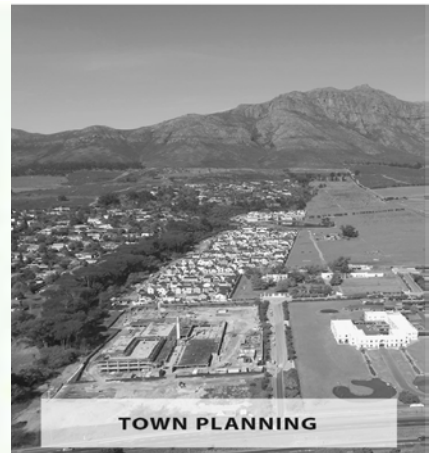


# APPLICATION FOR: SUBDIVISION & REZONING

Erf 8442, Paarl



Date: 10 June 2025

Our ref: 3688-P

**REVISION 1**

Enquiries: Mr. T. Walters

# **APPLICATION FOR: SUBDIVISION, REZONING**

**Erf 8442, Paarl**

*Prepared on behalf of:*

Frater De Leeuw (Pty)Ltd



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4. Electrical Services Report (kls Consulting Engineers, Revision 3 – January 2025)
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6. NEMA EIA BAR: 03 February 2025 (GNEC Environmental Consultants)
7. Landscape Design Guidelines (Planning Partners, Revision C – October 2024)
8. Urban Design Motivation Report (Urbantexture / GEO Architects Co-Lab (Version 7 – 25 October 2024)
9. Architectural Design Guidelines (Architech, Revision 0 – June 2025)
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## SECTION A

This Section sets out the application made in terms of the relevant Sections of the Drakenstein Municipality By-Law on Municipal Land Use Planning (2018).

### 1. THE APPLICATION

**In respect of Erf 8442, Paarl, Western Cape, the following land use planning applications are hereby made in order to obtain planning approval for the proposed *Frater Residential Estate Development*:**

- 1.1 Application i.t.o Section 15(2)(d) of the Drakenstein By-Law on Municipal Land Use Planning, 2018 for the subdivision of Erf 8442 into three portions, being Portion A equating to approximately  $\pm 33$ ha, Portion B equating to approximately  $\pm 48$ ha and Portion C equating to approximately  $\pm 0.06$ ha, as indicated on Subdivision Plan No 2 attached hereto.
- 1.2 Application i.t.o Section 15(2)(a) of the Drakenstein By-Law on Municipal Land Use Planning, 2018 for the rezoning of subdivided Portion C ( $\pm 0.06$ ha) from Agriculture Zone to Utility Zone for Electrical Substation purposes.
- 1.3 Application i.t.o Section 15(2)(a) of the Drakenstein By-Law in Municipal Land Use Planning, 2018 for the Rezoning of subdivided Portion A ( $\pm 32.40$ ha) from Agricultural Zone to Subdivisional Area in order to establish a secure residential development with a gross density of  $\pm 21$ u/ha as indicated on the Subdivision Plan No 3 consisting of the following Zonings:
  - i. Conventional Housing Zone;
  - ii. Multi-Unit Housing Zone even for Apartment Buildings (Apartments / Flats) purposes;
  - iii. Neighbourhood Business Zone even for Estate Facilities, Creche (Place of Instruction), Clubhouse (Place of Assembly), Offices (Business), Coffee Shop (Business) and Gymnasium (Business) purposes.
  - iv. Open Space Zone Erven for Private Open Space purposes; and

- v. Transport Zone Erven for Private Roads and Gatehouse; Refuse Area and Public Road purposes.
- 1.4** Application i.t.o Section 15(2)(d) of the Drakenstein By-Law on Municipal Land Use Planning, 2018 for the subdivision of the rezoned Subdivided Portion A ( $\pm 32.40\text{ha}$ ), so as to allow for the following land uses, as depicted on the Subdivision Plan No 3 into;

  - i. 433 Conventional Housing Zone Erven;
  - ii. 2 Multi-Unit Housing Erven for Apartment Building purposes consisting of 222 units (Apartments; Flats)
  - iii. 2 Neighbourhood Business Zone Erven for Estate Facility purposes; Creche (Place of Instruction); Clubhouse (Place of Assembly); Offices (Business); Coffee Shop (Business) and Gymnasium (Business) purposes.
  - iv. 17 Open Space Erven for Private Open Space purposes;
  - v. 5 Transport Zone Erven for Private Road and Gatehouses purposes.
  - vi. 1 Transport Zone Erf for Refuse Area purposes;
  - vii. 1 Transport Zone Erf for Public Road purposes
- 1.5** Permission in terms of Section 17(1) of the Drakenstein Zoning Scheme By-Law (2018) to permit Parking bays within 10m from the street boundary on Erven Zoned as Neighbourhood Business Zone (proposed subdivided Erven 436 and 437).
- 1.6** Approval for the Phasing of the development into five (5) Phases as depicted on the Phasing Plan No 4 attached hereto.
- 1.7** Approval of the Street Names- and Numbering as depicted on the attached Street Naming- and Numbering Plan No 5.
- 1.8** Application in terms of Section 15(2)(d) of the Drakenstein By-Law on Municipal Land Use Planning, 2018 for the registration of a No Building Restriction Area servitude aligned along the 1:100-year flood line of the Van Wyks River and the Estate Boundary Fence Alignment as depicted on the Building Area Servitude Plan No 7.

- 1.9** Application in terms of Section 24(1)(f) of the Drakenstein By-Law on Municipal Land Use Planning, 2018 for the registration of the following Services and access Servitudes as depicted on the Servitudes Plan No 6:
- 1.9.1** 3m wide Municipal Services (Sewer) servitude to be registered over Subdivided Portion B in favour of the Drakenstein Municipality to serve as a link service in favour subdivided Portion A, depicted as Servitude No 1 on Plan No 6.
- 1.9.2** 6m Wide Municipal Services servitude (electrical- and watermain) to be registered over subdivided Portion B in favour of the Drakenstein Municipality to serve as link services in favour of subdivided Portion A, depicted as Servitude No 2 on Plan No 6.
- 1.9.3** Servitude Right of Way access over subdivided Portion B and Erf 31912 in favour of Drakenstein Municipality for access purposes to proposed subdivided Portion C (Electrical Substation), depicted as Servitude No 3 on Plan No 6.
- 1.9.4** Existing Right of Way Servitude area (K609/2015) over Erf 31912 to be expanded to include Municipal link services (water- and electricity link services) and access Right of Way in favour of Drakenstein Municipality for access purposes to Portion C (electrical substation), depicted as Servitude No 4 on Plan No 6.
- 1.9.5** 3m Wide Municipal Services Servitude (watermain) to be registered over subdivided Portion B in favour of the Drakenstein Municipality to connect the internal water reticulation network of Subdivided Portion A with the Municipal water supply in Frater street, depicted as Servitude No 5 on Plan No 6
- 1.9.6** 2m Wide Municipal Services Servitude to accommodate the realignment of an existing stormwater drainage servitude, depicted as Servitude No 6 on Plan No 6
- 1.10** Approval of the *Architectural Guidelines* prepared by Architech (Rev. 0-June 2025) attached hereto as Specialist Report No 9.
- 1.11** Approval of the *Landscaping Design Guidelines* prepared by Planning Partners (Pty)Ltd, attached hereto as Specialist Report No 7.
- 1.12** Approval for the Residential Estate to be known as *Frater Estate*.
- 1.13** Approval of the *Site Development Plan* attached hereto as Specialist Report No 11 prepared by Architech.

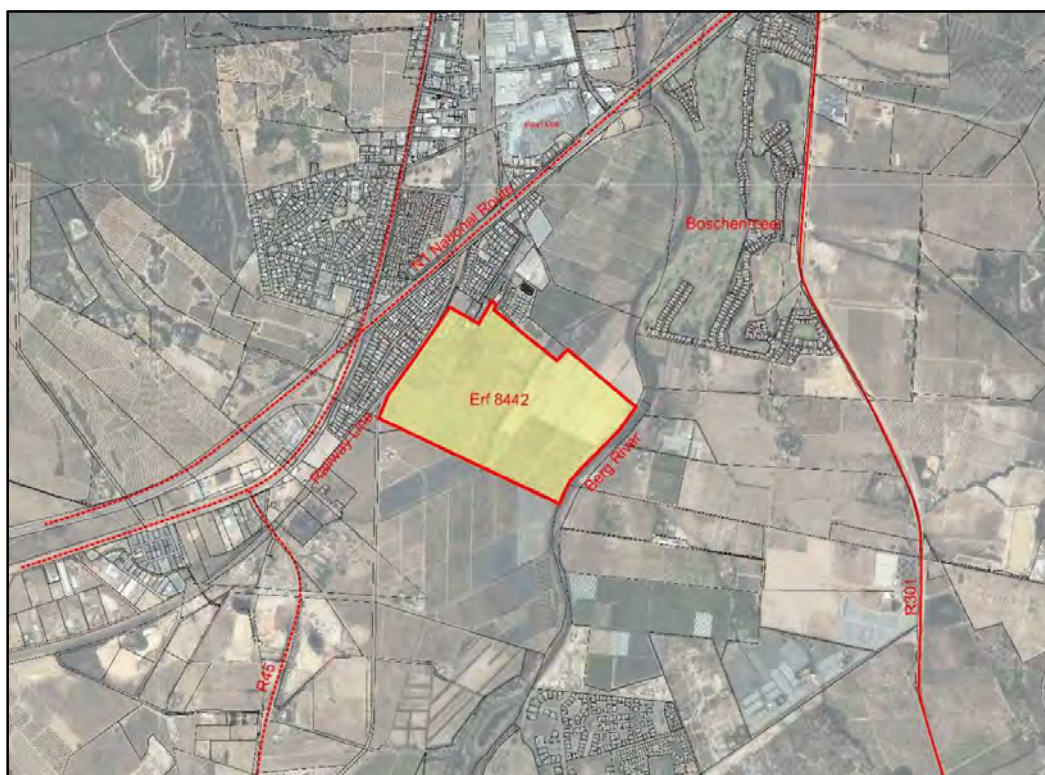
## SECTION B

This section provides a description of the local surrounding environmental context, legislative and policy planning context as well as the relevant property information for the application property which constitutes the application area in question.

### 2. LOCAL CONTEXT AND PROPERTY INFORMATION

#### 2.1 Broad and Locality (Plan No.1 and 2)

The application property falls within the Drakenstein Municipal jurisdiction and is situated approximately 4km South of the Paarl CBD, 1000m South of Paarl Mall, and adjacent to De Zoete Inval suburb. The Berg River represents the eastern boundary of the subject property. As depicted on the respective Broad and Local Locality Plans attached hereto, the application property is located between the De Zoete Inval suburb to the west and the Berg River to the east.



**Figure 1:** Subject Property Locality



## 2.2 Property description, ownership, and extent

The application property consists of Remainder of Erf 8442 as listed in **Table 1** below.

Details relating to the description, ownership, and size of the application property are provided in **Table 1** below.

The application property is currently registered in the name of Frater Deleeuw Proprietary Limited Trust., and depicted on SG Diagram No 2536/1860. A copies of the relevant Title Deed, and Surveyor- General Diagram are attached hereto to as **Annexures A and B respectively**.

The registered property owner signed a Company Resolution and Special Power of Attorney which authorises TV3 Architects and Town Planners (Pty) Ltd to submit the application on their behalf, a copy of which is attached hereto as **Annexure C**.

Property Description	Registered Owner	Deed of Transfer No.	Size
Remainder of Erf 8442, Paarl	Frater DeLeeuw Pty Ltd	T33981/2024	78,9282ha

**Table 1:** Application Property Details

## 2.3 Mortgage Bonds, Conditions of Title, and Servitudes

### 2.3.1 Mortgage Bonds

The property inquiry details search indicates 36 respective Mortgage Bonds are registered against the application property. The respective Mortgage Holders are indicated in the Title Deed attached hereto as **Annexure A**.

### 2.3.2 Conditions of Title

A Conveyancer Certificate has been duly prepared by DKVG Attorneys for the application property. The certificate confirms that there are no identified conditions of title which prohibits the proposed rezoning and subdivision for the purposes as intended in this application proposal. A copy of the relevant Conveyancer Certificate is attached hereto as **Annexure D**.

### 2.3.3 Servitudes

The property is subject to the following existing servitudes as indicated on the Surveyor General Plan No 2536/1860 attached hereto as Annexure B:

- Stormwater drain servitude ( $\pm 1,88\text{m}$  wide) as indicated on SG No 6592/1952. The alignment of the existing stormwater drain servitude is to be amended as indicated on Plan No 6 in order to accommodate the development area.
- A servitude pipeline area 2m wide and a servitude area as indicated on SG No 4290/1995. The proposed development does not impact on the servitude.
- A Sewer Servitude pipeline of 8m wide and 10m wide respectively as indicated on SG No 100/2021. The proposed development does not impact on the servitude.

The above servitudes are indicated on the SG Diagram as well as the relevant servitude diagrams attached hereto as **Annexure B**.

The servitudes in question will either be accommodated within the proposed subdivision layout or alternatively will be cancelled if no longer required.

## 3. EXISTING ZONING, LAND USE AND POLICY CONTEXT

### 3.1 Existing Zoning

The application property is currently zoned as Agricultural Zone in terms of the Drakenstein Zoning Scheme By-Law as indicated in Figure 2 below.

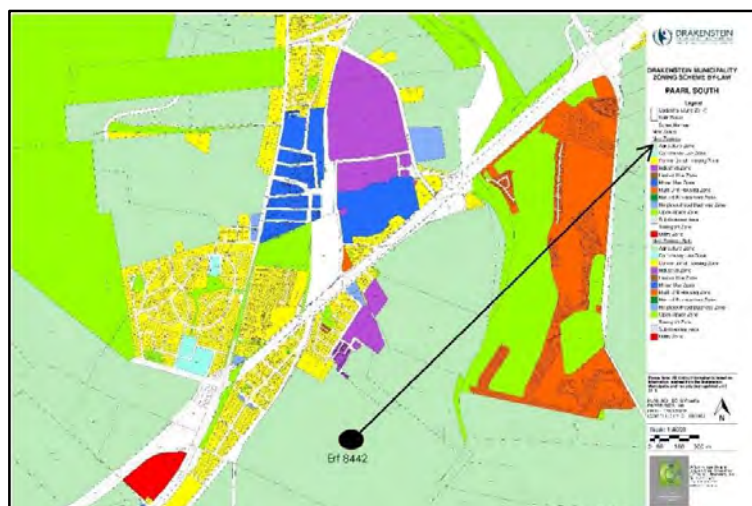


Figure 2: Zoning Scheme By-Law Extract

### **3.2 Existing and Surrounding Land Uses (Plan No. 1 & 2)**

The application property as depicted on the Locality Plan (Plan No. 1) attached hereto, is located between the Berg River and the established De Zoete Inval residential neighbourhood which is located parallel to the N1 National Road. The application property borders the Berg River to the east and De Zoete Inval to the west. To the North the property borders an established residential development forming part of the wider De Zoete Inval residential suburb.

The property is deemed to be zoned for agriculture purposes of which the portion between the Van Wyks- and Berg River is currently cultivated. The portion to the west of the Van Wyks River is partly cultivated with the largest tract of land being vacant. The homestead and agricultural buildings/ structures are located on the northern portion of the property.

It is deemed that the that the proposed subdivision and rezoning of the application property is compatible and consistent with the existing surrounding development character as well as the future development proposals and MSDF land use designations as set out in the 2024 adopted Drakenstein MSDF.

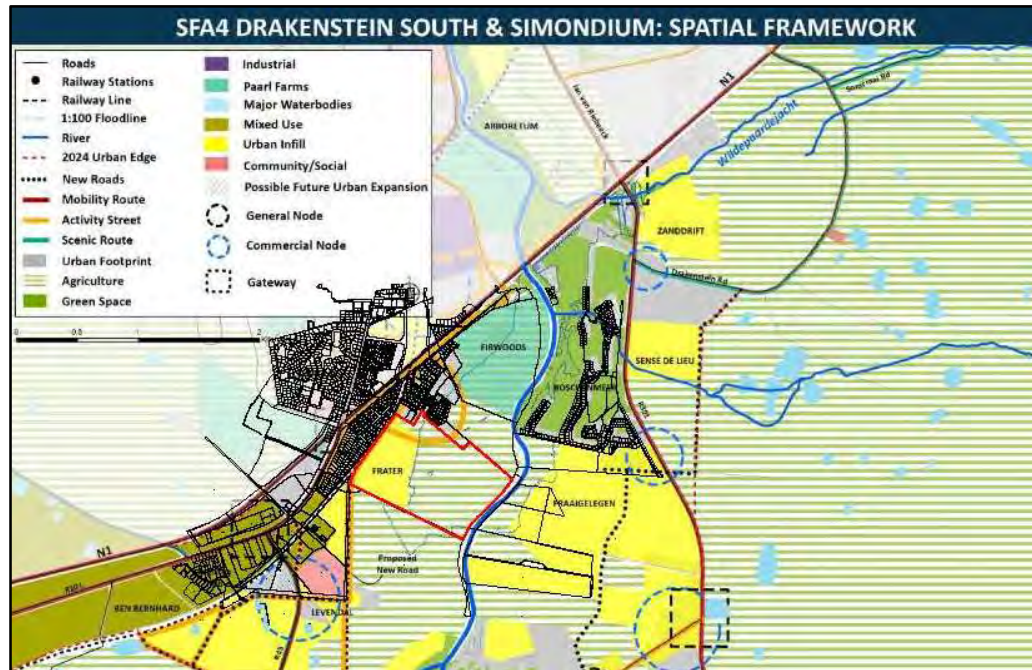
### **3.3 Drakenstein 2024 Approved MSDF Context (Plan No. 1)**

The application property is included within the 2024 approved Drakenstein MSDF urban edge and is accordingly specifically designated for Urban Infill and Agriculture purposes inside the urban edge (Spatial Focus Area 4- Drakenstein South), as depicted in Figure 3 below.

The function of the Focus Area is centred around low-density residential development, of which future development should focus on an efficient and integrated urban structure, inclusive of a variety of housing typologies with well -connected open spaces that caters for different income groups.

The specific designation by definition acknowledges that development pressure can be expected in respect of some properties located within this specific MSDF designation

and accordingly, development can be considered subject to specific development guidelines.



**Figure 3:** Spatial Development Framework (2024) extract: SFA4 -Spatial Framework

Drakenstein Municipality (Spatial Planning) confirmed that Erf 8442 is located within the urban edge, as per the Drakenstein Spatial Development Framework (2020), of which the north-western portion is earmarked for Urban Infill whilst the south-eastern portion was earmarked for the then “Peri-Urban Farming”. The Spatial Elements have subsequently been amended, with specific reference to the Peri-Urban Farming designation which has been duly amended as per the current adopted Drakenstein Spatial Development Framework, May 2024, depicted in **Figure 3** above. Also attached hereto as **Plan No 1**, the subject property is indicated with regard to the SDF designation.

A copy of the Drakenstein Municipal Letter confirming the SDF designation of the subject property is attached hereto as **Annexure F**.

In the above regard the subject property is located within the South City- and N1 Corridor catalytic zones respectively, as designated within the adopted Drakenstein 2024 MSDF. The property is accordingly located in an area that is considered to experience development pressure going forward and development can therefore be

considered subject to specific development guidelines. The development proposal also provides for the retention of approximately 48 ha of agricultural land which aligns with the provisions of the MSDF designation, whilst also providing for appropriate future urban development.

### 3.3.1 Spatial Elements

As indicated in Section 3.3 above, the subject property is located within Spatial Focus Area 4 (Drakenstein South), and designated as follow:

Urban Infill: Includes all urban land uses, excluding “industrial”.

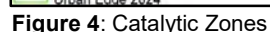
Agriculture (Inside the Urban Edge): Agricultural areas that are identified within the urban edge, where development pressure could be expected, and be accommodated with development guidelines for areas with significant rural character and landscape value – especially when these areas are within areas of high botanical, heritage, cultural and scenic value within the urban edge.

- General Guidelines for development include (inter alia):
  - Appropriate treatment of interfaces, heights, form of development and intensity (reinforce rural landscape) including conforming to local vernacular in terms of scale, form and design;
  - Development to comprise of natural/ scenic/ cultural compatible land uses informed transformation thresholds.

