



Enquiries: J Daniels
Contact number: (021)8044581
Reference: 15/4/1(F915) P
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Coll no: (1323783) 1267/2018

JD/GS
15/4/1(F915) P

PJ le Roux
262 Main Road
PAARL
7646
pi@pjlroux.co.za

Sir

APPLICATION FOR REZONING, SUBDIVISION AND CONSENT USE: FARM 915, PAARL (FARM CUMBERLAND)

I refer to your application in the above-mentioned regard:

1. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the rezoning of Farm 915 Paarl Division, from Agriculture Zone I to Subdivisional Area, as indicated on the Subdivision Plan drawn by P-J Le Roux Town and Regional Planners, Drawing No. H 122-1 SUB 1 REV 2, File No. H 10-122-1, dated November 2020, **(Annexure C)**;
2. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the subdivision of Farm 195 Paarl Division, as indicated on the Site Development Plan drawn by Schoonraad Architects, Drawing No. AR100.08, Project No. 2018-74, dated 01 March 2021, **(Annexure B)**, for the following:
 - 2.1 Portion 1 measuring \pm 2.56 hectares in extent for Business Zone III (sectional title offices);
 - 2.2 Portion 2 measuring \pm 1.73 hectares in extent for Industrial Zone I (sectional title light industrial / warehousing buildings); and
 - 2.3 Remainder of Farm 815 Paarl Division, measuring \pm 0.65 hectares in extent for Residential Zone II (group housing development).
3. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for a consent use on the proposed Portion 2 of Farm 915 Paarl Division, for warehousing purposes;
4. The approvals mentioned in Paragraphs 1 to 3 above is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 4.1 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services Division, as set out in its letter dated 31 May 2021 (reference number 15/4/1 (F915/0) P (0825)), **(Annexure D)**;

- 4.2 Adherence to the conditions set by the Drakenstein Municipality: Electro-Technical Engineering Services Division, as set out in its letter dated 22 February 2019 (reference 195), **(Annexure E)**;
 - 4.3 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 12 February 2019 (reference 16/9/6/1-10/292 (Job 26422)), **(Annexure K)**;
 - 4.4 The applicant takes note of the conditions set by the Cape Winelands District Municipality: Health Services, as set out in its letter dated 23 October 2018 (reference Plaas No. 915), **(Annexure L)**;
 - 4.5 The applicant takes note of the conditions set by the Department of Agriculture, Land Reform and Rural Development, imposed in terms of Act 70/1970, Consent No. 55403, dated 23 October 2020 (reference 2019_08_0086), **(Annexure J)**;
5. Adherence to the following conditions from a town planning point of view:
- 5.1 This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 5.2 An application for the establishment of a Home Owners Association and Constitution name for the proposed residential group housing development component together with design guidelines be submitted to the Manager: Land Use Planning and Surveying Section, 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 Home Owners Association simultaneously with the first registration of any erf, prior to building plan submission phase;
 - 5.3 An application for the establishment of a Body Corporate and Constitution name for the proposed sectional title offices and light industrial / warehousing components together with design guidelines be submitted to the Manager: Land Use Planning and Surveying Section, 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 Body Corporate simultaneously with the first registration of any erf, prior to building plan submission phase;
 - 5.4 That a separate detailed SDP for the sectional title offices and light industrial / warehousing and residential group housing components be submitted, indicating refuse areas and access thereto for waste management services, together with the position of any proposed security access control room(s), should the proposed sectional title offices and light industrial / warehousing and residential group housing components be considered to become gated developments, to the Manager: Land Use Planning and Surveying Section for consideration, prior to building plan submission phase;
 - 5.5 That a clarity with regard to the location of the waste water treatment plant, over flow/discharge points, treated effluent storage of treated effluent for irrigation purposes and whether or not a constructed wetland between the plant and unnamed tributary (as recommended) will be constructed, be submitted to the Manager: Environmental Management Services, prior to building plan submission phase;

- 5.6 That a clarity with regard to the role and responsibilities for the operational maintenance and management activities that will be required for the entire mixed-use development, be submitted to the Manager: Environmental Management Services, prior to building plan submission phase;
- 5.7 That a tree survey for the entire proposed development site, undertaken by an arborist, be submitted to the Manager: Environmental Management Services, indicating tree species, girth, stem height, tree canopy size, health of trees, removal and or retention of trees be submitted prior to building plan submission phase;
- 5.8 That a Master Landscape Plan be submitted to the Manager: Environmental Management Services, for the development, i.e. Portions 1, 2 and Remainder Portion of Farm 915 Paarl Division, indicating how the development interfaces with adjacent roads, developments and open spaces, how internal spaces, swales, drainage areas, wetlands or rivers will be addressed at a detailed stage, position and type of boundary treatment, accurate identification of trees to be retained, relocated (and where to if on same site) and or removed, including botanical names and conditions of trees, species list of proposed new trees and vegetation and potential location of these on site, building footprint, basement footprint and roof over overhang of buildings (new or existing), existing and proposed structures and hard surfaces and structures to be retained, vehicular and pedestrian circulation, development of adjacent properties, position of sensitive / special features such as cultural or heritage resource, rocky outcrops or streams, sensitive vegetation or red data species, etc., prior to building plan submission phase;
- 5.9 That a copy of the approved Surveyor-General diagram be submitted to Council for record keeping purposes;
- 5.10 Energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
- 5.11 That 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;
- 5.12 The proposal complies with all health requirements;
- 5.13 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council;
- 5.14 Any amendments to the application are subject to the relevant approval;
- 5.15 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;

6 The following be regarded as the reasons for the decision:

- 6.1 The proposal is merely to rezone, subdivide, with a consent use for warehousing purposes and approval of a proposed site development plan, on fallow and non-irrigated land to facilitate the proposed mixed-use development comprising of sectional title offices within a business component, sectional title light industrial and warehousing buildings, and a group housing residential component to accommodate existing staff;
- 6.2 The proposal will create new economic opportunities within the area;

- 6.3 The proposal is well within the development parameters for business, industrial and residential zoned properties with no departures required on coverage, bulk or parking;
- 6.4 The proposal promotes land development within locations that are sustainable in respect of environmental and socio-economic perspectives, as well as containing urban sprawl;
- 6.5 The proposed development will link strongly with the abutting industrial zoned property;
- 6.6 Business / commercial / industrial uses play a pivotal role to the economy within the Drakenstein area, and should therefore be supported as far as possible;
- 6.7 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding natural and built environment;
- 6.8 No objections were received during the public participation process;
- 6.9 All relevant internal and external departments consented to the proposal;
- 6.10 Sufficient on-site parking has been provided; and
- 6.11 The proposal is considered to be in-line with the Drakenstein Spatial Development Framework.

Your attention is drawn to the general right of appeal in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning 2018, by any person whose rights are affected by the decision of an authorized official, within **21 days** from the date of receipt of this letter. This approval is therefore suspended until further notice. Please also notify (**email or per hand**) the surrounding property owners who were notified of the application during the public participation process, of their right of appeal - proof of notification must be provided. 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

Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

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