

# Kenridge The Hills Ratepayers Association

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Director: Integrated Environmental Management  
Department of Environmental Affairs & Development Planning  
Provincial Government: Western Cape  
Private Bag X9086  
Cape Town  
8000

Dear Sir / Madam

## **Proposed Removal of Title Deed Restrictions: Erf 602, 16 Door de Kraal Ave., Kenridge, Durbanville.**

We are in receipt of a copy of the letter addressed to you in respect of the above application by the City of Cape Town, Planning & Building Development Management (referred to hereafter as Planning) and wish to comment as follows:

1. Planning ascribe the business creep along De Bron Avenue to its use as a rat run; we have a differing view. Kenridge is bordered by commercial development. Door de Kraal / De Bron Avenue represents the accessible boundary. It is at the boundary that commercial pressure will first be felt as commerce seeks lower cost options for premises. If this boundary area is allowed to be commercialised, then the boundary shifts to the next street(s) and as night follows day, commercial pressure follows. This is why boundaries are imposed and why the City, as custodians of those boundaries, have a duty to enforce them. Instead, the City has allowed commercial infringement of its own zoning laws to carry on for years unchecked and unpunished. Planning's solution is to reward the infringers by retrospectively altering its own plans. Under these circumstances there seems little point in having plans, zoning laws and land use management policies.
2. In referring to Kenridge Extension 2: Land-use Management Plan, Planning note that the first 3 properties from the junction with Mildred Avenue were allowed to be re-zoned for commerce. This was to house local community services, primarily medical services, and attract doctors away from other residential properties being utilised in the area. A critical factor in this plan was the closing of De Bron beyond the "business zone" to protect the residential character of the rest of the street. As Planning now readily concede, while they are willing to accept the re-zoning of the 3 properties the City has conveniently dropped the closing off of the road. A plan approved must surely be a plan implemented in *its entirety*, if not then it must be sidelined and re-thought from scratch.
3. Kenridge is located within a short distance of Tyger Valley, Tyger Falls, High Street, and other extensive commercial developments some of which are advertising property to let. The use of De Bron for business purposes is not driven by a shortage of commercial accommodation, nor by the needs of the community. It is driven by financial gain.

4. Planning state that they do not wish to turn De Bron into a business zone, only to “manage” low key business uses that enhance the character of a residential area. Their solution is to invoke a type of land use management that has never once to anyone’s knowledge been utilised before, that of “Minor Business”. This category allows for shops with flats above. Quite how this, or any other form of business use, low key or otherwise, will enhance the neighbourhood only Planning can explain.
5. As Planning concede, the residents do not want the development. If they do not want it and there is no shortage of commercial property available it is difficult to imagine why Planning wish to inflict it upon the residents when there is no issue of need or change for the general public good. We can only suggest that it is an easy way to solve the consequences of the City’s own neglect in enforcing land use zoning regulations. As such it is entirely unacceptable.
6. Planning’s justifications are built around the uses of De Bron Avenue and yet the property in question is not part of De Bron it is number 16 Door de Kraal. This property may have a boundary in De Bron but it is clearly not a part of that street. Allowing this re-zoning will only encourage commercialisation along Door De Kraal. It is already happening in neighbouring Mildred and has crossed the Door de Kraal intersection into the section of De Bron above Door de Kraal. Our suburb is being sold out to commercial concerns and the authority we rely upon to protect us, our homes, our investment, and our community is actively engaged against our interests for no greater public good.
7. De Bron Avenue is used as a rat run. At the end closest to Tyger Valley Road it terminates in a small suburban traffic circle at the intersections with Door De Kraal and Mildred. This intersection is already heavily overloaded by traffic to the local shopping centre, traffic brought into the suburb by the Kenridge Primary School and by “rat-runners”. It is, we suggest, totally inappropriate to add further congestion by attracting more traffic into the street through the ongoing ad hoc approval by Planning of commercialisation that flies in the face of the land-use plan.
8. This ratepayers association recognises that the City is growing and that growth requires change in the general public interest. However, the commercialisation of De Bron Avenue serves no general public interest. There is no shortage of commercial property in the area, all of which is very convenient to local residents. If the City and Province fail to plan in the interests of the people who live in the City by pursuing some goal divorced from the actual needs of the people, then the City and Province are failing in their duty.

The Planners in Kraaifontein have recently recommended and supported ad hoc decisions affecting the local community adversely without any attempt at consultation. They have, however, been made aware on more than one occasion of local community sentiment. This does not, apparently, have any bearing on the manner in which they make their decisions.

We give notice that any land use development that takes place in our community outside the Kenridge Land Use Management Plan (also known as The CEBO Plan) which was signed off after community participation by the then City of Tygerberg and its successor the City of Cape Town will be challenged by all the means at our disposal.

Yours etc

Ian Flint  
Vice-Chairman  
Kenridge The Hills Ratepayers Association

Copies To:

Andrea Crous, Ward Councillor, Ward 70  
James Vos, Chairperson, De Grendel Subcouncil  
Charles Rudman, District Manager, Planning, Kraaifontein  
KHRPA Committee Members  
KHRPA Website  
Tyger Talk