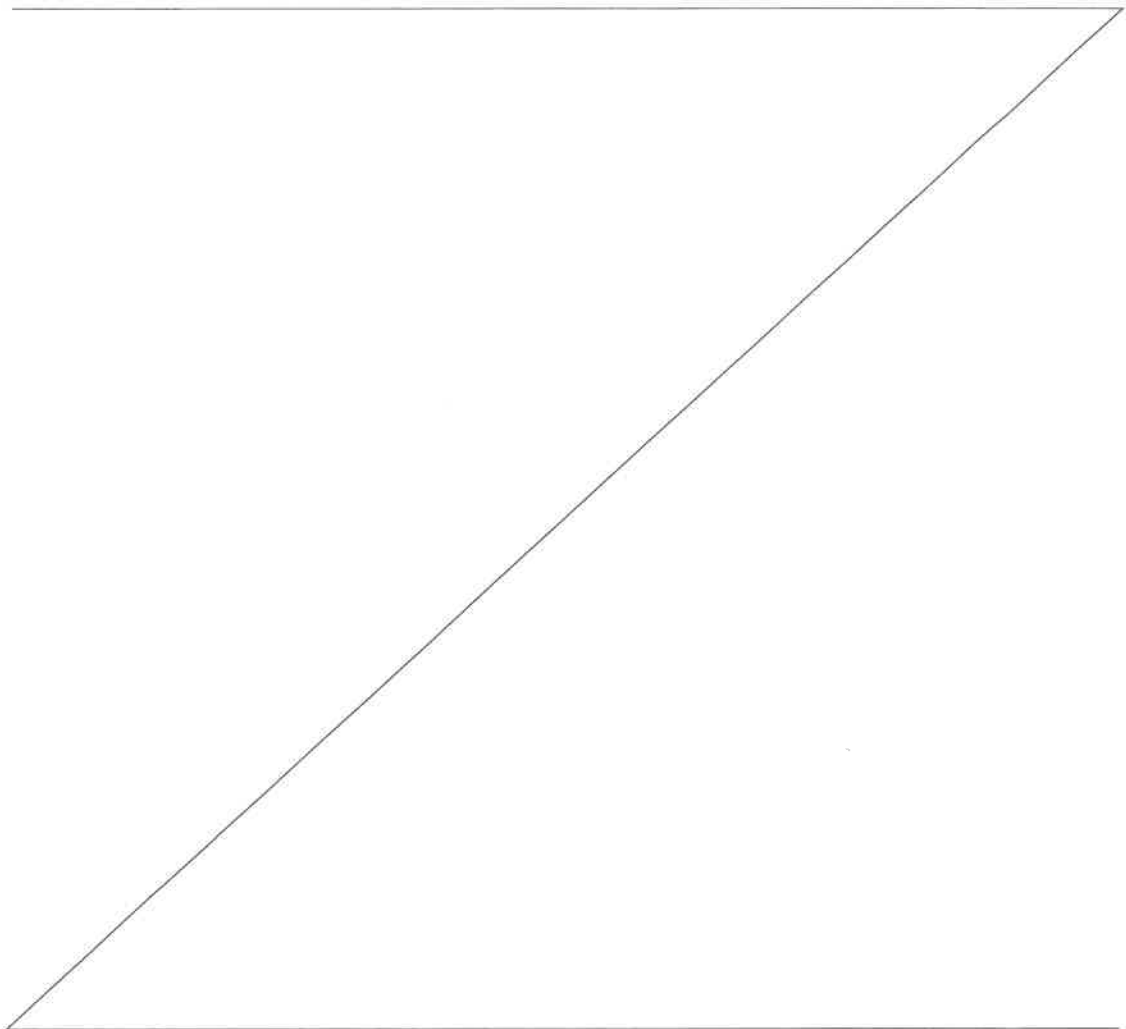


**AGENDA: DRAKENSTEIN MUNICIPAL PLANNING TRIBUNAL  
16 FEBRUARY 2024**

**5. APPLICATION FOR THE CLOSURE OF A PUBLIC PLACE, REZONING AND SUBDIVISION: ERF  
10545 PAARL**

The enclosed report together with annexures dated 18 December 2023 have been received.

**Submitted for consideration.**



Meeting: Municipal Planning Tribunal – 14/02/2024  
Ref No: 15/4/1 (10545) P  
Coll No: 1933310

Submitted by Department: Planning & Development  
Author/s: R Mowzer  
Referred from:

**REPORT TO: DRAKENSTEIN MUNICIPAL PLANNING TRIBUNAL**

**File Ref No:** 15/4/1 (10545)P  
**Collaborator No:** 1933310  
**IDP KPA Ref No:** KPA 5: Planning and Economic Development  
**Report Date:** 18 December 2023  
**Meeting Date:** 14 February 2024

**APPLICATION FOR THE CLOSURE OF A PUBLIC PLACE, REZONING AND SUBDIVISION: ERF 10545 PAARL**

<b>PART A: APPLICATION DESCRIPTION</b>			
The purpose of the application at hand involves the acquisition of the necessary land use rights in order to formalise the existing informal settlement situated on Erf 10545 Paarl, which will comprise 173 residential erven, as part of the upgrading of informal settlements programme in Paarl.			
<b>PART B: DECISION MAKING AUTHORITY</b>			
In terms of the Drakenstein Municipality: System of Delegations: “the decision-making authority on land development applications, which involves Drakenstein Municipality on its own initiative conducting any land development, vests with the Drakenstein Municipal Planning Tribunal.”			
<b>PART C: PROPERTY DETAILS</b>			
Property description	Erf 10545 Paarl		
Physical address	Located between Bauhinia and Van der Stel Streets, directly adjacent to Charleston Hill Secondary School, Paarl		
Total Extent	±3.57 ha		
Applicable Zoning Scheme	Drakenstein Zoning Scheme Bylaw, 2018		
Current Zonings	Open Space Zone		
Current Land Use	Informal Settlement		
Existing buildings on the properties	Informal residential structures and Electrical Substation		
Any restrictive title conditions applicable	No	If yes, list conditions	
Any third-party conditions applicable	No	If yes, specify	n/a
Any unauthorised land use/building work	Yes	If yes, explain	Informal dwellings
<b>PART D: APPLICANT AND OWNERSHIP DETAILS</b>			
Applicant	Nuplan Africa		

Owner	Drakenstein Municipality
<b>PART E: PRE-APPLICATION CONSULTATION</b>	
Has pre-application consultation been undertaken	Yes
Brief summary of outcome	Several meetings, with various municipal employees from different departments were held with the municipality to discuss the development proposal to obtain their inputs and way forward. The application process was further communicated.
<b>PART F: BACKGROUND</b>	
<p>Erf 10545 Paarl, from here on referred to as the application property, is located within the Charleston Hill residential area and is bordered by Bauhinia Road to the east, Van Der Stel Street to the east and Charleston Hill Secondary School to the north.</p> <p>The application property, zoned as Open Space Zone, has been predominantly utilised as an informal residential settlement informally known as 'Lovers Lane Settlement' accommodating numerous families.</p> <p>It is important to note that the Lovers Lane settlement has been identified as one of the informal settlements to be upgraded as part of the upgrading of informal settlements programme projects for Drakenstein Municipality (UISP) with the idea being to provide basic services to informal settlements. Even though the intention of the application is not to alleviate the housing backlog in Drakenstein, but rather to ensure that each occupant/family residing within the Lovers Lane settlement will receive permanent tenure to their own property or erf, it will however in any event reduce the number of people on the housing backlog list.</p> <p>The application underwent the necessary public participation process as prescribed in terms of the Drakenstein Bylaw on Municipal Land Use Planning, 2018. The application was also forwarded to the relevant departments for approvals/comment.</p> <p>Consideration must therefore be given to the application at hand.</p>	
<b>PART G: DEVELOPMENT PROPOSAL</b>	
<p>The application herewith considered seeks to obtain the necessary land use rights, in order to make provision for the upgrading of an informal residential settlement on the application property, which will include the following:</p> <ol style="list-style-type: none"> <li>1. 173 Residential Erven;</li> <li>2. One Utility (substation) erf;</li> <li>3. Two Open Space erven; and</li> <li>4. One Street (public) erf;</li> </ol>	

To give effect to the development proposal above, the following applications have been submitted:

Closure

- Closure of Erf 10545 Paarl as a Public Place;

Rezoning

- Rezoning of Erf 10545 Paarl from Open Space Zone to Subdivisional Area;

Subdivision

- Subdivision of the rezoned property into 177 portions as follows:

<b>Subdivision of Erf 10545 Paarl</b>			
Zoning	Land Use	Number of Erven	Size (m <sup>2</sup> )
Conventional Housing Zone	Residential	173	18 760
Utility Zone	Substation	1	4 293
Open Space Zone	Public Open Space	2	1 950
Transport Zone	Public Street	1	10 669
<b>Total</b>		<b>177</b>	<b>35 672</b>

It should be noted that no formal structures are proposed as part of this application and that if in future the new owners wish to construct a formal residential dwelling, then the required building plans will need to be submitted. This is a first step in ensuring informal settlements to become formal.

**PART H: SUMMARY OF APPLICANT'S MOTIVATION**

The applicant, Nuplan Africa, motivates the desirability of the application as follows:

- The subject property is located in an existing residential neighbourhood;
- The proposed development is consistent with the Drakenstein MSDF 2020;
- The proposed development is an essential community facility;
- Services can be provided in a satisfactory and sustainable manner;
- The development will enhance the visual appearance of the site that is currently occupied by informal structures; and
- The Land Use Planning Principles of SPLUMA and LUPA are supported.

**PART I: SUMMARY OF PUBLIC PARTICIPATION**

Was public participation undertaken in accordance with Sections 45(1) and 46(1) of the Drakenstein Bylaw on Municipal Planning, 2018? **Y** N

Public notices in terms of Section 45(1) and 46(1) of the Drakenstein Bylaw on Municipal Planning, 2018, was undertaken by means of advertising the application in the Paarl Post, as well as circulating the application to the surrounding residents for comment/objections. The application was also made public by being posted on the notice boards of all municipal libraries and municipal offices and the municipal website

as well as posted on-site. The public participation process commenced on 02 March 2023 and ended on 03 April 2023.							
Total valid comments received	0	Total comments and petitions refused/late					0
Community organisations(s) response	Y	N	Valid petition(s)	Y	N	If yes, number of signatures	0
Ward councillor response: <b>Councillor E Gouws</b> (Ward 21)							Y N
Portfolio Holder Response: <b>Councillor L T Van Niekerk</b>							Y N
The application was forwarded to Councillors L Van Niekerk and E Gouws for comment.							
No comments were received from the councillors to date.							
Total letters of support	None						
<b>PART J: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION</b>							
None							
<b>PART K: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS</b>							
<b>Name</b>		<b>Date Received</b>		<b>Recommendation</b>			
Western Cape Government: Department of Environmental Affairs and Development Planning		26 October 2018		Confirmation that the proposal does not trigger any listed activities			
Heritage Western Cape		09 July 2018		Supported, subject to certain conditions			
Drakenstein Municipality: Civil Engineering Services		21 November 2023		Supported and to be laid down as conditions of approval			
Drakenstein Municipality: Electro-Technical Engineering		25 November 2023		Supported and to be laid down as conditions of approval			
Drakenstein Municipality: Heritage Section		14 June 2022		Supported			
Drakenstein Municipality: Environmental Management Section		27 June 2022		Supported			
<b>PART L: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS NOT OBTAINED</b>							
N/A							
<b>PART M: MUNICIPAL PLANNING EVALUATION</b>							
1. <u>Assessment in terms of the development principles as prescribed in terms of Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 13 of 2013) (SPLUMA) and Section 59 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)</u>							
a) <u>Spatial Justice</u>							
The principle of Spatial Justice is largely focused on addressing the imbalances of the past. The proposed development creates opportunities for previously disadvantaged communities, living in an informal settlement and having access to only rudimentary services. The proposed development							

will allow for the improvement of the area with services and housing and therefore deemed to compliant with the principle of Spatial Justice.

b) Spatial Sustainability

The principle of Spatial Sustainability deals with amongst others, the protection of prime and unique agricultural land, upholding consistency of land use measures in accordance with environmental management systems, and the promotion of land development in locations that are sustainable and limits urban sprawl.

The development optimises the existing property and is situated within an existing urban area, thus limiting urban sprawl which in return limits the pressure on the natural environment. The proposed development is therefore deemed to compliant with the principle of Spatial Sustainability.

c) Efficiency

The principle of Efficiency deals with land development that optimises the use of existing resources and infrastructure, as well as streamlined development application procedures, and decision-making that minimises negative financial, social, economic or environmental impacts.

In relation to the above, the proposed development encourages densification, optimal utilisation of bulk and link services. In terms of the impacts thereof, it has been confirmed that the proposal has no negative environmental impacts. The opinion is therefore held that the proposal is compliant with the principle of Efficiency.

d) Spatial Resilience

The principle of Spatial Resilience largely deals with the ability of spatial plans and policies, and land use management systems to ensure sustainable livelihoods in communities that are most likely to suffer from economic and environmental shocks.

Considering the nature of this development principle, the opinion is held that the principle of Spatial Resilience has limited bearing on the application at hand.

e) Good Administration

The application was processed strictly in accordance with the prescribed application procedures as stipulated in the Drakenstein Bylaw on Municipal Land Use Planning, 2018. The application included a transparent public participation process that afforded all parties the opportunity to provide input on matters affecting them.

In light of the above, the opinion is held that the application at hand is largely compliant with the development principles set out in SPLUMA and LUPA.

2. Assessment in terms of the general criteria for consideration of applications as prescribed in terms of Section 65 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018

a) Application procedures

The application was submitted and processed strictly in accordance with the prescribed application procedures as stipulated in the Drakenstein Bylaw on Municipal Land Use Planning, 2018.

b) Intergovernmental Relations

The application was circulated to relevant external government departments, including the Western Cape Department of Environmental Affairs and Development Planning and Heritage Western Cape. All departments who were consulted, provided positive comments on the matter.

c) Impact on Municipal Engineering Services

Both the Drakenstein Municipality: Civil Engineering Services and The Drakenstein Municipality: Electro-Technical Engineering Divisions confirmed that they have no objection to the application, subject to certain conditions.

d) Policy Assessment

In terms of the Drakenstein Spatial Development Framework (SDF)(2020), the application property falls inside the demarcated urban edge of Drakenstein Municipality. The application property is earmarked for 'Urban Infill' and specifically designated for the housing projects/development.

Given the above, the proposed development is not only found to be consistent with the SDF, but is in fact considered to be compliant therewith.

3. Assessment in terms of the level of desirability as prescribed in terms of Section 65 of the Drakenstein By-law on Municipal Land Use Planning, 2018 and Section 49 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)

The proposed development seeks to upgrade an existing informal township settlement by providing permanent tenure in the form of subdivided individual properties to the existing families residing within the settlement. It is important to note that the application does not include developing top structures and that that responsibility will lie with the new owners of each respective property.

The proposed residential precinct will take access off Bauhinia Street and will be served by a 13m wide collector road and 8m wide access roads. Erf sizes will vary with the average erf size being  $\pm 104\text{m}^2$  which could easily accommodate a  $40\text{m}^2$  dwelling with parking for one vehicle.

From a desirability point of view, the proposed application can be supported from a land use planning point of view, based on the following reasons:

- The proposed development can be seen as a logical extension to the immediate area and will not have any detrimental impact on the existing character of the area nor will it be visually obtrusive;
- Given that the Drakenstein Municipality: Civil Engineering Division provided positive comments in light of the application, subject to compliance with certain conditions, it is accepted that the proposed development will not negatively affect municipal engineering services;
- No negative impact on the safety, health and the wellbeing of the surrounding community are envisaged. In fact, the formalisation of the informal settlement will play a role in increasing the wellbeing of the existing community;
- No negative impacts on heritage related matters are foreseen. It should be noted that an NID to Heritage Western Cape was submitted whereby the said department stipulated that the proposed development will not have any heritage impacts;
- The development will not have any detrimental impact on the biophysical environment as the proposed development is not seen as a listed activity in terms of NEMA;
- It is safe to say that housing developments of this nature will have a low traffic impact and all vehicular movements will be able to continue to operate at acceptable levels with the adjacent transport network;
- The application at hand entails the development of a residential development with the upgrading of existing informal settlement etc. within the urban edge and is therefore considered to be in line with accepted town planning principles.

The proposed upgrading of the Lovers Lane informal residential township has been identified in the Drakenstein Spatial Development Framework as one of the key priority approved housing projects for Drakenstein. The proposal is therefore desirable and recommended for approval.

4. Assessment in terms of site-specific circumstance required in order to deviate from the provisions of the Drakenstein Spatial Development Framework

Not applicable

**PART N: RECOMMENDATION**

1. That **approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the closure of Erf 10545 Paarl as a Public Place;



2. That **approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the Rezoning of Erf 10545 Paarl from Open Space Zone to Subdivisional Area in order to upgrade an existing informal residential settlement;
3. That **approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the subdivision of Erf 10545 Paarl into 177 portions, as indicated on the Rezoning and Subdivision Plan drawn by Nuplan Africa dated 13 November 2023, attached hereto as "Annexure C", as follows:

<b>Subdivision of Erf 10545 Paarl</b>			
<b>Zoning</b>	<b>Land Use</b>	<b>Number of Erven</b>	<b>Size (m<sup>2</sup>)</b>
Conventional Housing Zone	Residential	173	18 760
Utility Zone	Substation	1	4 293
Open Space Zone	Public Open Space	2	1 950
Transport Zone	Public Street	1	10 669
<b>Total</b>		<b>177</b>	<b>35 672</b>

That the approval mentioned in Paragraphs 1-3 above are subject to the conditions contained in "Part O", laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018.

#### **PART O: CONDITIONS OF APPROVAL**

1. Compliance with the following conditions from a town planning point of view be applicable:
- 1.1. 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;
  - 1.2. Any amendments to the application are subject to the relevant approval;
  - 1.3. No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
  - 1.4. That the subdivision takes place largely in accordance with the respective subdivision plan attached as "Annexure C";
  - 1.5. Adherence to the conditions set out in the memorandum of Drakenstein Municipality: Civil Engineering Services Department referenced 15/4/1 (10545) P (1743) dated 21 November 2023, attached hereto as "Annexure G"
  - 1.7. Adherence to the conditions set out in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced Erf 10545 dated 29 July 2022, attached hereto as "Annexure H";

- 1.8. Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.

**PART P: GENERAL ADMINISTRATIVE CONDITIONS**

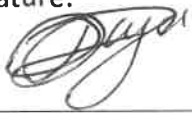
1. That the applicant be informed of the general right of appeal to the Executive Mayor being the Appeal Authority, in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within 21 days from the notification letter. The approval is therefore suspended until further notice;
2. That the surrounding properties owners who were notified of the application during the public participation process be informed of the general right of appeal to the Executive Mayor being the Appeal Authority, 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, within 21 days from the notification letter. The appeal procedures are set out in Section 80 of the afore-mentioned By-law; and
3. That the approval letter be displayed on the notice boards of the municipal offices and libraries and also be posted on the official municipal website.

