

## Amendment of title deed conditions, amendment and deletion of conditions, subdivision, permanent departures and council consent

### •Erf 165639, Erf 165638, Remainder Erf 158112, Remainder Erf 148343, 5 Lower Loop Street, Cape Town City Centre and Remainder Erf 192 Roggebaai

Notice is hereby given in terms of section 81 of the City of Cape Town Municipal Planning By-Law, 2015 that the application below has been received and is open to inspection at the office of the District manager at Media City Building, 2nd Floor, cnr Adderley Street and Hertzog Boulevard Cape Town, 8001.

**Application number:** 70411932  
**Applicant / Owner's details:** Applicant: Nigel Burls and Associates applicant. Property owned by Growthpoint and City of Cape Town

**Purpose of the application:** It is proposed to develop a mixed-use development on Erf 165639 comprising offices, hotels and retail, exercising a maximum of 46 000m<sup>2</sup> of the existing Permissible Floor Area of 69 000 m<sup>2</sup> approved for Block AB in terms of conditions of approval imposed in terms of the Land Use Planning Ordinance, No 15 of 1985

#### The proposals require the following applications in terms of the Municipal Planning By-Law:

- s42(d) of the Cape Town Municipal Land Use By-Law 2015: Application for the subdivision of erven 165639, 165638, 148343-RE, 158112-RE and 192-RE to allow for the registration of various servitudes for basement parking and structural support/ ancillary services;
- s42(g) of the Cape Town Municipal Land Use By-Law 2015: application for the amendment of title deed T11980/2017 condition VI.B.1, in order to re-locate the position of the servitude right of way.
- s42(h) of the Cape Town Municipal Land Use By-Law 2015: application for consent of the City of Cape Town as required in terms of title deed condition VI.B.2. to permit buildings / structures to be erected within or over the servitude area;
- s42(i) of the Cape Town Municipal Land Use By-Law 2015: application for the approval of Site Development Plan and Landscape Development Plan in terms of Item 123 of the DMS.
- s42(j) of the Cape Town Municipal Land Use By-Law 2015: application for consent for "air and underground rights" in terms of Item 90 of the DMS, for portions of erven 165638, 148343-RE, 158112-RE and 192-RE in respect of basement structures for parking, structural support and ancillary services;
- s42(k) of the Cape Town Municipal Land Use By-Law 2015: application for City approval in terms of Item 89 of the DMS, for portions of erven 165638, 148343-RE, 158112-RE and 192-RE in respect of minor architectural structures projecting into the street;
- s42(j) of the Cape Town Municipal Land Use By-Law 2015: Application for the amendment and deletion of various conditions of approval as set out below:
  - In terms of s42(j) of the Cape Town Municipal Land Use By-Law 2015, the deletion of Condition A4.1 of the 1995 subdivision approval which is set out below:  
"Servitude area BS lettered BP BC BD BG represents the horizontal position of the servitude area which must be registered over Portion B in favour of the General Public.
  - In terms of s42(j) of the Cape Town Municipal Land Use By-Law 2015, the amendment of conditions of approval in order to remove all parameters related to the development of Portion B set in terms of previous conditions of approval, with the exception of maximum permissible floor area for Block AB which will be unchanged. The application includes a proposed Site Development Plan which is proposed to control the development.
- s42(b) of the Cape Town Municipal Planning By-Law 2015: Application for permanent departures from Item 60 of the DMS:
  - Item 60(d): Departure to permit a maximum height of 106m in lieu of 60m above base level;
  - Item 60(e)(ii): Departure to permit minor architectural features projecting to a maximum of 940mm in lieu of 250mm beyond the Loop Street boundary on Hotel Tower storeys 2 to 10;
  - Item 60(e)(ii): Departure to permit minor architectural features projecting to a maximum of 1010mm in lieu of 250mm beyond the Loop Street boundary on Office Tower storeys 2 to 9;
  - Item 60(e)(ii): Departure to permit minor architectural features projecting to a maximum of 440mm in lieu of 250mm beyond the Lower Long Street boundary on Office Tower storey 3;
  - Item 60(e) of the DMS: Departures to permit the building to set back from the Alpha Street boundary to be 0m in lieu of 0.850m on Hotel Tower storeys 1 to 12;
  - Item 60(e) of the DMS: Departures to permit the following setbacks from the Alpha Street, Loop Street and Lower Long Street boundaries:
    - 0m in lieu of 1.340m on Hotel Tower storey 13;
    - 0m in lieu of 2.890m on Hotel Tower storey 14;
    - 0m in lieu of 4.440m on Hotel Tower storey 15;
    - 0m in lieu of 5.990m on Hotel Tower storey 16;
    - 0m in lieu of 7.540m on Hotel Tower storey 17;
    - 0m in lieu of 9.090m on Hotel Tower storey 18;
  - Item 60(e) of the DMS: Departures to permit the following setbacks from the Loop Street and Lower Long Street boundaries:
    - 0m in lieu of 1.810m on Office Tower storey 11;
    - 0m in lieu of 3.595m on Office Tower storey 12;
    - 0m in lieu of 5.380m on Office Tower storey 13;
    - 0m in lieu of 7.165m on Office Tower storey 14;
    - 0m in lieu of 8.950m on Office Tower storey 15;
    - 0m in lieu of 10.735m on Office Tower storey 16.

