



LOWER KENILWORTH IMPROVEMENT DISTRICT

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To:
City of Cape Town
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cc: Councillor Christie Katherine.Christie@capetown.gov.za
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Ward 58 and other Southern Suburbs CBOs and CIDs

OBJECTION TO PLAN IN TERMS OF THE CITY OF CAPE TOWN'S MUNICIPAL PLANNING BY-LAW, 2015 INDICATING THE AREAS THE CITY DEEMS TO BE SUBJECT TO PUBLIC TRANSPORT (PT1 & PT2) REDUCED OFF-STREET PARKING REQUIREMENTS AND A PROPOSED AMENDMENT TO THE BY-LAW TO RECORD THE PLAN:

The Lower Kenilworth Improvement District **objects** to the proposed plan prepared in terms of the CCT MPBL indicating the areas the city deems to be subject to public transport (PT1 & PT2) reduced off-street parking requirements and a proposed amendment to the by-law to record the plan.

We would like to record our concern that the community-based organisations and City Improvement Districts were not, at the outset, directly informed of this proposal or the opportunity to comment, and this despite our understanding that the amendment has been precipitated by a challenge from the Sea Point, Fresnaye, Bantry Bay Ratepayers & Residents Association. As they stated, this proposal affects thousands of ratepayers and residents on a daily basis. We were only aware of this notice as some of our residents belong to professional organisations who were notified. Only later did we receive a copy of the advert from the Sub-Council office. This 'oversight' is contrary to the stated goals of the City in respect of public participation and parking policy, as well as the requirements of SPLUMA.

It is accepted that this process does not entail a review of the parking requirements contained in the table called 'Minimum off-street parking requirements' in item 138 of the By-Law, but this objection nonetheless must have reference to it as this is what determines the implications of the proposed plan.

Although our specific focus is on the area within jurisdiction of the LKID (the lower Kenilworth area bound by Kenilworth, Rosmead and Wetton Roads and the southern suburbs railway line), we must also legitimately concern ourselves with other areas of the City since all our residents use the City in a variety of ways and across its length and breadth. They thus potentially stand to be impacted by the assignment of PT zones whether they live in the area or not.

The stated objective of the PT zones are as follows: "PT areas enable reduced off-street parking provision in all land uses within demarcated areas, thus supporting public transport through enabling increased development intensity, development viability, and lower private vehicle trip generation."

The LKID area is located within a PT1 area where the use of public transport is promoted, but the provision of public transport regarded by the City as inadequate. The PT1 areas have been considerably expanded in the revised proposal (generally by a standard 400m 'halo'), as have the PT2 areas, especially the Central City, Inner City and Atlantic Seaboard areas.

The LKID is in total agreement with the need to transform the City's inefficient and inequitable spatial structure and improve equality of access to opportunities to all its citizens. Equally, we support the City's efforts to promote appropriate development and a thriving economy in the face of mounting poverty and unemployment.

However, we believe the reasoning behind the assignment of PT zones is flawed and has resulted in an exceptionally crude planning tool which is unlikely to have the intended consequences, and instead will have increasing negative consequences for residents, businesses, and the economy alike. We reiterate some of the comments we made to the District Plan Review: The spatial determinism inherent in the standard CCT planning and transport planning statements that population densities need to increase to support a quality public transport system is not supported by facts. Beyond a baseline population density level, the propensity to use public transport depends NOT on the availability or otherwise of parking, but on the satisfaction of key variables, or trip attributes. These relate to a number of factors, *inter alia*, availability, reliability, frequency, pricing, user comfort and security. These factors in combination need to be present at sufficiently advanced levels for public transport services to compete effectively with private transport (and hence attract choice users).

The current aggregate densities in the Southern District are already high enough to support a range of quality public transport services, and have been for many years, but these services have been shedding ridership due to the deterioration in the quality of services as measured against the above attributes. While this is fundamentally due to poor operational management, a further important consideration is that by nature, public transport service provision is inherently impacted by wider social dynamics. In a society riven by high levels of crime, resulting in personal vulnerability in public spaces, the attractiveness of public transport is severely compromised. This is a high bar to overcome, especially for choice users.