**PART Q: REASONS FOR RECOMMENDATION**

1. The development is considered to be a form of infill development that makes optimal use of urban land;
2. The property is located within close proximity of available public transportation systems;
3. The development contributes to a live/work/play environment;
4. The development will not detract from the character of the area;
5. The respective departments confirmed that no significant impact on heritage and environmental resources are envisaged;
6. It has been confirmed that the existing road network, will be able to accommodate the additional traffic;
7. All relevant internal and external departments consented to the application;
8. The application is considered to be consistent with the development principles as set out in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014);
9. The proposed development can be seen as a logical extension to the immediate area and will not have any detrimental impact of the existing character of the area nor will it be visually obtrusive; and
10. The application at hand entails the development of a residential development with the upgrading of existing informal settlement etc. within the urban edge, and is therefore considered to be in line with accepted town planning principles.

**PART R: ANNEXURES**

Annexure A:	Locality Plan and Aerial photography of the application area
Annexure B:	Applicant's motivation
Annexure C:	Subdivision Plan

Annexure D:	Notification letter sent to surrounding property owners and advertisement of application in Paarl Post and site notices		
Annexure E:	Western Cape Department of Environmental Affairs and Development Planning Comment		
Annexure F:	Heritage Western Cape		
Annexure G:	Drakenstein Municipality: Civil Engineering Services Department		
Annexure H:	Drakenstein Municipality: Electro-Technical Engineering Services Division		
Annexure I:	Drakenstein Municipality: Environmental Management Division		
Annexure J:	Drakenstein Municipality: Heritage Sub-Section		
<b>PART S: ASSESSOR AND RECOMMENDER</b>			
Assessed by: Riyaz Mowzer	SACPLAN Reg. No: Pr. Pln A/1743/2013	Signature: 	Date: 18 December 2023
Recommended by: Henk Strijdom	SACPLAN Reg. No: Pr. Pln A/1058/1998	Signature: 	Date: 10/01/24



ANNEXURE A

65

BAUHINIA

OLEANDER

LANTANA

SIEBRITZ



The proposed residential precinct will take access off Bauhinia Street and will be served by a 13m wide collector road and 8m wide access roads. Erf sizes are on average 104m<sup>2</sup> and were designed to accommodate a 40m<sup>2</sup> house as well as parking for one car.

#### **4.2 CONTEXTUAL ANALYSIS**

The proposed residential precinct is located within an existing residential area and is currently occupied by informal dwelling structures. The area is generally well served with community and business facilities and also within good vehicular access via Van der Stel Road to Dal Josafat. The Paarlzicht Primary School is adjacent to the site and the Charleston Hill Secondary School borders the site on the northern side. Both the SPAR and the Paarl east Shopping Centre are within easy walking distance. Community facilities like the Thusong Centre, the Municipal Housing Office and the Hospital are all within walking distance from the site.

### **5. ENVIRONMENTAL IMPACT ASSESSMENT**

No Environmental Impact Assessment is required as confirmed by DEA&DP letter attached as **ANNEXURE 5**.

### **6. HERITAGE IMPACT**

A Notice of Intent was submitted to heritage Western Cape by Guillaume Nel Environmental Consultants. Heritage Western Cape responded with a permit that no further studies are required. **ANNEXURE 6**.

### **7. SERVICES AND TRAFFIC**

A comprehensive Services Report is attached as **ANNEXURE 7** which addresses the Civil, Storm Water Management and Electrical Services and concluded that services can easily be provided to the proposed development. **ANNEXURE 8** contains the Traffic Impact Report for all the UISP sites.

### **8. GEOTECH REPORT**

A Geotech Report was done by Gondwana Geo Solutions and is attached as **ANNEXURE 9**.

The report concluded that the site is suitable for housing purposes, but that light enforcement of foundations will be required.

### **9. MOTIVATION**

The desirability of the proposal is supported by the following motivating factors:

## 9.1 STATUTORY CONTEXT

The property falls within the Urban Edge of Drakenstein Municipality as per the Drakenstein Municipal Spatial Development Framework 2020.

In the SDF the land use is addressed under Strategic Objective 2: Facilitating Sustainable New Development, Strategy 2.1: "Achieving Spatial Transformation and spatial restructuring of urban areas and establishing inclusive and resilient communities", which seek to change:

- Urban sprawl
- High transportation cost
- Lack of access to social facilities
- Lack of access to services

This is achieved through the implementation of Focus Area Elements:

- Approved housing projects
- Urban infill
- Densification

To give effect to the above the Paarl Focus Area Framework Map designate the subject property as "Approved Housing Projects" and the Implementation Map as "Typology 2: Row Housing". The Spatial Proposals supporting the above states that Informal Settlements are to be upgraded via the UISP and the Key Intervention 12 states "extension of basic services to informal settlements" and Key Intervention 14 "upgrading of Informal Settlements Programme Projects".

The application can thus be regarded as consistent with the Drakenstein Municipal Spatial Development Framework, 2020.

## 9.2 RESTRICTIONS ON TITLE DEED

The Title Deed contains no restrictive conditions as per the Conveyancer Certificate attached as **ANNEXURE 4**.

## 9.3 OTHER RESTRICTIONS

The Development Concept is designed to not encroach over any main bulk services lines and all structures are located above the 1:50 and 1:100 year flood line. No other development restrictions were identified, inclusive of steep slopes and unstable soil formations. No conservation worthy buildings occur on site and no other heritage constraints like graves, rock engravings or archaeological deposits were identified.

## 9.4 LAND USE PLANNING PRINCIPLES

The following Development Principles per Section 7 of SPLUMA and Section 59 of LUPA is relevant:

N	PRINCIPLE	CONSISTENCY
---	-----------	-------------



a	Spatial Justice	The development proposal is accessible to all communities of South Africa and does not result in segregation of communities, but rather strengthening of an existing community.
b	Spatial sustainability	The proposed development is a municipal development, does not encroach on high potential agricultural land, is environmentally friendly and make optimal use of the characteristics of the area as well as existing services infra-structure.
c	Efficiency	The proposal make optimal use of the natural attributes of the site; will make use of existing services and infra structure; does not have any negative environmental, social or economic impacts, but rather a positive social and economic impact by providing formalised housing.
d	Spatial Resilience	The proposed development is located in an area with existing community and other land uses and will contribute to the provision of formalised dwellings, thus enhancing spatial resilience.
e	Good Administration	The proposed development is a municipal development.

## 9.5 DESIRABILITY

The desirability of the proposed development is evident from the following motivating factors:

- The subject property is located in an existing residential neighbourhood;
- The proposed development is consistent with the Drakenstein MSDF 2020;
- The proposed development is an essential community facility;
- Services can be provided in a satisfactory and sustainable manner;
- The development will enhance the visual appearance of the site that is currently occupied by informal structures;
- The Land Use Planning Principles of SPLUMA and LUPA are supported.

## 10. SUMMARY

The proposed development is not restrained by any conservation worthy elements, environmental issues, title deed restrictions or any other restraints, is in compliance with the Zoning Scheme and Municipal Policies and its desirability has been proved. As such, Council is requested to approve the following:

- REZONING TO SUBDIVISIONAL AREA OF Erf 10545, DIVISION PAARL IN TERMS OF SECTION 15(2)(a) OF THE DRAKENSTEIN MUNICIPAL PLANNING BY LAW;
- SUBDIVISION OF ERF 10545 DIVISION PAARL IN TERMS OF SECTION 15(2)(d) OF THE DRAKENSTEIN MUNICIPAL PLANNING BY LAW;



- CLOSURE OF PUBLIC SPACE ERF 10545, DIVISION PAARL IN TERMS OF SECTION 15(2)(n) OF THE DRAKENSTEIN MUNICIPAL PLANNING BY-LAW.



ZONING	LAND USE	PTN NR	N	AREA (m <sup>2</sup> )	%
Conventional housing	Dwelling house	1 - 170	173	18 760	53
	Sub-station	176 - 178	1	4 293	12
Utility	POS	173, 174	2	1 950	5
Open Space	Streets	175	1	10 669	30
Transport					
<b>TOTAL</b>			<b>177</b>	<b>35 672</b>	<b>100</b>

SUBJECT PROPERTY  
ERF 10545

AVERAGE RESIDENTIAL ERF SIZE: 108m<sup>2</sup>

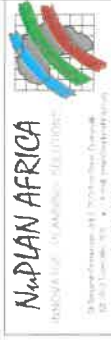
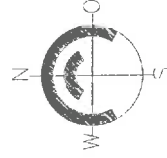
TYPICAL ERF SIZE & UNIT PLACEMENT



ErF size : 82.5m<sup>2</sup>  
Unit size : 40.0m<sup>2</sup>

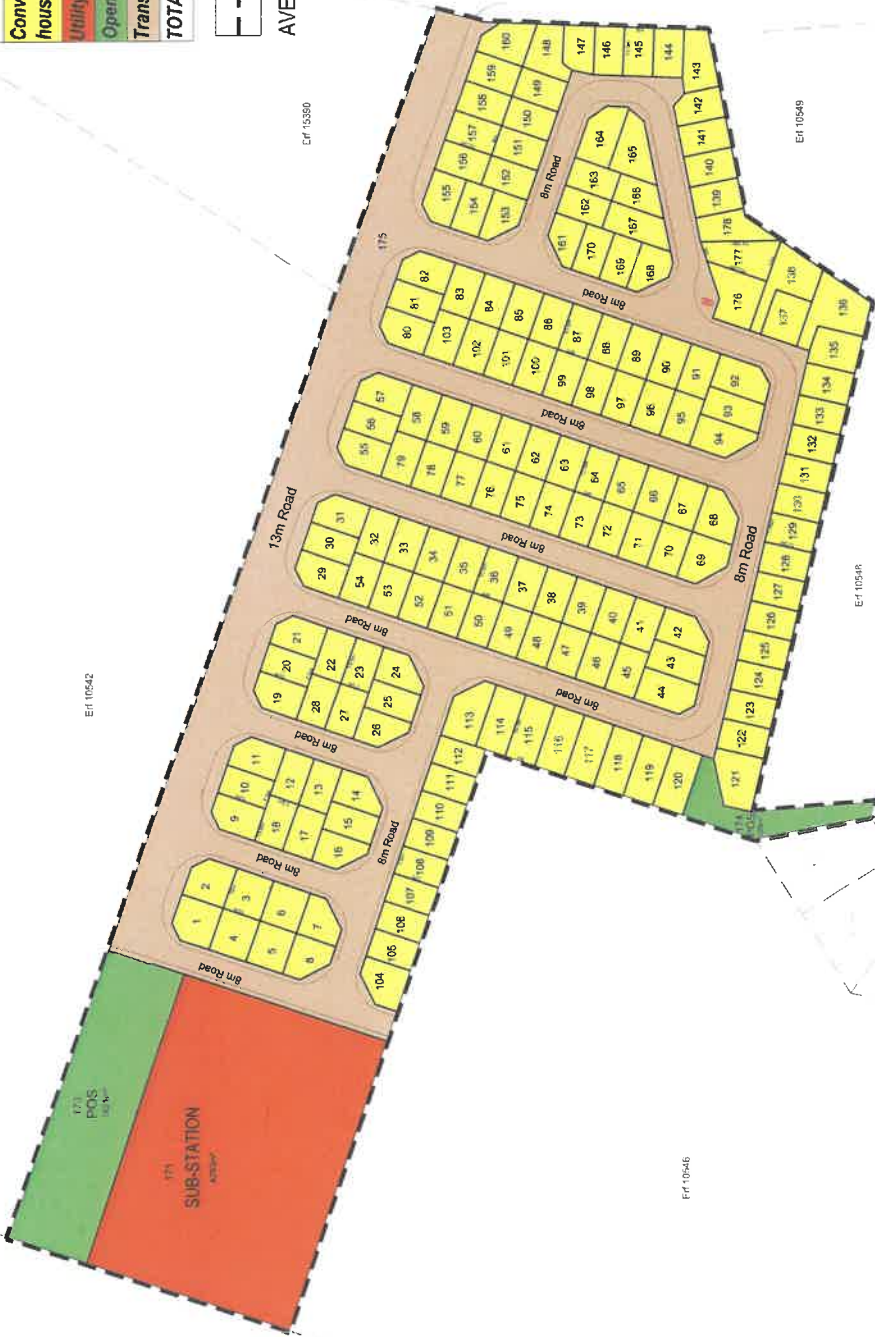
70

ANNEXURE C



<b>PAARL - ERF 10545</b> (Lovers Lane)	
Proposed Rezoning & Subdivision	
DATE: 13 Nov 2023	CLIENT: AV
DRAWN: A3 - 1:1500(A1 1:750)	CHECKED: TS
B0015 - Sub_Erf10545 - 03	

ANNEXURE C



OLEANDER

VANDERSTEL

BASEMAP: PROVIDED BY J&B SURVEYS (2021/2018)

NOTE: ALL MEASUREMENTS BY SURVEYS ENGINEERS AND SURVEYING INSTRUMENTS.  
NOTE: ALL MEASUREMENTS APPROXIMATE AND SUBJECT TO SURVEYING

HERSIENINGS • REVISIONS		
NO	DATE	REVISION/DESCRIPTION
01	26 FEB 2019	REVISE LAYOUT / OMIT POS PTN 158/REPLACE WITH RESIDENTIAL ERFEN
02	12 APRIL 2023	REVISE LAYOUT / OMIT 1 ERF / UPDATE LAND USE TABLE
02	7 JUNE 2023	REVISE LAYOUT - 3 RESIDENTIAL ERFEN REPLACE WITH POS (PTN 173) / UPDATE LAND USE TABLE
02	29 JUNE 2023	REVISE POS COORDINATE (PTN 173)
03	13 NOV 2023	OMIT SUB-STATION SITE (PTN 173) / REVISE LAYOUT / UPDATE LAND USE TABLE

# Bouwerk aan skool vorder

**Chantélie Hartbeest**

Die bouwerk van die splinternuwe skoolgebou van Dal Josafat Primêr is goed op dreef, aldus die Wes-Kaapse Onderwysdepartement (WKOD).

Die kontrakteur wat aangestel is om die projek te behartig het vroeg verlede jaar by die nuwe perseel begin bou.

Kerry Mauchline, woordvoerder vir die Wes-Kaapse LUR vir onderwys, David Maynier, het by navraag gesê "konstruksiewerk aan die nuwe skoolgebou, wat die huidige een sal vervang, vorder goed, en daar word tans verwag dat dit in September 2024 voltooi sal wees".

Die nuwe skool sal tot 1 850 leerders kan akkommodeer met tot 40 leerders in een klas. Dit word ook net sowat 2 km gebou van waar die huidige skool gevestig is.

Brunagh Hammond, ook 'n woordvoerder van die WKOD, het op 'n vorige geleentheid gesê die nuwe

skoolgebou is nodig en "word gebou om in die verhoogde vraag na skoolplasing, as gevolg van nuwe ontwikkelings in die omgewing, te voorsien."

Leerders sal ook nuwe geriewe kan geniet, soos 'n saal, 'n netbal- en basketbalbaan, asook 'n sokker- en rugbyvald.

"Die nuwe skool sal twee multimediacentrums, een wetenskaplaboratorium en twee veeldoelige klaskamers en hulpronklaskamers hê om bykomende akademiese aktiwiteite en ondersteuning aan leerders met leerprobleme te gee."

Die gebou wat die skool tans huisves, word gehuur. Volgens Hammond word die nuwe skoolgebou besit deur die Wes-Kaapse regering.

♦ *The construction of the new school building for Dal Josaphat Primary is well underway and should be completed by September 2024, the Western Cape Education Department has confirmed.*



Dit is hoe Dal Josafat Primêr se nuwe skoolgebou sal lyk wanneer die bouwerk afgehandel is.



Die wye, oop velde van die ou Weltevrede-sportterrein in Vanwyksvlei toon 'n somber verlatenheid met die enigste tekens van lewe dié van twee waghorde in hokke. Foto: Heleen Rossouw

# Weltevrede se sportdae getel

**Heleen Rossouw**

Die Wellington-krieketsklub het 'n klip in die bos gegooi toe hy beswaar gemaak het oor sportvelde, soos sy tuiste op die Pen Basson-sportterrein, oorbenut word terwyl agtergeblewe geriewe soos die Weltevrede-sportterrein tot niet gevandaliseer is.

Dit ten spyte van private veiligheidsdienste wat onder Drakenstein-munisipaliteit (DM) se tender 24 uur by die Weltevrede-sportterrein waak.

Die bestuur van Wellington-krieketsklub het in Februarie griewe gerig dat die bestuur van sportvelde oor die vallei heen te kort skiet en stelselmatig veroorsaak dat funksionele terreine groter aanvraag van buiteklubs ontvang.

Die klub se voorsitter, Warren Groeneveld, is van mening dat DM die Weltevrede-sportterrein in Vanwyksvlei effektief vir sekuriteitsredes gesluit het en opegehoo het om enige verdere instandhouding daar te doen.

"Daardie krieketveld en oefennette lê nou onbenut in Vanwyksvlei. Daar is 'n krieketveld, oefennette en dubbelverdieping klubhuis wat verwaarloos staan sonder enige verduideliking."

Groeneveld meen die gevolg is dat Bergivier-krieketsklub nie meer velde of oefengeriewe beskikbaar het nie.

"Nou is daar 'n versoek om daardie gemeenskapsklub by ons velde te laat oefen en speel terwyl ons fasiliteite nie eens groot genoeg vir onseif is nie. Onthou, ons het slegs een veld oor."

Drakenstein se direkteur van gemeenskapdienste, Gerald Esau, het by navraag gebieg dat "die Weltevrede-sportterrein se geboue heeltemal gevaldiseer is".

Hy sê die Weltevrede-sportterrein word nie tans gebruik nie as gevolg van die hoë veiligheidsrisiko.

Die klages het sportterreine soos Pelikaanpark, wat lank weens opknappingswerk buite gebruik was, ook betrek.

Pelikaanpark, aan die ander kant, is vir die hele gemeenskap beskikbaar en word gereeld deur rugbyklubs en Wellingtonse skole gebruik. Dié fasiliteit word op 'n

first-come-first-served-basis bespreek.

"By die Weltevrede-sportterrein is daar nie spesifieke opknappings gedoen nie, terwyl daar by Pelikaanpark 'n kaartjieskantoor en twee netballbane gebou, en die velde ook opgeknip is."

Hoewel Pelikaanpark in 'n goeie toestand is, sê Esau daar was wel inbrake by die kaartjieskantoor waartydens ligte en vensters gesteel is.

"Albei fasiliteite het 24 uur-sekuriteit op die perseel. Pelikaanpark word daglig in stand gehou, en die gras op die velde van die Weltevrede-sportterrein word periodiek deur die munisipaliteit gesny."

Die presiese kostes verbonde aan die private beveiliging van dié sportterreine is by navraag nie deur Esau beantwoord nie.

Maar 'n betroubare bron wat in een van Drakenstein se wykskomitees dien, beweer dat DM enigiets tussen R30 000 en R35 000 per maand aan bewaking van 24 uur-skuifte aan die betrokke veiligheidsdienste moet opdoek.

"Wat help die uitgawes aan beveiliging terwyl terreine soos Weltevrede in elk geval vir skrootmetaal leeg gestroop word en die bestaande sportfasiliteite agteruitgaan?"

Só vra diegene wat by die debat oor gemeenskapsport, asook DM se houding daarteenoor, betrokke is.

