

DRAKENSTEIN MUNICIPALITY

MINUTES: EXECUTIVE MAYOR AND MAYORAL COMMITTEE

SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON THURSDAY, 27 NOVEMBER 2008 AT 09:13

PRESENT: The Executive Mayor, Clr C M Manuel (Chairperson)
The Executive Deputy Mayor, Clr M W Nothnagel

Councillors: A Bekeer
J T Basson
H Douman
T M Kompela
M J Le Hoe
A M Petersen
A B Sishuba; and
B E Vos

Officials: Dr S Kabanyane (Municipal Manager)
K Mrali
L Coetzee
T Matthee
Dr P Naidoo
D Delaney
A Marais
G Fouldien; and
D Jacobs

ABSENT: Clr S Davids (apology)



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1. APPLICATION FOR REZONING AND CONSENT USE ON FARM 40/6 (SARON), TULBAGH DIVISION

RESOLVED

1. that Council's decision as recorded in the minutes (Executive Mayor and Mayoral Committee, Item 9 dated 23 February 2005) be re-affirmed, and that approval for rezoning of the Farm 40/6, Saron to "Business Zone I" and a consent use for a "liquor store" **not be granted** in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N. 1048/1988, respectively;
2. that the contents of paragraph 6 in the departmental report, PLANNING COMMENT, read together with the content of paragraph 6 of the previous departmental report of February 2005, PLANNING COMMENT, be regarded as Council's reason for its decision; and
3. that the applicant be informed of his right of appeal in terms of the Municipal Systems Act, 2000 (Act 32 of 2000) and the Land Use Planning Ordinance, 1985 (Ord 15 of 1985).

Meeting: Ref No: Doc No:	Spec EM&MC - 27/11/2008 15/4/1 (F40/6) S 9504/07, 10525/07, 10779/07, 209/08, 1325/08, 1544/08, 1589/08, 2852/08 & 9415/08	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning C Cupido
CLAUSE:	ACTION: Inform parties	RESPONSIBLE DEPT: Admin (H Barends)	DUE DATE:

2. APPLICATION FOR CONSENT USE: ERF 25827, PAARL

RESOLVED

1. that Council's Consent be granted, in terms of Condition 1.3.3 of the previous land use planning approval (Annexure H to the departmental report), on Erf 25827, Paarl, in order to utilize a building ($\pm 150m^2$) within the Paarl East Shopping Centre as a "Tops" Liquor store;
2. that the above approval be subject to the following conditions in terms of Section 42(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985):-
 - 2.1 No new structures are to be erected or existing buildings converted without the approval of building plans by Council;
 - 2.2 Adherence to the conditions as contained in the liquor licence;
 - 2.3 Adherence to the following condition laid down by the Head: Civil Engineering Services (Drakenstein Municipality):-

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a) Water

A separate water meter be installed by the developer (as per NWR).

3. that the objectors being Charleston Hill Secondary School, Messrs Van der Vent and Riddles and Messrs Riddles and Paulse, be informed of their right of appeal in terms of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985); and
4. that the comments contained in Paragraph 6 (“Town Planning Assessment/Comments”) of the departmental report be regarded as Council’s reasons for its decision.

Meeting: Spec EM&MC - 27/11/2008 Ref No: 15/4/1 (16002) P Doc No: 9322/08, 8546/08, 8220/08, 8216/08, 5663/08, 5200/08, 5848/08, 5416/06, 5417/08, 5428/08, 5339/08 & 3294/08		Submitted by Directorate: Infrastructure & Planning Author/s: H Louw Referred from:	
CLAUSE:	ACTION: Inform parties	RESPONSIBLE DEPT: Admin (H Barends)	DUE DATE:

3. LEVENDAL DEVELOPMENT: APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION, CONSENT USES, DEPARTURES FROM LAND USE RESTRICTIONS AND DETERMINATION OF THE DRAKENSTEIN URBAN EDGE: FARMS 811/2, 811/17, 811/19, 811/20, 811/24, 811/26, 811/27, 811/29, 811/32, 811/36, 811/38, 819, 827, 832/38 (EASTERN PORTION), 832/54, 833/5, 835/2, 1312, 1348, 1348/2 & 1566, PAARL DIVISION

The enclosed R.O.D., ref no E12/2/1 – AA8 – Levendal Development dated 24 November 2008 of the Department of Environmental Affairs and Development Planning was tabled at the meeting.