### 3.3.2 Spatial Priority Areas

The subject property is included within the Spatial Priority Area of the N1 Corridor- and the South City Corridors and corresponds to the Catalytic Zones. The SPA's are intra-municipal areas of spatial and economic activity.

**Figure 4** below indicates the location of the subject property with regard to the Catalytic Zones.



The SDF is based on seven identified themes, providing overall spatial guidance, which themes are:

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- *Promoting Agriculture and Rural Development*
  - The portion of the subject property earmarked as Urban Infill is subject to this application, with the remainder of the property that will be retained for agricultural purposes equating to approximately 48ha.
- *Protecting and Promoting Heritage and Cultural Landscapes*
  - As part of the Environmental Process, a Heritage Impact Assessment was prepared and duly submitted to the Controlling Authority.
  - The Final Response from Heritage Western Cape in response to the HIA is attached hereto as **Annexure E**.
- *Reinforcing the Hierarchy of Settlements and Promoting Rural-Urban Connectivity*
  - The proposed development supports the SDF indication of a portion of the property for urban infill purposes, which is supportive of rural-urban connectivity and sustainable growth of the Drakenstein South area which is viewed as a secondary node. The towns of Paarl, Mbekweni, Wellington and Drakenstein South form an elongated shaped conurbation and together these towns and Drakenstein South form the urban core of the Municipality.
- *Promoting Connectivity, mobility and logistics Corridor*
  - *This theme serves to promote the Municipal area as a regional growth node through the strengthening of its position within the region. The proposed development, would require a new Class 3 road as depicted in the Transport Impact Assessment, which stems from the R45 upgrading project.*
- *Promoting Spatial transformation towards resilient, inclusive, smart and sustainable settlements.*
  - It is deemed that the proposed development on the urban infill portion of the property is supportive in creating a conducive environment for the smart growth of Drakenstein South area, in accordance with the function thereof within the nodal hierarchy.

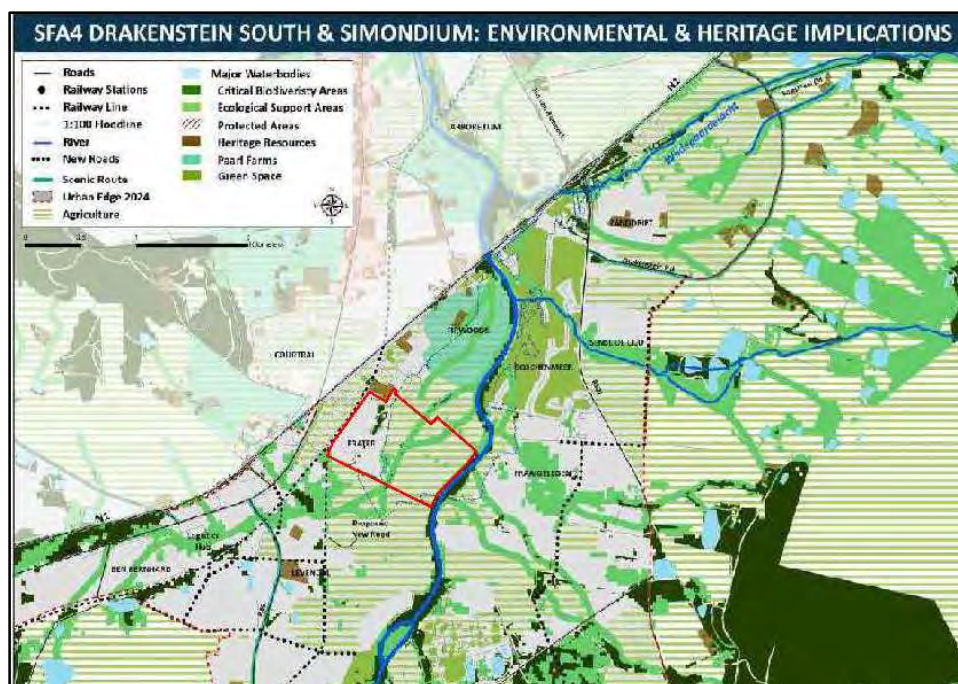


Figure 5: SFA4: Environmental & Heritage Implications (SDF Extract)

In addition to the above MSDF alignment confirmation:

- The development focus is aligned with the maintaining of the natural, scenic and agricultural assets, as depicted in the various Specialist Studies that have been undertaken in order to inform the final development proposal.
- The application property is located within the Heritage Area: Berg River Corridor as indicated on Map3.3 (DMSDF- 2024), which has been addressed and assessed by means of the detailed Heritage Impact Assessment that was prepared and duly submitted to the Controlling Authority.
- In terms of the approved Drakenstein Mountain Slopes Policy the application property is not situated in a visually sensitive area; However, Heritage Sensitivity is indicated for the properties bordering the subject property to the north, being Erven 31911, 31912 and RE Erf 2944.

In view of the above considerations the proposed development application is considered to be duly aligned with the provisions of the approved Drakenstein 2024 MSDF and related planning policies.



### 3.4 Drakenstein Environmental Management Framework (EMF, 2022)

The Drakenstein EMF (2022) informs the SDF since environmental resources are fundamental to development planning or determining how land should be used.

The EMF recognises that there are important natural resources that need to be retained in order to provide for the needs and ensure the health and well being of people in the Municipality over the long term.

The subject property is deemed to be located within the category of Control Development.

The category, is based on resources that fulfil a supportive role on maintaining natural resources. Controlled development would be allowed within the specific Environmental Management Zone, thereby reducing the need for development in more vulnerable receiving environments.

As indicated below the, the proposed development is subject to Authorisation from the Department of Environmental Affairs and Development Planning. In this regard GNEC Environmental Consultants are currently in process with an extensive Environmental Application, which includes an array of Specialist Input which was used in order to inform the Development Proposal accordingly.

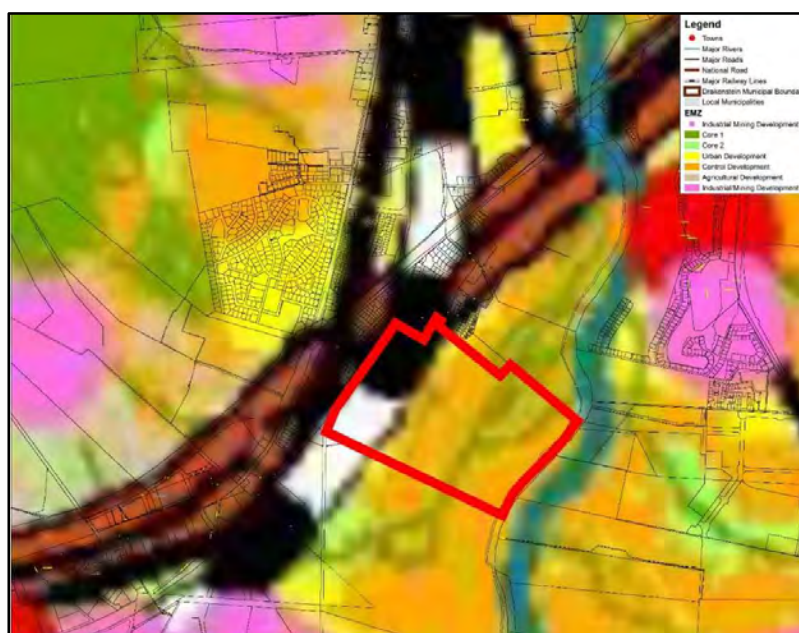


Figure 6: Extract [Drakenstein Environmental Framework, 2022]

### 3.5 Other legal application requirements

The application has been assessed in terms of the applicability of the following additional legal application requirements:

#### 3.5.1 NEMA EIA Regulations

The development proposal is subject to a NEMA Basic Assessment application process in terms of the National Environmental Management Act (NEMA), 1998 (Act No 107 of 1998) EIA Regulations (2014, as amended). To this effect Guillaume Nel Environmental Consultants (GNEC) are in process in finalising the Basic Assessment Application Report to be submitted to the Department of Environmental Affairs and Development Planning for a decision to be made.

A copy of the final BAR submission to DEA&DP is attached hereto as **Specialist Report No 6**.

#### 3.5.2 Heritage Resources Section 38

The application was subject to the provisions of Section 38 of the Heritage Resources Act. Accordingly, a full HIA was conducted by Cindy Postlethwayt Heritage Practitioner and submitted to Heritage Western Cape (HWC). A copy of the final report submission to HWC is attached hereto as **Specialist Report No. 5**.

The HIA concluded in a formal Heritage Authorisation dated 05 February 2025, being issued by HWC. A copy of the Heritage Western Cape decision in this regard is attached hereto as part of **Annexure E**.

#### 3.5.3 Act 70 of 1970 Subdivision of Agricultural Land Act.

The application is subject to the provisions of Act 70 of 1970 which regulates the subdivision of agricultural land. Accordingly, the application proposal has been submitted to the Western Cape Provincial Department of Agriculture as well as the National Department of Agriculture Land Reform and Rural Development (DALRRD) Rural as the relevant authorising authority for their comment.

In response to the above submissions the Western Cape Provincial Department of Agriculture supported the exemption from the provisions of Act 70 of 1970 of the North-Western area from the provisions of SALA, and indicated that the south-eastern portion be retained as a single agricultural land unit, as per their letter dated 13 November 2020.

The DALRRD in turn confirmed that they grant exemption of the application property from the provisions of Act 70 of 1970 as per their letter dated 14 June 2021.

Copies of the abovementioned correspondence are attached hereto as part of **Annexure E**.

#### **3.5.4 Act 36 of 1998, National Water Act (NWA).**

An application for a Water Use Licence in terms of Section 21(c) and (i) of the National Water Act, has been applied for.

#### **3.5.5 Drakenstein Street Naming and Numbering Requirements**

The application is subject to the Drakenstein Planning By-Law requirements for street naming and numbering.

The proposed street names and numbers are depicted on **Plan No. 5** attached hereto.

#### **3.5.6 Drakenstein Pre-Application Requirements**

The application is subject to the Drakenstein Municipal Planning By-Law Pre-Application requirements. A pre-application meeting was held with Messrs Strijdom and Meyer from the Land Development Management Directorate on 13 March 2025.

As part of the respective concurrent application processes (Environmental Application and Heritage Impact Assessment), various Municipal Departments have been approached and provided comment thereon. As part of the Environmental process conducted comments and input was received from the Spatial-, Heritage- and Engineering Directorates of the Drakenstein Municipality.

## SECTION C

This section provides a description of the Development Proposal being applied for. In turn the design rationale for the development is set out and motivated in terms of the underpinning Architectural Guidelines and Landscaping Plan documents attached hereto. The latter has in turn been informed by the prevalent site informants as set out in Section 4.15 below. The proposed subdivision layout, design framework and guidelines have also been informed by the findings and recommendations which emanate from the relevant **Specialist Reports**, the findings and recommendations of which are summarised under **Section D** of this application document.

### 4. THE DEVELOPMENT PROPOSAL

This section provides for a description of the Development Proposal being applied for. The design rationale is set out and motivated in terms of the following underpinning Guidelines:

- *Concept Site Plan,*
- *Landscape Plan,*
- *Urban Design Report and*
- *Architectural Design Guidelines.*

These sets of guidelines have been informed by the prevalent site informants as depicted below and in Section 4.15. The proposed design framework and guidelines have also been informed by the findings and recommendations which emanates from the various Specialist Reports, amongst others conducted as part of the NEMA and Heritage assessment processes respectively. The relevant findings and recommendations emanating from the various Specialist Reports are summarised in Section D.

The proposed *Frater Estate* in essence proposes the establishment of a secured residential estate comprised of an agricultural remainder and 655 residential units, as depicted on **Plan No. 3** attached hereto. The proposed development has undergone various revisions, which has resulted in the reduction of residential units, removal of residential units on the eastern boundary, and south of the farm complex in order to

open up the view corridor; restricting the height of the residential units around the existing Frater farm complex and boundary adjoining the rural landscape.

Building heights are designed in such a manner to soften agricultural / rural boundaries on the South-West and North-West with restricted heights of residential units. and along the agricultural boundary on the South-West and North-West of the application area. In order to retain the agricultural / rural look and feel a range of residential typologies are proposed decreasing densities and height restrictions surrounded by an expansive open space system, reflecting conventional residential erven and residential apartments to extensive single residential gentlemen's estates erven bordering on to the agricultural remainder to be retained for agricultural purposes, of which the latter constitutes approximately 60% of the subject property.

The specific planning application approach to the establishment of the secured residential estate is set out in the paragraphs below.

#### 4.1 Erf 8442 Subdivision Plan

The development proposal as first step entails the subdivision of Remainder Erf 8442, Paarl into;

- a. **Portion A** (Subdivisional Area) for Urban Development Purposes equating to approximately  $\pm 32.38$ ha in extent;
- b. **Portion B** (remainder of Remainder Erf 8442) to be retained as Agriculture equating to approximately  $\pm 48.37$ ha in extent; and
- c. **Portion C** (Utility Service) to be used for Electrical substation purposes equating to approximately 0.06ha in extent.

The above subdivisions are indicated on the *Plan of Subdivision No 2* attached hereto, and indicated in Table 2 below.

Portion	Land Use	Zoning	No of Erven	$\pm$ Area (ha)	%
A	Urban Development	Subdivisional Area	1	32.38	40
B	Agriculture	Agriculture	1	47.65	60
C	Electrical Substation	Utility	1	0.06	0
TOTAL			3	80.81	100

**Table 2:** Frater Estate: Proposed Subdivision of Erf 8442: Land Use Development Schedule

## 4.2 Rezoning of Subdivided Portion C

The proposed subdivided Portion C ( $\pm 0.06$ ha) be rezoned from Agriculture to Utility Zone for Electrical Substation purposes as indicated on Plan No 2.

## 4.3 Subdivision and Rezoning (Subdivisional Area)

Following the Subdivision of the subject property into three portions, *Subdivided Portion A be rezoned to Subdivisional area, and subsequent subdivision thereof in order to establish the secure Frater Residential Estate* with a gross density of  $\pm 21$  units per hectare consisting of:

- 433 Conventional Housing Zone Erven;
  - For Dwelling House Purposes.
- 2 Multi-Unit Housing Erven for Apartment Building purposes;
  - Each Apartment Building consisting of 3 storeys to accommodate a total of 222 residential Flats / Apartments.
- 2 Neighbourhood Business Zone Erven;
  - To accommodate the following Estate Facilities as follow:
  - Estate Facilities;
  - Place of Instruction for Creche purposes;
  - Place of Assembly for Clubhouse purposes;
  - Business purposes consisting of Offices; Coffee Shop and Gymnasium.
- 17 Open Space Zone Erven;
  - For Private Open Space purposes;
- 5 Transport Zone Erven;
  - For the use thereof as Internal Private Roads and to accommodate the Gatehouse / Entrance/ Security;

- 1 Transport Zone Erf:
  - To accommodate the Estate Refuse Area.
- 1 Transport Zone Erf:
  - For Public Road purposes.

The resulting detailed development parameters (zoning and subdivision) for the proposed subdivision of the Subdivisional Area (Portion A) is depicted in **Table 3** (Zoning and Land Use Development Schedule) below, as reflected on the Plan of Subdivision No 3 attached hereto.

#### 4.4 Erf 8442 Development Schedule

The details of the various zonings and land uses that comprises the Frater Estate is set out in **Table 3** below, with regard to the Subdivided Portion A of Remainder Erf 8442:

ZONING AND LAND USE DEVELOPMENT SCHEDULE (PLAN NO 3)								
ERF NO	LAND USE	ZONING	NO OF ERVEN	RESIDENTIAL UNITS	Nett Density (u/ha)	Gross Density (u/ha)	± AREA (ha)	%
1 - 24	Gentleman's Estates / Dwelling House	Conventional Housing Zone	24	24	5.1	21/ha	4.7	14.5
25 - 433	Dwelling House	Conventional Housing Zone	409	409	33.0		12.4	38.3
434 - 435	Apartment Buildings (Apartments / Flats -3 storey)	Multi-Unit Housing Zone	2	222	97.0		2.3	7.1
436 - 437	Estate Facilities; Creche (Place of Instruction); Clubhouse (Place of Assembly); Offices (Business); Coffee Shop (Business) and Gymnasium (Business).	Community Use Zone	2				0.6	1.8
438 - 454	Private Open Space	Open Space Zone	17				5.2	16.0
455 - 459	Private Road & Gatehouse	Transport Zone	5				6.1	18.8
460	Refuse Area	Transport Zone	1				0.1	0.3
461	Public Road	Transport Zone	1				1.1	3.4
TOTAL			461	655	33.0	21.0	32.4	100

**Table 3:** Frater Estate Portion A Zoning and Land Use Development Schedule

#### 4.5 Concept Site Development Plan

A Concept Site Development Plan (SDP) for the Frater Estate development was prepared by ARCHITECH, a copy of which is attached hereto as ***Specialist Report No 11***.

The purpose of the Concept SDP is to set out the main land use components that will form part of the development as well as the associated open space system.

The Concept SDP, depicts the strategically organised building heights, ranging from single storey to three storey structures, and to soften the agricultural/ rural boundaries to the South-West and North-West. Three-storey walk-ups are strategically placed along the railway edge and at the entrance of the subject property where there is no agricultural/ rural setting. These apartments are surrounded by expansive gardens. Branching off the main central spine, tree shaded laneways provide convenient pathways throughout the development.

#### 4.6 Internal Roads and Parking

The design philosophy of the development, careful consideration has been given to the road network. A new access road (Public Road) has been proposed via a roundabout along the new Class 3 road connection linking the R45 and New Eskdale Street.

The above Public Road is proposed to be aligned crossing Farm No 1312, to the south of the subject property, and has been designed to connect the development to the local area, ensuring convenient transportation links.

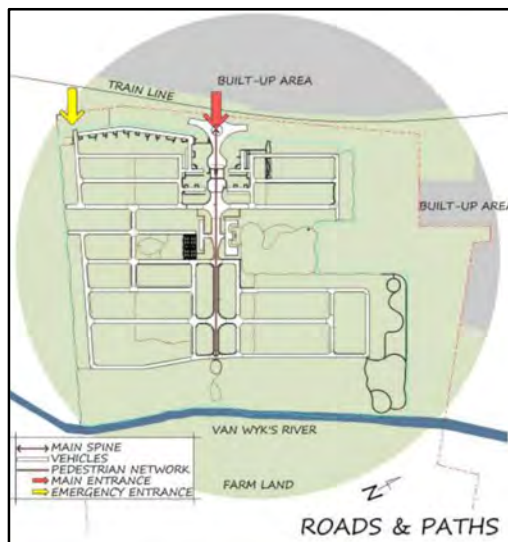
Within the Estate itself, the Private Roads have been organised to provide easy access and orientation. A main centre Private Road serves as a central artery, connecting various sections of the development, while smaller laneways have been incorporated to encourage walking and pedestrian movement within and around the Estate. Sufficient parking bays have been strategically placed to accommodate the needs to residents, further promoting a pedestrian- friendly environment.



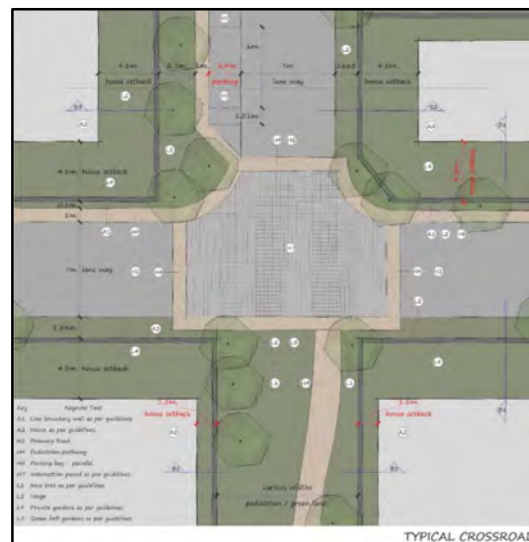
The layout of the internal private roads contributes to the overall functionality and accessibility of the development, thereby creating a harmonious balance between vehicular convenience and pedestrian mobility.

Within the serene streets of the Estate, a typical crossroad showcases meticulous attention to detail. The road surfaces have been selected to create a small-town atmosphere while also acting as measures to calm vehicular traffic, ensuring that the private roads not only enhance the aesthetic appeal of the Estate but also contribute to the safety and tranquillity of residents and visitors.