Een moontlike antwoord daarop blyk te wees dat die beskikbaarheid van sportvelde oor die algemeen in die Drakenstein-vallei stelselmatig wegwyn. Dit is uiteraard die voorland van die Weltevrede-sportterrein, volgens Esau se terugvoer.

"Die munisipaliteit oorweeg tans alternatiewe gebruik vir die Weltevrede-sportterrein," het hy aan Paarl Post bevestig.

Vrae is daarop gemik om uit te vind of die Weltevrede-sportterrein en Pelikaanpark moontlik in die voorsienbare toekoms spesiale byeenkomste van plaaslike of nuwe sportklubs sal akkommodeer.

Hierop het Esau soos volg gereageer: "Sportklubs en federasies bied self ontspanningsprojekte aan. Wat betref ander kapitale projekte word daar nie spesifieke projekte buite die instandhouding van die bestaande fasiliteite vir die nuwe begrotingsjaar beplan nie."

**DRAKENSTEIN**  
MUNISIPALITEIT

**APPLICATION FOR CLOSURE OF PUBLIC PLACE, REZONING AND SUBDIVISION IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING 2018: ERF 10545 PAARL**

Notice is hereby given in terms of Section 45(1) and 46(1) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, that an application as set out below has been received and can be viewed during normal office hours at the office of the Drakenstein Municipality, Land Use Planning Section, 3rd Floor, Civic Centre, Berg River Boulevard. The case officer is Cornelia van der Bank (021 807 4832):

**Property:** Erf 10545 Paarl  
**Applicant:** Drakenstein Municipality  
**Owner:** Drakenstein Municipality  
**Locality:** Located between Bauhinia and Van der Stel Street adjacent to Charleston Hill Secondary School

**Total Extent:** ± 3.5672 ha  
**Zoning:** Open Space Zone

**Proposal:**

- 1) Closure of Erf 10545 Paarl as a public place;
- 2) Rezoning of Erf 10545 Paarl from Open Space Zone to Subdivisional Area;
- 3) Subdivision of the rezoned property into 178 portions, as follows:
  - 174 Conventional Housing Zone erven;
  - 1 Utility Zone erf in respect of the existing electrical sub-station;
  - 2 Open Space Zone erven; and
  - 1 Transport Zone erf for purposes of a Public Road.

Motivated objections or comments can be lodged in writing to Drakenstein Municipality, PO Box 1, Paarl, 7622 or electronically to [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za). Note that submissions must comply with Section 50 of the Drakenstein By-Law on Municipal Land Use Planning 2018 and must reach the Municipality, by no later than 30 days after the date of the notification letter.

Persons who are unable to read or write, can submit their objection verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comment in writing.

**DR J H LEIBBRANDT**  
CITY MANAGER  
Paarl Post 02/03/2023

**AANSOEK OM SLUITING VAN 'N PUBLIEKE PLEK, HERSONERING EN ONDERVERDELING IN TERME VAN ARTIKEL 15(2) VAN DIE DRAKENSTEIN VERORDENING OP MUNISIPALE GRONDGEbruIKBEPLANNING, 2018: ERF 10545 PAARL**

Kennis geskied hiermee ingevolge Artikel 45(1) en 46(1) van die Drakenstein Verordening op Munisipale Grondgebruikbeplanning, 2018, dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoor ure ter Insae is by die Drakenstein Munisipaliteit, Grondgebruikbeplanning Afdeling, 3de Vloer, Burgersentrum, Bergrivier Boulevard, Paarl (kontak nr 021 807 4832):

**Eiendom:** Erf 10545 Paarl  
**Aansoeker:** Drakenstein Munisipaliteit  
**Elenaar:** Drakenstein Munisipaliteit  
**Ligging:** Geloë tussen Bauhinia en Van der Stelstraat langs Charleston Hill Hoërskool

**Totale Grootte:** ± 3.5672 ha  
**Huidige Sonering:** Oop ruimte Sone

**Voorstel:**

- 1) Sluiting van Erf 10545 Paarl as 'n publieke plek;
- 2) Hersonering van E 10545 Paarl vanaf Oop Ruimte Sone na Onderverdelingsgebied;
- 3) Onderverdeling van die gesoneerde eiendom in 178 gedeeltes, soos volg:

- 174 Konvensionele Behuising erve;
- 1 Nutsonne erf ten opsigte van die bestaande elektriese substasie;
- 2 Oopruimte Sone erve; en
- 1 Vervoer Sone erf vir doeleindes van 'n publieke pad

Gemotiveerde besware of kommentare kan skriftelik ingehandig word by Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622 of elektronies by [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za). Neem kennis dat inliggingsmoet voldoen aan Artikel 50 van die Drakenstein Verordening op Grondgebruikbeplanning, 2018 en dat dit die Munisipaliteit moet bereik, nie later nie as 30 dae na die datum van die kennisgewingsbrief.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Munisipale Kantore, Bergrivier Boulevard, Paarl, afle, waar 'n persoonellik sal help om sy kommentaar/vertoë op skrif te stel.

**DR J H LEIBBRANDT**  
CITY MANAGER  
Paarl Post 02/03/2023

**Guillaume Nel**  
ENVIRONMENTAL CONSULTANTS

**NOTIFICATION OF ENVIRONMENTAL IMPACT ASSESSMENT PROCESS**  
DEA&OP Reference No: 16/3/3/6/7/1/3/28/1552/22

**THE PROPOSED BRICKFIELDS RESIDENTIAL DEVELOPMENT ON PORTION 2 & 3 OF FARM 815 'LO ANDRIE' AND REMAINDER OF FARM 814 'MORNINGSIDE', PAARL, WESTERN CAPE.**

Project Proposal: Guillaume Nel Environmental Consultants (GNEC) were appointed by Arun Holdings (Pty) Ltd, to facilitate the Environmental Impact Assessment process in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) for the proposed Brickfields Residential Development on Portion 2 & 3 of Farm 815 'Lo Andrie' and the Remainder of Farm 814 'Morningside', Paarl, Western Cape. The proposed development will include a 60-unit freesthold development and a 306-unit sectional title development covering approximately 11.86 ha in area. The development will comprise conventional housing, multi-unit housing, open space areas and associated internal roads. Access will be gained from Contactor Road via two stop-controlled gatehouses still to be constructed. The proposed site is situated within the Paarl urban edge and has been earmarked for a residential development which will serve as urban infill and expansion for the greater Paarl city and Paarl South city corridor.

Application for an environmental authorization to undertake the following activity: EA activities: Listing Notice 1 (GN No. R. 985, as amended) Activity 9, 10, 24, 27, 28 and Listing Notice 3 (GN No. R. 985, as amended) 4 & 12.

Location: The proposed site is located at the foothills of the Paarl Mountain, approximately 1km south from the N1 and sits directly west to the R45. The proposed site consists out of three properties (3). The predominant land use comprises unutilized farmland and existing infrastructure located in the South-Western portion of the site.

Invitation for Public Participation Registration and Comment (Monday 6 March 2023 - Monday 10 April 2023): To register and comment as an interested and affected party and to be notified of any developments in the proposed application, please contact: Guillaume Nel Environmental Consultants, attention: Mrs Euniel Visagie, P.O. Box 2632, Paarl, 7620, Tel: 021 370 1874, Fax: 021 370 1873, Email: [eg@gnec.co.za](mailto:eg@gnec.co.za) Please make use of the GNEC Reference No. 202854 in all correspondence. A copy of the First Draft Basic Assessment Report will be available on GNEC's website ([www.gnec.co.za](http://www.gnec.co.za)) from the 6th of March 2023.



# DRAKENSTEIN

MUNICIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

+27 21 807 4500 +27 21 872 8054  
 www.drakenstein.gov.za  
 records@drakenstein.gov.za  
 Civic Centre, Berg River Boulevard, Paarl 7646

## INFORMATION SHARING AND UNAUTHORISED DISCLOSURE OF INFORMATION

This agreement will be recorded in the minutes. All attendees by signing the register agree to the following:

- Information may be exchanged within a meeting for the purpose of identifying action that can be taken by any meeting to resolve the problem under discussion;
- Disclosure of information outside the meeting, beyond that agreed at the meeting, will be considered a breach of confidentiality; and
- All documents that is designated as confidential should be marked as such and is not to be disclosed without consent of the City Manager.

Date: **02 Maart 2023**

Venue: **Loverslane Informal Settlement Public Process - ERF 10545 PAARL**

No	Name	Surname	Tel number	Erf nommer / Address
1.	Mienie	Colley	0795246157	180
2.	LEATH	Pieterse	←	30A
3.	Rachel	Van Rooi	060 715 7119	20 B
4.	Marie	Danthon	060 715 7119	20C
5.	<del>LEATH</del>	<del>Pieterse</del>		
6.	Margaret	Pieterse	0730318422	20D
7.	Henie	Danse		20E
8.				22 A NIE TUS
9.	LORAINÉ	BOUYSEN	07302290358	22 C
10.	<del>Cynthia</del>	<del>Campbell</del>	0717195563	22 D
11.	Suzelle	Tilgader	0 +220 74630	22 E MARSWEST
12.	HEUR	FILLIER	0789060136	CHARLESTON HILL SEC.
13.			OLANDER STR.	14A NIE TUS
14.	MARTIN	MARTIN	0637493150	14D
15.	<del>CHRISTINE</del>	<del>VAN DER MERWE</del>		16C
16.	PAARLZICHT	PS (G DURANI)	0829731281	LAUSTANA STR.

**INFORMATION SHARING AND UNAUTHORISED DISCLOSURE OF INFORMATION**

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- All documents that is designated as confidential should be marked as such and is not to be disclosed without consent of the City Manager.

Date: **02 Maart 2023**

Venue: **Loverslane Informal Settlement Public Process**

**ERF 10545 PAARL**

No	Name	Surname	Tel number	Erf nommer / Address
1.	LYNDON	LEDERICKS	021-862 2230	24 BALHINIA STC.
2.	Tina Klaasen	Klaasen	079 895 8006	11 Olanderstraat
3.	JOHAN	SMITH	083 728 9070	12B OLEANDER
4.	Lorraine Erasmus	ERASMUS	073 923 1495	12A Olanderstr.
5.	Willem Gey	COULINS THOMAS	071 556 2720 061 778 1795	12D Olander
6.	Willemend	Daniels	071 967 8365	12C Olander
7.	Elsa	Visagie	064 462 7750	12F OLEANDER
8.	Kathleen	Pretorius	021-862 5518	12B Olander
9.	SANDRA	LEWIS		14D OLEANDER
10.	Kendall	Kolley	0661 850731	18 Olander
11.				14D
12.	DAVID	DAVIDS	063 955 4710	15 OLEANDER
13.	17 SMITH	MERKA	073 984 7940	11
14.				16A
15.	E. Erasmus		061 723 1311	16D OLEANDER
16.	Selva	K. MARETIEF	763 172	15 Olander

ERF 10545 PAEEL



Lynn Andrews

Notification to Ward Cllrs.

**From:** Lynn Andrews  
**Sent:** Wednesday, 01 March 2023 11:11  
**To:** Faarieg Rhoda  
**Cc:** Chantell Lewis; Cupido Jacobs  
**Subject:** FW: Chester Williams & Loverslane - Uitdeel van kennisgewings

Goeie dag

Die verspreiding van die kennisgewings in Wyk 27 en Wyk 21 op Donderdag 02 Maart 2023 het betrekking.

Geliewe die betrokke raadslede en komitees in kennis te stel asb.

Regards

Miss Lynn Andrews  
 Principle Clerk: Title Deeds & Transfers

t: +27 21 807 6392  
 e: [Lynn.Andrews@drakenstein.gov.za](mailto:Lynn.Andrews@drakenstein.gov.za)  
 a: Civic Centre, Berg River Boulevard, Paarl 7646



## 365 Days of Activism against Gender-Based Violence

**From:** Lynn Andrews  
**Sent:** Tuesday, February 28, 2023 10:37 AM  
**To:** Faarieg Rhoda <Faarieg.Rhoda@drakenstein.gov.za>; Cupido Jacobs <CupidoJ@drakenstein.gov.za>  
**Subject:** Chester Williams & Loverslane - Uitdeel van kennisgewings

Goele dag

Die plaasings van die Loverslane & Chester Williams advertensies sal eerskomende Donderdag (02/03/2023) geplaas wees. Geliewe te tulster by Ursele / Thakane / Lillian of daar dalk mans mense beskikbaar is wat kan uithep met die uitdeel.

Regards

Miss Lynn Andrews  
 Principle Clerk: Title Deeds & Transfers

t: +27 21 807 6392



180



208



200





80h



80i



80b



80c

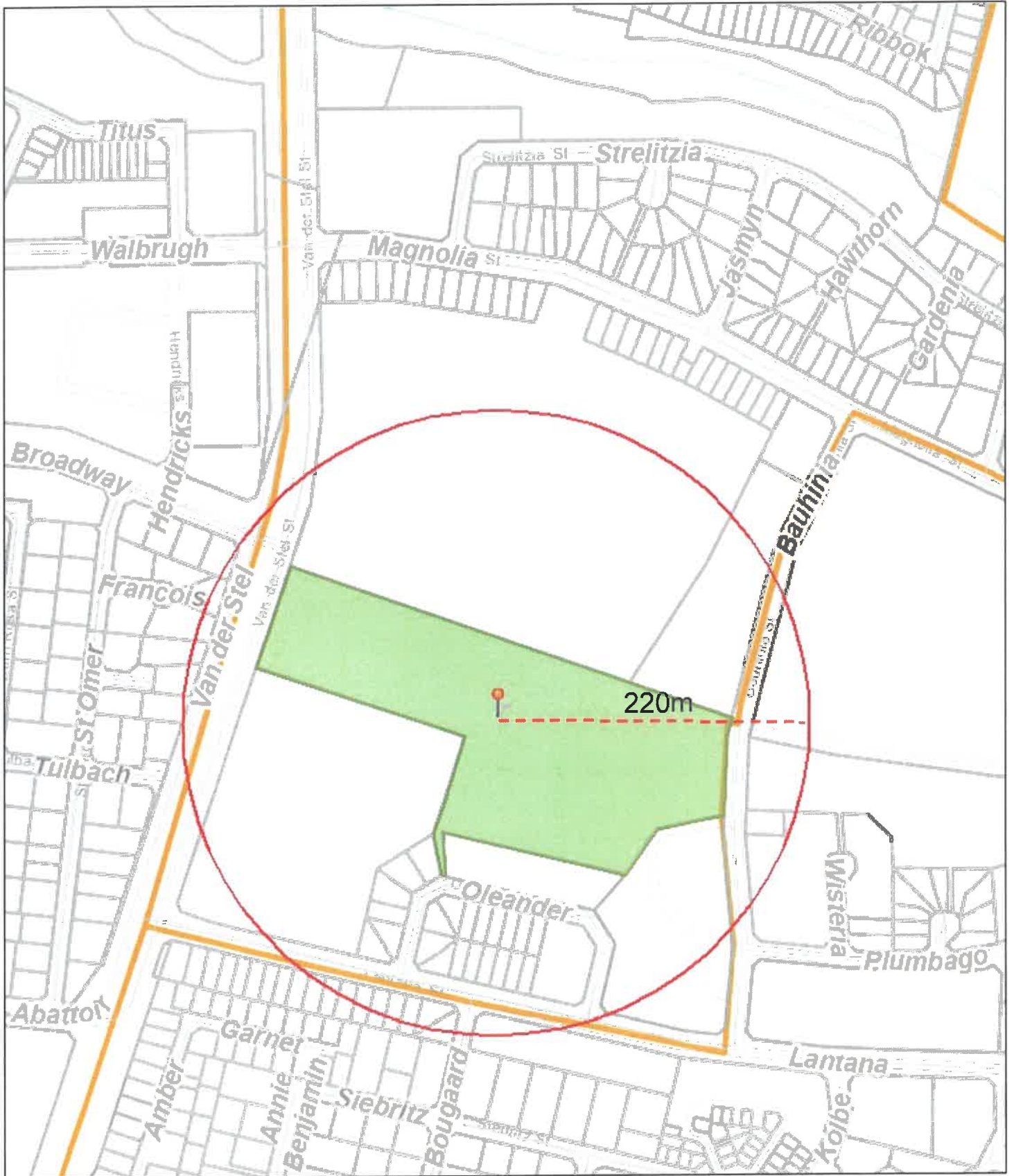






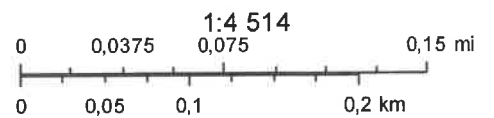


# Notification requirements: Erf 10545 Paarl



3/15/2022, 2:04:43 PM

- Erven\_Query result
- Ward Councillors
- Solar Active Owners
- Street Names
- Land Parcels
- Urban Edge 2020



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 1)

**REFERENCE:** 16/3/3/6/1/B3/20/1164/18

**ENQUIRIES:** BERNADETTE OSBORNE

**DATE:** 2018 -10- 15

The Municipal Manager  
Drakenstein Municipality  
PO Box 1  
**PAARL**  
7620



Tel: (021) 807 4705  
Fax: (021) 870 1522

Dear Sir

**THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED ESTABLISHMENT OF A HOUSING DEVELOPMENT ON ERF NO. 10545 IN THE KLEIN NEDERBURG RESIDENTIAL AREA AS PART OF THE UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME IN PAARL.**

1. The abovementioned document dated 8 June 2018, as received by the Department on the same day and this Department's acknowledgement thereof on 19 June 2018, refer.
2. On 7 April 2017 the Minister of Environmental Affairs promulgated amendments to the regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz, the Environmental Impact Assessment ("EIA") Regulations, 2014 and Listing Notices 1, 2 and 3 in Government Gazette No. 40772.
3. Based on the information provided it is this Department's understanding that the proposal entails the following:
  - The proposed establishment of a housing development on Erf No. 10545 in the Klein Nederburg Residential Area as part of the upgrading of informal settlements programme in Paarl.
  - The proposed housing development will consist of 155 residential units, 3 public open space areas, 1 community facility and an internal access road.
  - All required services for the proposed housing development will connect to the existing Municipal Service Infrastructure.
  - The site is approximately 35 152m<sup>2</sup> in extent.
  - Numerous informal residential and storage structures, informal workshops / shops are currently present on the site.
  - No indigenous vegetation is present on the site.
  - No watercourses are present on the site or within 32m of the site.

- The site is located inside the urban area of Paarl.
4. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 as defined in Listing Notices 1, 2 and 3. Please be advised that the proposal **does not** trigger any activities in terms of the NEMA EIA Regulations, 2014 (as amended).
  5. The above is based on the following:
    - No indigenous vegetation is present on the site.
    - No watercourses are present on the site or within 32m of the site.
    - The site is located inside the urban area of Paarl.
  6. However, should any revision of the proposed development constitute a listed activity(ies) in terms of the NEMA EIA Regulations, 2014 as defined in Listing Notices 1, 2 and 3 an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
  7. The applicant must comply with any other statutory requirements that may be applicable to the development.
  8. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that –*“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*
  9. This Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.