RESOLVED

1. that it be recommended to Council that approval be granted for the inclusion of Farms 811/17, 811/24, 811/26 and 811/27 into the Drakenstein approved Urban Edge in order to cater for the entire application property to fall within the Drakenstein Urban Edge;
2. that the Provincial Decision-making Authority be requested to deal with the matter as a “package of applications/plans” (as also requested by the applicant) in order to streamline administration processes, thus also deciding on the consent uses, departures and subdivisions;
3. that the Provincial Decision-making Authority be informed that Council is in support of the following:-

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- 3.1 a zoning of "Agricultural Zone I" be determined for the following properties in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985): Remainder Farms 811/2, 811/17, 811/19, 811/20, 811/24, 811/26, 811/27, 811/29, 811/36, 811/37, 811/38, 833/5 and 1312, Paarl Division;
- 3.2 that approval be granted for a mixed use development on Farms 811/2, 811/17, 811/19, 811/20, 811/24, 811/26, 811/27, 811/29, 811/32, 811/36, 811/37, 811/38, 819, 827, 832/38 (eastern portion), 832/54, 833/5, 835/2, 1312, 1348, 1348/2 and 1566, Paarl Division, having an overall residential and density of approximately 3.5 units per ha, as set out in the paragraphs below:-
- 3.2.1 The following approvals are granted for Farm 833/5, Paarl Division (Plan 6.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-
- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 833/5, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" for a development broadly including group housing, flats and a shop;
 - b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the subdivision of Farm 833/5, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
120	Residential Zone II	Group housing	120	±29 420m ²
1	Residential Zone IV	Block of flats	27	± 5 470m ²
1	Residential Zone IV	Block of flats	18	± 3 780m ²
1	Residential Zone IV	Block of flats	13	± 2 607m ²
1	Residential Zone IV	Block of flats	10	± 2 018m ²
1	Open Space Zone II	Retention dam	-	± 3 556m ²
3	Open Space Zone II	Public Open Space	-	±23 451m ²
1	Transport Zone I	Public Transport Interchange	-	± 5 057m ²
1	Open Space Zone II	Private Road	-	±18 098m ²
2	Transport Zone II	Public Road	-	± 1 642m ²
1	Business Zone II	Superette/Shop	-	± 675m ²
133			188	±95 775m ²

- c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters to allow for a Group Housing Site measuring ± 2.942ha (Portions 1 – 120 on Plan 6.2: Rezoning and Subdivisional Plan);
- 3.2.2 The following approvals are granted for Farm 832/54, Paarl Division (Plan 6.4 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

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- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Farm 832/54, Paarl Division from “Institutional Zone I” to “Subdivisional Area” for a development broadly including single residential erven, flats, community facilities (i.e. clubhouse/community hall/church) and a frail care facility;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 832/54, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
1	Residential Zone IV	Block of flats	56	± 13 214m ²
1	Residential Zone IV	Block of flats	53	± 16 869m ²
1	Residential Zone IV	Block of flats	6	± 1 281m ²
1	Residential Zone III	Frail Care Facility (30 beds)		± 4 252m ²
1	Institutional Zone I	School – Educational purposes	-	± 29 079m ²
1	Open Space Zone II	Sportsfield facilities, community hall/ clubhouse	-	± 20 506m ²
2	Open Space Zone II	Private Open Space	-	± 3 157m ²
2	Transport Zone II	Public Road	-	± 15 354m ²
1	Open Space Zone II	Private Road	-	± 3 626m ²
47	Residential Zone I	Single Residential Erven	47	± 22 191m ²
1	Institutional Zone II	Clubhouse/Church/Community Hall	-	± 2 666m ²
60			162	±134 434m²

- c) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N. 1048/1988 for a Consent Use: Place of Assembly for a Clubhouse/Church/Community Hall on an “Institutional Zone II” zoning (Portion 60);
- d) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral building line from 10m to 0m on Portion 60 (Clubhouse/Church/Community Hall);
- e) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral lines from 10m to 2m on Portion 5 (Frail Care Facility);
- f) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the street – and lateral building lines from 10m to 0m on Portion 6 (Educational Facility);

