

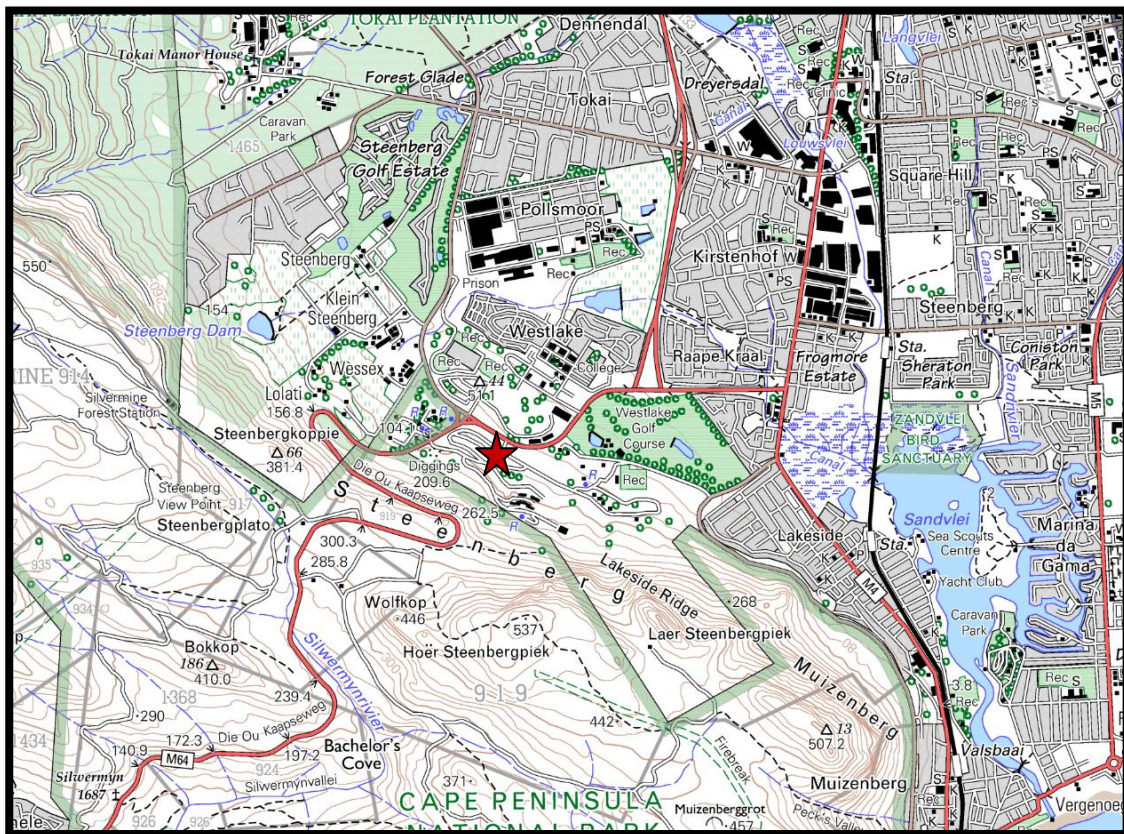
SECTION A: HISTORY AND BACKGROUND INFORMATION

1. INTRODUCTION

Elco Property Developments was mandated by the owner of Erf 13372, Westlake to apply on his behalf for a rezoning and subdivision on the subject property in order to allow for the construction of Electrical Depot. The Power of Attorney and Company Resolution is herewith attached in **Annexure B**.

This memorandum serves to outline the proposed subdivision and rezoning and to prove the necessity and desirability of the abovementioned application in order to obtain the approval from the relevant authorities in terms of Section 42(a) and Section 42 (d). In addition its purpose is also to elaborate on information required by Council, which will enable Interested and Affected Parties and Council to make informed comments and/or decisions on the proposed development.

2. HISTORY AND BACKGROUND



The property is located in Westlake and the zoning of the erf is Agriculture in terms of the City of Cape Town Development Management Scheme. A reservation to utilise a portion of Erf 13372, Westlake for an Electrical Depot was approved on 22 September 2015. Please see the reservation attached in **Annexure F**.

3. THE APPLICATION

Application is hereby made on behalf of the registered owner for:

- **Rezoning** in terms of Section 42(2) of the City of Cape Town Municipal By-Law, 2015 in order to rezone Erf 13372 from Agriculture to Subdivisional Area:
- **Subdivision** in terms of Section 42(d) of the City of Cape Town Municipal By-Law, 2015, in order to divide the property into four (4) portions:
 - Portion 1 (Utility Zone): 7663m²
 - Portion 2 (Agriculture): 7940m²
 - Portion 3 (Transport 2): 2118m²
 - Remainder (Agriculture): 14147m²

An application form, duly completed and signed is herewith attached in **Annexure A**.