Yours faithfully



**HEAD OF DEPARTMENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Guillaume Nel (Guillaume Nel Environmental Consultants)  
 (2) Shaun.Reese@drakenstein.gov.za (Drakenstein Municipality)

Fax: (021) 870 1873

## REGISTERED POST

Our Ref: HM/ CAPE WINELANDS / DRAKENSTEIN / PAARL / ERF 10545  
Case No.: 18060516HB0608E  
Enquiries: Heidi Boise  
E-mail: [heidi.boise@westerncape.gov.za](mailto:heidi.boise@westerncape.gov.za)  
Tel: 021 483 9680  
Date: 9 July 2018

Drakenstein Municipality  
C/O Guillaume Nel  
PO Box 1  
Paarl  
7620  
E-mail: [guillaume@gnec.co.za](mailto:guillaume@gnec.co.za)



**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL**

**In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape**

**NOTIFICATION OF INTENT TO DEVELOP: PROPOSED ESTABLISHMENT OF A HOUSING DEVELOPMENT AS PART OF THE UPGRADE OF INFORMAL SETTLEMENT PROGRAMMES (UISP) CONSISTING 168 SERVICES RESIDENTIAL SITES, ERF 10545, KLEIN NEDERBURG, BAUHINIA STREET AND SIMON VAN DER STEL ROAD, AMSTELHOF, PAARL, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

**CASE NUMBER: 18060516HB0608E**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 08 June 2018. This matter was discussed at the Heritage Officers meeting held on 19 June 2018.

You are hereby notified that, since there is no reason to believe that the proposed establishment of a housing development as part of the upgrading of informal settlement programmes (UISP) consisting 168 services residential sites, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

  
.....  
D. Mxolisi Dlamuka  
Chief Executive Officer, Heritage Western Cape



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customer@drakenstein.gov.za  
Civic Centre, Berg River Boulevard, Paarl 7646

# Memo

**To:** EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE DEPARTMENT  
(ATTENTION: C. VAN DER BANK)

**From:** ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

**Enquiries:** L. SMITH

**Collaborator number:** 1933310

**Reference number:** 15/4/1 (10545) P (1743)

**Date:** 21 November 2023

**Subject:** APPLICATION FOR CLOSURE OF PUBLIC OPEN SPACE, REZONING AND  
SUBDIVISION: ERF 10545 PAARL

**Time Limit on Conditions:** These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced ( this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

**NOTE:** This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants

## THE FOLLOWING CONDITIONS WILL APPLY

### 1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors; and
- 1.2 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures.

### 2 STORM WATER

- 2.1 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;



- 2.2** *Prior to the approval of any building or civil engineering plans, a detailed Stormwater Management Plan must be approved by this department;*
- 2.3** Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 2.4** Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event; and
- 2.5** Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on  $0.02\text{m}^3/\text{m}^2$  roof area.

### **3 WATER**

- 3.1** All individual portions must be provided with a separate water connection and a separate water meter to municipal specifications;
- 3.2** All the metered connections must be installed one meter inside the erf boundary of each portion;
- 3.3** Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.4** Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **4 WASTEWATER SERVICES**

- 4.1** All individual portions must be provided with a separate wastewater connection;
- 4.2** All the connections must be installed one meter inside the erf boundary of each portion; and
- 4.3** Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **5 SOLID WASTE**

- 5.1** The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erven for the removal of such household refuse; and

- 5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out;

## 6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, the Development Charge payable by the developer is **R6,340,009.00 (Excl VAT)**. The levy is valid until **30 June 2024** where after a new calculation is required. The value has been calculated as follows:

- 6.1.1 Water = R826,846.00
- 6.1.2 Sewer = R1,080,142.00
- 6.1.3 Roads = R3,153,249.00
- 6.1.4 Stormwater = R499,473.00
- 6.1.5 Solid Waste = R780,299.00

## 7 GENERAL

- 7.1 When any service is to be taken over by Drakenstein Municipality, any damage caused due to the construction of houses or any other construction activity shall be repaired by the Developer. Failure to do so will result in clearances and occupation certificates being withheld and remedial works shall be done by Drakenstein Municipality for the cost of the developer;
- 7.2 The developer is responsible for the payment of a Developers Charge (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;
- 7.3 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.4 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;
- 7.5 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;
- 7.6 The whole of the works shall fall under the control of a single project manager;

- 7.7 The municipality shall be represented at all site meetings for the duration of the construction of the works and to this end timeous notification of such meetings shall be supplied to the Civil Engineering Services Department;
- 7.8 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.9 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and
- 7.10 The above conditions are to be complied with in stages.
- 7.10.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.10.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and
- 7.10.3 Proof of compliance for the requirements associated with long term operations must be available on request.



**LH SMITH**

**ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT**

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2023\comments\Erf 10545 Paarl - Closure of POS, Rezoning and Subdivision.docx

LHS/



# DRAKENSTEIN MUNICIPALITY DEVELOPMENT CHARGES CALCULATOR

[Home](#)

Erf Number of Development: 10545 ; 0 ; 0  
 Physical Address: Baughina Paarl 7646  
 Municipal Area: R  
 Municipal Valuation of Property: 1  
 Owner: Drakenstein Municipality  
 Owner ID No: 0

Land Use	Unit	Usage	Land Area developed with Land Use (m <sup>2</sup> )	CALCULATED EXISTING DEMAND					EXISTING DEVELOPMENT CHARGE PER SERVICE										
				Water (kL/day)	Sanitation (kL/day)	Stormwater (c. ha)	Solid Waste (tonnes/wk)	Roads (trips/pk.hr)	Electricity (kVA)	Water	Sanitation	Stormwater	Solid Waste	Roads	Electricity				
Sports, Recreation & Parks	ha	3,5872	35872	53,51	2,78	0,56	7,13	0,00											
<b>TOTAL</b>				<b>53,51</b>	<b>2,78</b>	<b>0,56</b>	<b>7,13</b>	<b>0,00</b>											

Existing

R -628,548 R -19,720 R -103,047 R -791,707 R

Land Use	Unit	Usage	Land Area developed with Land Use (m <sup>2</sup> )	CALCULATED NEW DEMAND					NEW DEVELOPMENT CHARGE PER SERVICE										
				Water (kL/day)	Sanitation (kL/day)	Stormwater (c. ha)	Solid Waste (tonnes/wk)	Roads (trips/pk.hr)	Electricity (kVA)	Water	Sanitation	Stormwater	Solid Waste	Roads	Electricity				
Single Residential (Low Income)	err	173	18760	103,80	86,90	1,13	5,19	86,50											
Government & Municipal	100 m2 of GLA	42,93	4293	17,17	12,88	0,10	8,99	98,74											
Sports, Recreation & Parks	ha	0,195	1950	2,93	0,10	0,02	0,99	0,00											
Road Reserves	ha	1,0669	10669	0,00	0,00	0,64	0,00	0,00											



Description of proposed land use	#REF!

Date Payment Received:  
Receipt Number:



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records@drakenstein.gov.za  
Civic Centre, Berg River Boulevard, Paarl 7646

# Memo

<b>To:</b>	Senior Manager: Land Development Management For attention: H Strijdom/C van der Bank/E Cyster
<b>From:</b>	Manager: Planning and Customer Services
<b>Enquiries:</b>	L Laing
<b>Reference number:</b>	Erf 10545
<b>Date:</b>	29 July 2022
<b>Subject:</b>	<b>APPLICATION FOR REZONING, SUBDIVISION AND PERMANENT CLOSURE, ERF 10545, PAARL</b>

**Time Limit on Conditions:** These conditions will be limited to a period of one (2) years from the date as on the covering memo from this department. After this period a re-application has to be submitted for approval by this department.

## 1. INFORMATION REQUIRED/OUTSTANDING

- 1.1. Request to redesign the layout as such that no erven is adjacent to the Palmiet substation, prior to safety and maintenance reasons.

## 2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty four hour access for maintenance purposes.
- 2.4. The existing reticulation may be changed to underground reticulation depending on the requirement and funding from the Housing Department.
- 2.5. The developer will be responsible for all cost in the case where he or she request any infrastructure situated in the road reserve to be moved or relocated to new propose positions.
- 2.6. The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.
- 2.7. It may be requested to register service servitudes where existing and or new infrastructure will or have been installed.

2.8. A service level agreement between the municipality and the owner or developer of above mentioned erf have to be arrange at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician) in the case where a request for the change and or upgrade of the existing supply is required.

### 3. GENERAL

3.1. NRS069 Network recovery cost will apply in the case of private developing and will then be calculated according to the following as indicated in approved tariffs: **R 4 500.11 per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2023 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.

3.2. The developer will be responsible to carry all cost of the electrical installation.

3.3. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.

3.4. Your attention is drawn to the following electricity by-law should the development be serviced and managed by means of private reticulation:

3.4..1. Unless authorised by the municipality, no person may sell or supply electricity supplied to his or her premises or generated by him or her under an agreement with the municipality, to any other person or persons for use on any other premises, or permit or allow such resale or supply to take place.

3.4..2. A reseller must comply with the licensing and registration requirements set out in the ERA.

3.4..3. If electricity is resold for use upon the same premises, the electricity resold must be measured by a sub meter of a type which has been approved by South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the municipality.

3.4..4. The tariff at which and the conditions of sale under which electricity is thus resold, shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the municipality.

3.4..5. Every reseller must furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the municipality to its electricity customers.

3.4..6. The municipality may request audited reports from resellers to prove that the above resale conditions are met. The cost to obtain audited reports will be borne by the reseller.

3.5. Authorization to re-sell electricity can be obtained by council approval only.

3.6. Applications to be submitted in writing to the Senior Manager: Electro Technical Services indicating the following:



- 3.7. A private registered electrical consultant as well as an installation electrician shall be used to do all designs, installations and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal by-laws prior to the development.
- 3.8. A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered or as the case may be.
- 3.9. The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully



LLAING

**MANAGER: PLANNING AND CUSTOMER SERVICES**

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Civic Centre, Berg River Boulevard, Paarl 7646

# Memo

**To:** **Manager: Land Use Planning and Surveying  
(Attention: C van der Bank)**

**From:** **Manager: Environmental Management**

**Enquiries:** **C. Winter**

**Collaborator number:** **1933310**

**Reference number:** **15/4/1 (10545)P**

**Date:** **27 JUNE 2022**

**Subject:** **APPLICATION FOR CLOSURE OF PUBLIC OPEN SPACE, REZONING TO  
SUBDIVISIONAL AREA AND SUBDIVISION ON ERF 10545, PAARL**

Reference is made to the above application for:

- Rezoning to subdivisional area of Erf 10545, Paarl in terms of Section 15(2)(a) of the Drakenstein Municipal Planning Bylaw;
- Subdivision of Erf 10545, Paarl in terms of Section 15(2)(d) of the Drakenstein Municipal Planning Bylaw;
- Closure of public space Erf 10545, Paarl in terms of Section 15(2)(n) of the Drakenstein Municipal Planning Bylaw.

Having reviewed the above application as well as correspondence issued by the Department of Environmental Affairs and Development Planning dated 15 October 2018, no significant environmental impacts can be foreseen through the proposed development.

The Environmental Management Section has no objection to the proposed development on Erf 10545, Paarl.

Yours faithfully

.....  
**C. WINTER**  
**MANAGER: ENVIRONMENTAL MANAGEMENT**

# Memo

**To:** LAND USE PLANING AND SURVEYING  
J MEYER (EXT: x4836)

**From:** HERITAGE RESOURCES SUB-SECTION

**Enquiries:** CLIVE THEUNISSEN (EXT: x4818)

**Collaborator number:** 1933310

**Date:** 14 JUNE 2022

**Subject:** APPLICATION FOR CLOSURE OF A PUBLIC OPEN SPACE, REZONING AND SUBDIVISION IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING 2018: ERF 10545, PAARL

## RECEIVED APPLICATION ON 8 JUNE 2022

### 1. PROPOSAL

The proposal entails the closure of public open space, rezoning and subdivision of Erf 10545, Paarl, in order to implement an upgrading of Informal Settlement Programme.

### 2. EVALUATION

#### 2.1 NATIONAL HERITAGE RESOURCES ACT No. 25 of 1999

In a letter dated 9 July 2018, Heritage Western Cape (HWC) indicated that there is no reason to believe that the proposed housing development on Erf 10545, Bauhina and Simon van der Stel Road, Paarl, will have an impact on heritage resources. Therefore, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

#### 2.2 DRAKENSTEIN MUNICIPAL ZONING SCHEME BYLAW 2018

In terms of the Drakenstein Municipal Zoning Scheme Bylaw 2018, the proposal is located outside of any Special Character Protected Area Overlay Zone or Scenic Route Overlay Zone.

#### 2.3 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal is located outside of any proposed Heritage Overlay Zone.

### 3. CONCLUSION

In view of the above, the proposed closure of public open space, rezoning and subdivision of Erf 10545, Paarl, is supported from the heritage point of view.



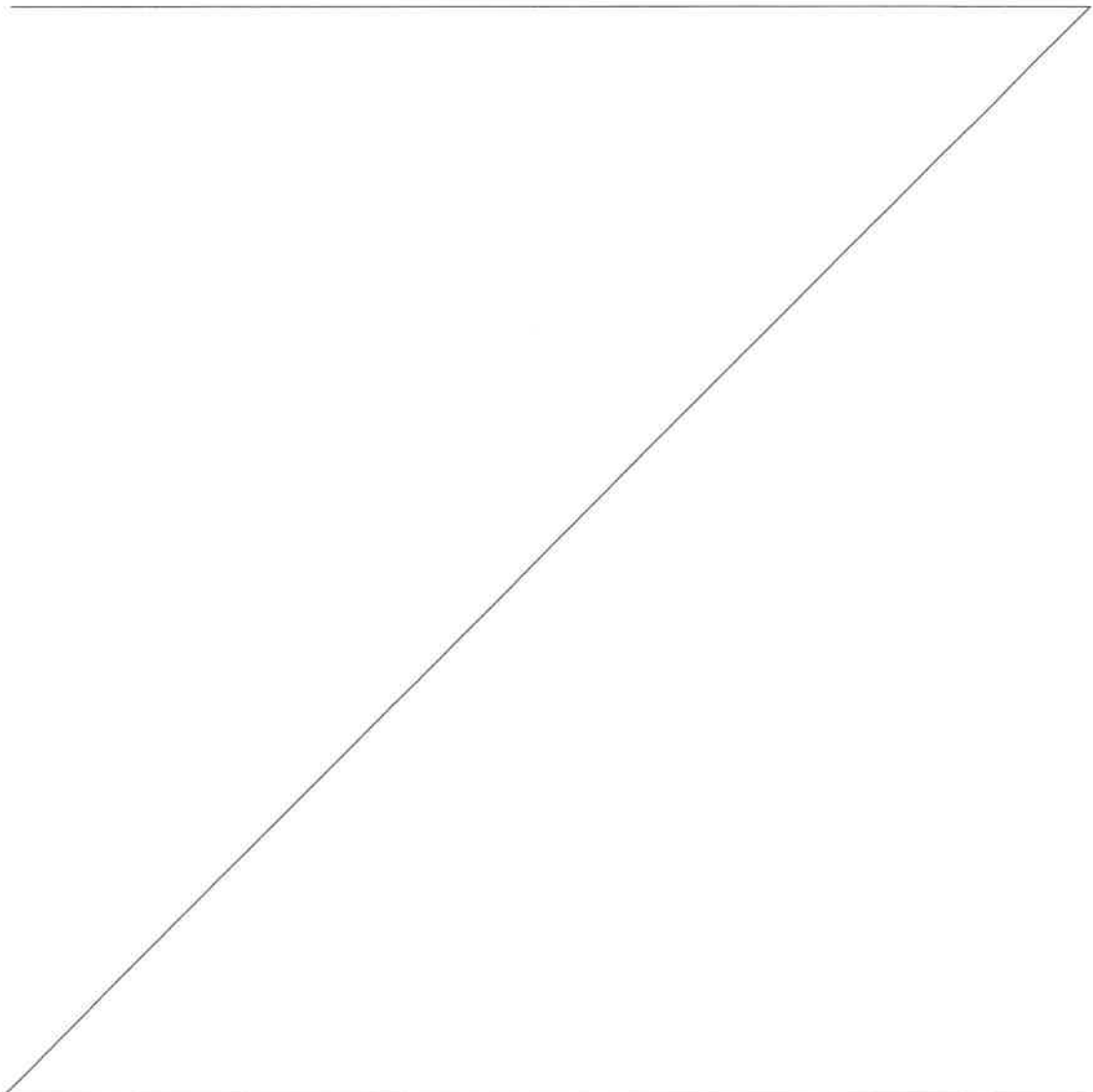
.....  
MR. W HENDRICKS  
MANAGER: SPATIAL PLANNING, HERITAGE AND GIS

**AGENDA: DRAKENSTEIN MUNICIPAL PLANNING TRIBUNAL  
16 FEBRUARY 2024**

**6. APPLICATION FOR THE CLOSURE OF A PUBLIC PLACE, REZONING AND SUBDIVISION:  
ERF 13467 PAARL**

The enclosed report together with annexures dated 31 January 2024 have been received.