3.2.3 The following approvals are granted for Farm 827, Paarl Division (Plan 7.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

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- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 827, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" mainly for agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the subdivision of Farm 827, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
1	Transport Zone II	Public Road	-	± 5 776m ²
2	Agricultural Zone I	Remainder	-	±24 624m ²
3				±30 400m²

- c) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N. 1048/1988 for a Consent Use to permit a Farm Store on Farm 827, Paarl Division as per the existing land use rights;

3.2.4 The following approvals are granted for Farm 832/38, Paarl Division (Plan 8.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 832/38, Paarl Division from "Agricultural Zone I" and "Business Zone IV" to "Subdivisional Area" for tourist-related uses and business uses;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 832/38, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
1	Business Zone II	Public Road	-	± 8 491m ²
1	Business Zone IV	Remainder	-	±42 532m ²
2				±51 023m²

3.2.5 The following approvals are granted for Farm 1312, Paarl Division (Plan 9.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 1312, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 1312, Paarl Division as follows:-

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No of erven	Zoning	Land Use	No of units	Area
12	Residential Zone I	Single Residential	12	± 6 830m ²
1	Open Space Zone II	Private Road	-	± 1 379m ²
1	Open Space Zone II	Private Open Space	-	± 1 378m ²
1	Remainder Farm 1312	Remainder Farm 1312	-	±857 078m ²
15			12	±866 665m²

3.2.6 The following approvals are granted for Farm 819, Paarl Division (Plan 10.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 819, Paarl Division from “Industrial Zone II” and “Industrial Zone III” to “Subdivisional Area” for the development of group housing and rehabilitated open space;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 819, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
1	Residential Zone II	Group housing	110	± 60 078m ²
1	Open Space Zone II	Rehabilitated open space	-	± 61 042m ²
2			110	±121 120m²

- c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters to allow for a group housing site measuring ±6.0078ha (*Portion 1* on Plan 10.2: Rezoning and Subdivision Plan);
- d) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters to allow for subdivided *Portion 1* to abut another Group Housing Scheme proposed on consolidated Farm 835/2, Paarl Division;

3.2.7 The following approvals are granted for consolidated Farm 1566 and Portion 2 of Farm 835, Paarl Division (Plan 11.2: Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) rezoning of consolidated Farm 1566 and Portion 2 of Farm 835, Paarl Division from “Resort Zone” (Farm 1566) and “Agricultural Zone I” and “Agricultural Zone II” (Farm 835/2) to “Subdivisional Area” for a mixed use development including residential development, tourist facilities including a bird sanctuary, picnic and caravan camping sites, wine tasting and sales, and guest accommodation;

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- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the consolidation of Farm 1566 with Portion 2 of Farm 835, Paarl Division, and subsequent re-subdivision of the consolidated property as follows:-

No of erven	Zoning	Land Use	No of units	Area
109	Residential Zone I	Single Residential	109	±130 635m ²
15	Open Space Zone II	Private Open Space	-	±158 161m ²
1	Open Space Zone II	Waterfront Picnic Park	-	± 5 514m ²
1	Agricultural Zone I	Agriculture	-	±114 315m ²
1	Agricultural Zone I	Agriculture	-	±265 316m ²
	Agricultural Zone II	Packing Store, Cold Storage, Packing Shed	-	
1	Resort Zone I	Caravan Park (40 stands)	-	± 18 880m ²
1	Business Zone II	Business, Restaurant, Offices, Coffee Shop, Deli	-	± 5 273m ²
2	Transport Zone II	Public Road	-	± 13 212m ²
4	Open Space Zone II	Private Road	-	± 30 905m ²
1	Transport Zone III	Public Parking	-	± 1 941m ²
1	Residential Zone II	Group Housing	78	± 43 024m ²
1	Residential Zone II	Group Housing	6	± 3 397m ²
1	Residential Zone II	Group Housing	23	± 17 214m ²
1	Residential Zone II	Group Housing	33	± 24 776m ²
1	Residential Zone III	Town housing	12	± 4 864m ²
1	Residential Zone V	Guesthouse	-	± 4 031m ²
1	Residential Zone V	Guesthouse	-	± 3 551m ²
1	Agricultural Zone II	Winery	-	± 16 775m ²
	Agricultural Zone II	Farmstore, Tourist Facilities: Restaurant, Wine Tasting, Wine Sales	-	
1	Agricultural Zone I	Agriculture	-	± 2 392m ²
145			261	±864 042m²