Pedestrian laneways provide convenient shortcuts to park spaces, allowing pedestrians to enjoy peaceful walks and movements of relaxation, which is depicted in Figures 7 and 8 below.



**Figure 7:** Roads and Paths Master Plan (Source: Urban Design)



**Figure 8:** Typical Small cross road (Source: Urban Design)

The parking will be provided in accordance with the rates as prescribed in terms of the Drakenstein Municipality zoning scheme (Drakenstein Municipality, 2018). The minimum number of parking bays required on site are as follows:

- The apartment development component requires 333 parking bays at a rate of 1 bay per unit and 0,5 visitors' bays per unit, which will be indicated on submission of the Site Development Plan relating thereto.

## 4.7 Development Density

The overall gross density for the development inclusive of the conventional housing, and apartment units and excluding the Agricultural Portion as indicated on Subdivision Plan No 3 equates to approximately to 21 units per hectare which is a fairly low-density development profile which is deemed appropriate and desirable with the context of MSDF designation context providing for a transition between the urban-rural interface.

The density profiles for the various housing typologies which make up the complete development are as follows:

LAND USE	ZONING	RESIDENTIAL UNITS	AREA (±ha)	Nett Density (u/ha)	Gross Density (u/ha)
Gentleman's Estates / Dwelling House	Conventional Housing Zone	24	4.7	5.1	21/ha
Dwelling House	Conventional Housing Zone	409	12.4	33.0	
Apartment Buildings (Apartments / Flats -3 storey)	Multi-Unit Housing Zone	222	2.3	97.0	
Non- Residential Land Uses	Various	0	13.1		
<b>TOTAL</b>		<b>655</b>	<b>32.5</b>	<b>34</b>	<b>21.0</b>

**Table 4:** Residential Densities

The density of the various housing typologies allows for a density transition from high to low approximately from the North-West starting at railway line interface to the South-East where the large Gentleman's Estate even define the transition interface with the agricultural remainder.

A gradation in density is proposed with the higher density in the western portion, and the lower density residential estates in the eastern portion of the subject property bordering the agricultural / rural interface.

## 4.8 Open Space Provision

A total of approximately 5,2ha of internal Private Open Space Areas are provided. In terms of the Zoning Scheme provisions 10% of the respective land units accommodating the Apartment Buildings (Multi-Unit Housing) on proposed Erven 434 and 435 respectively will be provided, equating to  $\pm 1699\text{m}^2$  open space for erf 434, and  $\pm 652\text{m}^2$  open space for erf 435.

The intention of the Private Open Space(s) within the proposed development are to serve as vibrant nodes, blending with the natural surroundings.

The estate features carefully planned open spaces and a green network, as indicated in Figure 9 below that serve multiple purposes. It effectively manages stormwater flows, reducing the risk of flooding, while creating a biodiverse environment. These green spaces provide habitats for diverse flora and fauna, promoting ecological diversity and sustainability



Figure 9: Open Space and Green Network [Geo-Architects Co-Lab]

## 4.9 Servitudes

### 4.9.1 Building Restriction Servitude

It is proposed that a Building Restriction servitude line be registered over Conventional Housing Erven Nos 1 – 24, to be aligned along the engineered 1: 100-year flood line

of the Van Wyks River as indicated on Plan Nos 3 and 7 respectively. Building / Structure restrictions will apply.

#### 4.9.2 Services Servitudes

The following servitudes are required with regard to the supply of services to the proposed development, as indicated on the attached Exempted Servitude **Plan No 6**:

- Registration of a 3m wide Municipal services servitude over subdivided Portion B in favour of the Drakenstein Municipality, to supply a 200mm sewer link to proposed subdivided Portion A (*servitude no 1*).
  - The above servitude will link via additional servitudes to be registered over the abutting erven Remainder Erf 39750 and 19436 to link with the existing Municipal supply on Erf 8892.
- Registration of a 6m wide Municipal services Servitude (electrical and water) over Subdivided Portion B in favour of the Drakenstein Municipality, to supply the proposed subdivided Portion A with a 11kVa electrical cable and a 160mm Watermain line (*servitude no 2*).
- Servitude Right of Way (access) over subdivided Portion B and Erf 31912 in favour of the Drakenstein Municipality to gain access to the Proposed Subdivided Portion C (electrical substation)[*servitude no 3*].
- Existing Right of Way servitude area over Erf 31912 to be extended to include Municipal link services (water- and electricity) and Access Right of Way in favour of Drakenstein Municipality for access purposes to Portion C (electrical substation) - servitude no 4.
- Registration of a 3m wide Municipal services Servitude (water) in favour of the Drakenstein Municipality, to supply a 160mm watermain to the proposed subdivided Portion A (*servitude no 5*).
- Registration of a 2m wide Municipal services servitude to accommodate the proposed realignment of an existing Stormwater drainage channel (*servitude no 6*).

#### 4.9.3 Additional Exemption of Certain subdivisions and consolidations

Separate applications in terms of Section 24(1) of the Drakenstein Municipal Planning By-Law (2018) will be submitted with regard to the following:

- In terms of Section 24(1)(e) of the Municipal Planning By-Law, an application will be submitted with regard to the Exempted Subdivision for the proposed 25m Public Road to be constructed over Farm 1312, in order to provide access to the proposed development, as indicated in the Traffic Impact Assessment attached hereto. The proposed alignment of the new 25m Road over Farm 1312 is indicated on Plan No 9 attached hereto.
- In terms of Section 24(1)(f)(i) a separate application will be submitted in order to register Services Servitudes (sewer) in favour of the Drakenstein Municipality in order to supply the required sewer connection line to the proposed development.

*-The respective 3m wide Municipal Services servitude (200mm sewerline) will be aligned from the existing Municipal services servitude connection on Erf 8892, over Erven 19436 and RE/ 39750 respectively, at which point the servitude will connect to the Proposed subdivided Portion A, as indicated on the attached Exempted Servitudes **Plan No 8** attached hereto.*

#### 4.10 Phasing

The development will be phased in accordance with the development phases depicted on the attached **Phasing Plan No 4**.

In principle the phasing plan allows for the development of the Frater Estate in five phases as set out in Table 6 below:

Development Phasing Schedule				
Phase	Zone	Land Use	No of Residential Units	Area
1	Conventional Housing	Dwelling House	181	13.5ha
	Multi-Unit Housing	Apartment Buildings	150	
	Neighbourhood Business Zone	Estate Facilities, Creche, Clubhouse, Offices, Coffee Shop, Gymnasium		
	Open Space	Private Open Space		
	Transport	Private Road & Gatehouse		
	Transport	Refuse Area		
	Transport	Public Road		
TOTAL			331	
2	Conventional Housing	Dwelling House	81	3.7ha
	Multi-Unit Housing	Apartment Buildings	72	
	Open Space	Private Open Space		
	Transport	Private Road		
TOTAL			153	
3	Conventional Housing	Dwelling House	60	5.5ha
	Open Space	Private Open Space		
	Transport	Private Road		
TOTAL			60	
4	Conventional Housing	Dwelling House	75	5.5ha
	Open Space	Private Open Space		
	Transport	Private Road		
TOTAL			75	
5	Conventional Housing	Dwelling House	36	4.1ha
	Open Space	Private Open Space		
	Transport	Private Road		
TOTAL			36	
GRAND TOTAL			655	32.5ha

**Table 5:** Development Phasing Schedule

#### 4.11 Height

The proposed Concept Site Development Plan (attached hereto as **Specialist Report No 11**), Figure 8 below, has been subject to amendments, resulting from further mitigation measures required by Heritage Western Cape. These revisions have entailed some reduction in the number of units, including specifically the removal of units on the eastern boundary, and the restriction to single storey structures surrounding the existing Firwoods farm complex and on the western boundary with the adjoining rural landscape.

Building heights are designed to soften the agricultural / rural boundaries on the South-West and North-West with single storey dwelling units. Expanding the typology mix, the three storey walk up apartments are placed either along the railway edge and at the entrance of the subject property, where there is no agricultural / rural setting.

As indicated on the Concept Site Development Plan below the following heights of structures are as follow:

	Single Storey (5.2m)	Double Storey (8.0m)	Three Storeys (12.5m)
<b>Multi-Unit Housing (Apartments)</b>			Erven 434 - 435
<b>Conventional Housing (Dwelling Houses)</b>	<i>Erven:</i> 1, 24, 25-32; 104-105; 148-165; 353-374; 325-352	<i>Erven:</i> 2-23; 33-103; 106-147; 166-324; 375-433	
<b>Neighbourhood Business (Estate Facilities)</b>		<i>Erven:</i> 436-437	

**Table 6:** Building Height

- The Multi-Unit Housing Apartment Buildings are limited to three storeys (12.5m maximum roof height).
- Proposed subdivided residential erven 1;24;25-32; 104-105;148-165;353-374; 325-352 are limited to single storey (5.2metres).
- Proposed subdivided residential erven 2-23;33-103;106-147;166-324;375-433 are limited to a height of 8metres and the design limited to double storey.
- The proposed Estate Facilities precinct (Neighbourhood Business Zone) is limited to 8metres.



**Figure 10:** Concept Site Development Plan

#### 4.12 Street Name and Numbering

**Plan No 5** attached hereto depicts the proposed Street names- and Numbers for the residential development to be known as *Frater Estate*.

In addition to the proposed Street names indicated on Plan No 5, an Alternative list is also included should there be duplication of the preferred street names within the area.

As depicted on the above plan the following street names are proposed:

Preferred Street names	Altenative Streetnames
Violet	<i>Primula</i>
Dahlia	<i>Krokus</i>
Madeliefie	<i>Koraalblom</i>
Jasmyn	<i>Strelitzia</i>
Laventel	<i>Dubbelskoen</i>
Zinnia	<i>Lekerbreek</i>
Tulp	<i>Kersblom</i>
Fuksia	<i>Afrikanerblom</i>
Vygie	<i>Vleiglans</i>
Protea	<i>Skimmelblom</i>
Geranium	<i>Salieblom</i>
Rooibos	<i>Hartblom</i>
Lelie	<i>Springblom</i>
Tuistebloom	<i>Witblom</i>
Lushofblom	
Klokblom	
Kamelia	
Iris	
Sonneblom	
Wilgerbos	

#### 4.13 Home Owners Constitution

The estate will be governed by means of a Home Owners Association (HOA) and associated Constitution. This will allow for the management of private services infrastructure and the aesthetic management of the estate by means of the proposed set of integrated Architectural and Landscaping Guidelines.



The HOA Constitution will be submitted for approval as a subsequent compliance with conditions of approval submission.

#### 4.14 Access and Control

The proposed residential development, will gain access via a roundabout along the new Class 3 Public Road adjacent to the railway line to the east of the subject property. The new Class 3 public road connection will link the R45 and New Eskdale Street in future.

The above Class 3 is to be aligned along the bordering property (Farm No 1312), from where it intersects with the R45 Link access road south of the School of Skills property.

More detailed description is attached hereto as **Specialist Report No 3**, Transport Impact Assessment prepared by ITS Traffic Engineers.

The Western Cape Government: Department of Infrastructure is in process with the upgrade of the R45 (MR191), which will be upgraded to municipal standards, with paved shoulders and sidewalks along the eastern side. The construction will also include a realignment of the northern section of the R45.

The R45/ Old Paarl Road intersection, and the realignment will be approximately 500m south of the Sandwyk St intersection. Figure 11 below indicates the realignment of the R45.



**Figure 11:** Proposed upgrades along the R45

An Arterial Management Plan (AMP) for MR191 was prepared by ITS (Traffic Engineers) in April 2022. As part of the AMP, both signalised and roundabout configurations were analysed at the primary intersections along MR191. Based on this

investigation, it was recommended that roundabouts be constructed at the primary intersections.

However, a traffic signal will be constructed at the R45 / Val de Vie Access intersection as part of the R45 upgrade project by the WCG.

The AMP also recommends a supporting road network with the introduction of a new Class 3 road parallel to the R45 that will link the latter with New Eskdale Road in the northeast



**Figure 12:** Frater Road Locality

The final routing of this road is currently in process as part of a route assessment commissioned by the Municipality. The proposed level crossing is located on the outskirts of Paarl, 1.8km south of Paarl Station along the Paarl Franschhoek railway line.

Figure 12 above provides a locality plan of the future road (indicative alignment) and the level crossing.

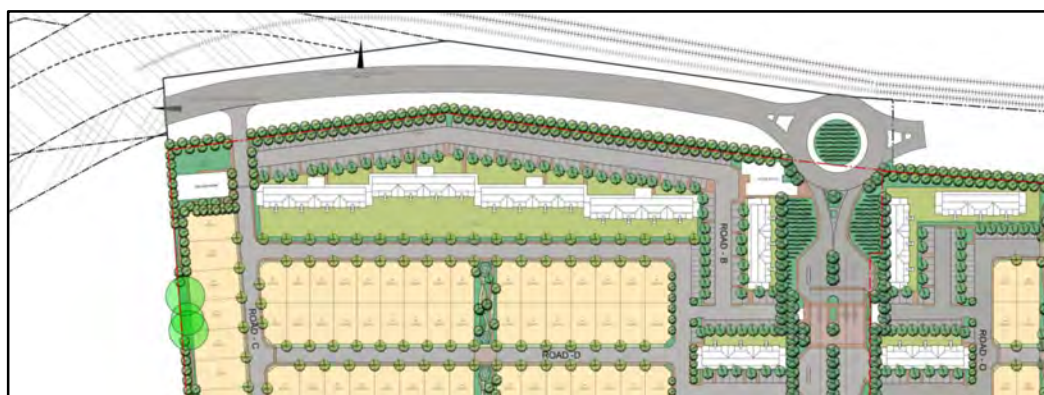
As of November 2024, the preferred alignment of the road is east of the existing rail line.

The new access road as indicated above will be subject to a separate application in terms of Section 24(1)(e) for the Exemption of certain subdivisions of the Drakenstein

Municipal Land Use Planning By Law for the construction of a public road on Farm No 1312.

- An emergency / service access is also proposed for the development, which is located approximately 270m to the south of the main access.
- Access Control to the development will be regulated at the proposed guard house as indicated on the Concept Site Plan attached hereto. The Guard House entrance will have two lanes for residents to enter and one lane for visitors to exit.
- Provision has been made to accommodate a stacking distance of 32m and 47m at the guard house entrance and exit respectively.

Figure 13 indicates the Main access via the new Public Road to be constructed, abutting the railway line to the east, and Figure 14 depicts the typical Architectural Gate House concept located at the Main entrance to the Frater Estate.



**Figure 13:** Access and Guard House



**Figure 14:** Typical Guardhouse

#### 4.15 Application Area Site Informants Analysis

The following outlines the most important identified application area site informants, constraints, and opportunities which in turn informed the development proposal.

#### 4.15.1 Site Topography

The topography of the property indicates that the property generally slopes in a northeasterly direction with a typical gradient of 1:3 to 1:50 in the western half of the site whereas the typical gradient in the eastern half ranges from 1:70 to less than 1:200. The flatter portion of land along the river slopes very gently downstream in a northerly direction.

The highest portion of the site is situated in the western corner with an approximate level of 121.69 msl, and the lowest portion of the site situated in the eastern corner of the site with an approximate level of 111.88 msl.

The natural gradient of the site along the western third of the site is disrupted by a drainage ditch which runs in a southwest to northeast direction.

A Civil Engineering Services Report is attached hereto as **Specialist Report No 1**.

#### 4.15.2 Site Vegetation

The subject area's vegetation is mapped to have historically supported Swartland Alluvium Fynbos and Swartland Granite Renosterveld (DBAR, February 2025).

The subject property, as well as where the external services are proposed has been transformed from its natural state due to previous agricultural activities, as well as construction of services, and therefore the site is deemed to be not sensitive from a botanical point of view as it does not contain any indigenous vegetation.

#### 4.15.3 Geology

The site is located along the floodplain of the Van Wyk's River with all soils to the depths of investigation having an alluvial origin. Sandy soils are predominant in the eastern half of the site, with cohesive alluvium soils occurs in the southwestern parts and gravelly / cobbly alluvium soils in an outcrop in the northwestern corner of the vineyards.

Fill material and disturbed ground occurs in places overlaying the in-situ soils. The sandy soils, clayey sand and sand clay are generally loose to very loose in large parts of the site.

The *Geotechnical investigation* study attached to the Engineering Services Report, states that perched groundwater table was encountered in various of the trial pits along the eastern part of the site. Groundwater can be expected at shallow or relatively shallowed depth throughout the site.

#### 4.15.4 Flood lines

Graeme McGill Consulting was commissioned in November 2021 to conduct a flood line investigation study to determine the 1:50 and 1:100 flood lines of the Van Wyk's and Berg River located to the east. The relevant flood lines have been duly incorporated within the residential layout design. A copy of the Flood line investigation report is attached to the *Civil Engineering Services Report* attached hereto as ***Specialist Report No 1***.

It is proposed that a building platform be created above the 1:100-year flood line. The platform will be created by excavating from the floodplain between the Van Wyk's and Berg Rivers and using this material to fill in a portion of the area between the existing western flood line and the Van Wyk's River (*1: 50 and 1:100 year Flood lines and Creation of a Building Platform, Graeme MacGill Consulting report attached to Specialist Report No 1*), which Engineered 1:100 year flood line has duly been included within the proposed development proposal as indicated on Plan No 3.

#### 4.15.5 Environmental

From a general environmental assessment context, the proposed development could be classified as a greenfield site. Historically, the property has been disturbed and transformed from its natural state due to previous agricultural activities, therefore is not sensitive from a botanical point of view as it does not contain any indigenous vegetation.

#### 4.15.6 Freshwater Assessment

Freshwater Ecologist Network (FEN) Consulting was appointed to conduct a freshwater impact assessment as part of the Environmental Authorisation (EA) and Water Use Authorisation (WUA) processes.

Analysis, concluded that the disappearance of the braided network associated with the Van Wyk's River (i.e ability to floodplain) stems from the formalisation of this freshwater ecosystem, to increase the arable extent of the erf and drain the system to the Berg River. The Berg River itself has also been increasingly formalised over the years.

A copy of the Freshwater Assessment Report is attached to the Environmental Impact Assessment Report prepared by GNEC Consulting, and attached as **Specialist Report No 6**.

The Freshwater Assessment Concludes that with incorporation of the mitigation measures, with the implantation of a phased alien and invasive vegetation clearing plan during the construction and operation phases, the significance of impacts arising from the development can be adequately managed and the freshwater resource is deemed adequately protected.

#### 4.15.7 Heritage & Visual Site Informants

A Notice of Intent to Develop (NID) application was submitted to Heritage Western Cape(HWC) on 28 February 2022 by Ms Cindy Postlethwayt. In response to the NID HWC required a *Heritage Impact Assessment (HIA)* that satisfies the provisions of Section 38(3) of the NHRA be submitted.

In addition to the HIA, specific reference was required with regard to the following:

- Desktop Paleontological Impact Assessment (*PIA -Mr John Pether*),
- Visual Impact Assessment (Me Megan Anderson)

The PIA report elucidates the palaeontological potential of the subsurface of the proposed project area and concludes that the probability of a palaeontological impact is *LOW*.



The Visual Impact Assessment provided a Visual Framework Study which indicated the visual constraints and opportunities of the site. Numerous amendments were made to the proposed layout following the initial recommendations made by the VIA, which have been incorporated within the proposed development layout included within this application.

The scope of work of the Visual Impact Assessment, included the following which are described in more detail as part the **Specialist Report No 7** in **Section D** below:

- Assessment of the proposed development against the visual impact criteria (visibility, visual exposure, sensitivity of site and receptor, visual absorption capacity and visual intrusion);
- Assess impacts based on a synthesis of criteria (criteria = nature of impact, extent, duration, intensity, probability and significance);
- Establish mitigation measures and monitoring requirements;

Mitigating measures which were identified, have been incorporated in the final design layout, namely:

- Reducing the density from the west to east;
- Reducing units in the north east and creating a wider building setback from the boundary;
- Reducing heights of buildings to single storey adjacent to rural areas;
- Providing green buffers along boundaries; and
- Providing green surrounds to three storey apartments.