In this astonishing deterioration in the public transport service in Cape Town, we see the City as having little agency in this regard. To continue to assume public transport usership by actively discouraging private vehicle ownership under the current circumstances is, in our view, not much more than punitive, and certainly does not achieve the objectives related to this proposal. The CCT policy has, for decades, promoted public transport, to be realised by means of strategies such as Transit Oriented Design, increased intensification, the increasingly discredited 'activity corridor', etc. However, nowhere is any mention made of actual transport modelling undertaken to translate future ideal levels of demand into transport system capacity provision. Per illustration, has there been an assessment of the cost, financing, and determination of the number of peak period trains or MyCiTi bus routes required to serve the future demand? In the heyday of rail, the Southern Suburbs line ran close to capacity during peak hours. How does the City intend to achieve all this?

Quite apart from considerations related to the inclination to use public transport, car ownership is aspirational for most people, as it is a symbol of upward mobility and facilitates a level of freedom of movement which cannot be replicated by public transport. The City might say that they want to pre-empt these aspirations in order to support public transport, reduce emissions etc. They may argue something along the lines that many people use inadequate public transport because they have no choice, and would use cars if they could afford them

Nonetheless, there are a number of types of trips which are very difficult to undertake by public transport, such as weekend trips, social trips, night-time trips, school trips, or shopping. These trips often affect women disproportionately and travelling on public transport for these trips, often with children in tow, is always avoided for choice users. For the disabled or the elderly, this is an exceptionally unresponsive mode of transport. Public transport, especially in this context, is best utilised by commuters, who travel the same trip every day, during daylight hours and do not need to move around regularly for work purposes. The City is unable even to service this demand.

A simplistic inverse relationship is assumed between public and private transport, i.e. by promoting the former, the latter is automatically discouraged. This conception conflates private vehicle ownership and use. Hence the improvement in the quality of public transport is quite likely to result in reduced overall private transport use, but ownership to a much lesser degree, given the diversity of trip types. Some trips are simply more readily served by public transport than others. The vast majority of choice users are therefore highly unlikely to forego private vehicle ownership altogether. Given the emergence of e-hailing, some users may well at a household level reduce their overall ownership, but not make it altogether redundant. In this respect, the designation of zero parking requirements in PT2 zones, which was not initially the case, is flawed.

The assignment of the PT2 zones in many of the business areas, where Section 138 of the By-Law has a minimum requirement of zero parking for all uses with the exception of garages, service stations and fitment centres, will, we believe, have a negative economic impact on the City. Aside from commuters, many people frequent the areas now designated PT2, for single purpose, short trips: for example: to attend a meeting in the CBD; to do grocery shopping; to source a specific service; to patronise a restaurant or entertainment; to pick up goods, etc. Because public transport is so inefficient in servicing these particular needs, there is a high demand for parking in these areas as a result, and businesses depend on the availability of especially short-term parking in reasonable proximity. The shockingly poor and negligent management by the CCT of the central city parking tender and its impact upon businesses has been well publicised and illustrates the point.

Being unable to access parking when undertaking these trips particularly in the CBD, Woodstock/ Salt River and Observatory have had a negative impact upon those using the areas, no doubt many will begin to avoid them for specific purposes, and so continues a spiral of economic decline. In Observatory for example, the promotion of high-density development, along with the provision of insufficient parking has had a massive impact on congestion; on the liveability of the environment and on its value as a Heritage Protection Overlay. Ironically, informal, illegal, and chaotic parking now completely dominates the already narrow streets since it is usually the only alternative for residents and visitors alike.

It is accepted that this is a minimum requirement, but anecdotal evidence is that developers are pressurised by the City officials not to provide parking, which actually impacts significantly upon their feasibility as it impacts demand by potential purchasers or tenants (despite the stated objective that it increases development viability). Uses such as residential in particular need parking. For the City to resist the provision thereof, when in fact the demand for parking (and road-based private transport) has risen in recent years precisely as a result of the increasing inadequacy of public transport, seems Machiavellian.