The approval is furthermore subject to the consolidation of subdivided Portion 145 (as indicated on Plan 11.2, Annexure C to the departmental report) with Farm 811/29, Paarl Division;

- c) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit a Farm Store (±100m²) on *Portion 127* of consolidated Farm 1566 and Portion 2 of Farm 835, Paarl Division;
- d) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit a Farm Store (±100m²) on *Portion 144* of consolidated Farm 1566 and Portion 2 of Farm 835, Paarl Division;

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- e) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit Tourist Facilities: Restaurant, Wine Tasting, Wine Sales, Gift Shop to be operated on *Portion 144* of consolidated Farm 1566 and Portion 2 of Farm 835, Paarl Division;
- f) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit the establishment of Offices (Tourism Offices) on *Portion 129* of consolidated Farm 1566 and Portion 2 of Farm 835, Paarl Division;
- g) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters to allow for two group housing sites measuring ± 4.3024 ha (*Portion 137*) and ± 2.4776 ha (*Portion 140*) respectively (see Plan 11.2: Rezoning and Subdivision Plan);
- h) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters to allow for subdivided Erf 137 to abut a Group Housing Scheme proposed on Farm 819;
- i) in terms of Section 42(3)(a) for the amendment of the Site Development Plan approved for Farm 1566, Paarl Division (Berg River Resort), and amendment of the rezoning conditions to allow for the establishment of Resort Zone I specifically for ± 40 Caravan stands on an area measuring ± 1.9 ha;

3.2.8 The following approvals are granted for Farm 811/27, Paarl Division (Plan 12.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/27, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" mainly for agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/27, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
4	Agricultural Zone I	Agriculture	-	$\pm 68\,479\text{m}^2$
1	Transport Zone II	Public Road	-	$\pm 4\,001\text{m}^2$
5				$\pm 72\,480\text{m}^2$

- c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the street and lateral building lines from 30m to 5m on subdivided *Portions 1-4*;

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3.2.9 The following approvals are granted for Farm 811/37, Paarl Division (Plan 13.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/37, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/37, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
12	Residential Zone I	Single Residential	12	± 6 876m ²
1	Open Space Zone II	Private Road	-	± 1 946m ²
1	Open Space Zone II	Open Space	-	± 337m ²
1	Transport Zone II	Public Road	-	± 7 024m ²
1	Agricultural Zone I	Agriculture	-	± 82 504m ²
1	Transport Zone II	Public Road	-	± 4 400m ²
17				±103 087m²

3.2.10 The following approvals are granted for Farm 811/38, Paarl Division (Plan 14.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/38, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/38, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
13	Residential Zone I	Single Residential	13	±13 576m ²
1	Open Space Zone II	Open Space	-	± 4 388m ²
1	Open Space Zone II	Private Road	-	± 3 081m ²
1	Agricultural Zone I	Agriculture	-	±60 065m ²
16			13	±81 110m²

3.2.11 The following approvals are granted for Farm 811/26, Paarl Division (Plan 15.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/26, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/26, Paarl Division as follows:-

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No of erven	Zoning	Land Use	No of units	Area
2	Residential Zone I	Single Residential	2	± 3 488m ²
1	Agricultural Zone I	Agriculture	-	±13 647m ²
3			2	±17 131m²

- c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral building line from 30m to 5m;

3.2.12 The following approvals are granted for Farm 811/26, Paarl Division (Plan 16.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/24, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/24, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
42	Residential Zone I	Single Residential	42	±19 714m ²
3	Open Space Zone II	Open Space	-	± 1 504m ²
1	Agricultural Zone I	Agriculture	-	±25 814m ²
1	Open Space Zone II	Private Road	-	± 5 217m ²
47			42	±52 249m²