As depicted in the *Concept Site Development Plan*, the above mitigation measures were included, namely the building density gradation, development setback from rural boundaries with single storey units adjacent to the buffers, building style, retention of large existing trees and landscaping. It is also noted by the VIA that “providing further mitigation will be more achievable at the SDP level of the individually phased developments.



#### 4.16 Urban Design Motivation Report

An Urban Design Motivation Report was prepared by Urbantexture and Geo Architects (October 2024), of which a copy is attached hereto as ***Specialist Report No 9***.

The Urban Design Report details the proposed development, focussing on site analysis, design principles and integration within the surrounds which resulted in the Urban Design ethos of the Frater Estate development.

##### 4.16.1 Urban Design Principles

The estate's spatial arrangement draws inspiration from the Cape Dutch homesteads of the Winelands, providing a well-defined structure. In this regard the main promenade axis, serving as the primary entry point to the estate. Moving deeper into the property, the grid patterns gradually diminish, cultivating a feeling of seclusion and intimacy within the residences. This intentional layout facilitates effortless navigation and orientation when entering or leaving the estate. Green links establish connections between the residents and the river, fostering a harmonious relationship with the natural surroundings.

##### 4.16.2 Constraints & Opportunities

The property presents both constraints and opportunities that shaped the development proposal.

One significant constraint is the need to retain existing trees, which serves as an opportunity to create parks and open spaces within the development. This not only enhances the aesthetic appeal but also contributes to the overall well-being of the residents. Another important consideration is the sensitive planning of the boundaries, with a 3-metre buffer zone established between the proposed development and the existing rural area. This approach ensures a harmonious integration of the new and old, respecting the character and privacy of both areas.

The presence of a river along the eastern boundary offers opportunities for wildlife habitat and ecological diversity. With the delineation of the proposed flood line, buildings can be situated in a way that allows nature to flourish, providing a symbiotic relationship between the built environment and the surrounding ecosystem.

Overall, these constraints and opportunities inform the design and planning process, resulting in a development that embraces the natural surroundings while seamlessly blending with the existing rural landscape.

#### 4.16.3 Boundary Edge Conditions

Sensitive design was afforded to the edge condition of the development boundary as it serves as the interface between the urban and rural areas. The solution involved a perimeter pathway and an additional building setback, which establishes a deliberate distance between the development and the rural surroundings. This setback allows for a harmonious transition, minimising the visual and spatial impact of the development on the rural landscape. By maintaining this buffer zone, the design ensures a respectful coexistence between the urban and rural contexts, preserving the distinct character of both areas. This approach to the development boundary promotes a balanced and considerate integration of the of the estate into its surrounding environment.

#### 4.17 Landscaping Guidelines

A Landscape Design Guidelines report was prepared by Planning Partners (Pty)Ltd, dated October 2024 of which a copy is attached hereto as ***Specialist Report No 7***.

The purpose of the Landscaping Plan is to set out the approach to the hard and soft landscaping elements to be established and integrated with the development layout. The landscaping plan in turn details the main common open space areas as well as the entrance precinct to the development

##### 4.17.1 Landscape Implementation approach

The core landscape design philosophy is to establish a majority indigenous landscape with non-invasive exotic agricultural vernacular landscape elements that create viable habitats in private gardens and within communal green open spaces and road verges.

The Estate will be developed in five phases and the Landscaping Guidelines will be applicable for all phases as indicated in the Guidelines document.

Prior to the start of infrastructure works, and the phased development, the implementation of platform across the full extent of the Frater Estate will be governed by the Construction Environmental Management Plan with the aim to protect existing trees to be retained, protection of areas considered to be wetlands, combat soil erosion by wind and water and the protection of the riverine zone along the boundary.

The time frame for implementing the landscape mitigation to protect heritage resources and visual impacts will be phased in accordance with the construction phase programme of the development, to be undertaken in accordance with the Landscape Master Plan and the Landscaping Design Guidelines and be completed per phase prior to the start of the next development phase.

The Landscape Guidelines are to be read in conjunction with the Architectural Guidelines. Figure 14 below indicates the Frater Estate: Landscape Master Plan, a copy of which is attached hereto as **Specialist Report No 7**.



**Figure 15:** Frater Estate: Landscape Master Plan

#### 4.17.2 Landscape Guideline for Erven

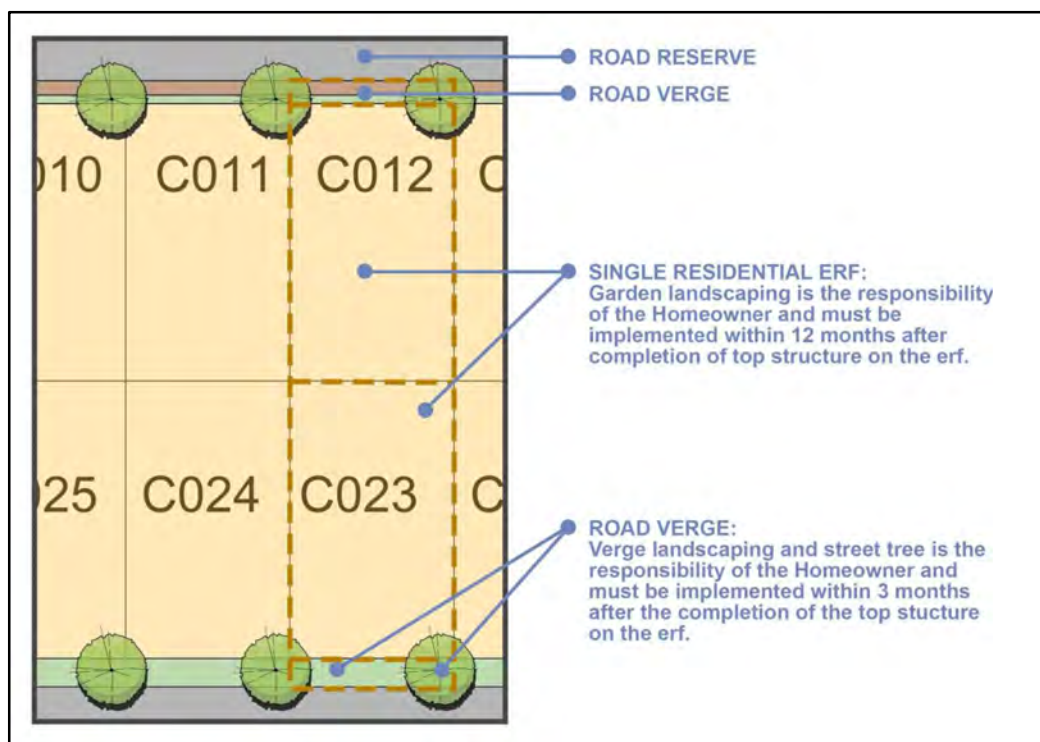
The approach to the Landscape Guidelines, is underpinned by the Urban Design Motivation report, attached hereto.

The Guideline document outlines landscape design guidelines, focussing on the implementation of indigenous gardening practices and maintenance responsibilities for the respective residential and communal spaces.

Emphasis is placed on the respective Landscaping Guidelines that need to be adhered to with regard to the following components of the *Frater Estate*:

- Conventional Zoned Erven (Single Residential Erven)

The single residential erf garden designs are to be submitted with the building plans as part of the Architectural Guidelines process and comply with the Landscape Guidelines.

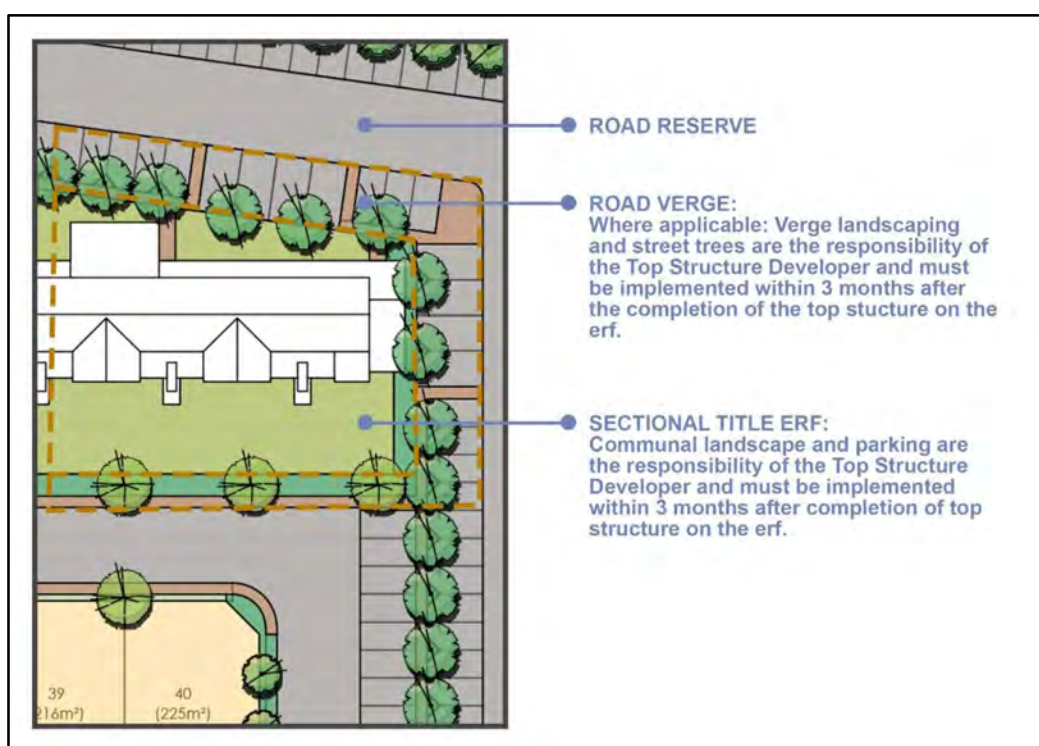


**Figure 16:** Typical Single Residential Erf and Verge Landscaping zones.

With regard to the Conventional Housing Zone erven, specific Landscaping proposals are made in respect of:

- *Road verges along all residential erven;*

- *Internal residential erven;*
- *Riverside residential gardens (Gentlemen's Estates)* – where proposed and permissible landscaping elements are proposed for the area above- and below the 1: 100-year flood line delineated area.
- *Apartment Buildings (Apartments/ Flats):* A Landscaping Plan would need to be submitted as part of the Site Development Plan submission with regard to the Apartment Buildings located on Erven 434 and 435, and to comply with the Frater Estate Landscape Guidelines.



**Figure 17:** Typical part of a Sectional Title Erf and Verge Landscaping zone

### *Estate Facilities – Neighbourhood Business*

A Landscaping Plan to be submitted as part of the Site Development Plan submission with regard to the Estate Facilities, and to comply with the Frater Estate Landscape Guidelines



### 4.17.3 Plant List

Included within the Landscaping Guidelines is a recommended Plan List that could be applied to gardens, verges, common private open spaces and other landscaped buffer zones. A copy is attached hereto included with the Landscaping Guidelines as **Specialist Report No 7**.

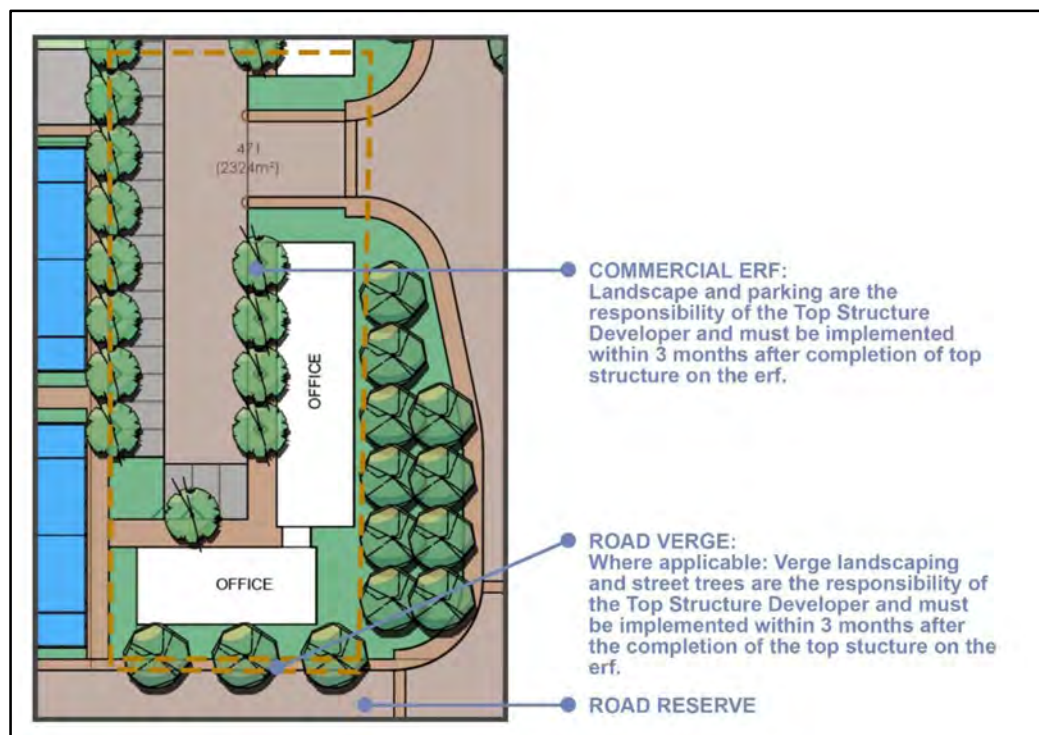


Figure 18: Typical part of a Commercial Erf and Verge Landscaping

## 4.18 Architectural Guidelines

A set of Architectural Guidelines was prepared by ARCHITECH, a copy of which is attached hereto as **Specialist Report No 10**.

### 4.18.1 Intention of Architectural Guidelines

The purpose of the Architectural Design Guidelines is to guide future development within Frater Estate in order to achieve a desired level of architectural excellence and environmental sustainability within the estate.

The design guidelines are intended to provide home owners with a framework within which properties can be designed and constructed, whilst at the same time protecting

the integrity and homogeneity of the architectural language of the estate, and by extension the surrounding context.

#### 4.18.2 Architectural Design Approach and Objectives

The architectural language of the estate has been identified as being sympathetic to the scale and building forms inherent to the Contemporary Cape Vernacular architectural style, which consists primarily of simple rectangular shapes, with pitched roofs and expressed end gables, and secondary elements comprised of flat- or lean to roofs. Light coloured walls are contrasted with dark roofs and windows.

All future alterations and additions need to be in line with this design philosophy and arbitrary departures are specifically excluded.

## SECTION D

A wide-ranging number of Specialist reports have been prepared in order to assess and evaluate the desirability and potential impact of the proposed Frater Estate development proposal.

This section summarises the main findings and recommendations which emanates from the various specialist assessments conducted and reports generated, including the relevant findings and recommendations which follow from the respective reports, including a summary of the NEMA EIA and Heritage NID submissions with related **Specialist Reports** and reference to comments and or authorisations issued in response thereto.

Copies of the relevant Specialist Reports are attached hereto as **Specialist Reports**.

## 5. SPECIALIST REPORTS: FINDINGS AND RECOMMENDATIONS

### 5.1 Bulk Engineering Services Availability Report (*Specialist Report No. 1*)

A Civil Engineering Services Report was prepared by VITA Consulting Engineers for the proposed Frater Residential Estate on Erf 8442, Paarl.

The objective of the Services Report is to address all the engineering issues regarding the provision of roads and civil engineering services required for the proposed



residential development. The findings of which are presented in the attached Civil Engineering Services Report as **Specialist Report No 1**, which also includes the GLS Services Capacity Report as Annexure H to the **Civil Engineering Services Report (Specialist Report No. 1)**.

The following documents and guidelines were used in the design and implementation of the civil services infrastructure:

- Topographical Survey;
- Geotechnical Investigation Study;
- Transport Impact Assessment;
- Site Development Plan;
- Landscaping Plan;
- Flood Line Investigation Study;
- Municipal Services Capacity Analysis Report;
- Drakenstein Municipal Engineering Services Standards;
- Guidelines for Human Settlement Planning and Design;
- The South African National Roads Agency Limited: Drainage Manual.

### 5.1.1 Pre-Development Conditions

#### Site Topography

The topography of the property generally slopes in a northeasterly direction with a typical gradient of 1:3 to 1:50 in the western half of the site whereas the typical gradient in the eastern half ranges from 1:70 to less than 1:200.

The highest portion of the property is located within the western corner with an approximate level of 121.69 msl, and the lowest portion in the eastern corner with an approximate level of 111.88 msl.

An existing 550mm diameter stormwater pipe runs northeast through the western portion of the vineyards, with another running south-eastwards down the southwestern side of the farmyard before changing direction to the north-east.

### 5.1.2 Bulk Earthworks

The majority of the material up to a depth of at least 1.5m can be classified as soft excavation with a few areas where more dense materials are present at shallow depths which will be classified as intermediate excavation.

The in-situ sandy soils are potentially suited for use as engineered fill in platforms and for backfill below the surface beds. However, the sandy soils are generally fine to medium grained with organic material present in most of the soils, so a high degree of compaction will be very difficult to achieve.

The portion of low-lying ground along the eastern boundary below the 1:100-year flood line is to be raised by borrowing soils from a high lying area to the southeast of the Van Wyk's River within the floodplain. The cohesionless soils from this area will have to be selected which will be suitable for use general engineering fill.

### 5.1.3 Roads and Parking Areas

- **External Roads**

Innovative Transport Solutions (Pty) Ltd was commissioned to compile a traffic impact assessment for the proposed residential development and their findings are included in their Report attached hereto as **Specialist Report No 3** (Traffic Impact Assessment).

Access to the proposed development will be gained from the new Class 3 road connection linking the R45 and the New Eskdale Street, and is recommended that the new Class 3 road connection is constructed between the McMillian Bricks Development Access and the main development access. There is also an emergency/service access road proposed for the development which is approximately 270m from the main access which complies with the minimum access spacing requirements. Analysis of the total traffic numbers confirms that most of the intersection are expected to operate at an acceptable LOS with sufficient capacity, except for the R45 / Green School Access Intersection. However, no upgrades are recommended for this intersection since the Berg River Resort intersection will accommodate the additional traffic volumes in the future. It is recommended that public transport embayment's are constructed along the New Class 3 road, downstream of the main development access including a 2m wide pedestrian sidewalk.

The traffic impact assessment finding concluded that the impact of the proposed

development could be sufficiently mitigated, provided that the recommended upgrades are implemented.

- **Internal Roads and Parking Areas**

The design philosophy for the proposed internal road network will be similar to that of a typical urban road network, which includes a minimum 2.0% crossfall and 0.5% longitudinal slope. This road network will consist out of 6.8 & 8.0m wide brick paved roads with formal kerbs/edgings, roadside channels, and a stormwater drainage network.

All internal roads/parking areas within development clusters will be designed for low heavy vehicle traffic (construction vehicles, furniture removal and refuse trucks):

Each residential unit will have a single/double garage and additional parking bays in front of the garage. The internal roads will not be sub-divided and will therefore form part of the Body corporate maintenance responsibility.

#### 5.1.4 Stormwater Drainage

- **Flood Lines**

Graeme McGill was commissioned in November 2021 to conduct a flood line investigation study to determine the 1:50 and 1:100 flood lines of the Van Wyk's and Berg River located east of the proposed development site. Their finds were included in a flood line investigation report (***refer to Appendix D attached to Specialist Report No 1 – Civil Engineering Services***).

The 1:50 and 1:100-year flow peaks were calculated by using standard hydrological methods. The flood levels and flood lines were determined by modelling the combined Berg and Van Wyk's Rivers.

The investigation concluded that under existing conditions that approximately 68% of the farm portion will be below the 1:100-year flood line. However, it was also concluded that up to 15.6ha of developable land may be gained by creating a building platform between the existing flood lines and the Van Wyk's River. The adjustment of the existing flood lines will be dependent on environmental considerations and approvals by the relevant authorities. For the purpose of the report 7 flood line adjustment platform options were

investigated and analysed, of which the preferred scenario 3 was indicated to be the preferred option.

#### **5.1.5 Existing Municipal Stormwater Network**

The pre-development site drains in a north-easterly direction towards the Van Wyk's River which is a tributary of the Berg River. The Van Wyk's River flows into the Berg River from the west, 430m downstream of the northern boundary of the subject property. There is no formal municipal stormwater infrastructure in the vicinity. Stormwater run-off from the proposed development will discharge into the Van Wyk's River which will further convey the stormwater to the Berg River. During the flood conditions the low-lying area between the Van Wyk's and Berg River will combine the flow in the two rivers when flood spill's across the divide.

