



Enquiries: Riyaaz Mowzer
Contact number: 021 807- 4822
Reference: 15/4/1 (13480) P
Date: 28 February 2025
Col No: 1676855

RM/HK

David Hellig & Abrahamse
Land Surveyors
PO Box 18
PAARL
7622

david@dhaa.co.za

APPLICATION FOR THE CONSOLIDATION, REZONING AND SUBDIVISION: ERVEN 13480 AND 21228 PAARL

With reference to your application, dated 7 August 2020, I have to inform you that the Drakenstein Municipal Planning Tribunal on 23 January 2025 resolved as follows, that:

1. **Approval has been granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following;
 - 1.1 Consolidation of Unregistered Erven 13480 and 21228 Paarl in order to form a single land unit measuring ± 13.0666 ha in extent;
 - 1.2 Rezoning of the consolidated land unit (± 13.0666 ha) from Open Space Zone to Subdivisional Area in order to develop a mixed use residential development with a gross density of 38 dwelling units per hectare;
 - 1.3 Subdivision of the rezoned property (± 13.0666 ha), into 499 portions, as indicated, on the Plan of Subdivision drawn by David Hellig and Abrahamse Land Surveyors (Plan No. 3 Rev 2) dated March-April 2020 (See Annexure C), as follows:

Portion No.	Number of Units	Extent	%	Zoning	Land Use
1-157	157	3.0254 ha	23.15	Conventional Housing Zone	Single Residential
158-493	336	2.5927 ha	19.84	Multi-Unit Housing Zone	Row Houses/Duplexes
494-496	3	2904 m ²	2.22	Mixed Use Zone	Mixed Use
497-498	2	6889 m ²	5.27	Community Use Zone	Community Facilities
499	1	3.5099 ha	26.87	Transport Zone	Public Road
		2.9593 ha	22.65	Open Space Zone	Open Space



Total	499	13.0666 ha	100	
--------------	------------	-------------------	------------	--

2. The approval mentioned in Paragraph 1 above, are subject to the following conditions laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018.

2.1 Compliance with the following general conditions:

- 2.2.1 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;
- 2.1.2 Any amendments to the application be subject to the relevant approval;
- 2.1.3 No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
- 2.1.4 The submission of a detailed site development plan, to the satisfaction of the Manager: Land Use Planning and Surveying before the submission of building plans;
- 2.1.5 The subdivision must takes place largely in accordance with the respective subdivision plan (**See Annexure C**) or amended plan if needs be;
- 2.1.6 Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Division referenced 15/4/1 (13480 & 21228) P (2010) dated 19 January 2021 (**See Annexure N**);
- 2.1.7 Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 13480 & 21228 dated 27 November 2020 (**See Annexure O**);
- 2.1.8 Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Environmental Management Section referenced 15/4/1 (13480) P dated 21 September 2022 (**See Annexure Q**);
- 2.1.9 Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.

- 2.2 Compliance with the following conditions before the registration of the first Erf:
 - 2.2.1 That That the requested 10m building line along the N1 National Road be incorporated into a park erf, together with the construction of an at least 2m high berm, subject to the acceptance thereof by SANRAL. Alternatively that the building line be incorporated into a building restriction servitude in favour of Drakenstein Municipality, together with the construction of an at least 2m high berm that the Manager: Land Development Management be delegated to deal with the afore-mentioned.
3. Compliance with the following condition before the registration of the first erf:
 - 3.1 That an at least 2m high berm be constructed.
4. The applicant must take cognizance of the following:
 - 4.1 The applicant take note of the Environmental Authorisation received from the Department of Environmental Affairs and Development Planning (See Annexure I);
 - 4.2 That the applicant take note of the comments received from Heritage Western Cape (See Annexure J);
 - 4.3 That the applicant take note of the comments received from the South African Roads Agency (SANRAL) (See Annexure K);
 - 4.4 That the applicant take note of the comments received from the Department of Transport and Public Works (See Annexure M).
5. The following be regarded as the reasons for the decision:
 - 5.1 The application properties are situated along a mobility route and is not located in an isolated area as in the case of various other housing developments;
 - 5.2 The proposed development is considered to be a well thought through integrated/sustainable human settlement as opposed to a monofunctional housing development;
 - 5.3 The development is considered to be a form of infill development that makes optimal use of urban land

- 5.4 The development provides for a range of housing typologies aimed at the lower end of the market, an area which has been neglected by the free-market system;
- 5.5 The property is located within close proximity of available public transportation systems;
- 5.6 The proposed development makes provision for both residential and economic opportunities;
- 5.7 The development provides a live/work/play environment;
- 5.8 The development will not detract from the character of the area;
- 5.9 No significant impact on heritage and environmental resources are envisaged, hence why heritage and environmental authorisation has been granted in respect of the proposed development;
- 5.10 It has been confirmed that the existing road network, will be able to accommodate the additional traffic;
- 5.11 All relevant internal and external departments consented to the application;
- 5.12 The properties are identified for housing purposes in terms of terms of the Drakenstein Spatial Development Framework;
- 5.13 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); and
- 5.14 That the contents of the appeal submitted was considered and the application was found to be desirable.

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(2) of the Drakenstein Bylaw on Municipal Land Use Planning 2018, by any person whose rights are affected by the decision of an authorized official, within **21 days** of notification of the decision. 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 (if applicable), of their general right of appeal – proof of notification must be provided. The appeal procedures are set out in Section 80 of the above-mentioned Bylaw (attached).

All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O. Box 1, Paarl, 7622 or on customercare@drakenstein.gov.za.

Yours faithfully



H.G. STRIJDOM

MANAGER: LAND DEVELOPMENT MANAGEMENT

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