SECTION B: LEGAL AND GENERAL INFORMATION

4. TITLE ASPECTS

The property is only SG approved and thus does not have its own Title Deed yet. It is still registered under the Parent Erf 5895, Constantia. Please find the Title Deed of the Parent Erf, Erf 5895, Constantia, attached in **Annexure C**.

4.1 PROPERTY DESCRIPTION

By virtue of the Surveyor Generals Plan, S.G. No. 3869/2005, the property is described as Erf 13372, a Portion of Erf 5895, Constantia.

4.2 PROPERTY SIZE

The property is 3.1869ha in extent. Please refer to the S.G Diagram attached in **Annexure C**.

4.3 REGISTERED OWNER

The property is registered in the name of the Divisional Council of the Cape.

4.4 TITLE DEED CONDITIONS

There are no restrictive conditions preventing the application for subdivision and rezoning to allow an Electrical Depot. Please see the Conveyancer Certificate Attached in **Annexure C**.

4.5 SERVITUDES

There are no servitudes registered over the property.

5. GENERAL INFORMATION

5.1 LOCATION & ACCESSIBILITY

The property is located on the corner of Westlake Drive and Steenberg Road in Constantia, Muizenberg.

Access to the site can be obtained via Westlake Drive. The site is easily accessible to the surrounding area as it is situated in next to Steenberg Road which is classified as a Secondary Arterial. The locality plan and aerial photo are herewith attached as Figures 1 & 3 in **Annexure D**.

5.2 SITE CHARACTERISTICS

A homestead of historical value (De Oude Raapkraal) is located on the property. The natural contours of the site were incorporated into the proposed development.

5.3 EXISTING ZONING

In terms of the City of Cape Town Zoning Scheme Regulations, Erf 13372, Westlake is zoned Agriculture. Please see the zoning map attached as Figure 2 in **Annexure D**.

5.4 EXISTING LAND USE

A Main Dwelling House, two Cottages and a Barn which form part of De Oude Raapkraal, are located on the southern portion of the property. The northern portion of the property is vacant. The aforementioned is illustrated in the image below.



Figure 1 : City Viewer Image of Erf 13372, Constantia

5.5 SURROUNDING LAND USES & ZONING

The following zonings are found around the subject property:

- North – Utility Zone, General Industrial 1, Open Space 3, Single Residential 1 and Community Zone 1.
- East – Agriculture, Transport 2 and Community Zone 1.
- South - Single Residential 1, Open Space 1, 2 and 3.
- West – General Business 1 & 2, utility Zone, Single Residential 1 and Open Space 1 & 2.

A large mixture of zonings (Residential, Business, Industrial and Open Space) is found in the vicinity of the site. The area to the north is characterized by medium to high density business complexes land uses while the area to the west is characterised by medium to high density residential uses. The Westlake Golf Club is situated to the East of the property. For further detailed information about the surrounding zonings, see the zoning plan listed as **Figures 2** in **Annexure D**.

6. PLANNING POLICY & CONTEXT

6.1 HERITAGE RESOURCES ACT NR. 25 OF 1999

Notice of Intent to Develop will be submitted to Heritage Western Cape as the property is larger than 5000m². A copy of the Record of Decision will be submitted upon receipt thereof.

6.3 WESTERN CAPE SPATIAL DEVELOPMENT FRAMEWORK: STATUTORY REPORT (2009)

The proposal adheres to the following objective and policy as set out in the statutory document, namely:

- Objective 2: Deliver human development programs and basic needs programs wherever they may be required

6.4 METROPOLITAN SPATIAL DEVELOPMENT FRAMEWORK: REDRAFT 2001

The MSDF opposes urban sprawl and development outside the urban edges, whilst promoting densification of underutilized land within the urban edges. This is partly motivated in an attempt to encourage more effective use of land and available services and to protect valuable agricultural land and maintain the rural character outside the urban edges.

The proposed electrical depot addresses the following fundamental planning and development principles:

- Equality of opportunity – Fair and equal access to public facilities and meeting the needs of the City's communities.
- Redressing imbalances –Directing new investment in public facilities and services to areas of greatest need.

The framework also notes that public utilities must be sited in such a way that minimum damage is done to the natural and urban development.

6.5 CAPE TOWN SPATIAL DEVELOPMENT FRAMEWORK 2012

The CTSDF lists certain Spatial Development Principles. These include:

- “Improve urban efficiency, and align planned growth with infrastructure provision”

The subject property lies within an area that is earmarked for short to medium term urban development.