**Closing date for an objection, comment or representation:** Any objection, comment or representation on the proposal, with reasons therefor, may be submitted to the following email address: [comments\\_objections.tablebay@capetown.gov.za](mailto:comments_objections.tablebay@capetown.gov.za) or submitted in writing to the office of the abovementioned District Manager, to be received before or on 8 October 2018.

**Further details that must accompany any objection, comment or representation:** 1) The application number and the following details of the person who is submitting the objection, comment or representation: full name, interest in the application, address, contact details and the method by which they may be notified. More cost-effective and efficient communication with the City will be facilitated if you specifically indicate an email address that can be used for further communication regarding this application. 2) The reason for the objection, comment or representation, including at least - a) the effect that the application will have on a person or the area; b) any aspect of the application that is considered to be inconsistent with policy, and how.

**General:** No late comment or objection will be considered unless the City Manager has agreed thereto in writing. An objection, comment or representation which does not meet the requirements above may be disregarded. Any person who cannot write may come to the district office mentioned above during office hours where he or she will be assisted in transcribing any comment or objection and the reasons therefor. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

**Request for oral submission:** 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 a request to be considered it must comply with the following requirements:

- Must be a written request emailed to the following address: [MPT.oralhearings@capetown.gov.za](mailto:MPT.oralhearings@capetown.gov.za)
- Adequate reasons must be given for such request.
- The request must be received at the abovementioned address at least five days before the

The application is available for inspection, on appointment, at the office of Lemeze van Heerden, tel 021 400 6546, during office hours (08:00-13:00 and 13:30-15:30), 3rd Floor, Media City Building, cnr Heerengracht and Hertzog Boulevard, Cape Town. Any comments or objections to the application must be submitted in writing, together with reasons therefor, to the undersigned at PO Box 4557 Cape Town, 8000 or email [Lemeze.vanheerden@capetown.gov.za](mailto:Lemeze.vanheerden@capetown.gov.za) on or before 8 October 2018.

## Disposal

### •City Land Being Erf 479 Gugulethu and a Portion of Erf 447 Gugulethu: Pentecostal Protestant Church Gugulethu

Notice is given that the Council in terms of the Policy on the Management of certain of the City of Cape Town's Immovable Property, approved by Council on 26 August 2010, is considering selling Erf 479 Gugulethu and a portion of Erf 447 Gugulethu. The recommended purchase price is R55 000 exclusive of VAT and subject to terms and conditions to be imposed by the Director: Property Management in the exercise of her delegated authority.

The application is available for inspection, on appointment, at the office of Saul Jacobs at tel 021 400 6419, during office hours (08:00-13:00 and 13:30-15:30), 3rd Floor, Media City Building, cnr Heerengracht and Hertzog Boulevard, Cape Town. Any comments or objections to the application must be submitted in writing, together with reasons therefor, to the undersigned at PO Box 4557 Cape Town, 8000 or email [saul.jacobs@capetown.gov.za](mailto:saul.jacobs@capetown.gov.za) on or before 8 October 2018.

