

Constantia Property Owners' Association

- Striving together for 60 years to protect and enjoy our beautiful and historic Valley -

**Alphen Centre, Constantia Main Road
PO Box 68, Constantia 7848 Tel/Fax: 021-794-4388
e-mail: cpoa@yebo.co.za
web site: www.constantiapoa.co.za**

March 2010

NEWSLETTER

Survey of Constantia Valley Residents

The City of Cape Town is experiencing massive, unrelenting, exponential population growth that is creating immense challenges relating to resources, the provision of services and the preservation of natural and heritage assets.

The Constantia Valley will be exposed to these challenges and the Constantia Property Owners Association is taking the lead to ensure that our strategies to protect what must be protected and to assist the City to find suitable solutions that are sound and effective.

The Constantia Property Owners' Association is in its 60th year of existence and it is perhaps appropriate that we now take a fresh look at our strategic objectives.

We need to ensure that we understand the hopes, fears and frustrations of the people who live in this beautiful valley. For this reason we have embarked on a comprehensive process of talking to all stakeholders, to capture their views in useful statistical analysis. One of our outreach initiatives is the questionnaire included in this newsletter. Please take a few minutes to share your views with us by completing the document and posting it back to us or dropping it off at the CPOA office. You can also access the form online via the CPOA website and complete and submit it electronically.

Please also encourage your local friends or neighbours, who are not members of the CPOA, to complete and return a questionnaire. Please help us to help you and to protect this unique and beautiful place.

Property Valuations

A massive effort is under way to revalue all properties in the City of Cape Town for a new valuation roll, upon which property rates will be based from July 2010. A General Valuation is done at least every four years to ensure that the rates charged on residential and non-residential properties are fair and up-to-date. It is necessary to redo valuations because property values change within neighbourhoods and in relation to other neighbourhoods over time. The Council believes that his revaluation will establish a fair and equitable rates base for the next three to four years.

There are over 780 000 properties to be valued and as in the two previous general valuations, the City has adopted a mass valuation methodology, in line with accepted mass valuation practice. This method is a systematic process of valuing many properties at a given date, using statistical procedures based on property sales and market conditions around the date of valuation.

The City's website will also list the value of sales in each neighbourhood, helping property owners to gauge the fairness of their own values. This new measure was not available during the previous valuation.

A valuation inspection centre for the Constantia Valley has been set up at the Alphen Centre, Constantia Main Road, which is open from 9:00am to 4:00pm on weekdays until 30 April 2010. At this centre property owners can check their property values, inspect property sales (market values) in their area and access information regarding property sizes.

Objections by property owners to their valuations may be lodged at the Alphen centre. These objections are captured on line at the centre and all objections must be lodged by 30 April 2010. Homeowners are urged to provide supporting evidence when objecting to their new property values, and to keep in mind that unsubstantiated opinions of the value do not constitute a basis for an objection.

The best motivation would be to supply sales evidence of comparable sales. If no comparable sales data is available, owners should give good reasons as to why their property values are incorrect. For instance, a mere reference to the age of the property will not necessarily mean that the valuation is incorrect.

80% of all objections will have been deal with by 31 December 2010. The budget process will establish the rate in the rand by June 2010.

In addition to visiting the Alphen Centre, you can phone the City's call centre on 0860103089 or visit the valuation website: www.capetown.gov.za/propertyvaluations

The CPOA submits objections to the draft Spatial Development Plan

In our October 2009 Newsletter, we informed you about the new and far-reaching spatial development plans of the City of Cape Town. The Spatial Development Plan (and its eight District Structure Plans), together with the proposed Integrated Zoning Scheme, is the most extensive planning exercise the City has done in decades and will, if adopted in its proposed form, change the Constantia-Tokai Valley forever.

To ensure the strongest possible response to the draft proposals, the Constantia Property Owners Association employed the services of three experts (David Dewar, Fabio Todeschini and Stephen Townsend) to comment on the draft Southern District Plan - with specific emphasis on District H, which covers the Constantia-Tokai Valley.

The necessary funds for this commissioned assessment paper and comments were generously donated by members of the CPOA and the CV Trust for which we are most grateful.

The following paragraphs are extracts from the submitted report:

City's Intensions/Aims

The purpose of the District Plan is to guide spatial decision making in the metropolitan area. It will be used by the City to assess applications by property developers for significant changes in land use, and as a guide to public investment in infrastructure.

It makes recommendations in terms of four types of areas: Environmental Impact Management Zones; New Development Areas; Urban Restructuring and Upgrading Areas; and Consolidated Spatial Development Plan (SDP).

Although it is the intention that local plans will continue to operate within the framework of the District Plan, it is the stated intention to repeal some local area plans, and where contradictions occur, the District Plan will take precedence.