#### **5.1.6 Internal Stormwater Network**

The standard stormwater design principle as indicated in the Civil Engineering Services Report will be implemented in the planning and design of the internal stormwater system.

The internal underground stormwater network will be designed to have sufficient capacity to adequately manage and convey up to a 1:5-year rainfall event. The internal stormwater system will consist of underground gravity pipes, inlet structures and roadside channels which will drain stormwater run-off generated by the internal roadways and other impermeable surfaces. For rainfall events with a return period larger than 1:5 years, the internal roadways and parking areas will act as overland flow routes which will convey stormwater run-off towards the attenuation facilities.

Due to the occurrence of a perched ground water table, provision will be made for a subsoil drainage network beneath the roads and parking areas. The subsoil drainage network will consist of a 110mm diameter perforated pipe network installed 800mm below the final road and parking area level.

### 5.1.7 Stormwater Attenuation and Treatment

The development will make include the construction of attenuation facilities and open stormwater swales. The design of the attenuation facilities and open stormwater swales will make allowance for the following drainage objectives:

- Attenuating stormwater run-off to pre-development peak flows
- Improving the quality of stormwater run-off
- Implementing and promoting basic sustainable urban drainage measures

The construction of three stormwater attenuation facilities will be included as indicated in Figure 18 below, with the main purpose to attenuate peak flows to pre-development rates and treat stormwater run-off. An existing wetland area which will be retained and used as a stormwater attenuation facility. The attenuation facilities will be designed to retain the 1:50 year post development flood while only releasing up to a maximum of a 1:2 pre-development flow.



**Figure 19:** Overland Drainage Patterns and Attenuation facilities

The attenuation dams, will be landscaped as per the proposed Landscaping Master Plan attached hereto, to prevent erosion.

### 5.1.8 Sanitation

- **Existing Municipal Foul Sewer**

GLS Consulting were commissioned to undertake a re-analysis of the bulk services capacities for the proposed development, which findings are included in the GLS Municipal Services Capacity Analysis attached as **Annexure H** to the **Specialist Report No 1** (Civil Engineering Services).

The subject property falls within the Paarl Gravity drainage area which is a sewer priority area. It is recommended that the development sewer reticulation is connected to the Proposed Paarl South bulk sewer adjacent to the Berg River which is currently under construction.

The re-analysis indicated the peak day dry weather flow (PDDWF) was calculated at 298.3 kL/d.

The capacity analysis confirmed that there is sufficient capacity in the existing Paarl gravity system downstream of the proposed connection point to accommodate the development. New sewer link infrastructure will be required to connect the development to the new bulk sewer infrastructure.

- **Internal Sewage Network**

The estimated sewage yield generated by the development will be:

- Annual Average Daily Sewage Yield (GLS Consulting): 298.3m<sup>3</sup> per day
- Peak Daily Wet Weather Sewage Yield (Peak Factor: 3.5): 12.08 l/s

The internal sewer reticulation system will drain to a sewer link connection located in the northeastern corner of the subject property.

Allowance will be for individual sewer connection for every subdivided property and multi-unit housing / apartment block.

### 5.1.9 Water Reticulation

- **Existing Bulk Municipal Network**

The master planning analysis undertaken by GLS Consulting indicated that the proposed development should be accommodated in the existing Main Road water distribution zone which has sufficient spare capacity to accommodate the proposed development.

The re-analysis calculated the annual average daily demand (AADD) and fire flows for the development as follow:

• 222 high density / apartments units	-	88.8 kl/d
• 421 Low density residential units	-	252.6 kl/d
• 24 Gentleman Estate Units	-	48.0 kl/d
<u>TOTAL</u>	-	<u>389.4kl/d</u>
• Fire Flow (Moderate Risk)	-	25 L/s @10m

The capacity analysis confirmed that the existing bulk water system that supplies water to the Courtrai reservoirs which supplies the Main Road distribution zone has sufficient capacity to accommodate the proposed development. Link services will be required to connect the development to the proposed connection point in Frater Street (refer to ***Annexure H -GLS Services Capacity Report, attached to Specialist Report No 1***).

- **Internal Water Reticulation**

The potable demand for the development will be:

- Gross Annual Daily Demand: 389.4m<sup>3</sup> per day
- Instantaneous Peak Demand (Peak Factor: 6.5): 29.3l/s

The GLS Capacity analysis indicates that the municipal water reticulation system has sufficient spare capacity to accommodate the development, and the existing Courtrai reservoirs have sufficient capacity to provide 48 hours emergency storage to supply the area.

- **Irrigation Network**

Irrigation will be done by means of utilising water from the existing boreholes on the subject property. An irrigation pumpstation supplied by the borehole water will boost



the water into an underground irrigation network which will convey the water to the landscaped areas.

#### 5.1.10 Solid Waste

The minimum requirements for domestic waste collection will be applicable to the proposed development. The proposed development will generate approximately 20kg of solid waste per household per week.

The to be established Homeowner's Association will administrate the collection of the domestic waste from each individual property towards the communal refuse storage facility located at the entrance of the development as indicated on the Concept Site Plan.

Allowance will be made for adequate turning space to accommodate the turning movement of a standard municipal refuse truck.

The refuse storage area will be sized to accommodate the required amount of 240l refuse bins for organic waste as well as make allowance for waste separation bins for temporary storage of recycling.

Recycled waste to be collected by a Registered Drakenstein Municipal service provider. A minimum target of 50% diversion of organic waste to be implemented by the homeowner's association.

### 5.2 Stormwater Management (Specialist Reports 2)

VITA Consulting Engineers were appointed to prepare a Stormwater Management Plan for the proposed development, and is attached hereto as **Specialist Report No 2**.

The stormwater drainage and management for the proposed development is set out and designed in accordance with the findings and recommendations of the relevant Flood line Report and Stormwater Management Plan.

The development is classified as a Greenfields Developments, which will require effective management of the stormwater run-off from the development will ensure that

downstream water courses and ecosystems are protected against events of abnormal high rainfall and flooding.

The purpose of the report is to indicate stormwater management related issues generated by the development and specifically addressing the following urban drainage objectives:

- Attenuating stormwater run-off to pre-development peak flows;
  - *Reducing the peak flows to pre-development flow rates.*
- Improving the quality of stormwater run-off;
  - *Removal of 80% of suspended soils; and Removal of 45% total phosphorus loads.*
- Implementing and promoting basic sustainable urban drainage measures.
  - *On site infiltration.*
- **Post Development conditions**
  - An internal road and stormwater network will be constructed, which road construction and underground stormwater network will alter the existing overland drainage routes and run-off patterns which will shape 4 x new modified catchment areas.
  - The new catchments will drain towards 4 separate attenuation / wetland facilities, which attenuates and treats the stormwater run-off.
  - The underground stormwater network will be designed to have sufficient capacity to adequately manage and convey up to 1:5year rainfall event, and will consist of underground gravity pipes, inlet structures, roadside channels and swale's which will drain stormwater run-off generated by the internal roadways and other impermeable surfaces. For rainfall events with a return period larger than 1:5 year, the internal roadways and parking areas will act as overland flow routes which manage / convey 1:50year peak flows into the attenuation dams, which will be designed to treat floods up to a 1:50 year rainfall event.
- **Attenuation Dams**

The development will include the construction of three stormwater attenuation facilities with the fourth being an existing wetland area.

The main purpose of the attenuation facilities is to attenuate peak flows to pre-development rates and treat stormwater run-off. The attenuation facilities will be designed to retain the 1:50 year post development flood while only releasing up to a maximum of a 1:2 pre-development flow.

The completed development will be handed over to the homeowner's association, which will be responsible for the daily operations and maintenance of all civil infrastructure within the development. Maintenance of the external stormwater infrastructure to be included in a Service Level Agreement with the Drakenstein Municipality.

### **5.3 Transport Impact Assessment (Specialist Report No. 3)**

Innovative Transport Solutions (ITS) (Pty)Ltd were appointed to compile a Traffic Impact Assessment (TIA) for the proposed development to be developed as a private secured estate with access control.

The TIA Report (attached hereto as ***Specialist Report No 3***) summarises an investigation of the expected transport-related impacts, which purpose is to identify constraints within the surrounding road network and recommend appropriate mitigation measures, where and if applicable.

The assessment also addresses the facilities available or required for public and non-motorised transport.

A five-year horizon period was considered for the proposed development and is expected that the development will be phased over time, in this regard the following scenarios were analysed and considered:

- Scenario 1: 2023 Existing traffic conditions
- Scenario 2: 2028 Background traffic conditions (based on existing traffic volumes escalated with a growth rate of 4% per annum for the through traffic along the R45, in addition to the background development trips)
- Scenario 3: 2028 Total traffic conditions (based on background traffic volumes plus development trips)

### 5.3.1 Future Roadways

The Western Cape Government (WCG) has commenced with the upgrade of the R45 (MR 191). This road will be upgraded to Municipal standards, which construction will include a realignment of the northern section of the R45. The R45 / Old Paarl intersection will be relocated opposite the Sandwyk Street / R45 intersection, and the realignment will be approximately 500m south of the new Sandwyk Street intersection.

An Arterial Management Plan (AMP) for MR191 was prepared by ITS in 2022. Included within the AMP, both signalised and roundabout configurations were analysed at the primary intersections along the MR191.

The AMP also recommended a supporting road network with the introduction of a new Class 3 road parallel to the R45 that will link the latter with New Eskdale Road in the northeast. The preferred routing of the new Class 3 route (25metre road reserve) is indicated in Figure 20 below.



**Figure 20:** Road Alignment

The new Class 3 routing is currently being negotiated and processed separate to this application, between the Drakenstein Municipality and the land owner of Farm 1312, over which the routing is proposed to traverse.

### 5.3.2 Site Access

Access will be gained via a roundabout along the new Class 3 road connection linking the R45 and New Eskdale Street, including the provision of an emergency / service access which is located approximately 270m from the main access.



Should the use of the main access by contractors affect the day-to-day operations at the development access, the emergency / service access can also be utilised as alternative access for contractors.

- Sufficient parking is provided internally to prevent any queuing into the Class 3 Road.
- For this development, the new Class 3 road connection is recommended to be constructed between the McMillan Bricks Development Access and the main access.

### 5.3.3 Access Control

Access to the development will be regulated at the proposed guard house, which Guard house entrance will have two lanes for residents to enter and one for visitors to enter. The guard house exit will have separate lanes for residents and visitors to exit. Provision has been made to accommodate a stacking distance of 32m and 47m at the guard house entrance and exit, respectively.

### 5.3.4 Trip Generation

Trip generation rates for the development are based on COTO TMH 17. Refer to **Specialist Report No 3 (TIA)** attached hereto for the trip generation rates and development trips used in the analysis.

Based on the trip generation rates, the development is expected to generate the following additional driveway trips:

- Weekday AM Peak Hour: 542 total trips (136 inbound and 406 outbound);
- Weekday PM Peak Hour: 542 total trips (380 inbound and 162 outbound).

### **5.3.5 Total Traffic Conditions (2028)**

The total traffic conditions are based on the following:

- Background traffic volumes plus the additional expected development trips;
- The existing road geometries and controls with the proposed upgrades as per the TIA.
- For the proposed development, the extension of the new Class 3 road will be required to be constructed between the McMillan Bricks Development Access and the main access.

Based on the capacity analysis results, most of the intersections are expected to operate at an acceptable LOS with sufficient capacity, except for the R45 / Green School Access intersection, which is expected to experience capacity and operational constraints during the AM Peak Hour. No upgrades are recommended at this intersection since intersection 4 will accommodate the westbound right-turn volumes in the future [refer to section 5.3.8 below for recommendations].

### **5.3.6 Public- and Non-motorised Transport**

Public transport embayments will be provided along the eastern side of the R45 as part of the R45 upgrade project and this would link up with the planned pedestrian sidewalk network. It is recommended that public transport embayments be constructed along the New Class 3 road, downstream of the main access.

A pedestrian walkway will be provided along the eastern side of the R45 as part of the R45 upgrade project. It is recommended that 2m wide sidewalks be constructed along the New Class 3 road site frontage, and should extend to the development access.

### **5.3.7 Refuse Collection**

Two refuse pick-up points are proposed for the development. The two refuse rooms are located downstream of the main development access and emergency / service access, respectively.

It is recommended that refuse embayments be provided downstream of the main access and emergency / service access. Based on typical refuse standards, for refuse

embayments adjacent to a development access, minimum dimensions of 11m by 3.1m are required.

The proposed refuse embayments could be accommodated within the new road reserve, regardless of the final preferred alignment.

### 5.3.8 Findings and Recommendations

The TIA summarises the expected transport- related impacts resulting from the proposed development, including the ancillary uses such as offices, a clubhouse/ restaurant, gymnasium and storage facilities, which ancillary uses are aimed at supporting the residential component and are therefore not expected to generate any external development trips.

- **2023 Existing traffic:** All the intersections currently operate with sufficient capacity and with an acceptable LOS (Level of Service) -no upgrades are proposed for this scenario.
- **2028 Background Traffic:** The following intersection upgrades are recommended for this scenario:
  - *Intersection 1: R45 / R101*
    - The southern leg of the R45 at intersection 1 is planned to be realigned and joined with Sandwyk Road forming a four-legged signalised intersection based on the upgrade design for the MR191 by the Western Cape Government.
  - *Intersection 2: R45 / New Class 3*
    - It is recommended that a traffic signal is installed (when warranted), along with a shared through and turning lane for the north- and southbound approached. Dedicated turning lanes are recommended for the westbound approach.
  - *Intersection 3: New Class 3 / McMillan Bricks Development Access*
    - A roundabout is proposed at intersection 3. The R45 AMP ultimate traffic scenario indicates that this roundabout may require dualling.
  - *Intersection 4: R45 / Berg River Resort Road*



- It is recommended that a traffic signal is installed (when warranted), along with a shared through and left-turn lane and a dedicated right-turn lane for the north- and southbound approaches. A shared through and left-turn and dedicated right-turn lane is also recommended for the east- and westbound approaches.
  - *Intersection 5: R45 / Green School Access*
    - It is planned to link the school with Berg River Resort Road and redistribute right-turners to make use of the Berg River Resort intersection in future. This will result in a partial configuration with only left-in, left-out and right-in traffic movements at intersection 5.
  - *Intersection 6: R45 / Val de Vie Access*
    - A traffic signal will be constructed at intersection 6 as part of the R45 upgrade project by the WCG. This upgrade includes an additional through lane for the north and southbound movements. Alternatively, a dual-lane roundabout can be constructed as recommended in the MR191 AMP.
- **Trip Generation:** The development is estimated to generate 542 total trips (136 in and 406 out) during the weekday AM peak hour and 542 total trips (380 in and 162) during the weekday PM peak hour.
  - **Site Access:** The development will gain access from the new Class 3 road connection linking the R45 and New Eskdale Street. An emergency/ service access is also proposed, which is approximately 270m from the main access.
  - **2028 Total Traffic:** Most of the intersections are expected to operate at an acceptable LOS with sufficient capacity, except the R45 / Green School access intersection (intersection 5). This intersection is expected to experience capacity and operational constraints during the AM Peak Hour. No upgrades are recommended at this intersection since the Berg River Resort intersection will accommodate the westbound right-turn volumes in future.

For the development, the new Class 3 road connection is recommended to be constructed between the McMillan Bricks Development access (intersection 3) and the Main Access.

- **Public Transport:** Public Transport embayments will be provided along the R45 as part of the R45 upgrade project, and will link up with the planned pedestrian sidewalk network. It is recommended that the public transport embayments be constructed along the new Class 3 road.
- **Non-Motorised Transport:** A pedestrian walkway will be provided along the eastern side of the R45 (R45 upgrade project). It is recommended that 2m wide sidewalks be constructed along the new Class 3 road site frontage, and extended towards the development access.

Based on the findings of the TIA, the impact of the proposed development could be mitigated, provided that the upgrades are recommended as depicted in the TIA. It is recommended that this development be considered for approval, from a transport point of view.

#### 5.4 Electricity Supply (Included as part of Specialist Report No. 1)

KLS Consulting Engineers were appointed to prepare an Electrical Services Report, which is attached hereto as **Specialist Report No 4**, in order to address the availability of electrical supply in the area.

- **Existing Electrical Infrastructure**

The only electrical infrastructure currently to the property is the existing 11kV lines, which will be removed once the development commences. These lines will not impact the surrounding properties, as they are dedicated to subject property.

- **New Electrical Demand**

For the development a supply of 4 000kVA would be required.

- **Availability of Supply**

The development forms part of the Drakenstein Municipality supply authority area, whom were approached with regard to the increase in supply to accommodate the development.

Drakenstein Municipality replied to the above as follow:

*“Drakenstein Municipality can confirm that there is sufficient power available on the 66kV distribution system but require excessive upgrading on the 11kV distribution system to supply the anticipated load requirement of 4MVA.*

*It is required of the developer to provide land of 625m<sup>2</sup> (25m x 25m), prior to construct a new proposed 11kV secondary switching station. The previous mentioned proposed 11kV secondary switching station shall always be accessible from communal public road for maintenance purposes.*

*The existing Suid End 66/11kV substation outbuilding must be extended to accommodate the proposed 11kV switchgear, the installation of 11 kV feeder cables to the new proposed 11 kV secondary switching station as well as the 11 kV ring feeders in De Zoete Inval precinct.”*

- **Electrical Infrastructure for the Development**

From the Drakenstein Municipality substation a single MV cable will be required to connect to the ring network of the development. This will enable redundancy of supply within the development.

## **5.5 Heritage Impact Assessment (Specialist Report No. 5)**

Me Cindy Postlethwayt, was appointed to prepare a Notice of Intent to Develop (NID), as well as the subsequent Heritage Impact Assessment which was required by Heritage Western Cape that would satisfy the provisions of Section 38(3) of the NHRA, with specific reference to the following:

- Desktop Paleontological Impact Assessment;
- Visual Impact Assessment

The proposed development triggers the requirements of the National Environmental Management Act (Act No 107 of 1998), and thus the HIA was submitted for final Comment by HWC in terms of Section 38(8) of the NHRA.

Me Cindy Postlethwayt, was appointed to conduct the Heritage Impact Assessment, the Visual Impact Assessment (VIA) was prepared by Me Megan Anderson and the Paleontological Impact Assessment (PIA) by Mr John Pether.

Establishing and grading for heritage significance is based on the three-tier grading systems used in the NHRA and HWC's "Grading Implications & Management of HR HWC Guidelines April 2016" (Postlethwayt, 2024).

The property is a remnant of the historical farm De Zoete Inval, one of the earliest to be granted in the region, although this portion, which retained the original farm name, took on its essential current form in an 1860 subdivision, which has been long separated from its original homestead.

There are groups of structures on the subject property older than 60 years or of heritage or cultural significance, strung along the central historical avenue. They do not conform significantly to the traditions of the Cape werf, except in-so-far as there is a minor degree of hierarchy, order and linearity.

- In a complex of three working farm buildings situated in a densely treed environment at the entrance to the farm, they are all individually and collectively proposed to be graded *IIIC* as a representative yet modest grouping and agricultural remnant of the historical farm De Zoete Inval.
- Alongside a central access avenue, two residences surrounded by mature trees, both are individually and collectively proposed to be graded *Not Conservation Worthy*.
- Alongside the central access avenue to the west of the farm, a row of five farm labourer cottages, all are individually and collectively proposed to be graded *Not Conservation Worthy*.

The property does not fall within an historically significant townscape. At the farm scale, the property has significance as part of the Berg River Cultural Landscape, with its linear layout on the riverine terrace paralleling the Berg River and associated agricultural lands. It forms part of a string of historical farms along the Berg River forming part of a proposed *Grade IIIB riverine landscape*.

No archaeological assessment was undertaken, but precedent would indicate that the archaeological significance of any material found there is likely to be Low.

An important contextual informant (particular against the backdrop of the Drakenstein Heritage Survey) is the Drakenstein Municipal Spatial Development Framework (May 2024) which identifies the subject property within urban edge and designates the area above the 1:100-year flood line for Urban Infill.

Impacts of the preferred alternative are generally **High to Moderate significance (negative)** prior to mitigation in respect of the heritage and visual considerations and **High to Moderate and Moderate with mitigation**.

