



DRAKENSTEIN
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Reference: 15/4/1(F845/3) P
Date: 20 August 2021

JD/GS
15/4/1 (F845/3) P

Jan Hanekom Partnership
Architects / Town and Regional Planners
Meulstraat 60 Mill Street
PAARL
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Sir

APPLICATION FOR REZONING AND SUBDIVISION: FARM 845/3 PAARL DIVISION (SENSE de LIEU)

I refer to you application dated 7 February 2017, and have to inform you that:

1. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1 Rezoning from Agricultural Zone I to Subdivisional Area with the intent to establish a residential and business development on ±18 hectares of Farm 845/3 Paarl Division, as indicated on the Conceptual Site Development Plan drawn by Jan Hanekom Partnership Town and Regional Planners, Drawing No. HS 100 318/01, dated 18-03-2021, **(Annexure B)**;
 - 1.2 Subdivision of ±18 hectares of Farm 845/3 Paarl Division, for a mixed use development as set out above, with a final detailed subdivisional plan to be submitted, with the density of the residential component be limited to 40 units per hectare, restricted to 25 units per hectare on the boundaries of the property and limited to a maximum of 2 storeys;

2. The approvals mentioned in Paragraphs 1.1 to 1.2 above is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 2.1 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services Division, as set out in its letter dated 05 August 2021 (reference number 15/4/1 (F845/3) P (1403)), attached hereto as **(Annexure C)**;
 - 2.2 Adherence to the conditions set by the Drakenstein Municipality: Electro-Technical Engineering Services Division, as set out in its letter dated 08 July 2021 (reference 845_3), with specific reference to electricity capacity as stated in the letter dated 09 November 2017, reference Cor340_2017 in respect of provision of land for construction of a new proposed 132/66/11KV substation and comments to the provision of electricity for the proposed development, **(Annexure D)**;
 - 2.3 The applicant takes note of the conditions set by the Western Cape Department of Transport and Public Works: Road Network Management, as set out in its letter dated 19 April 2021 (reference 16/9/6/1-10/68 (Job 22785)), **(Annexure I)**;
 - 2.4 The applicant takes note of the conditions set by Heritage Western Cape, as set out in its letter dated 20 July 2016 (reference HM/Cape Winelands/Drakenstein/Paarl/PTN of PTN 3 Farm 845 (Case No. 18052306HB0528E), **(Annexure J)**;
 - 2.5 The applicant takes note of the conditions set by the Department of Environmental Affairs and Development Planning: Directorate Development Management Region 2, as set out in its letter dated 23 April 2018 (reference 16/3/3/1/B3/28/1034/17 reference WCP/EIA/0000306/2017), **(Annexure K)**.
3. Adherence to the following conditions from a town planning point of view:
 - 3.1 This approval applies only to the rezoning and subdivision in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2 An application for the establishment of a Master Home Owners Association and Constitution name for both the retail and residential components together with design guidelines must be submitted to the Manager: Land Use Planning and Surveying, together with an application for the private roads to the Senior Manager: Planning Services, so that the Private Road/Private Open Spaces can be registered in the name of the Master Home Owners Association simultaneously with the first registration of any erf, prior to building plan submission phase;
 - 3.3 Separate detailed SDP's for the retail and residential components be submitted, indicating refuse areas and access to it for waste management services, together with positions of any proposed gatehouses, should the proposed component be considered

to be gated developments, to the Manager: Land Use Planning and Surveying Section for consideration, prior to building plan submission phase;

- 3.4 The height of the business buildings along the R301 and the common boundaries of the property be restricted to 2 storeys (height 10m in total) and a maximum of 3 storeys (height 16m) for the other properties;
- 3.5 An application for the installation of any photo-voltaic (PV) system be submitted to the Senior Manager: Electro-Technical Services Department (Energy and Efficiency Section);
- 3.6 A copy of the approved Surveyor-General diagram be submitted to Council for record keeping purposes;
- 3.7 Any alterations to any existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control calming measures as detailed in the Traffic Impact Assessment (TIA) by iCE Group (PTY) Ltd, dated July 2018;
- 3.8 A detailed Stormwater Management Plan (SWMP) be submitted to the Civil Engineering Services Department: Manager – Infrastructure Management, prior to building plan submission;
- 3.9 All required upgrades as per the bulk services capacity analysis by GLS Engineers dated 8 March 2019, be implemented simultaneously with the development;
- 3.10 The developer is required to contribute an additional 10% of the Development Contribution towards the upgrading of R301;
- 3.11 Energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
- 3.12 The applicant institute water conservation measures such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
- 3.13 The proposal complies with all health requirements;
- 3.14 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council;
- 3.15 Any amendments to the application are subject to the relevant approval;
- 3.16 Should the applicant fail to comply with any of the above conditions, the Council reserves the right to impose further conditions in future if deemed necessary.

4. The following be regarded as the reasons for the decision:
- 4.1 The proposal is merely to rezone and subdivide uncultivated land to facilitate the mixed-use development proposal;
 - 4.2 The proposal represents a mixture of housing sizes and typologies;
 - 4.3 The proposal is not expected to detract from the character of the area;
 - 4.4 The proposal will present more residential opportunities in the Paarl area which is currently experiencing a shortage of residential stock;
 - 4.5 The proposal will create new economic opportunities within the area;
 - 4.6 The application property is located within the delineated urban edge and earmarked for urban infill, which encourages a range of mixed-uses;
 - 4.7 The property is located within the delineated urban edge, reducing urban sprawl;
 - 4.8 Business/commercial/industrial uses play a pivotal role to the economy within the Drakenstein area, and should therefore be supported as far as possible;
 - 4.9 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding built environment;
 - 4.10 All relevant internal and external departments consented to the proposal; and
 - 4.11 The proposal is considered to be consistent with the Drakenstein Spatial Development Framework.

Your attention is drawn to the general right of appeal in terms of Section 79(3) of Drakenstien ByLaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision of an authorized official, within 21 days of notification of the decision. This approval is therefor suspended until further notice. Please also notify the surrounding property owners by hand within a radius of 200 meters from the application property, of their general right of appeal – proof of notification must be provided to this department. Note that the 21 day appeal period will commence the day after all the property owners have been notified. The appeal procedures are set out in Section 80 of the abovementioned bylaw. All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or at customercare@drakenstein.gov.za.

Yours faithfully



HG STRIJDOM

MANAGER: LAND USE PLANNING AND SURVEYING

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, customercare@drakenstein.gov.za and Henk Strijdom, henks@drakenstein.gov.za