The five central concerns which underpin this District Plan are:

- Consistently preserving and enhancing the natural and cultural environments across the district;
- Residential predominance within isolated urban enclaves, linked to carrying capacity constraints;
- Unrealized infrastructural opportunities on the Main Road corridor;
- Poor east-west accessibility;
- Few opportunities for social inclusion.

Weakness and Deficiencies of the Draft

Technically, the draft Southern District Plan is unnecessarily complex, difficult to read - largely because it conflates an integrative 'higher' order, 'visionary' spatial plan with environmental management. It is also virtually silent on legal requirements relative to heritage resources, which is both illogical and problematic. There is also a lack of resolution that leads to inconsistency in terms of levels of detail, particularly between planning and environmental recommendations.

In its present form, the Southern District Plan fails badly as it lacks district definition, i.e. the delimitation of the eight districts is based on administrative imperatives rather than planning, environmental, or any other logic. It completely ignores the different zones and character that exist. Only lip service is paid to Constantia's uniqueness as the planning approach towards it seems to be the same as elsewhere. One of the plan's most dangerous manifestations relates to across-the-board intensification and generalization.

There is a striking lack of resolution of levels of decision-making, which creates the impression of a 'shot-gun' approach. A scatter of recommendations that are frequently not argued or justified can be easily interpreted to mean all things to all people. It should be self-evident that the more detailed the plan, the more likely it is to take account of local conditions.

Despite the best intentions, there is a pronounced lack of integration between spatial planning and environmental management. The environmental impact management zones, which have been advanced as a framework for land management recommendations, are entirely unsuited for this purpose. They are sectoral and cut across local areas and/or any one area can fall within a number of zones. For instance, Constantia-Tokai falls into at least two zones: Zone 4 - Cultural and Recreational Resources and Zone 5 - Economic Resources Zone. This inevitably leads to confusion about what applies to a particular area, a confusion that is magnified by the fact that precise boundaries cannot (and should not) be defined.

A typical example of insufficient attention to qualitative issues is that heritage resource management has been, in large part, omitted. For example, the Inventory of the Heritage Resources in the Constantia-Tokai Valley (2007), which identifies areas, places and buildings worthy of protection and control should have been incorporated into this District Plan.

Despite some rhetorical lip-service paid to quality, no-where are qualitative issues identified or addressed. A particularly glaring omission is the cultural landscape (which, in the case of areas such as Constantia-Tokai, is central) is virtually ignored or misrepresented. This is almost inexplicable in the face of statements such as "consistently preserving and enhancing the natural and cultural environments across the district".

Recommendations and Proposals for Changes

To achieve the intentions of the District Plan, it must:

- Clarify its appropriate role and position within metropolitan and local area plans;
- Clarify its relationship with the Zoning Scheme and the role it has in decision-making on land use applications;
- Clarify higher order budgetary priorities across a full range of line function departments;
- Test and resolve potential contradictions between a range of sectoral and area-based policies and plans, i.e. MSDF, urban edge policy, densification policy, etc.
- Promote and incorporate diversification and uniqueness;
- Identify clearly that which needs protection (i.e. heritage resources, cultural landscape etc.) via the Zoning Scheme;
- Provide contextual understanding and guidelines for land management decision-making;
- Clarify the nature of 'corridor', which is a central thrust of the recommendations;
- Recognize the value of the Constantia-Tokai Valley as a major asset.*)

*) Contrary to the treatment the Valley receives in the District Structure Plan, the uniqueness and value of the area is implicitly recognized in a number of places within the draft, not least of all in its vision statement, i.e.:

- *An area renowned for its natural and cultural beauty...Significant portions of Constantia are an integral part of the Table Mountain National Park, which is a World Heritage Site... It is an integral part of the Cape Biome, the richest floral kingdom on earth. It is an extraordinarily rich cultural landscape. It is one of the jewels of the Cape Winelands Cultural Landscape, inscribed on the tentative list of World Heritage Sites... In September 2006, the Council of the South African Heritage Resources Agency resolved that three historic agricultural areas in Constantia be recognized as having the highest possible heritage resource grade (Grade 1) and should be accordingly protected.*
- *The tourist sector represents a considerable and growing part of the local economy. It includes the cultural landscape. Much scope for expansion still exists in this area.*
- *Constantia is rated as an area of high agricultural potential. It is rated as an area of significant agricultural value.*
- *Preserve and utilize high potential agricultural land, particularly Constantia Valley, Zonnestraal and Steenberg and resist further non-agricultural use.*
- *The district is also the location of many of the oldest and most unique settlements such as (inter alia) Wynberg, Constantia, Simonstown, Kalk Bay.*

The CPOA has arranged to hold discussions with the Council officials to ensure that, as far as is reasonable, its concerns are addressed before the next phase of public participation takes place.