- c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral building line from 30m to 0m on subdivided *Portion 46*;

3.2.13 The following approvals are granted for Farm 811/17, Paarl Division (Plan 17.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit the establishment of a Service Trade (±2000m²) (Agricultural Zone I) on *Portion 7* of Farm 811, Paarl Division;
- b) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral building line from 30m to 10m on subdivided *Portion 7*;

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3.2.14 The following approvals are granted for Farm 811/32, Paarl Division (Plan 18.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/32, Paarl Division from "Agricultural Zone I" and "Agricultural Zone II" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/32, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
4	Residential Zone I	Single Residential	4	± 5 314m ²
2	Open Space Zone II	Private Road	-	± 3 407m ²
1	Agricultural Zone I	Agriculture	-	±11 473m ²
	Agricultural Zone II	Distillery, Tourist Facility	-	± 340m ²
7			4	±20 534m²

- c) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit a Tourist Facility (±140m²) Portion 32 of Farm 811, Paarl Division as per the existing land use rights;
- d) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral building line from 30m to 10m on subdivided *Portion 7*;

3.2.15 The following approvals are granted for Farm 811/36, Paarl Division (Plan 19.2: Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/36, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" broadly for residential development and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/36, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
6	Residential Zone I	Single Residential	6	±10 358m ²
1	Open Space Zone II	Private Road	-	± 1 851m ²
1	Agricultural Zone I	Agriculture	-	±12 107m ²
8			6	±24 316m²

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- c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the lateral building line from 30m to 20m on subdivided *Portion 8*;

3.2.16 The following approvals are granted for Farm 811/20, Paarl Division (Plan 21.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 811/20, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" for the development of a guest house and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 811/20, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
1	Agricultural Zone I	Agriculture	-	±2 216m ²
1	Residential Zone V	Guesthouse	-	±1 750m ²
2				±3 966m²

3.2.17 The following approvals are granted for Farm 1348/2, Paarl Division (Plan 22.2 Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm 1348/2, Paarl Division from "Agricultural Zone I" to "Subdivisional Area" for the development of a guest house, nursery and agricultural usage;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Farm 1348/2, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
2	Open Space Zone II	Private Road	-	± 2 956m ²
1	Agricultural Zone I	Agriculture	-	±13 787m ²
1	Agricultural Zone I	Nursery	-	±19 069m ²
1	Residential Zone II	Group Housing	24	±14 302m ²
1	Residential Zone V	Guesthouse	-	± 4 517m ²
1	Transport Zone II	Public Road	-	±15 759m ²
7			24	±70 390m²

- c) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at P.N.1048/1988 for a Consent Use to permit a Nursery on subdivided *Portion 4* of Farm 1348, Paarl Division;

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d) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters for the relaxation of the street and lateral building lines from 30m to 10m on subdivided *Portions 3 and 4*;

3.2.18 The following approvals are granted for Remainder Farm 1348, Paarl Division (Plan 23.2: Rezoning and Subdivision Plan, Annexure C to the departmental report):-

- a) in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Remainder Farm 1348, Paarl Division from “Agricultural Zone I” to “Subdivisional Area” mainly for residential development;
- b) in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for the subdivision of Remainder Farm 1348, Paarl Division as follows:-

No of erven	Zoning	Land Use	No of units	Area
34	Residential Zone I	Single Residential	34	± 49 452m ²
96	Residential Zone II	Group Housing	96	± 27 063m ²
1	Transport Zone II	Public Road	-	± 8 816m ²
2	Open Space Zone II	Private Road	-	± 25 025m ²
7	Open Space Zone II	Private Open Space	-	±142 861m ²
140			130	±253 217m²

c) in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for permanent departure from land use parameters to allow for a Group Housing site measuring ±2.7063ha;

3.2.19 Approval be granted in terms of Section 42(3)(a) for the amendment of the Site Development Plan approved for Farm 1566, Paarl Division (Berg River Resort), and amendment of the rezoning conditions to allow for the establishment of Resort Zone I specifically for ±40 Caravan stands on an area measuring ±1.9ha;