**Submitted for consideration.**



Meeting: Municipal Planning Tribunal – 14/02/2024	Submitted by Department: Planning & Development
Ref No: 15/4/1 (13467) P	Author/s: R Mowzer
Coll No: 1898424	Referred from:



**REPORT TO: DRAKENSTEIN MUNICIPAL PLANNING TRIBUNAL**

**File Ref No:** 15/4/1 (13467)P  
**Collaborator No:** 1898427  
**IDP KPA Ref No:** KPA 5: Planning and Economic Development  
**Report Date:** 31 January 2024  
**Meeting Date:** 14 February 2024

**APPLICATION FOR THE CLOSURE OF A PUBLIC PLACE, REZONING AND SUBDIVISION: ERF 13467 PAARL**

<b>PART A: APPLICATION DESCRIPTION</b>			
The purpose of the application at hand involves the acquisition of the necessary land use rights in order to formalise the existing informal settlement situated on Erf 13467 Paarl, which will comprise 91 residential erven, as part of the upgrading of informal settlements programme in Paarl.			
<b>PART B: DECISION MAKING AUTHORITY</b>			
In terms of the Drakenstein Municipality: System of Delegations: “the decision-making authority on land development applications, which involves Drakenstein Municipality on its own initiative conducting any land development, vests with the Drakenstein Municipal Planning Tribunal.”			
<b>PART C: PROPERTY DETAILS</b>			
Property description	Erf 13467 Paarl		
Physical address	Located directly adjacent to Amestelhof Avenue, to the north of Amestelhof Primary School, Paarl		
Total Extent	±2.2171ha		
Applicable Zoning Scheme	Drakenstein Zoning Scheme Bylaw, 2018		
Current Zonings	Open Space Zone		
Current Land Use	Informal Settlement		
Existing buildings on the properties	Informal residential structures and Electrical Substation		
Any restrictive title conditions applicable	No	If yes, list conditions	
Any third-party conditions applicable	No	If yes, specify	n/a
Any unauthorised land use/building work	Yes	If yes, explain	Informal dwellings
<b>PART D: APPLICANT AND OWNERSHIP DETAILS</b>			
Applicant	Nuplan Africa		
Owner	Drakenstein Municipality		

<b>PART E: PRE-APPLICATION CONSULTATION</b>	
Has pre-application consultation been undertaken	Yes
Brief summary of outcome	Several meetings, with various municipal employees from different departments were held with the municipality to discuss the development proposal to obtain their inputs and way forward. The application process was further communicated.
<b>PART F: BACKGROUND</b>	
<p>Erf 13467 Paarl, from here on referred to as the application property, is located within the Amstelhof residential area and is bordered by Amstelhof Primary School to the south, Amstelhof Avenue to the east and Kanarie Street to the north.</p> <p>The application property, zoned Open Space Zone, has been predominantly utilised as an informal residential settlement informally known as the 'Chester Williams Settlement' housing numerous families.</p> <p>It is important to note that the Chester Williams Settlement has been identified as one of the informal settlements to be upgraded as part of the upgrading of informal settlements programme projects for Drakenstein Municipality (UISP) with the aim of providing basic services to informal settlements. Even though the intention of the application is not to alleviate the housing backlog in Drakenstein, but rather to ensure that each occupant/family residing within the Chester Williams Settlement will receive permanent tenure to their own property or erf, it will however in any event reduce the number of people on the housing backlog list.</p> <p>It is important to note that the existing residents which reside within the Chester Williams Settlement will be temporary relocated during the construction or installation of services as prescribed in the decanting plan established by the Drakenstein Municipality: Human Settlements Department, which situated to the western portion of the application property.</p> <p>The application underwent the necessary public participation process as prescribed in terms of the Drakenstein Bylaw on Municipal Land Use Planning, 2018. The application was also forwarded to the relevant departments for approvals/comment.</p> <p>Consideration must therefore be given to the application at hand.</p>	
<b>PART G: DEVELOPMENT PROPOSAL</b>	
<p>The application herewith considered seeks to obtain the necessary land use rights, in order to make provision for the upgrading of an informal residential settlement on the application property, which will include the following:</p>	

1. 91 Residential Erven;
2. One Utility (Services Servitude) erf;
3. Two Open Space erven; and
4. One Street (public) erf;

To give effect to the development proposal above, the following applications have been submitted:

#### Closure

- Closure of Erf 13467 Paarl as a Public Place;

#### Rezoning

- Rezoning of Erf 13467 Paarl from Open Space Zone to Subdivisional Area;

#### Subdivision

- Subdivision of the rezoned property into 95 portions as follows:

<b>Subdivision of Erf 13467 Paarl</b>			
Zoning	Land Use	Number of Erven	Size (m <sup>2</sup> )
Conventional Housing Zone	Residential	91	8 526
Utility Zone	Services Servitude	1	55
Open Space Zone	Public Open Space	2	180
	Public Open Space (Rem Erf 13467)		9 451
Transport Zone	Public Street	1	3 959
<b>Total</b>		<b>95</b>	<b>22 171</b>

It should be noted that no formal structures are proposed as part of this application and that if in future the new owners wish to construct a formal residential dwelling, then the required building plans will need to be submitted. This is a first step in ensuring informal settlements to become formal.

#### **PART H: SUMMARY OF APPLICANT'S MOTIVATION**

The applicant, Nuplan Africa, motivates the desirability of the application as follows:

- The subject property is located in an existing residential neighbourhood;
- The proposed development is consistent with the Drakenstein MSDF 2020;
- The proposed development is an essential community facility;
- Services can be provided in a satisfactory and sustainable manner;
- The development will enhance the visual appearance of the site that is currently occupied by informal structures; and
- The Land Use Planning Principles of SPLUMA and LUPA are supported.

<b>PART I: SUMMARY OF PUBLIC PARTICIPATION</b>										
Was public participation undertaken in accordance with Sections 45(1) and 46(1) of the Drakenstein Bylaw on Municipal Planning, 2018?								Y	N	
Public notices in terms of Section 45(1) and 46(1) of the Drakenstein Bylaw on Municipal Planning, 2018, was undertaken by means of advertising the application in the Paarl Post, as well as circulating the application to the surrounding residents for comment/objections. The application was also made public by being posted on the notice boards of all municipal libraries and municipal offices and the municipal website as well as posted on-site. The public participation process commenced on 02 March 2023 and ended on 03 April 2023.										
Total valid comments received		2	Total comments and petitions refused/late					0		
Community organisations(s) response		Y	N	Valid petition(s)		Y	N	If yes, number of signatures		0
Ward councillor response: <b>Councillor V Booysen</b> (Ward 27)								Y	N	
Portfolio Holder Response: <b>Councillor L T Van Niekerk</b>								Y	N	
The application was forwarded to Councillors L Van Niekerk and V Booysen for comment.										
Both councillors indicated their support of the applications.										
Total letters of support			None							
<b>PART J: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION</b>										
1. The objections from O A Lawrence (Erf 24400) and Andre Pekeur (Erf 13470), can be summarised below:										
SUMMARY OF OBJECTION/COMMENTS										
<ul style="list-style-type: none"> <li>- The proposed erven will be situated too close to their properties which will cause the property value to decrease as this is already the case with the existing informal settlement;</li> <li>- There will not be sufficient space between erven/dwellings which will be beneficial in emergency instances, such as a fire;</li> <li>- Rats and Mice from the informal settlement is already a problem;</li> <li>- The formalisation of the informal settlement will cause existing recreational space to be closed therefore children will have no space to play;</li> <li>- Residents of Chester Williams will generate noise; and</li> <li>- Sufficient space between homes should be catered for to allow for emergency vehicles and health reasons.</li> </ul>										
SUMMARY OF APPLICANT'S COMMENTS ON OBJECTIONS/COMMENTS										
<ul style="list-style-type: none"> <li>- The intention is that a 2m rear space be left between the existing erven and proposed erven and that no structure borders onto the rear boundary. The zoning scheme, for erven smaller than 250m<sup>2</sup>, requires 1m on one common boundary and 0m on two common boundaries, which allows for a unit to be placed on the rear boundary. This will result in no space between a structure and the rear erf boundary;</li> <li>- Mr Pekeur supports the closure of erf 13467 as a public open space. He however objects to the land being zoned for residential purposes; and</li> </ul>										



- It is the opinion of the applicant that the formalization of the area from a squatter camp to a structured township with proper municipal services will enhance adjacent property values and positively contribute to the streetscape, safety, health, and sanitation of the area.

#### MUNICIPAL ASSESSMENT OF OBJECTIONS/COMMENTS

It is clear that the majority of the concerns raised are specifically directed at the impact of the existing informal settlement on the adjoining properties rather than the formalisation of the settlement. However cognisance is taken of the fact that the objectors are concerned with the impact of the future properties together with associated formal buildings would have on them in terms of space and privacy. It should be noted that the application is strictly for the formalisation of the informal settlement which has been existence for over 20 years and does not include the erection of formalised structures. The sole purpose of this application is to subdivide the property into registered residential erven thus leading to a practical expansion of Amstelhof Residential neighbourhood. This in return would then bind properties and owners to legislation pertaining to properties such as the zoning scheme bylaw etc which could allow the municipality to better manage this area. This being said, this department's opinion regarding the objections are as follows:

- Property values will in actual fact increase from the development as formalisation benefits the surrounding area and neighbourhood as opposed to the status quo;
- All registered properties will have to adhere to the parameters contained in the zoning scheme applicable to Conventional Housing Zoned properties in terms of building lines/distances from common boundaries;
- Rodent concerns are evident because of informal structure and spaces currently experienced, and the formalisation of erven will help decrease the issue with the individual introduction of formalised buildings and spaces;
- The remainder of the application property will remain Open Space as well as one open space property is proposed as part of the development, which could be utilised by the public for recreational purposes;
- All registered property owners will have to adhere to the noise regulations; and
- The benefit of formalising the existing settlement when compared to the existing situation, outweighs the possible negative impacts that could be experienced. This department is therefore of the opinion that the potential nuisances to be experienced by the surrounding neighbours will be of similar nature as to any other residential area in terms of noise and privacy, which will however be possible to be legislatively controlled or managed because of the formalisation.

#### PART K: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date Received	Recommendation
Western Cape Government: Department of Environmental Affairs and Development Planning	15 October 2018	Confirmation that the proposal does not trigger any listed activities
Heritage Western Cape	21 June 2018	Supported
Drakenstein Municipality: Civil Engineering Services	21 November 2023	Supported and to be laid down as conditions of approval
Drakenstein Municipality: Electro- Technical Engineering	15 October 2022	Supported and to be laid down as conditions of approval

Drakenstein Municipality: Spatial Planning Section	23 March 2023	Supported
<b>PART L: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS NOT OBTAINED</b>		
N/A		
<b>PART M: MUNICIPAL PLANNING EVALUATION</b>		
<p>1. <u>Assessment in terms of the development principles as prescribed in terms of Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 13 of 2013) (SPLUMA) and Section 59 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)</u></p> <p>a) <u>Spatial Justice</u></p> <p>The principle of Spatial Justice is largely focused on addressing the imbalances of the past. The proposed development creates opportunities for previously disadvantaged communities, living in an informal settlement and having access to only rudimentary services. The proposed development will allow for the improvement of the area with services and housing and therefore deemed to compliant with the principle of Spatial Justice.</p> <p>b) <u>Spatial Sustainability</u></p> <p>The principle of Spatial Sustainability deals with amongst others, the protection of prime and unique agricultural land, upholding consistency of land use measures in accordance with environmental management systems, and the promotion of land development in locations that are sustainable and limits urban sprawl.</p> <p>The development optimises the existing property and is situated within an existing urban area, thus limiting urban sprawl which in return limits the pressure on the natural environment. The proposed development is therefore deemed to compliant with the principle of Spatial Sustainability.</p> <p>c) <u>Efficiency</u></p> <p>The principle of Efficiency deals with land development that optimises the use of existing resources and infrastructure, as well as streamlined development application procedures, and decision-making that minimises negative financial, social, economic or environmental impacts.</p> <p>In relation to the above, the proposed development encourages densification, optimal utilisation of bulk and link services. In terms of the impacts thereof, it has been confirmed that the proposal has no negative environmental impacts. The opinion is therefore held that the proposal is compliant with the principle of Efficiency.</p>		

d) Spatial Resilience

The principle of Spatial Resilience largely deals with the ability of spatial plans and policies, and land use management systems to ensure sustainable livelihoods in communities that are most likely to suffer from economic and environmental shocks.

Considering the nature of this development principle, the opinion is held that the principle of Spatial Resilience has limited bearing on the application at hand.

e) Good Administration

The application was processed strictly in accordance with the prescribed application procedures as stipulated in the Drakenstein Bylaw on Municipal Land Use Planning, 2018. The application included a transparent public participation process that afforded all parties the opportunity to provide input on matters affecting them.

In light of the above, the opinion is held that the application at hand is largely compliant with the development principles set out in SPLUMA and LUPA.

2. Assessment in terms of the general criteria for consideration of applications as prescribed in terms of Section 65 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018

a) Application procedures

The application was submitted and processed strictly in accordance with the prescribed application procedures as stipulated in the Drakenstein Bylaw on Municipal Land Use Planning, 2018.

b) Intergovernmental Relations

The application was circulated to relevant external government departments, including the Western Cape Department of Environmental Affairs and Development Planning and Heritage Western Cape. All departments who were consulted, provided positive comments on the application.

c) Impact on Municipal Engineering Services

Both the Drakenstein Municipality: Civil Engineering Services and The Drakenstein Municipality: Electro-Technical Engineering Divisions confirmed that they have no objection to the application, subject to certain conditions.

d) Policy Assessment

In terms of the Drakenstein Spatial Development Framework (SDF)(2020), the application property falls inside the demarcated urban edge of Drakenstein Municipality. The application property is earmarked for 'Urban Infill' and specifically designated for the housing projects/development.

Given the above, the proposed development is not only found to be consistent with the SDF, but is in fact considered to be compliant therewith.

3. Assessment in terms of the level of desirability as prescribed in terms of Section 65 of the Drakenstein By-law on Municipal Land Use Planning, 2018 and Section 49 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)

The proposed development seeks to upgrade an existing informal township settlement by providing permanent tenure in the form of subdivided individual properties to the existing families residing within the settlement. It is important to note that the application does not include developing top structures and that responsibility will lie with the new owners of each respective property.

The proposed residential precinct will take access off Amstelhof Avenue to the east and Kanarie Street to the north and will be served by a 10m and 8m wide access roads. Erf sizes will vary with the average erf size being  $\pm 82.5\text{m}^2$  which could easily accommodate a  $40\text{m}^2$  dwelling with parking for one vehicle.

From a desirability point of view, the proposed application can be supported from a land use planning point of view, based on the following reasons:

- The proposed development can be seen as a logical extension to the immediate area and will not have any detrimental impact on the existing character of the area nor will it be visually obtrusive;
- It is expected that the finalization of the informal settlement can be accommodated from an infrastructural point of view as confirmed by the Drakenstein Municipality: Civil Engineering Division;
- No negative impact on the safety, health and the wellbeing of the surrounding community are envisaged. In fact, the formalisation of the informal settlement will play a role in increasing the wellbeing of the existing community;
- No negative impacts on heritage related matters are foreseen. It should be noted that an NID to Heritage Western Cape was submitted whereby the said department stipulated that the proposed development will not have any heritage impacts;
- The development will not have any detrimental impact on the biophysical environment as the proposed development is not seen as a listed activity in terms of NEMA;
- It is safe to say that housing developments of this nature will have a low traffic impact and all vehicular movements will be able to continue to operate at acceptable levels with the adjacent transport network;

- The application at hand entails the development of a residential development with the upgrading of existing informal settlement etc. within the urban edge and is therefore considered to be in line with accepted town planning principles.

The proposed upgrading of the Chester Williams informal residential township has been identified in the Drakenstein Spatial Development Framework as one of the key priority approved housing projects for Drakenstein. The proposal is therefore desirable and recommended for approval.

4. Assessment in terms of site-specific circumstance required in order to deviate from the provisions of the Drakenstein Spatial Development Framework

Not applicable

**PART N: RECOMMENDATION**

1. That **approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the closure of Erf 13467 Paarl as a Public Place;
2. That **approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the Rezoning of Erf 13467 Paarl from Open Space Zone to Subdivisional Area in order to upgrade an existing informal residential settlement;
3. That **approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the subdivision of Erf 13467 Paarl into 95 portions, as indicated on the Rezoning and Subdivision Plan drawn by Nuplan Africa dated 7 June 2023 2023, attached hereto as "Annexure C", as follows:

Subdivision of Erf 13467 Paarl			
Zoning	Land Use	Number of Erven	Size (m <sup>2</sup> )
Conventional Housing Zone	Residential	91	8 526
Utility Zone	Services Servitude	1	55
	Public Open Space		180
Open Space Zone	Public Open Space	2	9 451
	Public Open Space (Rem Erf 13467)		
Transport Zone	Public Street	1	3 959
<b>Total</b>		<b>95</b>	<b>22 171</b>

That the approval mentioned in Paragraphs 1-3 above are subject to the conditions contained in "Part O", laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018.

**PART O: CONDITIONS OF APPROVAL**

1. Compliance with the following conditions from a town planning point of view be applicable:
  - 1.1. 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;
  - 1.2. Any amendments to the application are subject to the relevant approval;
  - 1.3. No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
  - 1.4. That the subdivision takes place largely in accordance with the respective subdivision plan attached as "Annexure C";
  - 1.5. Adherence to the conditions set out in the memorandum of Drakenstein Municipality: Civil Engineering Services Department referenced 15/4/1 (13467) P (1744) dated 21 November 2023, attached hereto as "Annexure I"
  - 1.7. Adherence to the conditions set out in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 13467 dated 15 October 2022, attached hereto as "Annexure J";
  - 1.8. Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.

**PART P: GENERAL ADMINISTRATIVE CONDITIONS**

1. That the applicant be informed of the general right of appeal to the Executive Mayor being the Appeal Authority, 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, within 21 days from the notification letter. The approval is therefore suspended until further notice;
2. That the surrounding properties owners who were notified of the application during the public participation process be informed of the general right of appeal to the Executive Mayor being the Appeal Authority, 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, within 21 days from the notification letter. The appeal procedures are set out in Section 80 of the afore-mentioned By-law; and
3. That the approval letter be displayed on the notice boards of the municipal offices and libraries and also be posted on the official municipal website.

**PART Q: REASONS FOR RECOMMENDATION**

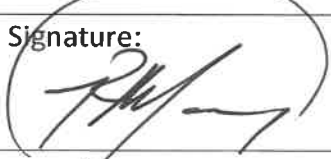

1. The development is considered to be a form of infill development that makes optimal use of urban land;
2. The property is located within close proximity of available public transportation systems;

3. The development contributes to a live/work/play environment;
4. The development will not detract from the character of the area;
5. The respective departments confirmed that no significant impact on heritage and environmental resources are envisaged;
6. It has been confirmed that the existing road network, will be able to accommodate the additional traffic;
7. All relevant internal and external departments consented to the application;
8. The application is considered to be consistent with the development principles as set out in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014);
9. The proposed development can be seen as a logical extension to the immediate area and will not have any detrimental impact of the existing character of the area nor will it be visually obtrusive; and
10. The application at hand entails the development of a residential development with the upgrading of existing informal settlement etc. within the urban edge, and is therefore considered to be in line with accepted town planning principles.

**PART R: ANNEXURES**

Annexure A:	Locality Plan and Aerial photography of the application area
Annexure B:	Applicant's motivation
Annexure C:	Subdivision Plan
Annexure D:	Notification letter sent to surrounding property owners and advertisement of application in Paarl Post and site notices
Annexure E:	Objections Received
Annexure F:	Applicants comments on the objections
Annexure G:	Western Cape Department of Environmental Affairs and Development Planning Comment
Annexure H:	Heritage Western Cape
Annexure I:	Drakenstein Municipality: Civil Engineering Services Department
Annexure J:	Drakenstein Municipality: Electro-Technical Engineering Services Division
Annexure K:	Drakenstein Municipality: Spatial Planning Section

**PART S: ASSESSOR AND RECOMMENDER**

Assessed by: Riyaz Mowzer	SACPLAN Reg. No: Pr. Pln A/1743/2013	Signature: 	Date: 02 February 2024
Recommended by: Henk Strijdom	SACPLAN Reg. No: Pr. Pln A/1058/1998	Signature: 	Date: 08.02.2024



Legend



**ERF 13467 PAARL  
(CHESTER WILLIAMS)**

0 0.17 0.35 0.7 km

Scale: 1:18 056

Date created: November 16, 2021

Compiled with CapeFarmMapper

**PLAN 1  
REGIONAL LOCALITY**



**Western Cape  
Government  
FOR YOU**



110  
ERF 13467 CHESTER WILLIAMS PAARL



Source: Esri, Maxar, GeoEye, Earthstar, GlobalVision, GNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

Legend



**ERF 13467 PAARL  
(CHESTER WILLIAMS)**

0 0.02 0.04 0.09 km

Scale: 1:2 257

Date created: November 16, 2021

Compiled with CapeFarmMapper

**PLAN 2  
LOCAL LOCALITY**



**Western Cape  
Government**  
FOR YOU

and access courts respectively. Erf sizes are generally between 82 an 85m<sup>2</sup> and bigger and were designed to accommodate a 40m<sup>2</sup> house as well as parking for one car.

#### **4.2 CONTEXTUAL ANALYSIS**

The proposed residential precinct is located within an existing residential area and is currently occupied by informal dwelling structures. The area is generally well served with community and business facilities and also within good vehicular access via Klein Drakenstein Road to Paarl CDD. The Amstelhof Primary School is adjacent to the site and the Secondary School within 600m walking distance.