Donations to the CPOA Reserve Fund

In January this year the CPOA asked its members to make donations to its reserve fund to cover the costs of the engagement of three renowned consultants in order to research and submit our comments on the City's Spatial Development Framework and the District H Structure Plan (which includes the Constantia Valley), and to cover any future costs that this important project may entail. An estimated target of R60 000 was proposed and our members responded magnificently. To date we have received R61 920. Your executive wishes to express its gratitude for the support of our members, as well as the donations received from the Constantia Valley Trust, who recognized the importance of this project.

Any members who still wish to contribute would be welcome to do so – there is no cut-off date – as our fight to preserve our Valley will continue.

Outstanding CPOA Subscriptions

Our Treasurer was also concerned that there were many members who had not yet paid the 2009/2010 subscriptions, which became due on 1 September 2009. Fortunately, our appeal led to a good response and there are now only some 90 members whose subs are still outstanding. If you are not sure if you have paid your current year's subs, please phone our office (021-794 4388) to check.

CPOA's ongoing Services to its Members

The Constantia Property Owners' Association is registered with the Cape Town City Council as a "Community Based Organisation", which is the collective term used by the Council for ratepayers, residents and civic associations. Our association is also registered at the Heritage Western Cape as a Conservation Body and has representatives on the Ward Forum, the Constantia Valley Trust, the Friends of the Green Belts and the Greater Cape Town Civic Alliance.

Accordingly the Cape Town City Council, the Provincial Government and State Departments are

required to consult our association on matters which may affect the built and natural environment of the Constantia Valley. This reactive role to developmental proposals by our association is of vital importance given the historic farmlands, the heritage resources and the natural rural beauty of the Constantia Valley, which includes its network of green belts, wetlands and rivers.

The Bill of Rights provides for the protection of the environment from pollution and ecological degradation; for the promotion of conservation and for securing ecological sustainable development. In this regard the CPOA plays an important watch dog role.

The CPOA comments, objects or supports land use applications, proposed sub-divisions of erven, the sale or letting of municipal land or any departure to the National Building regulations or the Council's Zoning Scheme regulations.

Moreover, the CPOA comments on any new or amendments to bylaws or other legislation and also comments on the policy guidelines that govern the various municipal services and functions. At present the CPOA is engaged in the public participation process for the formulation of a City-wide Spatial Planning Framework, a District Structure Plan and an Integrated Zoning Scheme (see above).

In a proactive role the CPOA has in the past made use of top consultants to formulate a Local Area Growth Management and Development Plan for the valley and to draft the Constantia Triangle Structure Plan which controls and manages commercial development. The CPOA also holds a servitude agreement, which controls the commercial activities of the Constantia Village shopping centre. As an ongoing project, the CPOA has ensured the engagement of consultants to undertake further work on the compilation of Tangible Heritage Resources in the Constantia-Tokai Valley.

On an annual basis our association gives its input to the City Council's Integrated Development Plan and its operating and capital budgets.

In addition and on a daily basis, the association's office deals with numerous issues, such as complaints of road surface defects, road and traffic signage, illegal signs, building materials on verges, dumping, overgrown verges, unauthorized building work, taxi problems, fences and boundary walls, vagrancy, noise nuisances, water and sewage leaks, open space maintenance, hawkers and various land use contraventions. Since September, about 200 complaints have been received and routed to the responsible municipal departments, followed up where necessary and the complaints resolved. This does not include enquiries merely seeking advice.

Our office receives and sends about 400 emails per month in the normal course of its service; and is open on weekday mornings.

Sillery Development

Earthworks commenced in December 2009 for the provision of services for the subdivided Sillery Estate. A site development plan and a construction environmental management plan were approved which are monitored by an environmental control officer appointed by the Provincial Department of Environmental Affairs and Development Management.

The CPOA met with the Provincial Minister of Environmental Affairs to urge that he require the owner to expose the buried portion of the historic furrow. While the Minister did take steps to protect the furrow and allow for conditional public access thereto, he was not prepared to rule that the covered portion of the furrow be unearthed.

In the meanwhile, Heritage Western Cape has taken steps to proclaim the entire length of the furrow a protected heritage site. Further, HWC now needs to formulate a plan to manage the furrow and to this end it has established a four-person committee to undertake more research and to interview role players who wish to make input on the protection of the furrow.

The CPOA is of the view that the furrow cannot be properly protected while portion thereof

remains buried on the Sillery Estate. Our association intends to lead a civic group of role players to meet with the HWC committee.

It has been reported in the press that a court interdict has been granted in favour of a land claimant to have the development work stopped pending resolution of this land claim dispute.

CPOA Bids Farewell to Joan Heming

Joan Heming fell in love with Constantia when she drove through it each day from the south Peninsula to get to work in the City in the mid-fifties. She made up her mind that one day she would live in this beautiful valley. And so she did when she and her late husband Dempster came to Cape Town after working in London.