While mitigation will not be able to restore the current rural character and sense of place, it could reduce the visual impact of the surrounding areas, with specific reference to the rural and river landscape.

The property is designated for urban infill, and guidelines should be focussed on the primary areas of heritage and visual concern. Therefore, development within the urban edge is acceptable and the potential high impacts, in particular the visual impacts can be reduced with further mitigation to *Moderate*.

The access route option from the R45 to the entrance of the development, along the railway reserve is not considered to have a significant, additional negative impact.

The Draft HIA, as a component of the Environmental Basic Assessment Report was advertised for comment to registered Conservation Bodies, Drakenstein Municipality and other I&AP's identified through the NEMA process.

Resulting from the above comments received, the development proposal was duly revised and amended in order to address some concerns and comments received.

The impacts of the respective revisions to the preferred alternative were further assessed and included in the HIA and supporting documents.

Subsequent to the submission of the additional information and heritage assessments the application was tabled at the IACom (Heritage Western Cape) meeting that was held on 22 January 2025.

The Committee resolved to endorse the Heritage Impact Assessment (HIA, a copy is attached hereto as Specialist Report No 5), as having met the provision of Section 38(3) of the National Heritage Resources Act (NHRA), with specific reference to the following recommendations:

- Endorsement of the HIA Report as having met the requirements of Section 38(3) of the NHRA;
- In terms of Section 38(3) of the NHRA supports the preferred alternative, subject to the mitigation measures as contained in the HIA, which proposed mitigation measures to be included in the Final Environmental Management Programme and any further planning and design documentation that follows this phase of approvals;
- Approves the demolition of the buildings older than 60 years proposed to be graded Not Conservation Worthy.

Section 16 of the **Heritage Impact Assessment** (attached hereto as **Specialist Report No 5**) includes the mitigation measures, and if implemented the proposed development will have a **Moderate Visual Impact**, although the negative impact of the loss of the remaining agricultural extent of the farm is likely to be **High to Moderate-High**.

The HIA concluded in a formal *Heritage Authorisation* dated 05 February 2025, being issued by HWC. A copy of the Heritage Western Cape decision in this regard is attached hereto as part of **Annexure E**.

#### **5.5.1 Paleontological Impact Assessment (PIA)**

Mr John Petner conducted the Desktop Palaeontological Impact Assessment (PIA). The PIA report elucidates the palaeontological potential of the subsurface of the proposed area and concludes that the probability of a palaeontological impact is **LOW**.

##### *Geological Context of the subject area:*

According to the PIA Report, the area is underlain by unfossiliferous Malmesburg Group bedrock shales which are deeply weathered and mined for brick clay. The area is also underlain by alluvium in the form of an alluvial terrace above the present river level. Typically, a basal gravel occurs on the bedrock, which may not be a uniform surface as incised channels and potholes may be present in places.

*Anticipated Palaeontological Impact:*

The alluvial terraces flanking the upper Berg River have been extensively covered by urban development, but fossils from excavations have evidently not been uncovered or reported (Petner, 2023). It may be assumed that the alluvial deposits in the adjacent of the Eerste River are analogous to those of the upper Berg River.

In view of the unfavourable soil conditions for fossil bone preservation and the lack of fossil bones in such deposits the palaeontological sensitivity of the alluvium underlying the site may consequently be revised to **LOW**.

Although the intensity of impact on fossil resources is rated as **LOW** and fossil finds are improbable, the proposed development entails considerable shallow subsurface disturbance, and a chance occurrence of fossil material cannot be entirely dismissed and could be of scientific significance. It is recommended that a protocol for finds of potential fossil material, as well as buried artefacts and unmarked graves – the Fossil Finds Procedure (FFP) - is included in the Environmental Management Programme (EMPr) for the construction phase.

### **5.5.2 Visual Impact Assessment (Specialist Report No. 10)**

A Visual Impact Assessment was conducted by Me Megan Anderson for the proposed development, whom previously provided a Visual Framework Study which indicated the visual constraints and opportunities of the site, and duly included within the VIA attached hereto as ***Specialist Report No 10***.

The intention of the VIA was to:

- Assess the proposal against the visual impact criteria (visibility, visual exposure, sensitivity of site and receptor, visual absorption capacity and visual intrusion).
- Assess the impacts based on a synthesis of criteria (criteria = nature of impact, extent, duration, intensity, probability and significance).
- Establish mitigation measures and monitoring requirements.

Various amendments to the original proposed development following the initial recommendations by Me Anderson, has been incorporated within the final proposed development which is subject to this application.



### **Mitigation measures**

Mitigation measures that have been incorporated in the final layout, are:

- Reducing of density from west to east,
- Reducing the units north east and creating a wider building setback from the boundary,
- Reducing heights of buildings to single storey adjacent to the rural areas,
- Provision of green buffers along the boundary, and
- Provision of green surrounds to the three storey buildings.

### ***Recommendations:***

The VIA concludes with the following recommendations:

- The visual impacts and mitigation measures be re-assessed at the SDP phase of each of the five development phases.
- The buffers along the southern and northwestern (Frater Farm working buildings and access road) are implemented as indicated as single storey units abutting these areas and windrow tree planting close to the boundary lines.
- That the large trees are retained as per the Landscape Master Plan.
- Lighting development plans are provided for all phases of development ensuring the minimising of Light pollution.

Furthermore, an Operation Management Plan for the Buildings, Infrastructure and Landscaping is produced by the Developer which will prescribe maintenance requirements in order to retain buildings and infrastructure in good condition and provide for the ongoing establishment of the landscape.

The VIA concludes that with the recommendations and mitigation measures, the development will have a **Moderate Visual Impact**.

## **5.6 NEMA Impact Assessment Report (Specialist Report No. 6)**

It is confirmed that the development proposal is the subject of a Basic Assessment application process in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as conducted by Guillaume Nel Environmental Consultants.

The NEMA Basic Assessment (“BAR”) process included a range of Specialist Reports conducted, copies of which are attached hereto and amongst others included the following:

- Floodline determination
- Freshwater Ecology Assessment
- Heritage Impact Assessment
- Hydropedological Assessment
- Traffic Impact Assessment
- Visual Impact Assessment

The NEMA process was initiated in June 2023, after which the First Draft BAR was submitted to the DEADP on 06 November 2023. Subsequent hereto the second Pre-application period has been completed, which included various amendments and changes to the proposed development as a result of the respective Specialist- and interested and affected parties’ input and recommendations.

GNEC Consultants are in process of finalising the Final BAR to be submitted to the DEADP, after which the Controlling Authority will duly assess the application and issue the Environmental Decision thereon.

A copy of the final BAR submitted to DEA&DP in this regard is attached hereto as **Specialist Report No. 6**.

#### **5.6.1 Hydropedological Assessment**

A Hydropedological Assessment was conducted by Prof. Johan van Trol from Digital Soils Africa(Pty)Ltd, which is attached to **Specialist Report No 6** (Annexure G).

The aim of the study was to establish the connectivity between two identified wetlands on the site. In this regard, FEN Consulting indicated that the seep wetland located along the western portion of the site is relict and therefore no longer functions as a wetland. One wetland occurs in localised depressions where the ground surface is closer to the perched water. The Survey found that the whole site is connected via subsurface flow

paths and not only the wetlands. Protecting the relict wetland to maintain the functioning of the active seep will not yield the desired benefits.

The Freshwater- and Hydropedological Studies confirmed that the relict wetland no longer functions as a wetland and therefore does not enjoy protection under the National Water Act, 1998.

No connection between the relict wetland and the seep wetland were identified, however there is underground flow from West to East. The provision is made for the underground water flow in the green areas which are located in a West – East direction, and provision is made for sub-surface and surface flow.

#### **5.6.2 Vegetation Assessment**

The site's vegetation is mapped to have historically supported Swartland Alluvium Fynbos and Swartland Granite Renosterveld. The site as well as the area where the external services are proposed, has been transformed from its natural state due to previous agricultural activities, as well as construction of services, therefore the site is not sensitive from a botanical point of view as it does not contain any indigenous vegetation (source: DBAR, 2025).

An Alien Clearing Management Plan has been compiled by GNEC, which is attached to ***Specialist Report No 5***.

#### **5.6.3 Freshwater Assessment**

Freshwater Ecologist Network (FEN) Consulting was appointed to conduct a freshwater impact assessment as part of the Environmental Authorisation and Water Use Authorisation (WULA) processes for the proposed Frater Residential Estate.

Analysis, concluded that the disappearance of the braided network associated with the Van Wyks River (i.e its ability to floodplain) stems from the formalisation of this freshwater ecosystem, to increase the arable extent of the erf and drain towards the system to the Berg River. Several site visits assisted with the identification, delineation

and assessment of three freshwater ecosystems that are associated with the proposed development, namely;

- The Berg River along the eastern edge of the site;
- The Van Wyk's River that bisects the property;
- A seep wetland west of the Van Wyk's River.

A large portion of the wet area was not considered as being a freshwater ecosystem, due to the absence of a present day wet response, despite the observed hydromorphic of the soil which is indicative of historic seasonal saturation conditions, which have not occurred since the formalisation of freshwater ecosystems on site. Only a small portion was retained and classified as a seep wetland, which likely would have drained to the historic floodplain areas of the Van Wyks River.

The ecological assessment determined the Berg River to have a Present Ecological Status (PES) Class D (largely modified), a High Ecological Importance and Sensitivity (EIS) and High ecoservices provision. The Van Wyks River has a PES E (Seriously modified) and a Low EIS and ecoservices provisioning. It is recommended that the PES of the Van Wyks River be improved by one class through rehabilitative action.

The Department of Water and Sanitation recommended that a hydrogeological assessment be conducted to confirm whether there is a connection between the relict wetland and the seep wetland.

No connection between the wetlands were identified, however there is underground flow from West to East. The provision is made for the underground water flow in the green areas which are located in a West – East direction. Provision is made for sub-surface and surface flow.

The development has been significantly influenced by the presence of watercourses, with strategic adjustments made to accommodate and integrate them into the design. The seep wetland has been incorporated into the development, preserving the natural landscape while enhancing the area's ecological value. To mitigate flood risks, the flood line has been adjusted, ensuring the site remains safe from potential water

damage. In addition, a new culvert is proposed alongside the access road, improving accessibility while managing water flow.

The application also includes rehabilitation efforts, primarily focussing on alien vegetation clearing, which will assist in restoring the natural habitat and improve the overall environmental quality of the area.

Based on the findings of the watercourse assessment and the results of the impact assessment, it is the opinion of the ecologist that the proposed activities pose a low risk to the integrity of the Berg River provided that adherence to cogent, well-conceived and ecologically sensitive construction plans are implemented and the mitigation measures provided in this report as well as general good construction practice are adhered to, the proposed activities are considered acceptable.

#### **5.6.4 Socio-Economic Impacts**

Socio-economic impacts refer to social and economic changes, as well as whether any associated economic improvement would occur. The proposed residential estate will provide more housing opportunities to the increasing number of residents in the Paarl area, as well as provide job opportunities during the construction and operational phases.

The Cape Winelands region has recently experienced rapid growth with an influx of more permanent residents as a result, thus, the proposed residential development will provide residential properties to an increased number of permanent residents. The construction of the proposed development and the upgrading/construction of the associated roads will provide job opportunities to the surrounding communities.

The operation of the proposed residential development estate will also require labour, which will create more job opportunities over the long term, and therefore it is expected to facilitate economic growth and socio-economic benefits for the proposed area and surrounding communities.

### 5.6.5 Environmental Assessment Conclusion

The appointed Environmental Practitioner concludes, and based on the respective *Specialist Studies* that have been undertaken in order to inform the proposed development, be authorised subject to the conditions as indicated in the Basic Assessment Report, consisting of:

- Compliance with the Environmental Management Programme (EMPr);
- Appointment of a qualified Environmental Control Officer (ECO) to oversee the compliance of the EMPr;
- ECO to conduct Environmental Control Audits;
- Enforcement of the Environmental Management Programme;
- An external independent audit be undertaken at a frequency determined by the Controlling Authority.

The final Environmental Decision that will be issued by the Department of Environmental Affairs and Development Planning will be submitted to the Drakenstein Municipality on receipt thereof.

## SECTION E

This section set outs the motivation and burden of proof as basis for the desirability of the proposed development as well as the concluding recommendation.

### 6. MOTIVATION AND BURDEN OF PROOF

#### 6.1 Need

The Drakenstein Municipality is one of the main urban growth points in the Western-Cape and as such there is a continued need for the provision of residential and related ancillary land use development opportunities within the municipal area.

The development offers a scope of housing typologies including the entry level market segment, with the opportunity for ownership or rental at an appropriate location and duly aligned with provisions of the adopted 2024 MSDF.

## 6.2 Desirability

The proposed development is defined and designated for Urban Infill and Agriculture development within the urban edge in terms of the approved Drakenstein 2024 MSDF.

In addition to the above MSDF alignment confirmation it is also noted that:

- The application property is not located within a proposed Heritage Protection Overlay (HPO); and
- In terms of the approved Drakenstein Mountain Slopes Policy the application property is not situated in a visually sensitive area.

Accordingly, the proposed development application is considered to be duly aligned with the provisions of the approved Drakenstein 2024 MSDF and related planning policies and as such the proposed subdivision and rezoning of the application property is consistent with the envisaged future surrounding development character that will result from the MSDF designation thereof for Urban Infill purposes.

There is no indication / anticipation based on the available information that the proposed development will negatively impact on the safety, health and wellbeing of the surrounding community in an undue manner.

The availability and impact on engineering services has been duly assessed and subject to the specific phased limitations and recommendations regarding certain upgrades to be affected it is indicated that the proposed development can be duly accommodated from an engineering services perspective.

The potential traffic impact arising from the proposed development has been duly assessed and subject to the specific recommendations regarding certain upgrades to be affected it is indicated that the proposed development can be duly accommodated from a traffic impact perspective.

The potential social-economic impact implications are considered to be positive and beneficial and include the following considerations:

- Short- and medium-term job creation resulting during the construction phases of the proposed development;



- General upgrade and expansion of services infrastructure resulting from direct services installation / construction as well as the payment of development contribution levies;
- The general expansion of the Municipal rates and taxpayer base;

All potential bio-physical and heritage related impacts have been duly assessed as part of the NEMA EIA, HIA and VIA application submissions. Subject to the implementation of the various recommendations and mitigations as contained in the formal Environmental and Heritage Authorisations issued and as set out in detail in the respective specialist reports drafted as part of the EIA and HIA submissions, there is no reason to believe that the proposed development will give rise to undue bio-physical and or heritage related impacts.

### **6.3 Compliance with Drakenstein Planning By-Law Principles and LUPA**

It is confirmed that the development proposal complies with the provisions and principles of the Drakenstein Municipal Land Use Planning By-Law (2018) as well as the Western Cape Planning and Land Use Management Act, 2014 (Act 3 of 2014).

#### **Public interest and desirable land use in terms of the Drakenstein Municipal Planning By-Law (2018):**

The proposed development is generally considered to be in the public interest, as the land use rights is generally consistent with approved policy guidelines on a National, Provincial and Local level.

#### **Facts and circumstances of the application in terms of the Drakenstein Municipal Planning By-Law (2018) provisions:**

The facts and circumstances as it relates to this particular application have been set out in detail in the report as well as the attached ancillary Specialist Reports.

#### **Rights and obligations of affected parties in terms of the provisions of the Drakenstein Municipal Planning By-Law (2018) will be considered in the following manner:**

- The application will be advertised in the prescribed manner by the Drakenstein Municipality or applicant and an objection period of 30 days will be afforded to any

affected parties.

- The Drakenstein Planning Department or applicant will circulate the application for comments from internal departments of the Municipality. Any concerns raised will have to be dealt with to the satisfaction of the relevant department.
- The Drakenstein Planning Department or applicant will circulate the application to relevant external departments/institutions for a 60-day commenting period.

**Impact on engineering services, social infrastructure and open space in terms of the provisions of the Drakenstein Municipal Planning By-Law (2018):**

The potential impacts have been duly assessed in terms of a range of Specialist Reports / Assessments conducted. Accordingly, the necessary mitigation and upgrades as required have been identified and specified in the relevant reports for inclusion as appropriate conditions of approval.

**Response to objections will be dealt with as follows:**

- The applicant will reply to any valid objections received in response to the application.
- The advertisements will comply with the relevant provisions of the Drakenstein Municipal Planning By-Law (2018), as well as those in terms of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014). The rights of potential objectors and or interested parties will be brought to the attention of potential objectors and or interested parties in terms of the requirements of the Drakenstein Municipal Planning By-Law (2018).

#### **6.4 Development Principles**

This application is submitted in terms of the Drakenstein Municipality: Land Use Planning By-Law (2018), and will be considered accordingly. As such the development principles on National Level in terms of Section 7 of the Spatial Planning and Land Use Management Act (Act 16 of 2013 -SPLUMA) and in terms of Section 59 of the Western Cape Land Use Planning Act (Act No 3 of 2014 – LUPA) are applicable.

The proposed application n indicated above will be evaluated as follow against the five development principles:

**a) Principle Spatial Justice**

- Spatial justice is primarily focussed on redressing past spatial and other development imbalances, by means of improved access and use of land.
- The proposed development will enhance access to residential related opportunities, including the entry level market at an appropriate location as designated in terms of the approved MSDF. The development will arguably also add a number of permanent job opportunities more specifically in the longer-term operational phase of the development some of which could be taken up by people currently residing within surrounding environments. The development will arguably also add to the longer-term economic vitality and viability of the Paarl-South Development area as it will serve to support the expansion of services infrastructure and capacity which could be to the benefit not only of the specific development per se but also to the wider surrounding environment. These elements all serve to in part address the principle of Spatial Justice.

**b) Principle of Spatial Sustainability**

- This principle requires that spatial planning and land use management system must promote land development that is within the fiscal, institutional and administrative means of the Republic. Consideration is to be given towards the protection of prime and unique agricultural land.
- All potential bio-physical and heritage related impact context have been duly assessed as part of the NEME EIA and HIA applications. The subsequent authorisations issued by the relevant controlling authorities confirm that there is no reason to believe that the proposed development will give rise to undue bio-physical and or heritage related impacts.
- This translates to sustainable development in locations that limit urban sprawl, upholding environmental considerations and ensuring that development is feasible and financially viable. It is therefore deemed that the proposed residential development adheres to the principle, as the subject property is indicated for Urban Infill / Agriculture and located within the Urban Edge.
- The implementation and future operation of the development will in turn be underpinned by the detailed architectural and landscape guidelines submitted as

part of the application. The application is also underpinned by an extensive bulk services and traffic planning reports which provides for the development to be operated on a sustained basis in the future.

#### **c) Efficiency**

- Efficiency requires that land development optimises the use of existing resources and infrastructure.
- The proposed development will result in a residential development with a gross density of approximately 21units / ha, and located within the future Drakenstein MSDF urban expansion context and can be accordingly considered as appropriate urban expansion / infill development.
- The development of the particular application property is accordingly in support of the general planning principles of limiting urban sprawl whilst allowing for appropriate and justifiable urban development so as to ensure the optimal and efficient utilisation of land made available for development purposes.

The development will also be subject to the installation and utilisation of appropriate technologies so as to reduce future water and electricity demand which will ensure long term operational efficiency for the development.

#### **d) Spatial Resilience**

- Spatial resilience provides for flexibility in spatial plans, policies and land use management systems to be accommodated so as to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks
- Potential risk and negative impacts emanating from the proposed development have been duly assessed as part of the NEMA EIA and HIA applications and the resulting authorisations issued confirmed that no undue risk or negative impacts are anticipated.
- The application is also underpinned by an extensive bulk services and traffic planning reports which provides for the development to be operated on a sustained and spatially resilient basis in the future.

### e) Principle Good Administration

The application as set out in this document has and will continue to be the subject of good, fair and just administrative application processes as alluded to in paragraph 6.3 above.

Based on the above considerations the application considered to duly aligned with the relevant SPLUMA Developments Principles.

## 7. CONCLUSION

Application is made in terms of the relevant Sections of the Drakenstein Municipal Planning By-Law (2018) for the Rezoning and Subdivision application in respect of Erf 8442 so as to establish a secured residential estate comprised of an agricultural remainder and 655 residential units referred to as **Frater Estate**, as depicted on Plan No. 3 attached hereto. The applicant intends to retain the agricultural look and feel of the application property whilst allowing for a development proposal which includes various residential typologies of decreasing densities going eastwards, from residential units and residential apartments to single residential to gentlemen's estates bordering the agricultural portion which will remain (approximately 60% of the site will remain agricultural).