SECTION C: PROPOSED DEVELOPMENT

7. TOWN PLANNING PROPOSALS

7.1 PROPOSED ZONING

It is proposed to apply for a rezoning from Agriculture to subdivisinal area. The zonings allocated to this area will be as follows:

- Portion 1: Utility Zone (7663m²)
- Portion 2: Agriculture (7940m²)
- Portion 3: Transport 2 (2118m²)
- Remainder: Agriculture (14147m²)

The Utility Zone on Portion 1 of Erf 13372, Westlake is for the proposed use of a Electricity Depot. In addition Portion 3 will be rezoned to Transport zone 2 in order to be utilised as a public street.

According to the aforementioned zoning scheme the definition of a utility service include “a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes...electricity substation...” A utility service is listed as a primary use in a Utility zone under chapter 80 of the Development Management Scheme.

7.2 PROPOSED LAND USE

The intension is to construct an Electrical Depot with the following associated uses, namely:

- Administrative offices;
- boardroom;
- Guard house;
- Ablution facilities;
- Kitchen and Mess Hall;
- Docking Stations;
- Truck Port;
- Van Ports;
- Covered and uncovered parking for Staff and Visitors;
- Store Rooms;
- Workshops;
- Oil Trailer.

All the building on the Depot will be single storey, apart from the Main building which will be partly 2 storeys to compensate for the natural slope of the site. The proposal is illustrated on the Site Plan attached as **Annexure E**.

8. MOTIVATION

8.1 SCALE OF DEVELOPMENT AND ARCHITECTURE

The surrounding area is characterized by business, industrial, residential and recreational uses, with De Oude Raapkraal located on the south of the site. The surrounding developments are mostly double to multiple storey buildings. The scale of the building will conform to the character and scale of the surrounding area.

The character of De Oude Raapkraal homestead was taken into consideration during the design of the design stage of the development. The intention was to minimise the visual impact that the proposed Electrical Depot would have on the existing heritage site.



Figure 2: Elevation of main office building and guard house

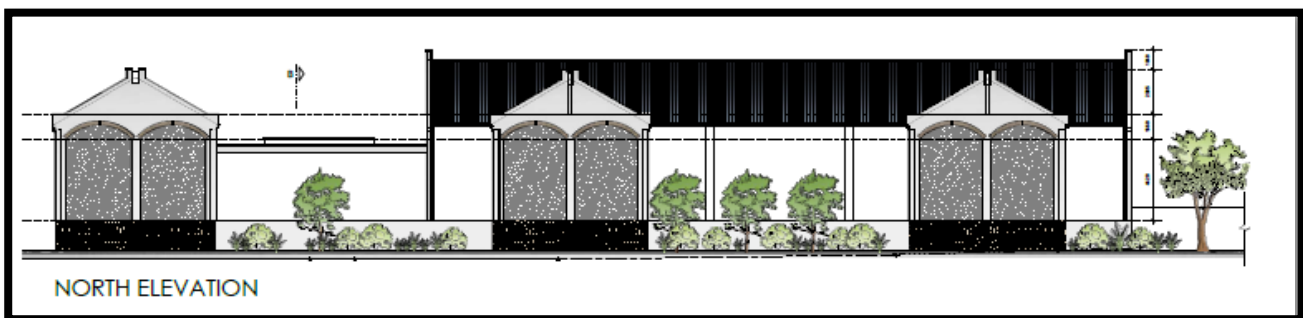


Figure 3: Elevation of workshops

More detail regarding the design and surrounding area can be viewed in the booklet by EBESA architects attached in **Annexure G**.

8.2 ACCESSIBILITY AND PARKING ON ERF

Access to the proposed depot will take place via a new traffic circle on Westlake Drive connecting to a new Service Road that runs along the boundary of the site. The proposed access also ensures that the current access to De Oude Raapkraal remains unrestricted. The new Service Road will also provide access to any future development on the northern portion of the property. A guard house and a steel sliding gate will ensure controlled access to the depot. The Service road will be rezoned to Public Street in order to ensure unrestricted access to the remaining three portions.

There are no specific parking requirements for a utility service, however twenty five (25) uncovered parking bays and sixteen (16) garages and ten (10) truck ports will be provided.

8.3 DESIRABILITY OF THE PROPOSED DEVELOPMENT

8.3.1 IMPACT ON THE ENVIRONMENT AND TRAFFIC

A landscaping plan was incorporated into the design in order to alleviate the visual impact of the development on the surrounding environment. Many of the existing trees form part of the development. A number of new trees and vegetation is also incorporated into the design. These will be placed specifically along the northern and western boundary of the depot to alleviate the visual impact of the truck ports and the main administrative building.

