



Enquiries: Riyaz Mowzer  
Contact number: (021) 807-4822  
Reference: 15/4/1 (10545) P  
Date: 21 February 2024

JA

NuPlan Africa Town & Urban Planners  
P.O Box 3603  
**TYGER VALLEY**  
7536

[theo@nuplanafrica.co.za](mailto:theo@nuplanafrica.co.za)

Sir

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

With reference to your above-mentioned application, I have to inform you that the Drakenstein Municipal Planning Tribunal on 16 February 2024 resolved as follows, that:

“1. **Approval** is hereby granted in terms of Section 60(1)(a) of the Drakenstein Bylaw, on Municipal Land Use Planning, 2018 for the following:

- 1.1 1.1 **Closure** of Erf 10545 Paarl as a Public Place;
- 1.2 **Rezoning** of Erf 10545 Paarl from Open Space Zone to Subdivisional Area in order to upgrade an existing informal residential settlement;
- 1.3 **Subdivision** of Erf 10545 Paarl into 177 portions, as indicated on the Rezoning and Subdivision Plan drawn by Nuplan Africa dated 13 November 2023, (**Annexure C**), 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>

2./...

2. *The approvals mentioned in Paragraphs 1.1 -1.3 above be subject to the conditions laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018.*
  - 2.1 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Department referenced 15/4/1 (10545)P (1743) dated 21 November 2023, excluding condition 2.5, (Annexure G);*
  - 2.2 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced Erf 10545 dated 29 July 2022, (Annexure H);*
  - 2.3 *The following conditions from a town planning point of view be applicable:*
    - 2.3.1 *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;*
    - 2.3.2 *Any amendments to the application are subject to the relevant approval;*
    - 2.3.3 *No new buildings are to be erected or existing structures altered without the approval of building plans by Council;*
    - 2.3.4 *The subdivision takes place largely in accordance with the respective subdivision plan (Annexure C);*
  - 2.4 *Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.*
3. *The following will be regarded as the reasons for the decision*
  - 3.1 *The development is considered to be a form of infill development that makes optimal use of urban land;*
  - 3.2 *The property is located within close proximity of available public transportation systems;*
  - 3.3 *The development contributes to a live/work/play environment;*
  - 3.4 *The development will not detract from the character of the area;*
  - 3.5 *The respective departments confirmed that no significant impact on heritage and environmental resources are envisaged;*
  - 3.6 *It has been confirmed that the existing road network, will be able to accommodate the additional traffic;*

- 3.7 *All relevant internal and external departments consented to the application;*
- 3.8 *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);*
- 3.9 *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*
- 3.10 *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.*

Your attention is drawn to 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 date of registration of the letter. This approval is therefore suspended until further notice.

Please also notify (**email or per hand**) the **surrounding property owners** who were notified of the application during the public participation process and **the objectors** of their right of appeal – proof of notification **must** be provided. Should there be any appeals against the decision, the application title (heading) **must** be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

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

Yours faithfully



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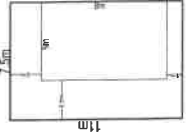
**H. G. STRIJDOM (PR. PLN A/1058/1998)**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**

ZONING	LAND USE	PTN NR	N	AREA (m <sup>2</sup> )	%
Conventional housing	Dwelling house	1 - 170 176 - 178	173	18 760	53
Utility	Sub-station	171	1	4 293	12
Open Space	POS	173,174	2	1 950	5
Transport	Streets	175	1	10 669	30
<b>TOTAL</b>			<b>177</b>	<b>35 672</b>	<b>100</b>

SUBJECT PROPERTY  
ERF 10545

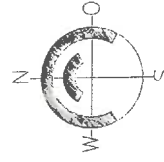
AVERAGE RESIDENTIAL ERF SIZE: 108m<sup>2</sup>

