



# DRAKENSTEIN

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Civic Centre, Berg River Boulevard, Paarl 7646

Enquiries: Riyaz Mowzer  
Contact number: (021) 807-4822  
Reference: 15/4/1 (13467) 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 13467 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:

"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 **Closure** of Erf 13467 Paarl as a Public Place;
- 1.2 **Rezoning** of Erf 13467 Paarl from Open Space Zone to Subdivisional Area in order to upgrade an existing informal residential settlement;
- 1.3 **Subdivision** of Erf 13467 Paarl into 95 portions, as indicated on the Rezoning and Subdivision Plan drawn by NuPlan Africa dated 7 June 2023 (**Annexure C**), as follows:

<b>Subdivision of Erf 13467 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	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>

2./...

2. *The approval 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 (13467) P (1744) dated 21 November 2023, excluding condition 2.5, (Annexure I);*
  - 2.2 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 13467 dated 15 October 2022, with condition 3.1 to be taken note of (Annexure J);*
  - 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 be 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 Laid down 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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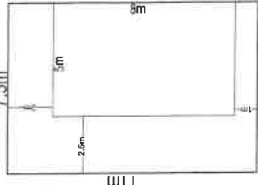
**H. G. STRIJDOM (PR. PLN A/1058/1998)**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**



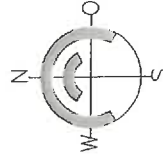
**PAARL - ERF 13467**  
(Chester Williams)  
Proposed Rezoning & Subdivision  
DATE: 7 June 2023  
SCALE: AS-1:1000/1:1500  
DRAWN BY: AV  
CHECKED BY: TS  
PROJECT NO: B0015 - Sub\_Erf 13467 - 01

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>



- SUBJECT PROPERTY ERF 13467
- PORTION OF ERF 13467 FOR DEVELOPMENT (12 720m<sup>2</sup>)
- UNDERGROUND SERVICES TO BE SURVEYED AFTER RELOCATION OF EXISTING DWELLINGS

NOTES: ALL DISTANCES BY DIMENSIONS BY DIMENSIONS ARE GIVEN UNLESS OTHERWISE SPECIFIED.  
NOTE: ALL MEASUREMENTS APPROXIMATE AND SUBJECT TO SURVEYING

HERSIENINGS • REVISIONS		
NO	DATE/TIME	REVISION/DESCRIPTION
01	11 April 2023	Revised layout / land use table
01	7 July 2023	Revised layout / land use table



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# 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/











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# Memo

<b>To:</b>	<b>Senior Manager: Land Development Management</b> <b>For attention: H Strijdom/C van der Bank/E Cyster</b>
<b>From:</b>	<b>Manager: Planning and Customer Services</b>
<b>Enquiries:</b>	<b>L Laing</b>
<b>Reference number:</b>	<b>13467</b>
<b>Date:</b>	<b>15 October 2022</b>
<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