The MPBL alternative to compliance with the off-street parking requirements allows an owner to: (a) acquire an area of land sufficient for the relevant parking requirements elsewhere, in a location approved by the City; or (b) acquire permanent rights to a parking facility or portion of a parking facility elsewhere, in an approved location subject to a notarial tie or servitude against such land or parking facility to link the properties concerned for the purpose of parking,

and the owner shall cause the parking concerned to be constructed and maintained in accordance with the City's approval. This should be more than adequate an alternative where space for parking provision is difficult, but appropriate levels of provision are necessary. It also allows for a case-by-case assessment of the use and the environment and thus a more nuanced framework for decision-making.

The assignment of the PT1 zones in many of the smaller business areas in the Southern Suburbs and all the surrounding residential areas is equally faulty logic, for the same reasons outlined above.

Parking provision in PT2 zones compared to the standard provisions is totally eliminated. This includes, *inter alia*, parking for single dwellings, group dwellings, flats, boarding and guest houses, libraries, places of worship, assembly and entertainment, shops, supermarkets, restaurants, offices and industrial uses. The fact that many PT2 zones are places of origin more than places of destination means that the demand for private car use is much higher than in commuter-based areas. People will have cars regardless of the parking provisions, and instead what this will do is lead to increased conflict between residents of higher density dwelling units (a survey of Body Corporates would probably illustrate just how problematic the under-provision of parking for residents has become); between local residents and the churches in their neighbourhood; increased crime as on-street parking regularly leads to break-ins (the LKID can definitely attest to this); and discourage users to the local business districts as it become increasingly difficult to easily and quickly access the facilities or utilities an area offers. This plan and provision merely encourages unscrupulous over-development which negatively impact upon the quality and amenity of our environments, with no actual impact on transforming the city or making it more sustainable, equitable or accessible.

The provision of PT1 and PT2 zones in areas like, for example Khayelitsha, DuNoon and Mfuleni are disingenuous at best. The over-provision of parking and lack of appropriate densities are NOT what impact upon the provision of public transport in these areas, and in any case, it would be interesting to see the extent to which the provisions of the MPBL are even remotely adhered to or enforced.

Two further specific problems in conceptualising PT zones are highlighted below.

Firstly, the use of train stations as the basis for much of the spatial determination of PT zones is inherently flawed, as these do not guarantee public transport accessibility as a given. The operational decline in service provision over more than a decade is testimony that the presence of physical infrastructure does not automatically translate into high levels of service. The City assumes this to be an aberration, implicitly assuming that it would be restored to sufficiently high levels of service to offer a real alternative to private transport and would do so indefinitely (permanently). This is arguably a very tenuous assumption and not a firm basis on which to determine standards in relation to parking which can have long term impacts on local areas' livability and commercial viability.

Secondly, the designation of PT2 zones in close vicinity of train stations, and PT1 zones further away, but still within a reasonable walking distance from stations, is crude. As noted above, the use of train stations as the key determinant of parking zones is flawed not only due to the actual poor quality of service provision, or the conflation between vehicle ownership and use, but also the rigid conception of catchment areas. A well functioning system will attract users to stations along the line from a wide area. There are a number of feeder modes which facilitates this, of which walking is but one mode, e.g. cycling, local public transport services, park & ride, kiss & ride and latterly, e-hailing services. To delineate PT zones only in terms of walking distances only, is irrational.

These issues discussed in this submission should be considered when conceptualising the determination of parking standards across the city, by recognising the unintended consequences in formulating policy on the basis of an idealised urban form, which in many respects bears little resemblance to reality. The spatial coupling of standards with a public transport system in systemic decline, as well as the simplistic understanding of the relationship between public transport and private vehicle ownership, are particularly problematic in the parking standards and their spatial allocation, as currently proposed. This submission should not be seen as an argument to continue the conventional approach to parking provision, which is recognised has having contributed to the dysfunction of a spatially inefficient and inequitable urban structure. It is rather a motivation for the recognition of the complexities of managing private vehicle accommodation in a real-world context while still pursuing policy outcomes of a better functioning urban environment.

In our view, the plan should be scrapped in its entirety and the City's transport and planning officials concentrate on finding long term, viable solutions to the problems of our City and our economy. The provisions of s138's alternatives to on-site parking (a) and (b) are sufficient to encourage and flexible enough without the negative impacts associated with the current crude imposition of zones and restoring and enhancing public transport for commuter purposes.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Pete Linnegar', with a stylized, looping flourish at the end.

PETE LINNEGAR
CHAIRPERSON, LKID