### **5. ENVIRONMENTAL IMPACT ASSESSMENT**

No Environmental Impact Assessment is required as confirmed by DEA&DP in **ANNEXURE 5**.

### **6. HERITAGE IMPACT**

A Notice of Intent was submitted to heritage Western Cape by Guillaume Nel Environmental Consultants. Heritage Western Cape responded with a permit that no further studies are required. **ANNEXURE 6**.

### **7. SERVICES AND TRAFFIC**

A comprehensive Services Report is attached as **ANNEXURE 7** which addresses the Civil, Storm Water Management and Electrical Services and concluded that services can easily be provided to the proposed development. **ANNEXURE 8** contains the Traffic Impact Report for all the UISP sites.

### **8. GEOTECHINCAL REPORT**

A Geotechnical Report was done by Gondwana Geo Solutions and is Attached as **ANNEXURE 9**.

The report concluded that the geotechnical conditions are not prohibiting the envisaged housing development and also contains certain measure to be implemented.

### **9. MOTIVATION**

The desirability of the proposal is supported by the following motivating factors:

#### **9.1 STATUTORY CONTEXT**

The property falls within the Urban Edge of Drakenstein Municipality as per the Drakenstein Municipal Spatial Development Framework 2020.



In the SDF the land use is addressed under Strategic Objective 2: Facilitating Sustainable New Development, Strategy 2.1: “Achieving Spatial Transformation and spatial restructuring of urban areas and establishing inclusive and resilient communities”, which seek to change:

- Urban sprawl
- High transportation cost
- Lack of access to social facilities
- Lack of access to services

This is achieved through the implementation of Focus Area Elements:

- Approved housing projects
- Urban infill
- Densification

To give effect to the above the Paarl Focus Area Framework Map designate the subject property as “Approved Housing Projects” and the Implementation Map as “Typology 2: Row Housing”. The Spatial Proposals supporting the above states that Informal Settlements are to be upgraded via the UISP and the Key Intervention 12 states “extension of basic services to informal settlements” and Key Intervention 14 “upgrading of Informal Settlements Programme Projects”.

The application can thus be regarded as consistent with the Drakenstein Municipal Spatial Development Framework, 2020.

## 9.2 RESTRICTIONS ON TITLE DEED

The Title Deed contains no restrictive conditions as per the Conveyancer Certificate attached as ANNEXURE 4.

## 9.3 OTHER RESTRICTIONS

The Development Concept is designed to not encroach over any main bulk services lines and all structures are located above the 1:50 and 1:100 year flood line. No other development restrictions were identified, inclusive of steep slopes and unstable soil formations. No conservation worthy buildings occur on site and no other heritage constraints like graves, rock engravings or archaeological deposits were identified.

## 9.4 LAND USE PLANNING PRINCIPLES

The following Development Principles per Section 7 of SPLUMA and Section 59 of LUPA is relevant:

N	PRINCIPLE	CONSISTENCY
a	Spatial Justice	The development proposal is accessible to all communities of South Africa and does not result in segregation of communities,



		but rather strengthening of an existing community.
b	Spatial sustainability	The proposed development is a municipal development, does not encroach on high potential agricultural land, is environmentally friendly and make optimal use of the characteristics of the area as well as existing services infra-structure.
c	Efficiency	The proposal make optimal use of the natural attributes of the site; will make use of existing services and infra structure; does not have any negative environmental, social or economic impacts, but rather a positive social and economic impact by providing formalised housing.
d	Spatial Resilience	The proposed development is located in an area with existing community and other land uses and will contribute to the provision of formalised dwellings, thus enhancing spatial resilience.
e	Good Administration	The proposed development is a municipal development.

## 9.5 DESIRABILITY

The desirability of the proposed development is evident from the following motivating factors:

- The subject property is located in an existing residential neighbourhood;
- The proposed development is consistent with the Drakenstein MSDF 2020;
- The proposed development is an essential community facility;
- Services can be provided in a satisfactory and sustainable manner;
- The development will enhance the visual appearance of the site that is currently occupied by informal structures;
- The Land Use Planning Principles of SPLUMA and LUPA are supported.

## 10. SUMMARY

The proposed development is not restrained by any conservation worthy elements, environmental issues, title deed restrictions or any other restraints, is in compliance with the Zoning Scheme and Municipal Policies and its desirability has been proved. As such, Council is requested to approve the following:

- REZONING TO SUBDIVISIONAL AREA OF Erf 13467, DIVISION PAARL IN TERMS OF SECTION 15(2)(a) OF THE DRAKENSTEIN MUNICIPAL PLANNING BY LAW;
- SUBDIVISION OF ERF 13467, DIVISION PAARL IN TERMS OF SECTION 15(2)(d) OF THE DRAKENSTEIN MUNICIPAL PLANNING BY LAW;
- CLOSURE OF PUBLIC SPACE ERF 13467, DIVISION PAARL IN TERMS OF SECTION 15(2)(n) OF THE DRAKENSTEIN MUNICIPAL PLANNING BY-LAW.





**PAARL - ERF 13467**  
(Chester Williams)

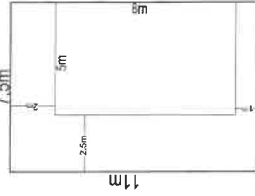
Proposed Rezoning & Subdivision

DATE: 7 June 2023  
SCALE: A3 - 1:1000(A1 1:500)  
DRAWN: AV  
CHECKED: TS

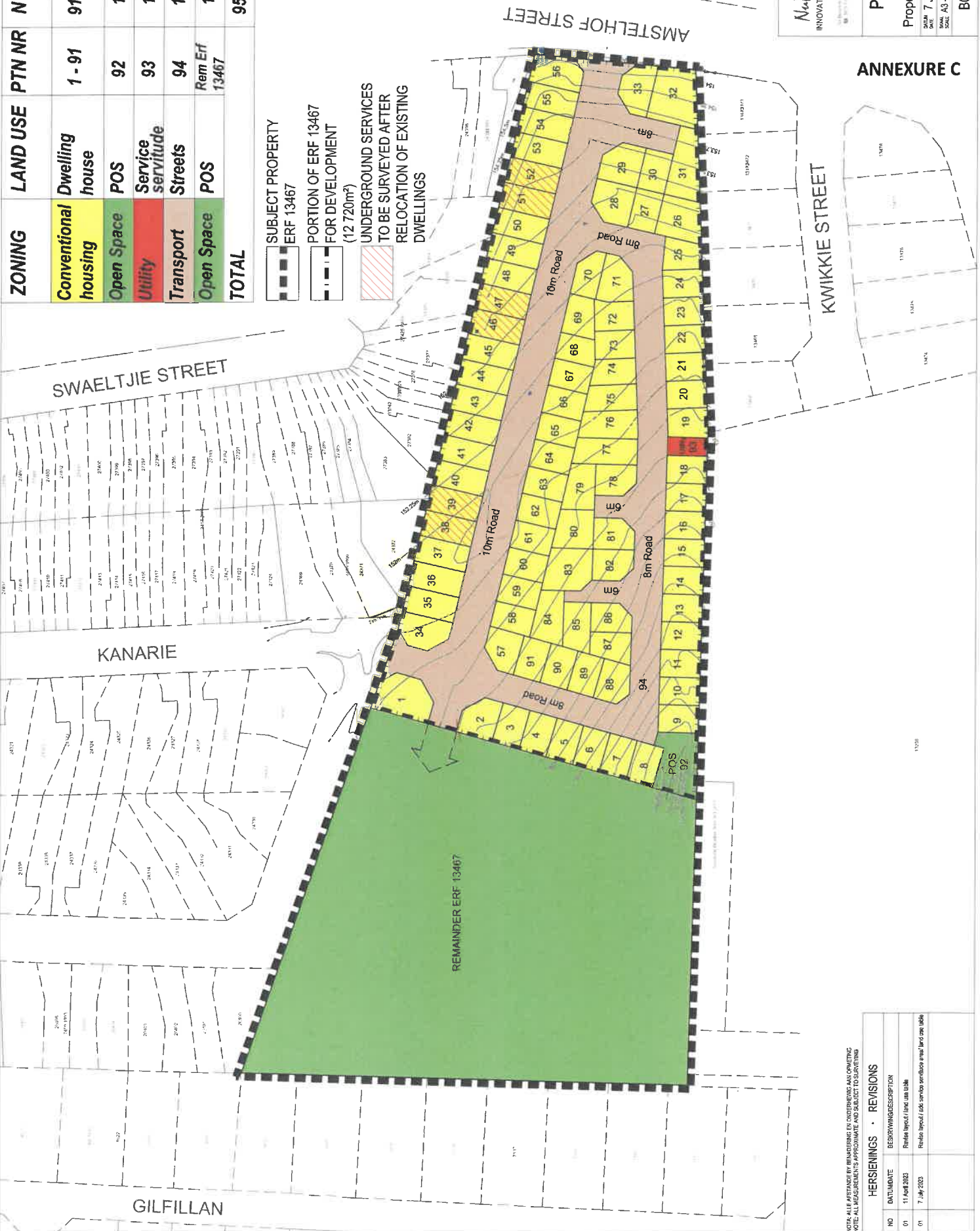
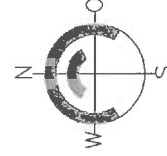
B0015 - Sub\_Erf 13467 - 01

ZONING	LAND USE	PTN NR	N	AREA (m <sup>2</sup> )	%
Conventional housing	Dwelling house	1 - 91	91	8 526	38
Open Space	POS	92	1	180	1
Utility	Service servitude	93	1	55	1
Transport	Streets	94	1	3 959	17
Open Space	POS	Rem Erf 13467	1	9 451	43
<b>TOTAL</b>			<b>95</b>	<b>22 171</b>	<b>100</b>

TYPICAL ERF SIZE & UNIT PLACEMENT



Erf size : 82.5m<sup>2</sup>  
Unit size : 40.0m<sup>2</sup>



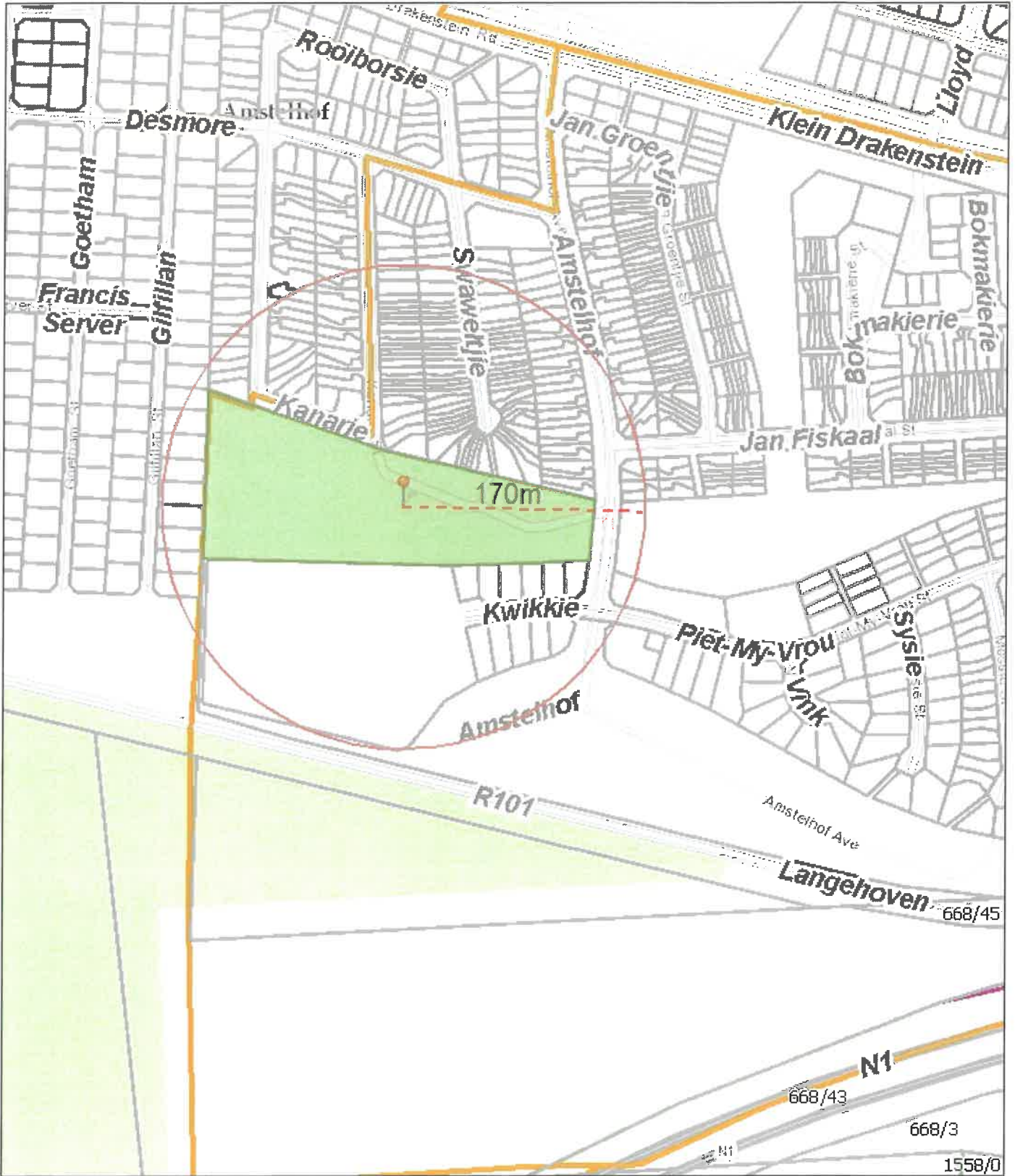
ANNEXURE C

NOTA ALLE AFSTANDE BY REMAANDERS EN ONDERNEEMERS VAN OPMETTING  
NOTE: ALL MEASUREMENTS APPROXIMATE AND SUBJECT TO SURVEYING

HERSIENINGS • REVISIONS	
NO	DATAUMDATE
01	11 April 2023
01	7 Jun 2023

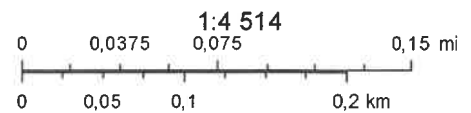
BEREIKWINGSGESKRYFTE  
Revisie layout/ land use table  
Revisie layout/ land use servitude area/ land use table

Notification: Erf 13467 Paarl



3/15/2022, 12:13:40 PM

- Erven\_Query result
- Towns and Villages
- Street Names
- Urban Edge 2020
- Land Parcels
- Ward Councillors
- Erven
- Farms



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



**INFORMATION SHARING AND UNAUTHORISED DISCLOSURE OF INFORMATION**

This agreement will be recorded in the minutes. All attendees by signing the register agree to the following:

- Information may be exchanged within a meeting for the purpose of identifying action that can be taken by any meeting to resolve the problem under discussion;
- Disclosure of information outside the meeting, beyond that agreed at the meeting, will be considered a breach of confidentiality; and
- All documents that is designated as confidential should be marked as such and is not to be disclosed without consent of the City Manager.

Date: **02 Maart 2023**

Venue: **Chester Williams Informal Settlement Public Process** **ERF 13467 PAARL**

No	Name	Surname	Tel number	Erf nommer / Address
1.	Graylin	Brown	074 971 9001	69 Kanarie str
2.	D. HERRMANS	ALBERTS	0344 473 253	TOKPANIERS
3.	A. De Kock	De Kock	-	71 Kanarie str.
4.	MULLINS			
5.	S. Horton	Horton	0132282371	73 Kanarie str
6.	G. Fellows	THOMAS - NEUMAN	745 NIE	4-1 Ger. 10
7.	Magdale	Magdale		41
8.	Van Wyk	Van Wyk		39
9.	ALRO	ORRINE		31
10.	Tsui	LENDRIKS		35
11.	ILLARY	BETRA		33
12.	ILLARY	ELLARY		
13.	Wienad	THOMAS NIE	Go to gwaat	29
14.	Jacobus	WOLFF		28
15.	JAVIER	HERSE LOU NIEBLUS		23
	WILHELMINE PUNTER	KEIC		
	Black van die my vrouer	Association		



**DRAKENSTEIN**

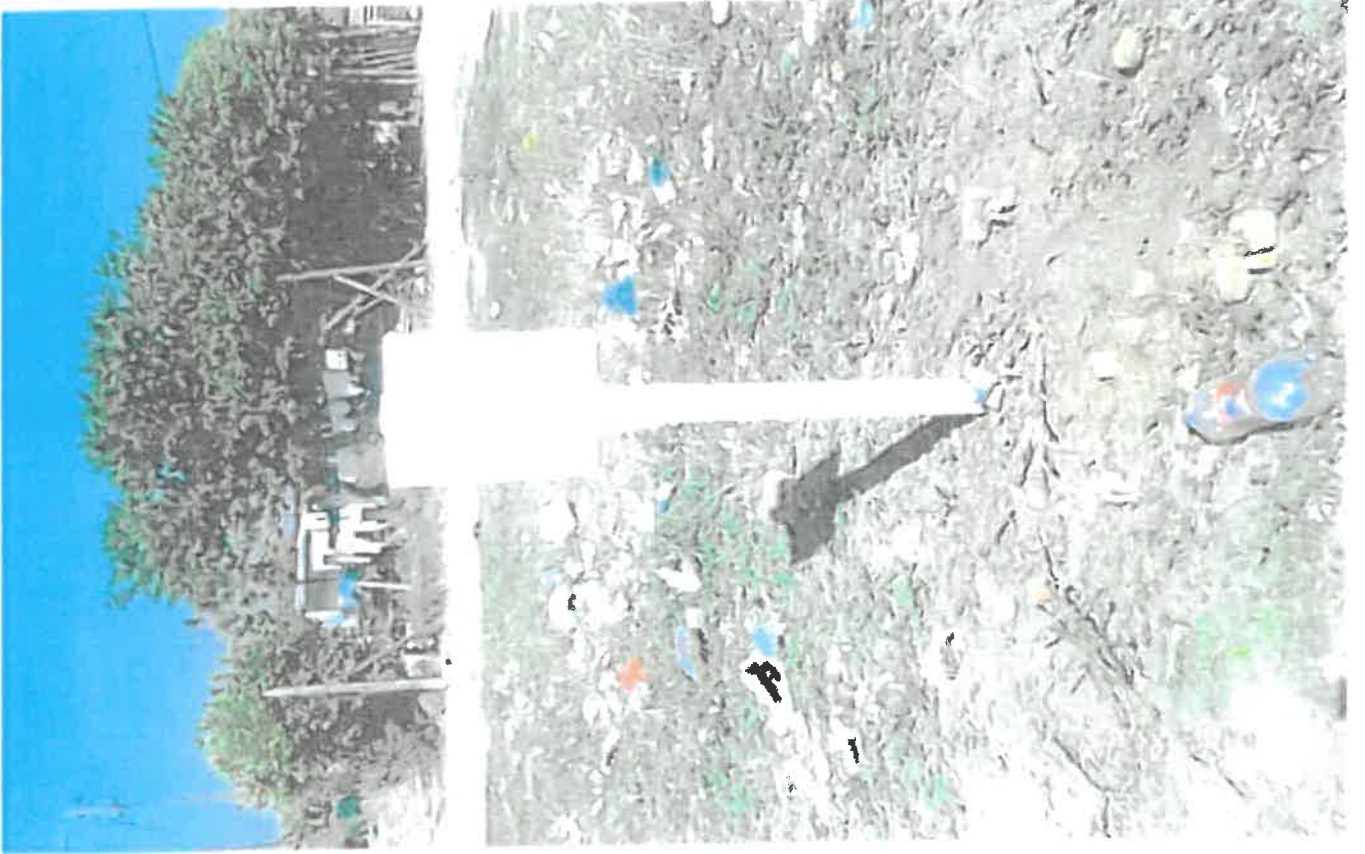
MUNICIPALITY OF DRAKENSTEIN • UMASIPALA  
Paarl • Wellington • Cape Town • Simon's Town

+27 21 807 4500 +27 21 872 8054  
www.drakenstein.gov.za  
records@drakenstein.gov.za  
Civic Centre, Berg River Boulevard, Paarl 7646

17.	Clive ARENDS	2 Kwikkie	0617008907	
18.	Jade Pomedie	4 Kwikkie	0165977653	
19.	Charone August	0166131367		6 Kwikkie Street
20.	André Koenig	Kwikkie Straat	Amstelhof 0736231949	8
21.	Shemone Mathrise	10 Kwikkies Straat	0826978451	10
22.	ERIC	BRUNCES		Kwikkie Str 2
23.	Oliver Louwrens		0766294886	230 Amstelhof Laan.
24.	Andri	SWARTZS	0839411162	Swaweltjies 185
25.	MBEUKES	187 Swaweltjies	0713319939	187 Swaweltjies
26.	Felix October	186 Swaweltjies	0796833740	Str
27.	EMILIO	BEUKES		185 Swaweltjies
28.	FERENA Smith	Swaweltjies 185A		Swaweltjies 185A
29.	KATRINA - SETTERMEER		0737533174	11 184
30.	Lugette Picterson		07789338016	184A
31.	Kamaree Straat	68	Niemand-huis	NIE
32.	Mercy Smeulders		Kamaree str	68
33.	Margareta Dewit		Kamaree str	72
34.	Malcolm Melzer		Clare, Sd	139
35.	ILLIS	Clare Street		Niemand
36.	ILLIS			
37.	ILLIS	Kamaree str		Niemand-huis nwe
38.	NENVER CUPIDO	AMSTELHOF RIVER	0834471259	1 Kwikkie STR
39.				
0.				