The proposed development has been duly assessed as part of the NEMA EIA and HIA assessments, and was indicated that no undue risk or negative impacts are anticipated.

The application is also underpinned by an extensive bulk services and traffic planning reports which provides for the development to be operated on a sustained and spatially resilient basis in the future.

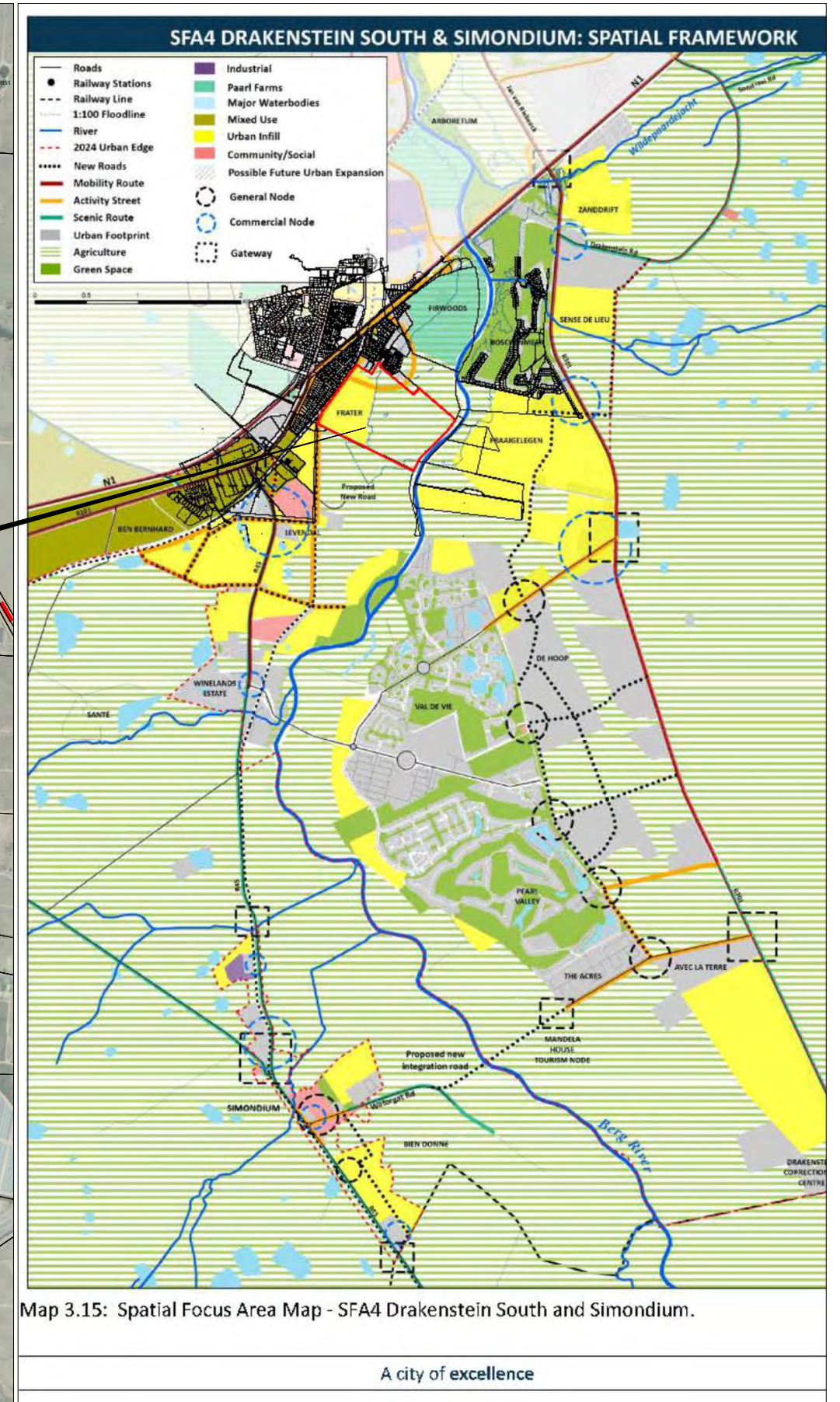
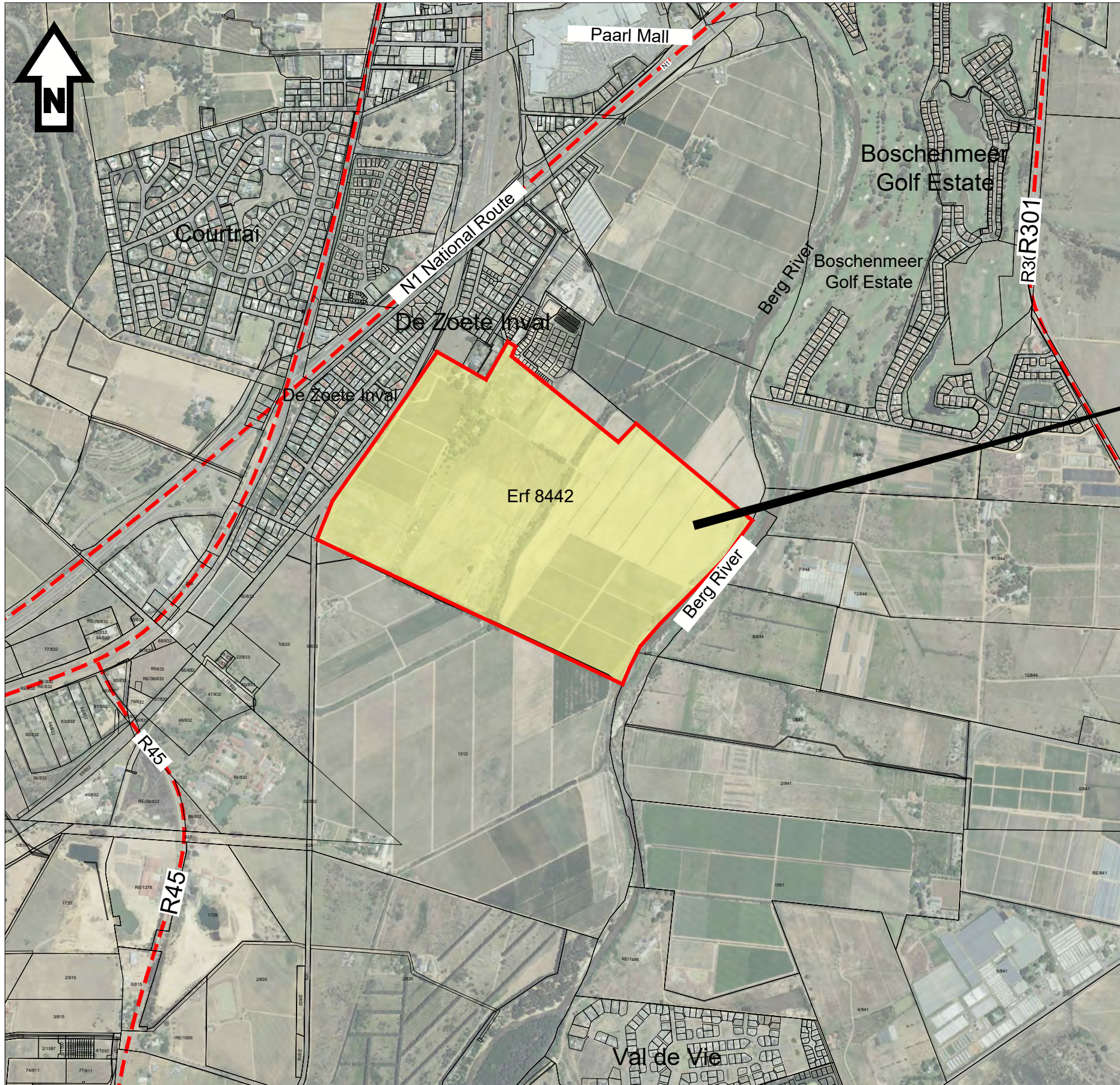
The findings and recommendations as contained in the attached Specialist Reports have been duly incorporated and accounted for in the proposed subdivision layout as well as the in Architectural Guidelines and Landscape Plan which will serve to guide the future implementation of the development.

Accordingly, in view of the motivating considerations as set out above, the application is deemed to be desirable and should be considered for approval by your Council.

## PLANS

- **Plan No 1A:** Broad Locality & Drakenstein MSDf(2024)
  - **Plan No 1B:** Locality Plan
  - **Plan No 2:** Proposed Main Subdivision
  - **Plan No 3:** Proposed Subdivision Portion A
  - **Plan No 4:** Proposed Phasing Plan
  - **Plan No 5:** Street Naming and Numbering
  - **Plan No 6:** Exempted Servitudes
  - **Plan No 7:** Proposed Building Area Servitude
  - **Plan No 8:** Exempted Servitudes (Erven 39750 & 19436)
  - **Plan No 9:** Proposed Exempted Road Reserve Erf (Farm 1312)
  - **Concept Site Development Plan**
  - **Master Landscaping Plan**
-





Map 3.15: Spatial Focus Area Map - SFA4 Drakenstein South and Simondium.

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## Frater Estate

Property Description:

Erf 8442, Paarl

Drawing:

Broad Locality & Drakenstein  
MSDF (2024) Context Map

Date:

10/06/2025

Scale:

NTS

Project no.:

3688-P

Drawn:

WH

Checked:

MW

Plan no.:

1A

Notation:

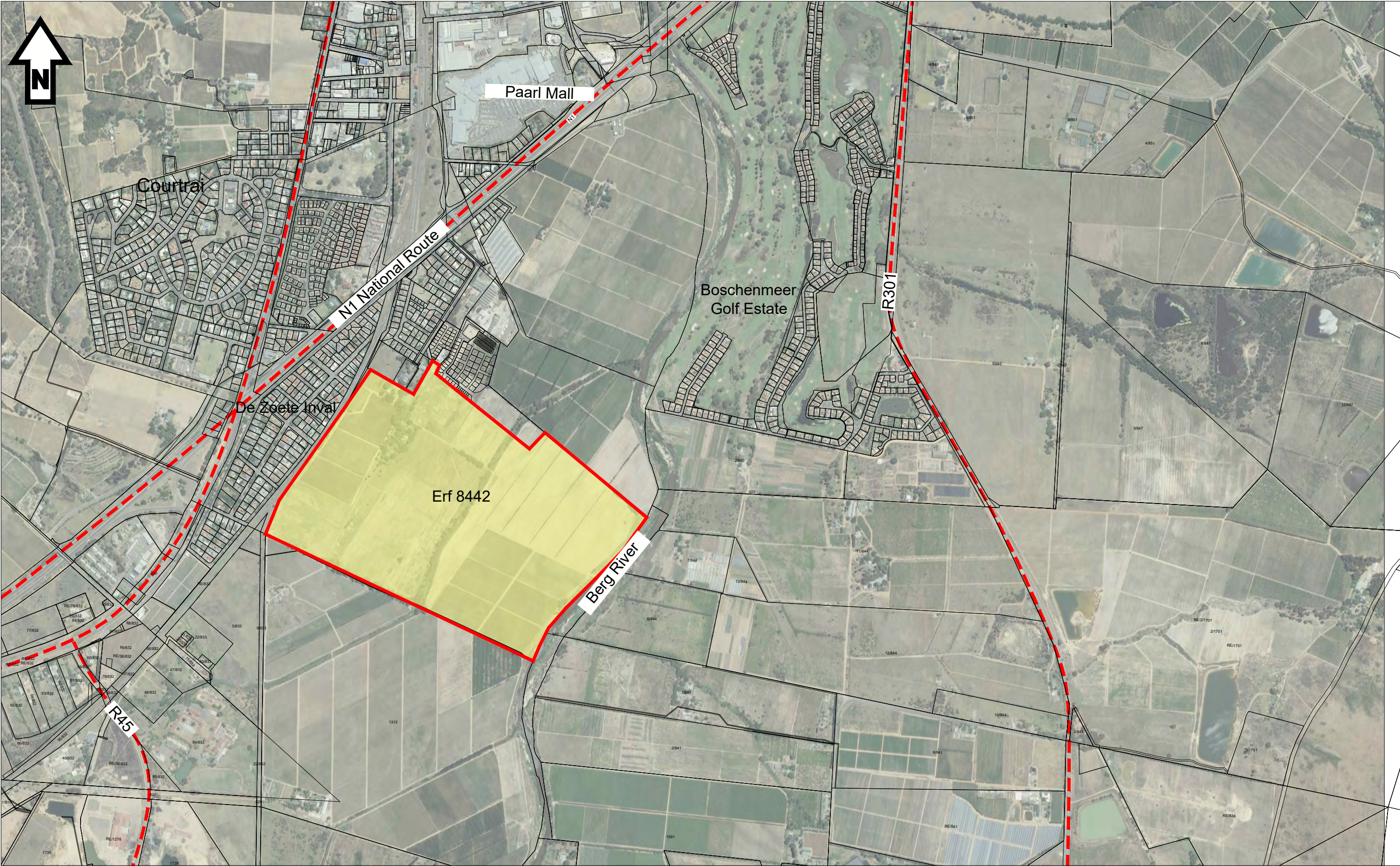
Cadastral information obtained from Surveys and Mapping (DRDLR).


Drakenstein Spatial Development Framework 2024 map FA4 Drakenstein South: Spatial Framework.

\* All areas and dimensions are approximate and should be verified by a professional land surveyor.

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Frater Estate

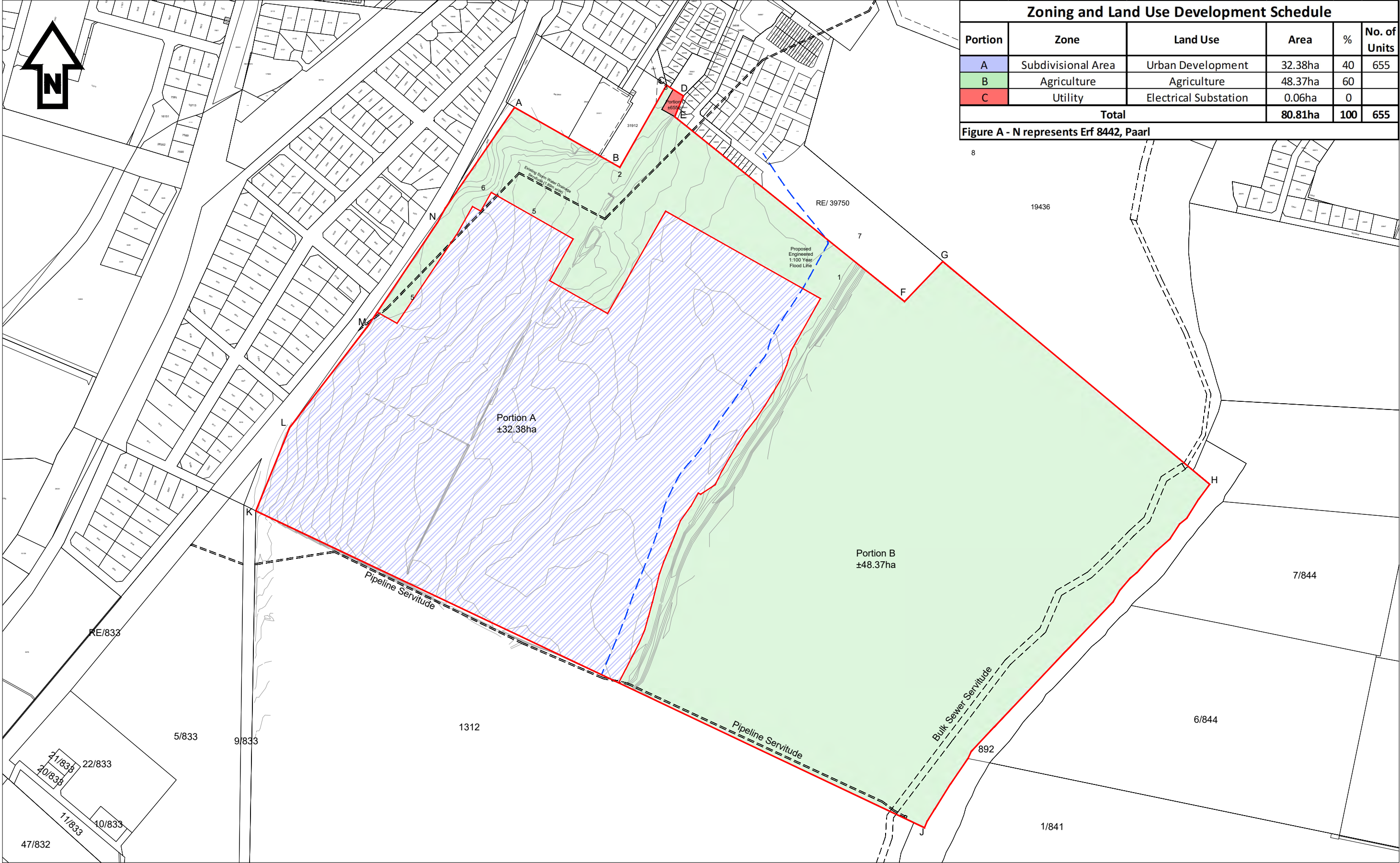
Property Description:  
Erf 8442, Paarl

Drawing: Local Locality		Plan no.: 1B
Date: 10/06/2025	Scale: NTS	
Project no.: 3688-P	Drawn: WH	Checked: MW

Notation:  
Cadastral information obtained from Surveys and Mapping (DRDLR).  
  
Drakenstein Spatial Development Framework 2024 map FA4 Drakenstein South: Spatial Framework.

\* All areas and dimensions are approximate and should be verified by a professional land surveyor.  
  