TYPICAL ERF SIZE & UNIT PLACEMENT



Erf size : 82.5m<sup>2</sup>  
Unit size : 40,0m<sup>2</sup>

ANNEXURE C



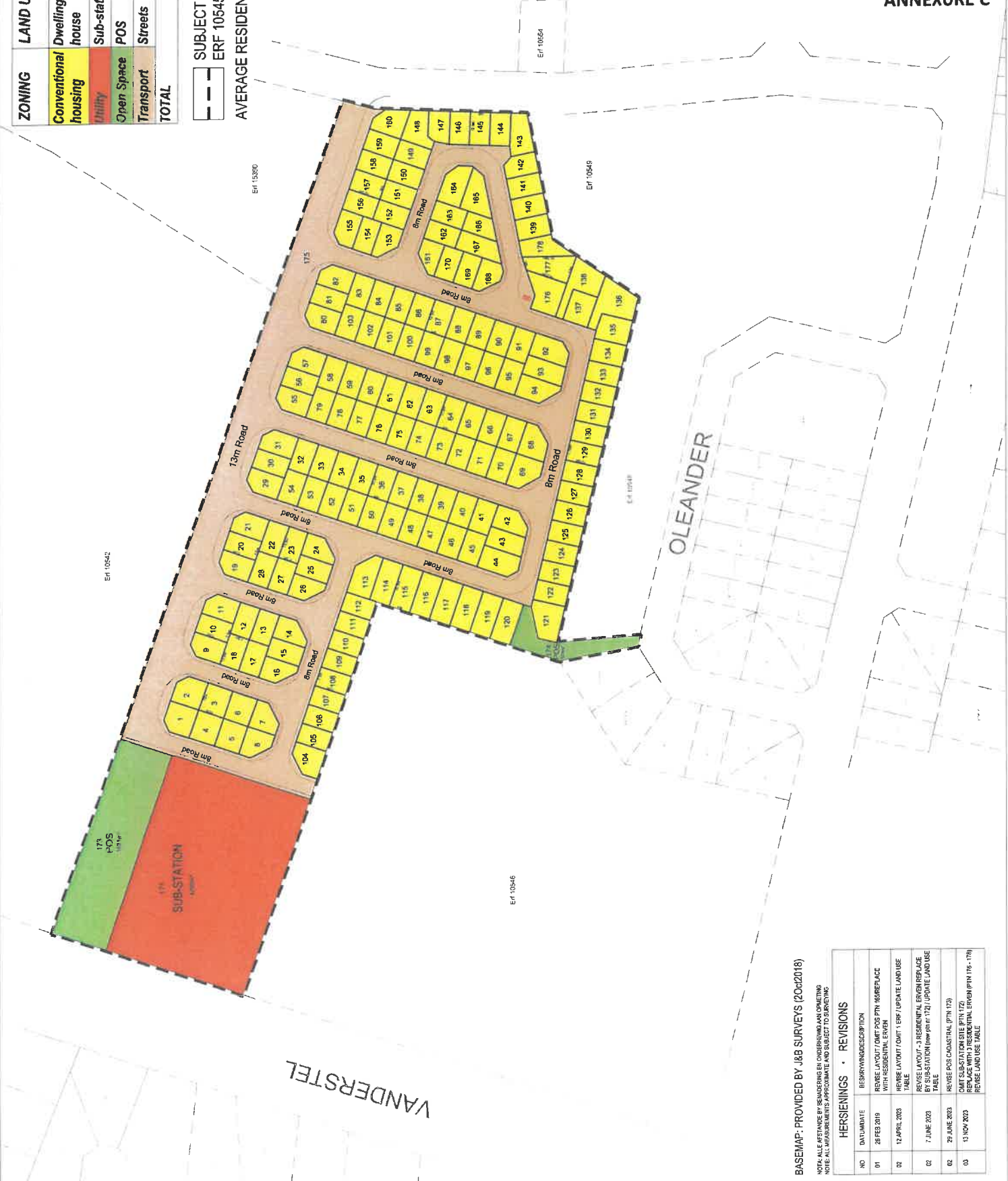
**NAPLAN AFRICA**  
INNOVATIVE PLANNING SOLUTIONS  
18 Bedford Road, Bedfordview, Johannesburg  
011 551 2222, 082 909 1234  
www.naplan.co.za

**PAARL - ERF 10545**  
(Lovers Lane)  
Proposed Rezoning & Subdivision

DATE: 13 Nov 2023  
DRAWN: AV  
SCALE: A3 - 1:1500/A1 1:750  
CORRIGENDUM: 03/2024

**B0015 - Sub\_Erf10545 - 03**

ANNEXURE C



BASEMAP: PROVIDED BY J&B SURVEYS (20c2018)

NOTA: ALLE AFSTANDEN EN OMSCHRIJVINGEN VAN OMSCHRIJVINGEN  
NOTA: ALLE AFSTANDEN EN OMSCHRIJVINGEN VAN OMSCHRIJVINGEN

NO	DATE	REVISIONS
01	26 FEB 2019	REVISION DESCRIPTION REVISE LAYOUT/ OMIT POS PTN 169/REPLACE WITH RESIDENTIAL ERFEN
02	12 APRIL 2023	REVISE LAYOUT/ OMIT 1 ERF / UPDATE LAND USE TABLE
03	7 JUNE 2023	REVISE LAYOUT - 3 RESIDENTIAL ERFEN/REPLACE BY SUB-STATION (new erf nr 172) / UPDATE LAND USE TABLE
04	29 JUNE 2023	REVISE POS CADASTRAL (PTN 173)
05	13 NOV 2023	OMIT SUB-STATION SITE (PTN 172) / REPLACE WITH 3 RESIDENTIAL ERFEN (PTN 176 - 178) / REVISE LAND USE TABLE



**DRAKENSTEIN**  
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA  
Paarl | Wellington | Gouda | Saron | Simondium

+27 21 807 4500 +27 21 872 8054  
www.drakenstein.gov.za  
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 0.02m<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 **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/





New

R 1,455,393 R 1,099,862 R 602,521 R 1,574,007 R 3,153,249

123.90	59.48	2.09	14.47	185.24
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TOTAL

Provide registration application exemptions

DEVELOPMENT CHARGE PER SERVICE

EXEMPTIONS PER SERVICE (%)

VALUE APPLICABLE EXEMPTIONS

DEVELOPMENT CHARGE PER SERVICE WITH EXEMPTIONS

APPLICABLE CREDITS (%)

APPLICABLE CREDITS (R)

TOTAL DEVELOPMENT CHARGE PAYABLE (EXCLUDING VAT)

TOTAL DEVELOPMENT CHARGE PAYABLE (INCLUDING VAT)

P	825,846	R	1,080,142	R	499,471	R	780,249	P	1,153,240
P		P		P		P		P	
R	825,846	R	1,080,142	R	499,471	R	780,249	R	1,153,240

0%

R 01

R 6,340,009

R 951,000

R 7,291,010

TOTAL DEVELOPMENT CHARGE PAYABLE (INCLUDING VAT)

	Sports, Recreation & Parks								
	Public Open Space								
	Single Residential (Low Income)								
	Dwelling house								

Lawrence Smith

21-Nov-23

Application Processed by:

Signature:

Date:

Payment Received (R):




**DRAKENSTEIN**

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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

# 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**

I:\BEPLAN\_3\Sub\_Divisions\_Rezoning\202223\10545