EZF 13467 PAEL



**APPLICATION FOR CLOSURE OF PUBLIC PLACE, REZONING,  
AND SUBDIVISION IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN  
BYLAW ON MUNICIPAL LAND USE PLANNING 2018**

**ERF 13467 PAARL**

Notice is hereby given in terms of Section 45(1) and 46(1) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, that an application as set out below has been received and can be viewed during office hours at Drakenstein Municipality's Land Use Planning Section, 3rd Floor, Civic Centre, Berg River Boulevard, Paarl.

The case officer is Cornelia van der Bank (contact number: **021 807 4832**).

<b>Property</b>	Erf 13467 Paarl
<b>Applicant</b>	Drakenstein Municipality
<b>Owner</b>	Drakenstein Municipality
<b>Locality</b>	Located in Amstelhof Avenue
<b>Total Extent</b>	± 3.5672 ha
<b>Zoning</b>	Open Space Zone
<b>Proposal</b>	<ol style="list-style-type: none"> <li>1. Closure of Erf 13467 Paarl as a public place;</li> <li>2. Rezoning of Erf 13467 Paarl from Open Space Zone to a Subdivisional Area; and</li> <li>3. Subdivision of the rezoned property into 98 portions, as follows: <ul style="list-style-type: none"> <li>• 95 Conventional Housing Zone erven;</li> <li>• 1 Utility Zone erf in respect of the existing electrical substation;</li> <li>• 1 Open Space Zone erven; and</li> <li>• 1 Transport Zone erf for the purposes of a Public Road.</li> </ul> </li> </ol>

Motivated objections or comments can be lodged in writing to Drakenstein Municipality, PO Box 1, Paarl, 7622, or electronically to [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za). Note that submissions must comply with Section 50 of the Drakenstein Bylaw on Municipal Land Use Planning 2018 and must reach the Municipality by no later than **30 days** after the date of the notification letter.

Persons who are unable to read or write can submit their objection verbally at Drakenstein Municipality, Berg River Boulevard, Paarl, where they will be assisted by a staff member to put their comments in writing.



**DRAKENSTEIN MUNICIPALITY  
ADJUSTMENTS BUDGET  
AND REVISED TOP LAYER SDBIP FOR  
2022/2023**

Notice is hereby given in terms of section 21A of the Municipal Systems Act, No.32 of 2000 and section 26 of the Municipal Budget and Reporting Regulations that the Municipal Council on 28 February 2023, approved an Adjustments Budget and a Revised Top Layer Service Delivery and Budget Implementation Plan (SDBIP) for 2022/2023.

The Adjustments Budget and the Revised Top Layer SDBIP 2022/2023 for Drakenstein Municipality can be viewed on the Municipal Website at: www.drakenstein.gov.za and copies will also be available during office hours (and also after hours at libraries that offer after hour services) at the following venues:

- Market Street Library, Paarl
- Groenheuwel Library, Paarl
- Drakenstein Library, Paarl East
- Mbekweni Library, Mbekweni
- Thusong Multi-Purpose Centre, Mbekweni & Paarl East
- Wellington Customer Care Centre
- Van Wyksvlei Library, Wellington
- Jan van Riebeeck Library, Wellington
- Library, Hermon
- Municipal Office & Library, Gouda
- Municipal Office & Library, Saron
- Civic Centre, Paarl.

For any further information with regard to the Adjustments Budget, please contact Mrs. Lynne Croz by the Budget Office, Civic Centre, Berg River Boulevard, Paarl at telephone 021 807 4500.

With regard to the Revised Top Layer SDBIP, please contact Ms. Cindy September at the IDP Office, Wellington Customer Care Centre, Wellington or via telephone at 021 807 6219.

**DR JH LEIBBRANDT  
CITY MANAGER  
Paarl Post: 02 March 2023**

**DRAKENSTEIN MUNISIPALITEIT  
AANSUIWERINGSBEGROTING EN  
GEWYSIGDE TOP VLAK DLBIP VIR  
2022/2023**

Kennis geskied hiermee kragtens artikel 21A van die Munisipale Stelsels Wet, Nr 32 van 2000, en artikel 26 van die Munisipale Begroting en Verslagdoening Regulasies dat die Munisipale Raad op 28 Februarie 2023 die Aansuiweringsbegroting en Gewysigde Top Vlak Dienslewering en Begrotingsimplémenteringsplan (DLBIP) vir 2022/2023 goedgekeur het.

Die Aansuiweringsbegroting en die Gewysigde Top Vlak DLBIP vir 2022/2023 kan besigtig word op Drakenstein Munisipaliteit se webblad by: www.drakenstein.gov.za en sal ook beskikbaar wees gedurende kantoor ure (asook na-ure by 'n bibliotek wat na-ure oop is) by die volgende plekke:

- Markstraat Bibliotek, Paarl
- Groenheuwel Bibliotek, Paarl
- Drakenstein Bibliotek, Paarl Oos
- Mbekweni Bibliotek, Mbekweni
- Thusong Veeldoelige Sentrum, Mbekweni & Paarl Oos
- Wellington Kliëntdienssentrum
- Van Wyksvlei Bibliotek, Wellington
- Jan van Riebeeck Bibliotek, Wellington
- Bibliotek, Hermon
- Munisipale Kantore & Bibliotek, Gouda
- Munisipale Kantore & Bibliotek, Saron
- Burger Sentrum, Paarl.

Vir enige verdere inligting met betrekking tot die Aansuiweringsbegroting, kontak gerus vir Me Lynne Croz by die Begrotingskantoor, Burgersentrum, Berg Rivier Boulevard, Paarl by telefoon 021 807 4500.

Met betrekking tot die Top Vlak DLBIP, kan U gerus kontak maak met Mej. Cindy September by die GOP Kantoor te Wellington Kliëntdienssentrum of via telefoon by 021 807 6219.

**DR JH LEIBBRANDT  
STADSBESTUURDER  
Paarl Post: 02 March 2023**



Die foto is onlangs in Kerkstraat, Wellington, geneem waar haweloses soggens en saans in ongemak op die stoepe van Hugenote-kollege slaap. Foto: Verskaf

# 'Haweloses trek voor kollege in'

## Heleen Roussouw

**Foto's van haweloses wat snags in Kerkstraat by die Hugenote-kollege in Wellington skuil en slaap is vandeeweek onder die aandag van Paarl Post gebring.**

Die foto's was by 'n e-pos aangeheg waarin een van Wellington se vuurvreters, Christine Marais, amptenare van Drakenstein-munisipaliteit (DM) en wetstoepassing oor dié kwessie aanspreek.

"Wat gaan aan by julle wetstoepassingsafdeling en veelgeroemde nagskuiling as die hele dorp se straatlapers uitkamp by Hugenote-kollege? [...] Ons vra al vir jare. Ons stuur byna daagliks foto's. Julie doen niks," maan Marais.

Die munisipaliteit se uitvoerende direkteur van gemeenskapdienste, Gerald Essau, het hierop teruggekop. "DM wil skerp kopsie maak teen Christine Marais se lasterlike bewerings dat die munisipaliteit belastinggeld wanaanwend en 'mense doodskief'. Dit is van alle waarheid ontbloot," sê Essau.

Essau bevestig dat die aangestelde diensverskaffer vir die Wellington-nagskuiling, Networking for Christ (NFC), uitstekende dienste lewer.

"Die verandering is prakties sigbaar, ook met verwysing na die model van herintegrasie."

Hy meen dat DM se wetstoepassingsafdeling deurlopend besig is om haweloses van die straat af te hou deur hulle bewus te maak van die beskikbaarheid van die oornagskuiling.

"NFC het ook begin met direkte intervensie met individue wat steeds buite die oornagskuiling is. Daar moet eger op gelet word dat deelname aan dié program op 'n vrywillige basis geskied en mense nie gedwing kan word om in te skakel nie."

Oor die Wes-Kaap heen word uitsettingsbriewe uitgereik wat die regering in staat stel om die toename van onwettige besetters op private of staatselendomme te bestry.

Die premier van die Wes-Kaap, Alan Winde, het verlede Maandag (20 Februarie) dié ondersteuningsdienste, wat die Wes-Kaapse regering aan alle hawelose en kwesbare mense in die Wes-Kaap bied, beklemtoon.

"Hierdie dienste is ingesluit by 'n reeks dienste wat deur die Stad Kaapstad aangebied word, wat die afgelope paar jaar 'n toename in mense wat op straat woon, dikwels op gevaarlike plekke, gesien het."

Só lui die verklaring van Winde se woordvoerder, Regan Thaw.

Ten einde hierdie onwettige besittings te beëindig, het die Wes-Kaapse hooggeregshof die Stad Kaapstad se aansoek toegestaan dat uitsettingsbriewe by sekere persele in die sentrale sakedistrik uitgereik sal

word, wat 'n deurslaggewende stap op die pad van herstel vir die streek ná die Covid-19-pandemie is.

"Die Wes-Kaapse regering bied 'n reeks dienste aan inwoners wat tans dakloos is. Ons het hierdie dienste in plek gestel sodat ons inwoners toegang tot 'n warm ete, 'n plek van skuiling en beradingsdienste kan kry gedurende 'n tyd van nood, en ons smeeek al ons vennote om ons te help om die boodskap daar buite te kry dat hulp beskikbaar is."

Onder meer wys die premier daarop dat een van hul pogings om haweloses by te staan altesaam 2 398 beddens in hawelose skuilings insluit wat tans elke dag deur die departement gefinansier word.

Die jongste toevoeging van beddens was by fasiliteite in Vishoek, Elsieerivier en Wellington.

Hier verwys Winde na die Wellington-nagskuiling wat jare lank in afwagting van die gemeenskap deur die Drakenstein-munisipaliteit op 15 Augustus 2022 met 'n eksklusiewe byeenkoms geopen is.

Dit het omstredenheid ontlok toe Wellingtonners wat al die jare plaaslike haweloses ondersteuning bied, soos Laetitia Cupido en Clifford Asia van G-Voucher, om net 'n paar te noem, by die opening van die nagskuiling uitgesluit is.

By dié opening het die burgemeester, Conrad Poole, in sy toespraak gesê 48 mense sal hier gehuisves kan word. "En dié 48 gaan op hierdie stukkie grond verdubbel word. Ons gaan hierdie ding dupliseer, en ons gaan hom vergroot," het die burgemeester gesê.

Essau sê die proses van inname maak vir alle haweloses, met die prioritering van vroue, bejaardes en gestremdes, voorsiening.

"Daar word beplan om die beskikbare beddens en kapasiteit van die nagskuiling uit te brei. NFC is in gesprek met verskillende donateurs wat moontlik hiermee kan help."

'n Groot probleem is eger uitdagings van voortgesette dwelm- en alkoholverslawing onder voornemende en bestaande bewoners van die nagskuiling. "Die reëls sluit in 'n drievoudige waarskuwingsstelsel, en indien individue nie saamwerk nie, word hulle versoek om die perseel te verlaat."

Hierdie reëling gee só haweloses op die waglys 'n kans om in die program opgeneem te word. Essau sê ook dat daar volgens dié stelsel soveel mense wat steeds dwelms probeer insmokkel het uit die nagskuiling gesit is. Tog blyk dit dat daar ook suksesverhale is onder dié wat die nagskuiling verlaat.

"Sedert Desember is nege inwoners suksesvol met hul onderskeie families herenig, onder meer in Wellington, Blue Downs, Kuilsrivier, Wolseley, Gqeberha, Queenstown en Johannesburg," sê Essau.



**APPLICATION FOR CLOSURE OF  
PUBLIC PLACE, REZONING AND  
SUBDIVISION IN TERMS OF SECTION  
15(2) OF THE DRAKENSTEIN  
BY-LAW ON MUNICIPAL LAND  
USE PLANNING 2018:  
ERF 13467 PAARL**

Notice is hereby given in terms of Section 45(1) and 46(1) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, that an application as set out below has been received and can be viewed during normal office hours at the office of the Drakenstein Municipality, Land Use Planning Section, 3rd Floor, Civic Centre, Berg River Boulevard. The case officer is Cornelia van der Bank (021 807 4832):

Property: Erf 13467 Paarl  
 Applicant: Drakenstein Municipality  
 Owner: Drakenstein Municipality  
 Locality: Located in Amstelhof Avenue  
 Total Extent: ± 12 720 ha  
 Zoning: Open Space Zone

- Proposat:
- 1) Closure of Erf 13467 Paarl as a public place;
  - 2) Rezoning of Erf 13467 Paarl from Open Space Zone to Subdivisional Area;
  - 3) Subdivision of the rezoned property into 98 portions, as follows:

- 95 Conventional Housing Zone erven;
- 1 Utility Zone erf in respect of the existing electrical sub-station;
- 1 Open Space Zone erven; and
- 1 Transport Zone erf for purposes of a Public Road.

Motivated objections or comments can be lodged in writing to Drakenstein Municipality, PO Box 1, Paarl, 7622 or electronically to customercare@drakenstein.gov.za. Note that submissions must comply with Section 50 of the Drakenstein By-Law on Municipal Land Use Planning 2018 and must reach the Municipality, by no later than 30 days after the date of the notification letter.

Persons who are unable to read or write, can submit their objection verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comment in writing.

**DR JH LEIBBRANDT  
CITY MANAGER  
Paarl Post 02/03/2023**

**AANSOEK OM SLUITING VAN 'N  
PUBLIEKE PLEK, HERSONERING EN  
ONDERVERDELING IN TERME VAN  
ARTIKEL 15(2) VAN DIE DRAKENSTEIN  
VERORDENING OP MUNISIPALE  
GRONDGEBRUIKBEPLANNING, 2018:  
ERF 13467 PAARL**

Kennis geskied hiermee ingevolge Artikel 45(1) en 46(1) van die Drakenstein Verordening op Munisipale Grondgebruikbeplanning, 2018, dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoor ure ter insae is by die Drakenstein Munisipaliteit, Grondgebruikbeplanning Afdeling, 3de Vloer, Burgersentrum, Bergrivier Boulevard, Paarl (kontak nr 021 807 4832):

Eiendom: Erf 13467 Paarl  
 Aansoeker: Drakenstein Munisipaliteit  
 Eienaar: Drakenstein Munisipaliteit  
 Ligging: Geleë te Amstelhof, aan  
 Totale Grootte: ± 12 720 ha  
 Huidige Soneering: Oop ruimte Sone

- Voorstel:
- 1) Sluiting van Erf 13467 Paarl as 'n publieke plek
  - 2) Hersonerig van Erf 13467 Paarl vanaf Oop Ruimte Sone na Onderverdelingsgebied;
  - 3) Onderverdeling van die gesoneerde eiendom in 98 gedeeltes, soos volg:

- 95 Konvensionele Behuising erwe;
- 1 Nutsonse erf ten opsigte van die bestaande elektriese substasie;
- 1 Oopruimte Sone erf; en
- 1 Vervoer Sone erf vir doeleindes van 'n publieke pad

Gemotiveerde besware of kommentare kan skriftelik ingehandig word by Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622 of elektronies by customercare@drakenstein.gov.za. Neem kennis dat Inhandelings moet voldoen aan Artikel 50 van die Drakenstein Verordening op Grondgebruikbeplanning, 2018 en dat dit die Munisipaliteit moet bereik, nie later nie as 30 dae na die datum van die kennisgewingsbrief.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Munisipale Kantore, Bergrivier Boulevard, Paarl, afleë, waar 'n persoonleëlid sal help om sy kommentaar vertoë op skrif te stel.

**DR JH LEIBBRANDT  
STADSBESTUURDER  
Paarl Post 02/03/2023**

Geagte:

Drakenstein Munisipaliteit

As inwoner van 230 Amstelhof Laan Paarl-Oos, Amstelhof teken ek beswaar aan teen die afkordon van erwe vir die inwoners van Chester Williams Plakkerskamp.

My redes is as volg:

~Die Plakkerskamp gaan te na aan my huis staan en die waarde van my huis gaan daal.

~Daar gaan te min spasie wees tussen my huis en die plakkerskamp.

~Ek verlang n opening tussen my huis en die plakkerskamp ingeval n brand sal ontstaan.

~Ek het ook n probleem met rotte en muise wat van die plakkerskamp in my huis in kom.

~As spasie tussen my huis en die plakkerskamp toe gemaak word sal daar geen speel plek vir kinders wees nie.

~Ek is n skof werker die inwoners van Chester Williams plakkerskamp maak elke dag mesiek dit sal my slaap belemmer.

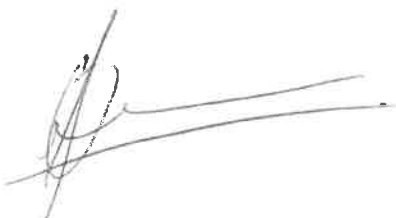
~Daar moet n opening tussen my huis en die plakkerskamp wees ingeval dit brand en die brandweer wil deur beweeg.

~Ek soek ook spasie vi gesondheids redes.

