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Reference: (15/4/1 -18253) P
Date: 01 August 2025

Cvd Bank/HK

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Sir

APPLICATION FOR THE SUBDIVISION, AMENDMENT OF LAND USE PLANNING APPROVALS AND LAND USE DEPARTURES FOR THE REMAINDER OF ERF 18253 PAARL (DE OUDE RENBAAN RETIREMENT VILLAGE)

I refer to your land use application (collaborator reference 2190466) refers.

1. Provisional approval is hereby granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1 The Subdivision of The Remainder of Erf 18253 Paarl (measuring $\pm 4.0049\text{ha}$), into two (2) portions namely Portion A (measuring $\pm 4571\text{m}^2$) and the Remainder of Erf 18253 Paarl (measuring $\pm 3.55\text{ha}$), as indicated on the Subdivision Plan (**Annexure B**).
 - 1.2 The Amendment of Conditions of Approval for The Remainder of Erf 18253 Paarl to allow for the re-development of Portion A, into a new apartment building complex for 41 sectional title residential units with associated parking bays as indicated on the Site Development Plan for Portion A (**Annexure C**):
 - 1.3 The Permanent Departure from the development parameters applicable for Multi-Unit Housing Zone, for Portion A ($\pm 4571\text{m}^2$) as follows:
 - 1.3.1 The relaxation of the street and common building line restrictions from 5m to 3m for the new apartment buildings.
 - 1.3.2 The relaxation of the relevant building lines for a new swimming pool.

- 1.3.3 The relaxation of the parking ratio from 1.5 parking bays per unit to 1.34 bays per unit.
2. The approvals mentioned above paragraphs shall be subject to the following 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 by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1(18253) P (110) dated 3 February 2024 (**Annexure Q**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro Technical Services Division in its memorandum dated 11 November 2025 (**Annexure R**);
 - 2.3 Adherence to the conditions as set by Land Development Management:
 - 2.3.1 The development shall take place in accordance with the site development plan (**Annexure C**);
 - 2.3.2 Portion A shall be a member of the De Oude Renbaan Homeowners Association to be developed as sectional title units for elderly persons only;
 - 2.3.3 Shared parking on the Remainder of Erf 18253 Paarl, may not be allocated to individual users on an exclusive basis or sold by sectional title to individual unit holders;
 - 2.3.4 Access to and exit from Portion A shall be to the satisfaction of the local authority.
 - 2.3.5 The Developer shall be required to submit the following information for building plan approval:
 - 2.3.5.1 Confirmation whether the property has a borehole.
 - 2.3.5.2 Submission of landscaping and landscape maintenance plans for consideration and to the satisfaction of the Heritage Section.
 - 2.3.5.3 Submission of design and choice of construction materials considered for the new apartment building along the southern boundary of the property to mitigate possible noise impact from the N1 highway.

- 2.3.6 The developer shall ensure that all landscaping measures have been implemented prior to the submission an application for an Occupational Certificate for Portion A;
- 2.3.7 Should noise complaints be received from future residents due to the proximity of Portion A to the N1 Highway, the noise control officer may require the applicant or Body Corporate of Portion A, to undertake a noise impact assessment in accordance with SANS 10328;
- 2.3.8 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council; and
- 2.3.9 Should the applicant fail to comply with any of the above-mentioned conditions of approval, the Council reserves the right to impose further conditions in future if deemed necessary.

3. That the following be regarded as the reasons for the decision:

- 3.1 The application was administrated in terms of the Drakenstein Municipal Land Use Planning Bylaw, 2018 and notification was given to the surrounding property owners and residents of the estate, to submit comments or objections;
- 3.2 All objections received has been recorded, evaluated and considered from a land use planning point of view;
- 3.3 The common property, to be subdivided, represents existing recreational facilities for the De Oude Renbaan Homeowners Association. The said association is a non-profit common law association, and its main objective is to represent the collective mutual interest of the estate. It has control over all buildings, private engineering services and amenities and it submitted a resolution that the majority of its members are in favour of the proposed subdivision and development of apartment units;
- 3.4 The application was circulated to various internal and external departments for comment and consideration. No objections to the proposed subdivision were received and no municipal infrastructure is affected by the proposal;
- 3.5 The proposal for densification within the De Oude Renbaan Estate due to the change in market demand, conforms to the Spatial Planning Principles, SDF, and policies for the area and create a diversification of retirement housing options within the existing retirement village;
- 3.6 The parking ratio departures are supported in terms of Clause 42.13 of the Zoning Scheme Bylaw, 2018, which states that two land uses can share a common parking area. Fifty-five (55) on-site parking bays will be provided. Four (4) off-site visitor's parking bays will be provided within the common area

of the Remainder of Erf 18253 Paarl in front of the De Oude Renbaan Clubhouse as indicated on the Site Development Plan. A shortfall of 3 parking bays is departed in terms of the mentioned Zoning Scheme Bylaw condition for shared parking in a common area; and

- 3.7 The relaxation of the building line parameter from 5m to 3m is supported as indicated on the Site Development Plan seeing that distance of ± 5.5 distance will be maintained between the existing dwelling units and the proposed apartment building. No boundary or fence is proposed between the existing dwelling units and the proposed apartment building, and the common area in between will be landscaped as proposed.

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** of notification of decision.

The applicant shall be required to notify (**by email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **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



H. G. STRIJDOM (PR. PLN A/1058/1998)
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, Henk Strijdom, henks@drakenstein.gov.za