Guillaume Nel Environmental Consultants were approached to comment on any potential environmental issues regarding the proposed development. They stated that no Basic Assessment Report is required as the proposed development is *“less than 1ha, not outside the urban area, no watercourses on or near the site and the site is not situated in a CBA or ESA”*.

The surrounding road infrastructure will be able to accommodate the possible increase in traffic. Additional internal roads and traffic circles will also be built on the property to increase accessibility and mobility on the site. It is foreseen that no negative impact will be experienced by the traffic and surrounding road network.

8.3.2 IMPACT ON THE CHARACTER OF THE SURROUNDING AREA

As previously mentioned, the design of the Oude Raapkraal homestead was incorporated into the design of the Depot. This was especially carried through to the truck ports. The natural slope of the site was exploited in order to minimise the visual impact from the homestead as shown in the figure below.

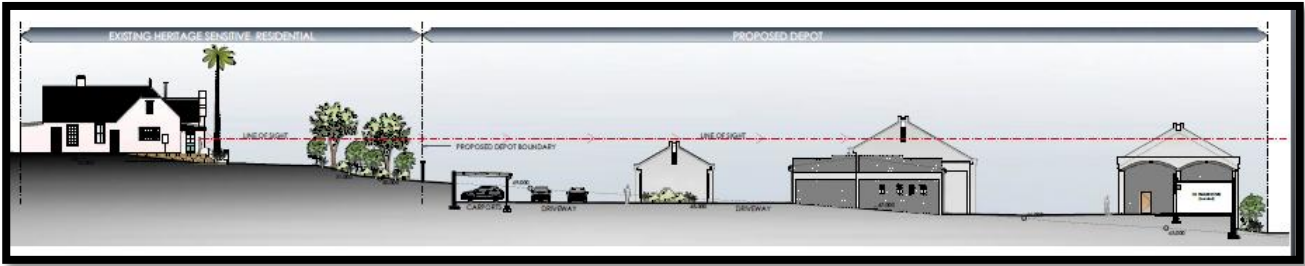


Figure 4: Line of sight from De Oude Raapkraal

The colour scheme of the depot was extracted from the rock face of the surrounding Muizenberg Mountain range as seen in the figure below.

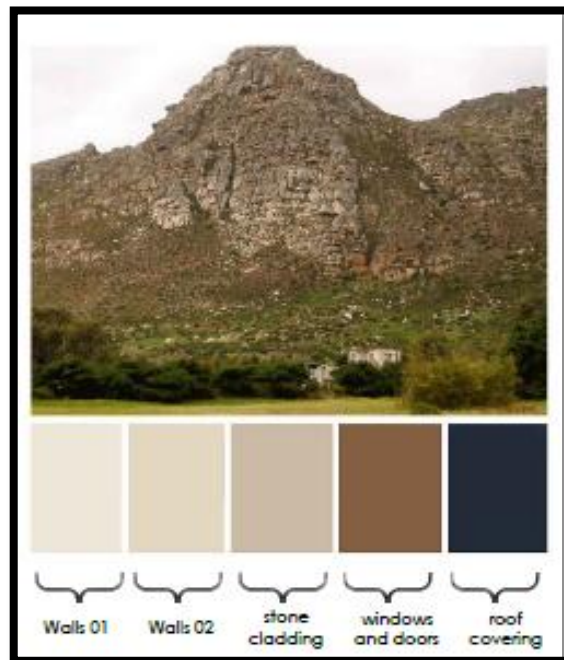


Figure 5: Natural colour scheme

The proposed subdivision and rezoning for an electrical depot on the property will not have an adverse impact on the surrounding area. The improved infrastructure will allow Council to also render a better service to the community.

This specific site was earmarked for the following reasons:

- Business and industrial facilities are also located in close proximity to the chosen site.
- The site is large enough to accommodate the new addition to the existing substation.

- The portion of the property is not required by any other municipal directorate or department.
- The double storey buildings will conform to the scale and character of the surrounding area.

No elements in the proposed development can be construed to be undesirable in respect of the safety, welfare and amenity value of the specific site conditions, the immediate surrounding areas or the broader planning objectives of the area.

SECTION D: SUMMARY AND CONCLUSION

As fully detailed in this report, the proposed development will be desirable in the area and will not adversely affect the rights of any other properties in the area. The development is also compatible with the policies discussed in Section 6 and is therefore considered desirable. To this end the Applicant recommends the approval of the proposed development as described in detail in Section 3.