Ek sal verde stappe neem indien erwe goed gekeur word aan Chester Williams Plakkerskamp.

Van: Mr OA LawrenceKontak

Kontak Nr: 0766294886





**Hanlie Jacobs**

**From:** Customer Care  
**Sent:** Wednesday, April 5, 2023 8:08 AM  
**To:** Registry  
**Subject:** FW: Beswaar en kommentaar Erf13467

Regards

Mrs Marelize Bell  
 Senior Clerk

**t:** +27 21 807 4782  
**e:** [marelize.bell@drakenstein.gov.za](mailto:marelize.bell@drakenstein.gov.za)  
**a:** Civic Centre, Berg River Boulevard, Paarl 7646



[www.drakenstein.gov.za](http://www.drakenstein.gov.za)

A City of Excellence

**365 Days of Activism against Gender-Based Violence**

**From:** Andre Pekeur <[apekeur1@gmail.com](mailto:apekeur1@gmail.com)>  
**Sent:** Tuesday, April 4, 2023 8:46 PM  
**To:** Customer Care <[customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za)>  
**Subject:** Beswaar en kommentaar Erf13467

Goeiedag

Hiermeer wil ek eienaar van 8 Kwikkiestraat, Amstelhof amptelik my beswaar en komentaar lewer oor die die Aansoek om sluiting van publieke plek, hersonering en onderverdeling van Erf 13467.

1. Ek wil hiermee my stem voeg dat Erf 13467 Paarl gesluit word as publieke plek.
2. Ek teken beswaar aan dat Erf 13467 onderverdeel word vir gesoneerde eiendom. Dit gaan my huiswaardasie laat afneem wat al reeds gebeur het met die plakkerskamp wat huidiglik hier is.
3. My kommentaar is dat dit ñ vervoer sone wees dat ñ publieke pad aangebring kan word.
4. Dat ñ skeidingsmuur opgerig word sodat ons huise van die pad beskerm kan wees.
5. My beswaar is dat Erf 13467 nie as oopruimte sone erf moet wees nie, want dit gaan kriminele optrede uitlok en gaan gevaar inhou vir die gemeenskap.

Vir u verder hantering

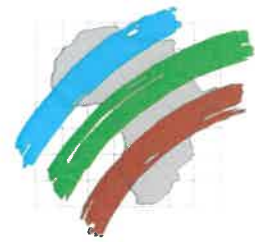
A.H.Pekeur

# NUPLAN AFRICA

TOWN & URBAN PLANNERS

INNOVATIVE PLANNING SOLUTIONS

Rivierplaas, Lady Loch Road, Wellington, 7655  
 ☒ 165 Wellington, 7654 • E-mail: theo@nuplanafrika.co.za  
 Tel: +27 21 300 1192 • Cell 082 440 4893



The Manager: Land Use Management  
 Drakenstein Municipality  
 Civic Centre  
 Berg River Boulevard  
 Paarl  
 7646

TS-B0015-01  
 29 May 2023

BY E-MAIL: [cornelia.vanderbank@drakenstein.gov.za](mailto:cornelia.vanderbank@drakenstein.gov.za)

Madam,

## **COMMENTS ON OBJECTIONS RECEIVED: ERF 13467 PAARL (CHESTER WILLAIMS)**

Only two objections were received during the public process for the above application, being from Mr. Lawrence and Mr. Pikeur.

### 1. Objection received from Mr. Lawrence:

Mr. Lawrence does not object to the development of erven on erf 13467 but is concerned about the proximity of structures to his existing dwelling which borders erf 13467. He offers various reasons for his concern and requests that space be created between his house and erven abutting his property. Approximately 6 erven border on his property.

The erven have been planned to be 11m in depth allowing for a 1m street building line and a unit depth of 8m, leaving a rear space of 2m. The intention is thus that no structure borders onto the rear boundary.

The zoning scheme, for erven smaller than 250m<sup>2</sup>, requires 1m on one common boundary and 0m on two common boundaries, which allows for a unit to be placed on the rear boundary. This will result in no space between a structure and the rear erf boundary.

To address Mr Lawrence's concern, one option would be for Mr Lawrence to create space on his own erf. Another option would be to impose a rear building line on the 6 affected erven.

Stadtplan (Pty) Ltd. Reg No 2019/494602/07 T/A NUPLAN AFRICA

OFFICES ALSO IN BLOUBERG STRAND AND SOMERSET WEST

**DIREKTEUR:**

T. L. STEYN Pr.Pln BA M(S&S) LSABI LVRSS

**BYGESTAAN DEUR:**

D. K. LARSEN Pr.Pln BA M(S&S) LSABI LVRSS  
 D. Jones Pr.Pln BA (S&S) LVRSS  
 A Viljoen  
 A Roux

**DIRECTORS:**

T. L. STEYN Pr.Pln BA M(TRP) MSAPI MACTRP

**ASSISTED BY:**

D. K. LARSEN Pr.Pln BA M(TRP) MSAPI MACTRP  
 D. Jones Pr.Pln BA (TRP) MACTRP  
 A Viljoen  
 A Roux

## 2. Objection from Mr Pikeur

Mr Pikeur supports the closure of erf 13467 as a public open space. He however objects to the land being zoned for residential purposes.

It is the opinion of the applicant that the formalization of the area from a squatter camp to a structured township with proper municipal services will enhance adjacent property values and positively contribute to the streetscape, safety, health, and sanitation of the area.

Mr Pikeur furthermore requests that a boundary wall be erected between the proposed development and his property, for Council to consider.

We trust the above to be to your satisfaction. Please feel free to contact us should you want to discuss.

Yours faithfully



-----  
T L Steyn  
NuPlan Africa

DIREKTEUR:

T. L. STEYN

Pr.Pln BA M(S&S) LSABI LVRSS

BYGESTAAN DEUR:

D. K. LARSEN

D. Jones

A Villoen

A Roux

Pr.Pln BA M(S&S) LSABI LVRSS

Pr.Pln BA (S&S) LVRSS

DIRECTORS:

T. L. STEYN

Pr.Pln BA M(TRP) MSAPI MACTRP

ASSISTED BY:

D. K. LARSEN

D. Jones

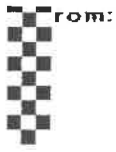
A Villoen

A Roux

Pr.Pln BA M(TRP) MSAPI MACTRP

Pr.Pln BA (TRP) MCATRP





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ANNEXURE G



Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/6/1/B3/1/1165/18  
**ENQUIRIES:** Samornay Smidt  
**DATE:** 2018 -10- 15

The Municipal Manager  
Drakenstein Municipality  
P.O. Box 1  
PAARL  
7620

**Attention: Dr J. Leibbrandt**

Tel: (021) 807 6397  
Fax: (021) 870 1522

Dear Sir

**RE: APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED ESTABLISHMENT OF A HOUSING DEVELOPMENT ON ERF NO. 13467 IN THE AMSTELHOF RESIDENTIAL AREA, PAARL**

1. The abovementioned document, dated 8 June 2018, received by the Department on the same day, and the Department's correspondence dated 20 June 2018, refer.
2. Further to review of the information submitted to this Department, the following is noted:
  - 2.1. The proposal entails the establishment of a subsidised housing development on Erf No. 13467, within the Amstelhof area of Paarl. The development will comprise GAP and/or subsidised housing units, totaling approximately 109 residential sites.
  - 2.2. The development footprint will constitute the entire property, which is approximately 22 168m<sup>2</sup> in extent, zoned Residential and located within an urban area.
  - 2.3. The property currently consists of informal structures, informal storage areas, footpaths, informal shops, fenced vegetable gardens and large hardened surface (gravel) areas.
  - 2.4. Portions of the property might be used for illegal dumping and the site is severely degraded.
  - 2.5. There is no evidence of indigenous vegetation remaining on site. Furthermore, no watercourses occur on or in close proximity to the site.
3. On 7 April 2017 the Minister of Environmental Affairs promulgated amendments to the regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz, the Environmental Impact Assessment ("EIA")

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Tel: +27 21 483 5828 Fax: +27 21 483 3098  
Email: Samornay.Smidt@westerncape.gov.za

Private Bag X9086, Cape Town, 8000  
[www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)

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Regulations, 2014, and Listing Notices 1, 2 and 3. These regulations came into effect on 7 April 2017.

4. Based on the information provided, the Department draws your attention to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) and Listing Notices 1, 2 and 3. Please be advised that the proposed subsidised housing development will not constitute any listed activities in terms of the NEMA EIA Regulations, 2014 (as amended), as the site is located within an urban area and no sensitive environmental features were identified on, or within close proximity to, the site. Environmental authorisation is therefore not required from this Department prior to the development thereof.
5. Please note that should any revision of the proposed development constitute a listed activity(ies) in terms of Listing Notices 1, 2 or 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
6. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*
7. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
8. Your interest in the future of our environment is greatly appreciated.
9. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT  
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr. G. Nel (Guillaume Nel Environmental Consultants)

Fax: (021) 870 1873

**REGISTERED POST**

Our Ref: HM/ DRAKENSTEIN MUNICIPALITY/PAARL /ERF 13467  
 Case No: 18060515ZK0608E  
 Enquiries: Zethembe Khuluse  
 E-mail: [zethembe.khuluse@westerncape.gov.za](mailto:zethembe.khuluse@westerncape.gov.za)  
 Tel: 021 483 9685  
 Date: 21 June 2018



Drakenstein Municipality  
 P.O Box  
 Paarl  
 7620

**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL**  
 In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape  
 Provincial Gazette 4061, Notice 298 of 2003

**NOTIFICATION OF INTENT TO DEVELOP: PROPOSED ESTABLISHMENT OF A HOUSING DEVELOPMENT PROJECT CONSISTING OF APPROXIMATELY 139 RESIDENTIAL SITES AS PART OF THE UGRADING OF INFORMAL SETTLEMENTS PROGRAMME (UIPS) ON ERF 13467 SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

**CASE NUMBER: 18060515ZK0608E**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 8 June 2018. This matter was discussed at the Heritage Officers meeting held on 19 June 2018.

You are hereby notified that, since there is no reason to believe that the proposed establishment of a housing development consisting of approximately 139 residential sites as part of the upgrading of informal settlements programme (UIPS) on Erf 13467 will not impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

Dr. Mxolisi Dlamuka  
 Chief Executive Officer, Heritage Western Cape

[www.westerncape.gov.za/cas](http://www.westerncape.gov.za/cas)

Street Address: [cas@westerncape.gov.za](mailto:cas@westerncape.gov.za) Postal Address: [cas@westerncape.gov.za](mailto:cas@westerncape.gov.za)  
 Tel: [021 483 9685](tel:0214839685) Email: [cas@westerncape.gov.za](mailto:cas@westerncape.gov.za)  
 Street Address: [cas@westerncape.gov.za](mailto:cas@westerncape.gov.za) Postal Address: [cas@westerncape.gov.za](mailto:cas@westerncape.gov.za)  
 Tel: [021 483 9685](tel:0214839685) Email: [cas@westerncape.gov.za](mailto:cas@westerncape.gov.za)



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 www.drakenstein.gov.za  
 customercare@drakenstein.gov.za  
 Civic Centre, Berg River Boulevard, Paarl 7646

# Memo

**To:** EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE DEPARTMENT  
 (ATTENTION: C. VAN DER BANK)

**From:** ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

**Enquiries:** L. SMITH

**Collaborator number:** 1898427

**Reference number:** 15/4/1 (13467) P (1744)

**Date:** 21 November 2023

**Subject:** APPLICATION FOR CLOSURE OF PUBLIC OPEN SPACE, REZONING AND  
 SUBDIVISION: ERF 13467 PAARL

**Time Limit on Conditions:** These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced ( this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

**NOTE:** This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants

## THE FOLLOWING CONDITIONS WILL APPLY

### 1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors; and
- 1.2 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures.

### 2 STORM WATER

- 2.1 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;

- 2.2 ***Prior to the approval of any building or civil engineering plans, a detailed Stormwater Management Plan must be approved by this department;***
- 2.3 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 2.4 Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event; and
- 2.5 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m<sup>3</sup>/m<sup>2</sup> roof area.

### **3 WATER**

- 3.1 All individual portions must be provided with a separate water connection and a separate water meter to municipal specifications;
- 3.2 All the metered connections must be installed one meter inside the erf boundary of each portion;
- 3.3 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.4 Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **4 WASTEWATER SERVICES**

- 4.1 All individual portions must be provided with a separate wastewater connection;
- 4.2 All the connections must be installed one meter inside the erf boundary of each portion; and
- 4.3 Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **5 SOLID WASTE**

- 5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erven for the removal of such household refuse; and

- 5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out;

## 6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, the Development Charge payable by the developer is **R1,898,270.00 (Excl VAT)**. The levy is valid until **30 June 2024** where after a new calculation is required. The value has been calculated as follows:

- 6.1.1 Water = R421,387.00
- 6.1.2 Sewer = R496,169.00
- 6.1.3 Roads =R774,528.00
- 6.1.4 Stormwater = R180,330.00
- 6.1.5 Solid Waste = R25,856.00

## 7 GENERAL

- 7.1 When any service is to be taken over by Drakenstein Municipality, any damage caused due to the construction of houses or any other construction activity shall be repaired by the Developer. Failure to do so will result in clearances and occupation certificates being withheld and remedial works shall be done by Drakenstein Municipality for the cost of the developer;
- 7.2 The developer is responsible for the payment of a Developers Charge (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;
- 7.3 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.4 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;
- 7.5 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;
- 7.6 The whole of the works shall fall under the control of a single project manager;

- 7.7 The municipality shall be represented at all site meetings for the duration of the construction of the works and to this end timeous notification of such meetings shall be supplied to the Civil Engineering Services Department;
- 7.8 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.9 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and
- 7.10 The above conditions are to be complied with in stages.
- 7.10.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.10.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and
- 7.10.3 Proof of compliance for the requirements associated with long term operations must be available on request.



**LH SMITH**

**ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT**

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LHS/





Description of proposed land use	#REF!



Date Payment Received:  
Receipt Number:





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 www.drakenstein.gov.za  
 records@drakenstein.gov.za  
 Civic Centre, Berg River Boulevard, Paarl 7646

# Memo

<b>To:</b>	Senior Manager: Land Development Management For attention: H Strijdom/C van der Bank/E Cyster
<b>From:</b>	Manager: Planning and Customer Services
<b>Enquiries:</b>	L Laing
<b>Reference number:</b>	13467
<b>Date:</b>	15 October 2022
<b>Subject:</b>	<b>APPLICATION FOR REZONING FROM PUBLIC OPEN SPACE TO SUBDIVISIONAL AREA, SUBDIVISION OF ERF 13467, PAARL INTO NINETY-EIGHT PORTIONS IN ORDER TO FORMALIZE AND CREATE INDIVIDUAL ERVEN FOR RESIDENTIAL PURPOSES</b>

**Time Limit on Conditions:** These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must be submitted for approval by this department.

## 1. INFORMATION REQUIRED/OUTSTANDING

- 1.1. The appointed electrical engineering consultant must provide the Electro-Technical Service Department of a proposed electrical reticulation layout for approval.

## 2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under, on or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty-four-hour access for maintenance purposes.
- 2.1. In the case where existing services crosses the adjacent erven, it will have to be removed or relocated at the cost of the developer, as such that each erf must have its own cable connection from the Street boundary.
- 2.2. The existing overhead infrastructure must be replaced with underground reticulation, prior to the formalization of the residential housing development.
- 2.3. A service level agreement between the municipality and developer or each respective owner of the development must be arranged at Electro-Technical Services Department (Planning and Design division - Chief Engineering Technician).

### 3. GENERAL

- 3.1. An estimated amount of R3 500 000.00 is required to demolish the existing low tension overhead line as well as to install underground reticulation. Please note that the Housing Department must make provision to allocate the above-mentioned budgeted amount as part of their yearly budget. The cost as mentioned above is valid until 30 June 2023 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.2. The developer will be responsible to carry all cost of the electrical installation.
- 3.3. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered, as per agreement between the municipality and the respective property owner.
- 3.4. A private registered electrical engineering consultant as well as an installation electrician shall be used to do all designs, installation(s) and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal by-laws prior to the development.
- 3.5. A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered or as the case may be.
- 3.6. The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully

**L LAING**  
**MANAGER: PLANNING AND CUSTOMER SERVICES**

(I:BEPLAN\_3\Sub\_Divisions\_Rezoning\202223\13467

# Memo

**To:** LAND DEVELOPMENT MANAGEMENT DIVISION  
CORNELIA VAN DER BANK (EXT: x4832)

**From:** SPATIAL PLANNING SUB-SECTION

**Enquiries:** ALEXANDER REHDER (EXT: x4813)

**Collaborator number:** 1898427

**Reference number:** 15/4/1 (13467)P

**Date:** 23 MARCH 2023

**Subject:** APPLICATION FOR CLOSURE OF OPEN SPACE, REZONING TO SUBDIVISIONAL AREA AND SUBDIVISION: ERF 13467, PAARL (CHESTER WILLIAMS)

## RECEIVED APPLICATION ON 15 MARCH 2023

### 1 PROPOSAL

The application on Erf 13467, Paarl entails the following:

- 1.1 Rezoning from Public Open Space to Subdivisional area;
- 1.2 Subdivision of Erf 13467, Paarl into 98 portions in order to formalise and create individual erven for the following purposes:
  - 1.2.1 Conventional Housing for 95 dwelling units (measuring  $\pm 8\,671\text{m}^2$  in extent);
  - 1.2.2 Open Space for two Public Open Spaces (measuring  $\pm 196\text{m}^2$  and  $\pm 9\,451\text{m}^2$  in extent, respectively); and
  - 1.2.3 Transport Zone for a Public Road (measuring  $\pm 3\,853\text{m}$  in extent).

On page 6 of the Application Report (January 2022), it is stated that Drakenstein Municipality is the owner of the subject property, and the application for residential purposes is part of the Municipality's Upgrading of Informal Settlements Programme (UISP).

### 2 EVALUATION

The 2022 Drakenstein SDF is a high level spatial core component of the IDP, and secondly, it does not confer/give rights or take away land use rights but guides and informs decisions to be made by the municipality relating to land development. Therefore, it is important to understand that the SDF is only a guiding document.

**DRAKENSTEIN**

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In terms of the FA1 Paarl: Spatial Framework Map, the subject property is located within the urban edge, and annotated as 'Urban Infill'. On page 72 of the 2022 SDF, 'Urban Infill' is *inter alia* described as follows: 'A key strategy of this SDF is infill development of strategic sites in urban areas. Urban infill is largely focused on achieving higher densities in urban settlements and providing a greater variety of housing options to speed up the delivery process and create more sustainable settlements'.

In terms of the FA1 Paarl: Human Settlements Project Plan, the subject property is annotated as a UISP project site. A spatial intervention under the heading 'Human Settlements' for the Spatial Focus Area (SFA) Paarl states the following: 'Plan and implement the roll out of UISP projects and emergency housing sites'.

### 3 RECOMMENDATION

In view of the above, the development proposal is **supported** from a spatial planning point of view based on the fact that it complies with all relevant spatial planning policy.

A handwritten signature in black ink, appearing to read 'W Hendricks'.

**W HENDRICKS**

**MANAGER: SPATIAL PLANNING HERITAGE AND GIS**