4. that the approvals listed under paragraph 3 above be subject to the following conditions in terms of Section 42(1) of the Land Use Planning Ordinance, 1985 (Ord No 15 of 1985):-

4.1 that the conditions set out in the Record of Decision issued by the Department of Environmental Affairs and Development Planning (Ref E12/2/1-AA8 – LEVENDAL DEVELOPMENT and dated 24 November 2008) be adhered to;

4.2 Adherence to the conditions laid down by the Department of Water Affairs and Forestry in its letter 16//2/7/G100/A/1 dated 3 March 2008 (Annexure J to the departmental report);

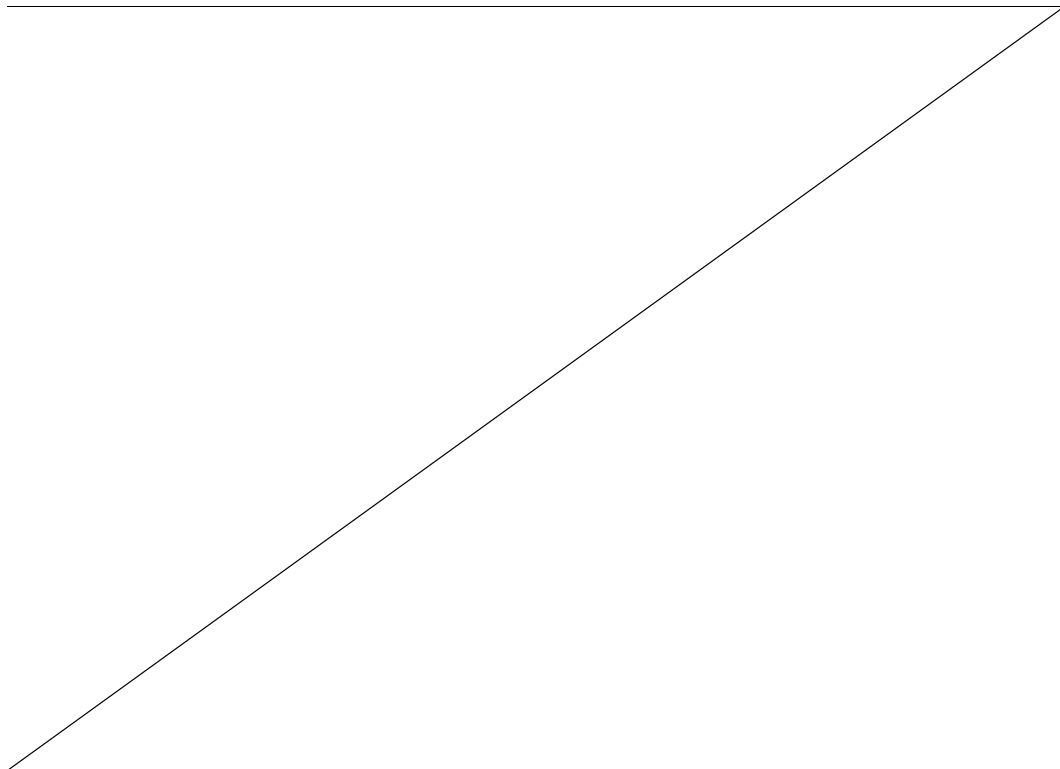
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- 4.3 Adherence to the conditions laid down by the Department of Transport and Public Works (District Roads Engineer) in its letter PR22/29/87/0240(08) dated 2 April 2008 (Annexure L to the departmental report);
- 4.4 Adherence to the conditions laid down by the Heritage Western Cape in its Record of Decision dated 12 October 2007 (Annexure M to the departmental report);
- 4.5 Adherence to the conditions laid down by the Cape Winelands District Municipality: Health Department in its letter dated 12 March 2008 (Annexure N to the departmental report);
- 4.6 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Department in its memorandum 15/4/1 (Levendal) P (3491) dated 6 October 2008 (Annexure O to the departmental report);
- 4.7 Adherence to the following condition laid down by the Drakenstein Municipality: Electrical Services Department:-
 - 4.7.1 Electrical services planning must be submitted for approval prior to the installation of the services and must take existing services into account;
- 4.8 Adherence to the condition laid down by Telkom in its letter LT/6292/IP/08 dated 19 March 2008 (Annexure P to the departmental report);
- 4.9 Adherence to the conditions laid down by Eskom in its letter dated 10 March 2008 (Annexure Q to the departmental report);
- 4.10 Adherence to the conditions (if any) imposed by the National Department of Agriculture;
- 4.11 Adherence to the following conditions from a town planning point of view:-
 - a) The approval applies only to the rezoning, subdivisions, consent uses and departures in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - b) Any amendments to the application is subject to the relevant approval;
 - c) Development should take place largely in accordance with the Development Area Site Development Plan (Annexure B1 to the departmental report);
 - d) Landscaping of the development take place as per the specifications of the Landscaping Plan prepared by De Villiers Turner & Associates (Annexure B2 to the departmental report);
 - e) A Master Homeowners Association must be establish to oversee the Management and maintenance of the overall development, in addition to the Homeowners Association being established for