Her desire to protect the unique characteristics and history of the Constantia Valley is what has kept Joan so involved in local politics and the Constantia Property Owners' Association for all these years:

Joan was invited by Andy Ross Monro, then chairman of the Constantia Property Owners' Association, to join the Executive committee in 1987, and she has been a member ever since.

From 1990 until 2006 she also served as a Councillor for Constantia. First on the Local Council of the Constantia valley, then on the Cape Metro Negotiating Forum, then the Executive Committee of the South Peninsula Municipality and then as a City of Cape Town Councillor when all the local municipalities were amalgamated into the City of Cape Town.

Her interests have mainly focussed on spatial planning and land use issues as well as the environment and heritage resources. Among the issues in which she has been deeply involved are:

- The preservation of the rural environment of the Valley, particularly the subdivision of farms.
- The development of the Growth Management and Development Plan, which is still the planning instrument that guides land use management in the valley.
- Stiff resistance to the expansion of the Constantia Village shopping centre on each occasion that its various owners have made attempts to turn it into a regional mall.
- Building of the Alphen clinic.
- The creation of the 100 kms of riverine walkways in the Valley. While she was Chairperson of the Environment Committee of the Local Council of the Constantia Valley she instigated the detailed study of the rivers in the Valley, remedial actions and upgrading of the rivers and river walks.
- She commissioned the first survey of de Hel by a leading botanist with a view of making it an 'outdoor classroom' of regional importance as a protected historical and natural area.
- Restoration of the Alphen common into a leisure facility for domestic workers (who once held their Sunday church services there in summer) and dog walkers who got to know each other as a friendly community.
- The planting of 400 new trees along the dedicated scenic routes in Constantia – mainly Constantia Main Road and Spaanschemat River Road.

Joan served on the Planning and Environmental Portfolio Committees of the South Peninsula Municipality and the Cape Town City Council, where she was able to express her passion for diversity, protection of heritage and natural assets and recreational spaces for people to play in safety.

Constantia and the CPOA owe Joan Heming a tremendous debt of gratitude for her stalwart and untiring service to the Valley, which she treasures so dearly.

Illegal Dumping

Dumpers be warned! On 1 February 2010, the City of Cape Town introduced a new Solid Waste By-law Enforcement Unit, which can, under certain circumstances, take action on illegal dumping.

This law enforcement unit handles the legal aspects of fines and the criminal procedures related to dumping. It acts in instances where a member of the public has details of or can identify someone accused of dumping, where a vehicle is seen dumping, or where there is evidence indicating the source of dumped material.

It is important to note that reporting of material which has already been dumped or requests for the clean-up of dumped material should not be sent to the Solid Waste By-law Enforcement Unit. Instead, residents should continue to report these cases to the City's Customer Care Line on 0860 103 089, via fax on 021 400 4302 or via e-mail to wastewise@capetown.gov.za. Cases relating to fines and criminal procedures can be reported to the Solid Waste By-law Enforcement Unit on 021 400 6157 or via e-mail to: lauren.adams@capetown.gov.za.

New Metro (Municipal) Police Response System

The City of Cape Town's Metro Police today (16 October) officially introduced its R20m, computer-based, satellite-linked, response system, called ISERMS (Integrated Spatial Emergency Response Management System). It will enable the Metro Police to utilise its resources more effectively, improve response times and provide more reliable operational and statistical information.

The geographic information system links data capture and analysis to location. It merges maps of the entire Cape Metropole from Atlantis to Gordon's Bay to the nearest square metre with the Metro Police database. It incorporates the latest street layouts in the city's newest suburbs and informal settlements.

It will coordinate all the services linked to the system, and the control centre personnel will be able to:

- Track vehicles so that the closest available resource can be dispatched;
- Establish the exact location of the complaint;
- Guide officers to the scene with maps showing closest distance routing.

The system will provide accurate statistics of activities and an audit trail of each response and will monitor the use and efficacy of resources. The system will further benefit the City by:

- 20% improvement in incidents attended to per officer;
- 120 000 man-hours saved in administration costs;
- 25% reduction in vehicle operating costs for the same amount of work;
- Reduction of response time by Camera Response and Accident Response Units of more than 80% to within 10 minutes.

E-Mail Addresses

The CPOA is now able to communicate with its members by way of a professional bulk email service. About a third of our address membership list has been removed from the postal (expensive snail-mail) system and is now receiving their newsletters etc. by email.

The service provider of our bulk email system ensures that your email address is treated as confidential and that no spam or junk mail can be generated.

Those members who are still receiving the newsletter by post and who do have email facilities should please let the COPA office have their email addresses. We can save money by reducing our postage and printing costs.

Also, it is important for those members who are on our email system to inform us as to any change of their email addresses so that we can update this record when necessary.