## Closure and disposal

### •Portion of Public Open Space: Portion of Erf 459 Clifton, situated off Victoria Road, Clifton: Ms Michelle Claudia Magid

Notice is hereby given in terms of section 4(2) of the city of Cape Town: Immovable Property By-law, 2015 of Council's intention to close Portion of Erf 459 Clifton, situated off Victoria Road, Clifton in extent approximately 60 m<sup>2</sup> as shown on Plan STC 2915V1.

Notice is given that the Council in terms of the Policy on the Management of certain of the City of Cape Town's Immovable Property, approved by Council on 26 August 2010, is considering selling a portion of Erf 459 Clifton. The recommended purchase price is R1 800 000 exclusive of VAT escalating at 6% per annum compounded on a pro rata basis from 1 June 2018 until date of registration. Subject to terms and conditions to be imposed by the Director: Property Management in the exercise of her delegated authority.

The application is available for inspection, on appointment, at the office of Saul Jacobs at tel 021 400 6419, during office hours (08:00-13:00 and 13:30-15:30), 3rd Floor, Media City Building, cnr Heerengracht and Hertzog Boulevard, Cape Town. Any comments or objections to the application must be submitted in writing, together with reasons therefor, to the undersigned at PO Box 4557 Cape Town, 8000 or email [saul.jacobs@capetown.gov.za](mailto:saul.jacobs@capetown.gov.za) on or before 8 October 2018.

## TYGERBERG DISTRICT

### Deletion of restrictive title conditions, deletion of conditions in respect of an existing approval, consent use and permanent departure

#### •Erf 659, Goodwood, 2 Bothma Street, Monte Vista

Notice is hereby given in terms of section 81 of the City of Cape Town Municipal Planning By-Law, 2015 that the application below has been received and is open to inspection at the office of the District manager at Parow Administrative Offices, cnr Voortrekker Road and Tallent Street, Parow.

**Application number:** 70419434

**Applicant / Owner's details:** Mr Mamoojee

**Purpose of the application:** For the deletion of restrictive title conditions to allow for a consent use to be operated from a section of the existing dwelling, which involves the regularization of the existing building i.e. relaxation of the 5m building line. The consent use is for a place of instruction, n.l. a Early Childhood Development Centre, accommodating 30 children.

**Closing date for an objection, comment or representation:** Any objection, comment or representation on the proposal, with reasons therefor, may be submitted to the following email address: [comments\\_objections.tygerberg@capetown.gov.za](mailto:comments_objections.tygerberg@capetown.gov.za) or submitted in writing to the office of the abovementioned District Manager, to be received before or on 8 October 2018.

**Further details that must accompany any objection, comment or representation:** 1) The application number and the following details of the person who is submitting the objection, comment or representation: full name, interest in the application, address, contact details and the method by which they may be notified. More cost-effective and efficient communication with the City will be facilitated if you specifically indicate an email address that can be used for further communication regarding this application. 2) The reason for the objection, comment or representation, including at least - a) the effect that the application will have on a person or the area; b) any aspect of the application that is considered to be inconsistent with policy, and how.

**General:** No late comment or objection will be considered unless the City Manager has agreed thereto in writing. An objection, comment or representation which does not meet the requirements above may be disregarded. Any person who cannot write may come to the district office mentioned above during office hours where he or she will be assisted in transcribing any comment or objection and the reasons therefor. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

**Request for oral submission:** 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 a request to be considered it must comply with the following requirements:

- Must be a written request emailed to the following address: [MPT.oralhearings@capetown.gov.za](mailto:MPT.oralhearings@capetown.gov.za)
- Adequate reasons must be given for such request.
- The request must be received at the abovementioned 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.

If you would like to make such request, go to the following weblink for the scheduled MPT meeting dates and the agendas: <http://www.capetown.gov.za/Family%20and%20home/meet-the-city/city-council/Meeting-calendar>