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each development cluster. All Home Owners Association Constitutions must be prepared to the satisfaction of the Municipality;

- f) The Architectural Guidelines prepared by Andrew Horne Architects (Annexure S to the departmental report) be adhered to;
- g) All private open spaces within the development must be linked to each other by way of a notarial tie that must be recorded in the title deeds;
- h) No new structures are to be erected or existing buildings converted without the approval of building plans by the Council;
- i) All previous conditions of approval, pertaining to any of these land units, remain applicable; and
- j) A copy of the approved diagrams must be submitted to Council for record purposes.



Meeting: Spec EM&MC - 27/11/2008 Ref No: 15/4/1 (16002) P Doc No: 940/06, 1417/16, 3444/06, 3671/06, 5141/06, 9834/06, 2464/07, 6073/06, 7234/07, 7370/07, 11087/07, 784/08, 2250/08, 2405/08, 2528/07, 2548/08, 2634/08, 2641/08, 2815/08, 3280/08, 3415/08, 3947/08, 4631/08, 5214/08, 5246/08, 7375/08, 7816/08, 8705/08 & 8981/08		Submitted by Directorate: Infrastructure & Planning Author/s: C Cupido Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u> Inform parties	<u>RESPONSIBLE DEPT:</u> Corporate Governance (H Barends)	<u>DUE DATE:</u>

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4. PAARL CENTRAL BUSINESS DISTRICT REDEVELOPMENT PROJECT

RESOLVED

1. that the report be noted; and
2. that an in-house meeting between Mayco and relevant officials be arranged for 1 December 2008 in preparation for the meeting of 2 December 2008.

Meeting: Spec EM&MC - 27/11/2008		Submitted by Directorate: Infrastructure & Planning	
Ref No: 15/2/2/2		Author/s: D Delaney	
Doc No: 9412/08		Referred from: EM&MC - 19/11/2008	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

5. ALIENATION OF PORTION OF ERF 34, WELLINGTON: AFRIGLASS (PTY) LTD

The following valuation for the proposed sites were tabled at the meeting:-

1. Portion of Erf 34, Wellington – R300 000/ha (± 18ha)
2. Erf 607, Gouda – R3m (± 343.8ha)

RESOLVED

that it be recommended to Council

1. that the sale of a portion of Erf 34, Wellington (± 10ha) as the preferred option, or alternatively Erf 607, Gouda, to AfriGlass (Pty) Ltd, be approved in principle;
2. that the Project Steering Committee be given the mandate to continue with further negotiations with AfriGlass (Pty) Ltd;
3. that the public participation process be proceeded with; and
4. that the extension of any services on the approved site be for the account of the developer.

Meeting: Spec EM&MC - 27/11/2008		Submitted by Directorate: Corporate Governance &	
Ref No: 15/4/1 (34) W		Strategic Services	
Doc No: 9677/08		Author/s: N Bell / G Fouldien	
		Referred from: EM&MC - 19/11/2008	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Take necessary further steps.	Corporate Governance (Properties)	

MINUTES: SPECIAL EXECUTIVE MAYOR & MAYORAL COMMITTEE
27 NOVEMBER 2008

The meeting ended at 09:23.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/db
8/12/2008