by most necessary amenities and facilities, including hospitals, schools, shops' had the applicant and the case worker taken the time to read the Blaauwberg District plan 2012 they would have found the following:

'Public provision of facilities such as schools, sports fields, clinics etc. has to date been limited.'

It is fair to say that the applicant has again misled the city with this claim. The City's position is that amenities are limited. The City cannot therefore accept an application that makes claims contrary to those agreed in the Blaauwberg District Plan.

The Applicant in section 6 misleads the City with the claim that the application is compliant with the MSDF and suggest that his would allow between 4 – 15 story's. This is incorrect we have addressed the incorrect claim around this property not being within the Urban Inner Core. In addition, the applicant has omitted key elements of the Management Strategy for Blaauwberg Road and the Blaauwberg District Plan. These documents give clear guidance as to the height of buildings that should be supported. It must be noted that the MSDF refers to both the Management Strategy and the Blaauwberg District Plan 2012 as the detailed plans to be used to guide development decision.

2.2.1 The Blaauwberg District Plan states in Section 6.2.1

Support densification along Blaauwberg Road in terms of proposals contained in the Blaauwberg Road Management Strategy (1999) and any future reviews of this policy. Support mixed use development along Blaauwberg Road with average building heights of 3-5 storeys.

It goes on to guide planners to the Blaauwberg Road Management Strategy as the existing framework.

2.2.2 Management Strategy for Blaauwberg Road does not allow buildings with a height of four story's in any other roads apart from Blaauwberg Road and average of 3 – 5 Story's (Mixed Use Development) and two story's in Arum Road and North Road. It then refers to group housing restricted to two story's in the areas from Arum Road and North Road to Raats Drive. It does not support four story buildings on the property in question.

We can only conclude that the proposed buildings cannot be supported by either the Blaauwberg District Plan, the Management Strategy for Blaauwberg Road or the MSDF

2.3 TOD (Transport Orientated Development Strategic Framework)

The Applicant makes the claim 'this is defined as increasing density and / or densification to support Transport Orientated Development (TOD) objectives' This is a true statement but cannot be used correctly in this application. This development would be against TOD objectives. The best case that the applicant has put forward to be TOD compliant is that this property is close to public transport. This does not make this application TOD compliant. The proposal allows for parking where TOD principles call for vehicle use to be discouraged. The property is in an area away from work opportunities and as such encourages longer travel distances to work. This application would see more traffic congestion as residents have to travel out of the area for work opportunities and as such it is against TOD principles and not policy compliant.

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Mr Stephen Twine
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Tableview, Western Cape 7441

Sibonelesihle Shabalala

From: Tunde Ojumu <tundevictor@gmail.com>
Sent: Sunday, 30 August 2020 11:22
To: Comments_Objections Blaauwberg
Cc: david@allseasons.co.za; chairman@gtaf.org.za
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