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Zoning and Land Use Development Schedule					
Portion	Zone	Land Use	Area	%	No. of Units
A	Subdivisional Area	Urban Development	32.38ha	40	655
B	Agriculture	Agriculture	48.37ha	60	
C	Utility	Electrical Substation	0.06ha	0	
Total			80.81ha	100	655
Figure A - N represents Erf 8442, Paarl					

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Frater Estate

Property Description:  
Erf 8442, Paarl

Drawing:  
Proposed Main Subdivision

Date:  
10/06/2025

Project no.:  
P3688

Plan no.:  
2

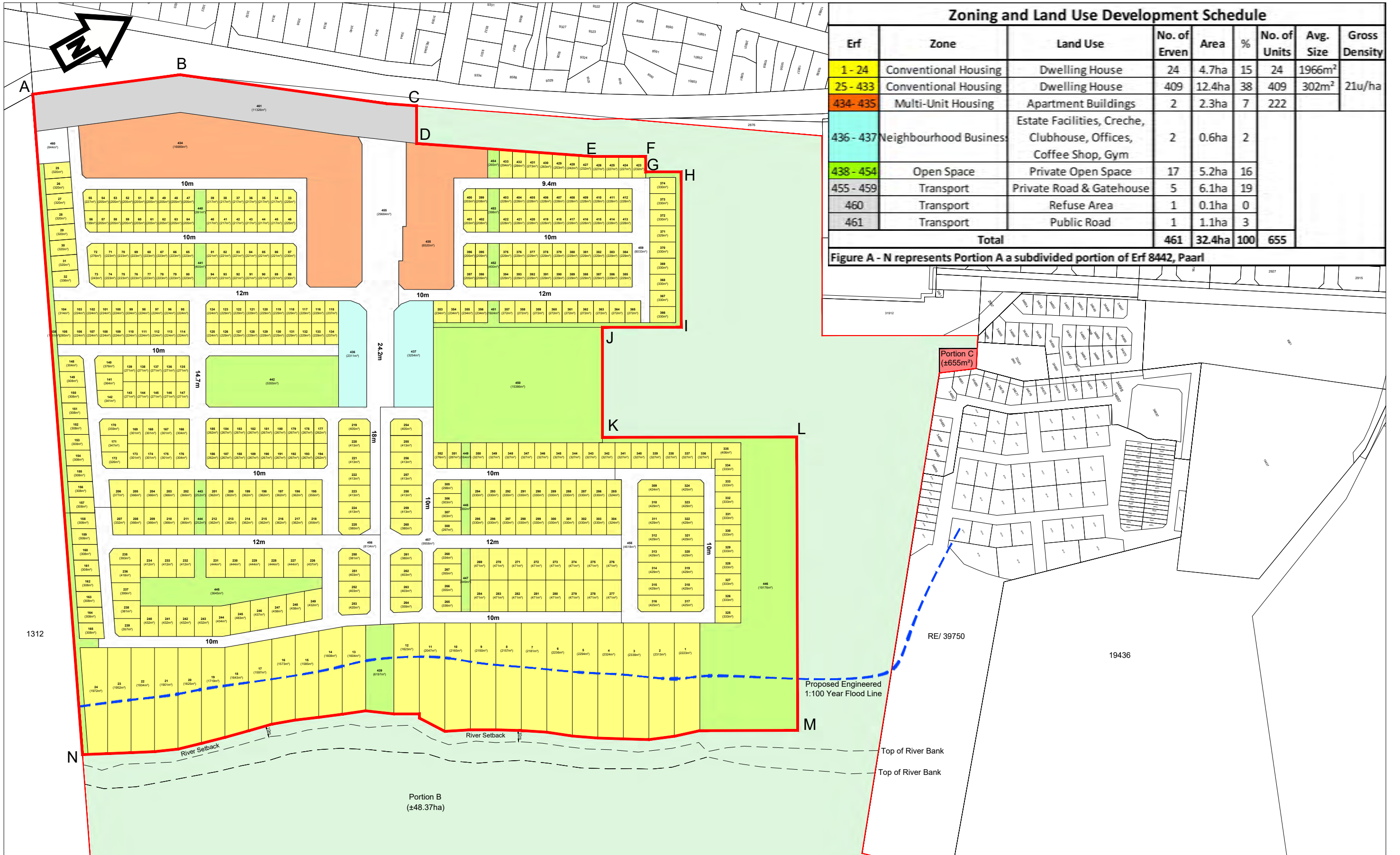
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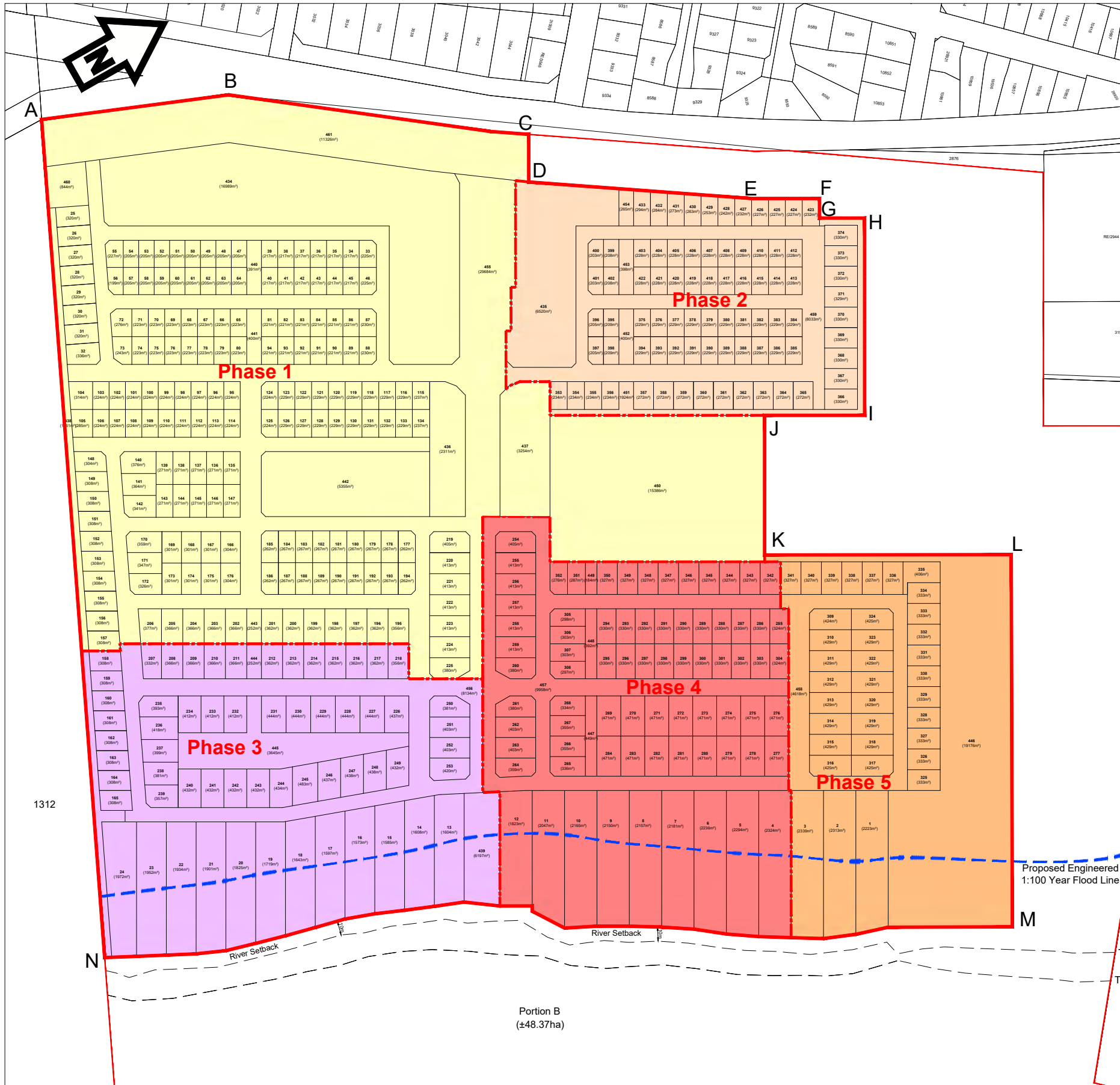
Notation:  
Cadastral information obtained from Surveys and Mapping (DRDLR).  
Aerial Photography obtained on Google Earth.

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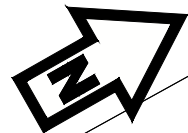






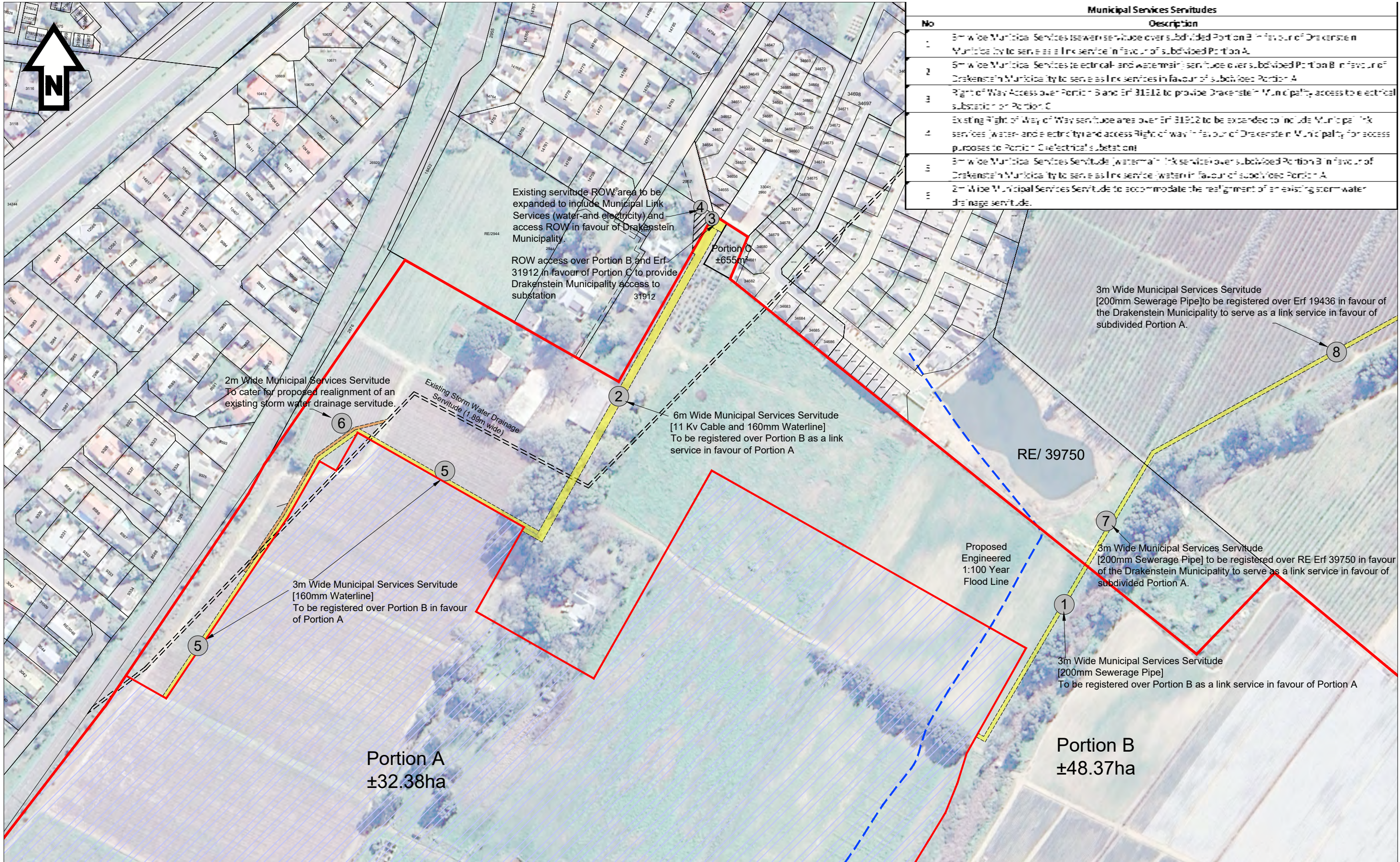
Zoning and Land Use Development Schedule				
Phase	Zone	Land Use	No. of Residential Units	Area
1	Conventional Housing	Dwelling House	181	13.5ha
	Multi-Unit Housing	Apartment Buildings	150	
	Neighbourhood Business	Estate Facilities, Creche, Clubhouse, Offices, Coffee Shop, Gym		
	Open Space	Private Open Space		
	Transport	Private Road & Gatehouse		
	Transport	Refuse Area		
	Transport	Public Road		
Total			331	
2	Conventional Housing	Dwelling House	81	3.7ha
	Multi-Unit Housing	Apartment Buildings	72	
	Open Space	Private Open Space		
	Transport	Private Road		
Total			153	
3	Conventional Housing	Dwelling House	60	5.5ha
	Open Space	Private Open Space		
	Transport	Private Road		
Total			60	
4	Conventional Housing	Dwelling House	75	5.5ha
	Open Space	Private Open Space		
	Transport	Private Road		
Total			75	
5	Conventional Housing	Dwelling House	36	4.1ha
	Open Space	Private Open Space		
	Transport	Private Road		
Total			36	
Grand Total			655	32.4ha

Figure A - N represents Portion A a subdivided portion of Erf 8442, Paarl



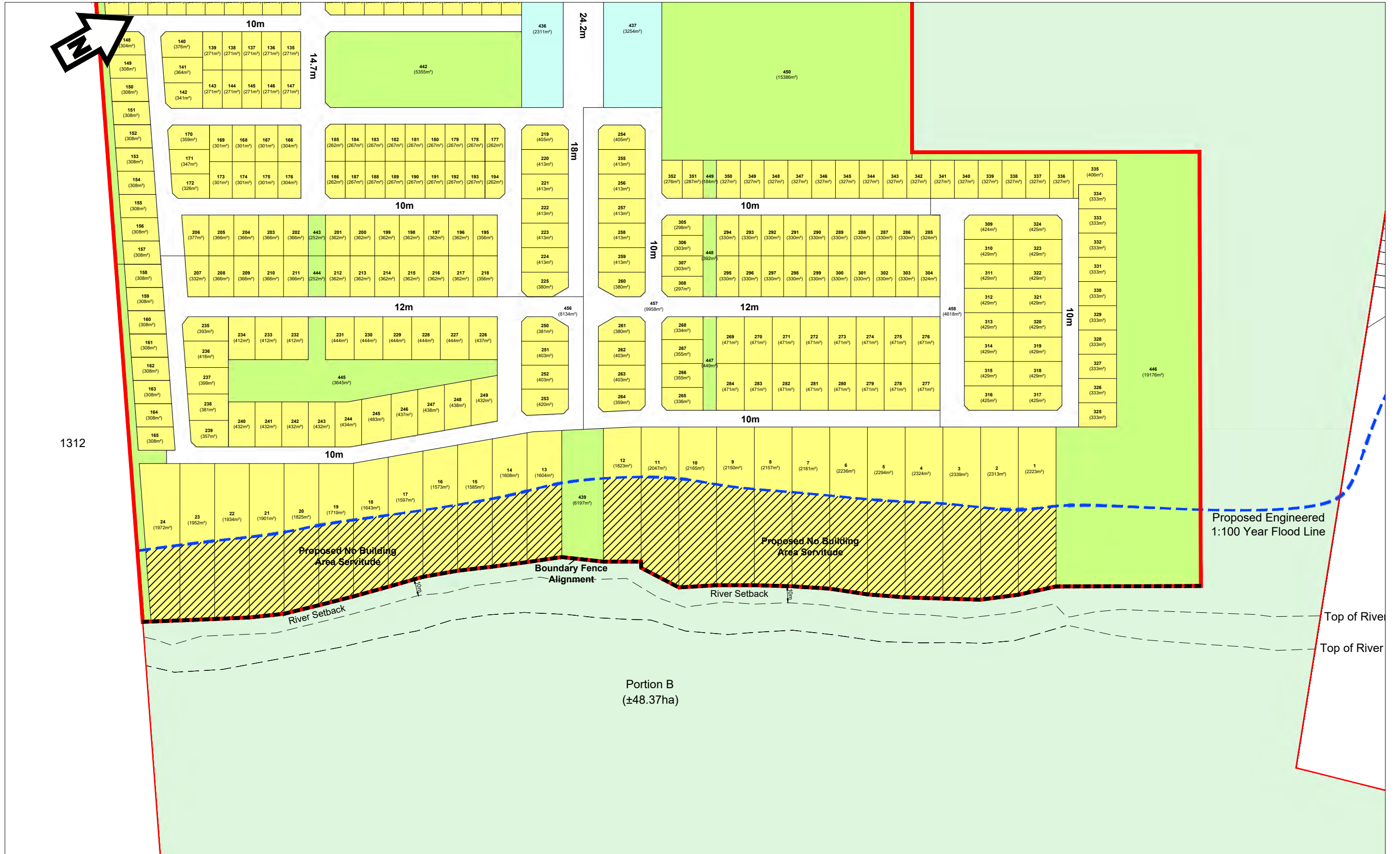
- ### Alternatives
- Primula
  - Krokus
  - Koraalblom
  - Strelitzia
  - Dubbelskoen
  - Lekerbreek
  - Kersblom
  - Afrikanerblom
  - Vleiglans
  - Skimmelblom
  - Salieblom
  - Hartblom
  - Springblom
  - Witblom





Municipal Services Servitudes	
No	Description
1	3m Wide Municipal Services (sewer) servitude over subdivided Portion B in favour of Drakenstein Municipality to serve as a link service in favour of subdivided Portion A.
2	6m Wide Municipal Services (electrical and watermain) servitude over subdivided Portion B in favour of Drakenstein Municipality to serve as link services in favour of subdivided Portion A.
3	Right of Way Access over Portion B and Erf 31912 to provide Drakenstein Municipality access to electrical substation on Portion C.
4	Existing Right of Way servitude area over Erf 31912 to be expanded to include Municipal link services (water and electricity) and access Right of way in favour of Drakenstein Municipality for access purposes to Portion C (electrical substation).
5	3m Wide Municipal Services Servitude (watermain link service) over subdivided Portion B in favour of Drakenstein Municipality to serve as link service (watermain) in favour of subdivided Portion A.
6	2m Wide Municipal Services Servitude to accommodate the realignment of an existing storm water drainage servitude.





<p>FIRST FLOOR LA GRATITUDE OFFICE BUILDING   97 DORP STREET STELLENBOSCH 7600   TEL +27 (21) 861 3800   www.tv3.co.za</p>	<h1>Frater Estate</h1>		Drawing:		Plan no.:	
			Proposed Building Area Servitude		7	
	Date:		Scale:			
	10/06/2025		1:1500 (A3)			
Project no.:		Drawn:	Checked:			
P3688			MW			

Notation:

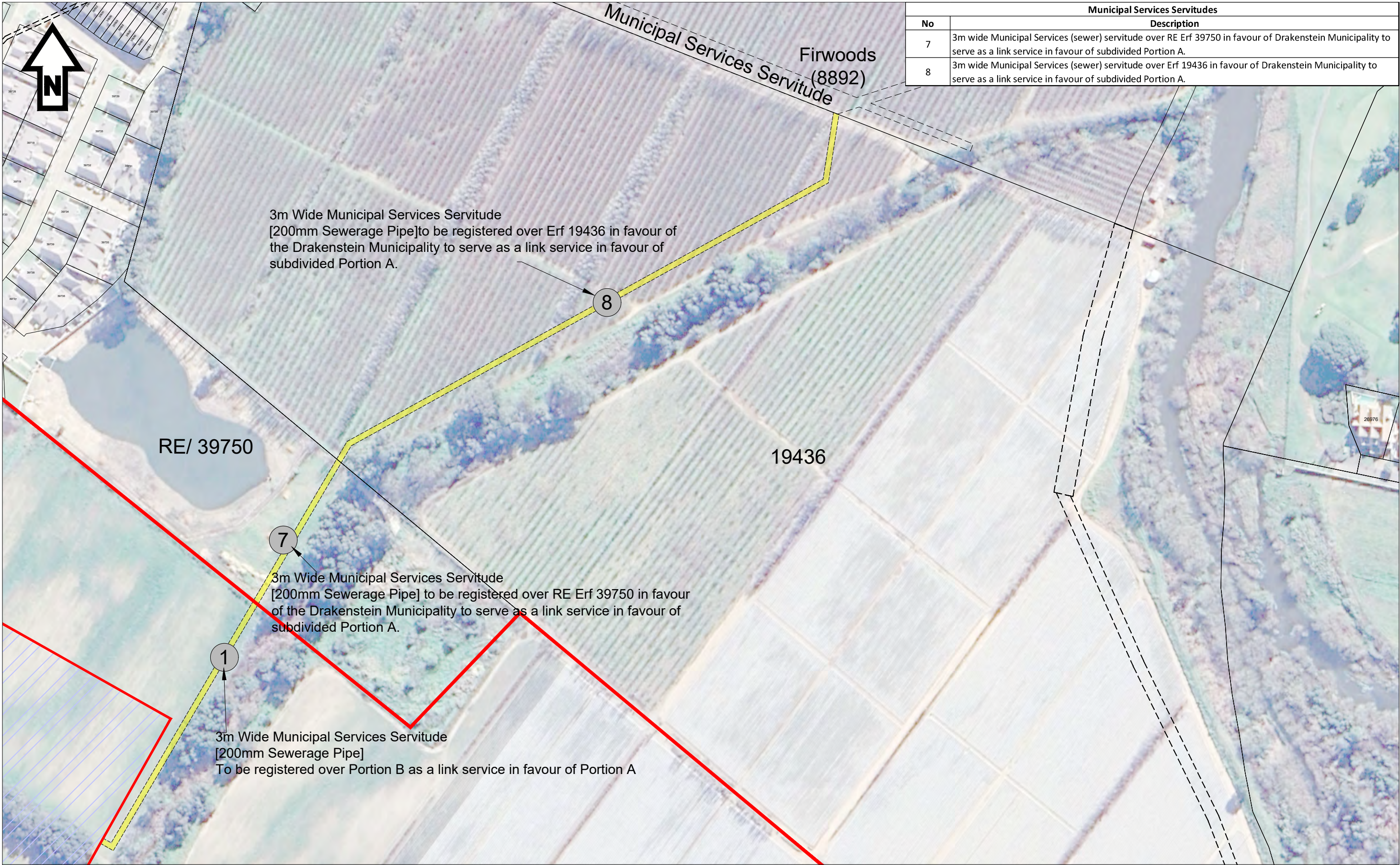
Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

\* All areas and dimensions are approximate and should be verified by a professional land surveyor.

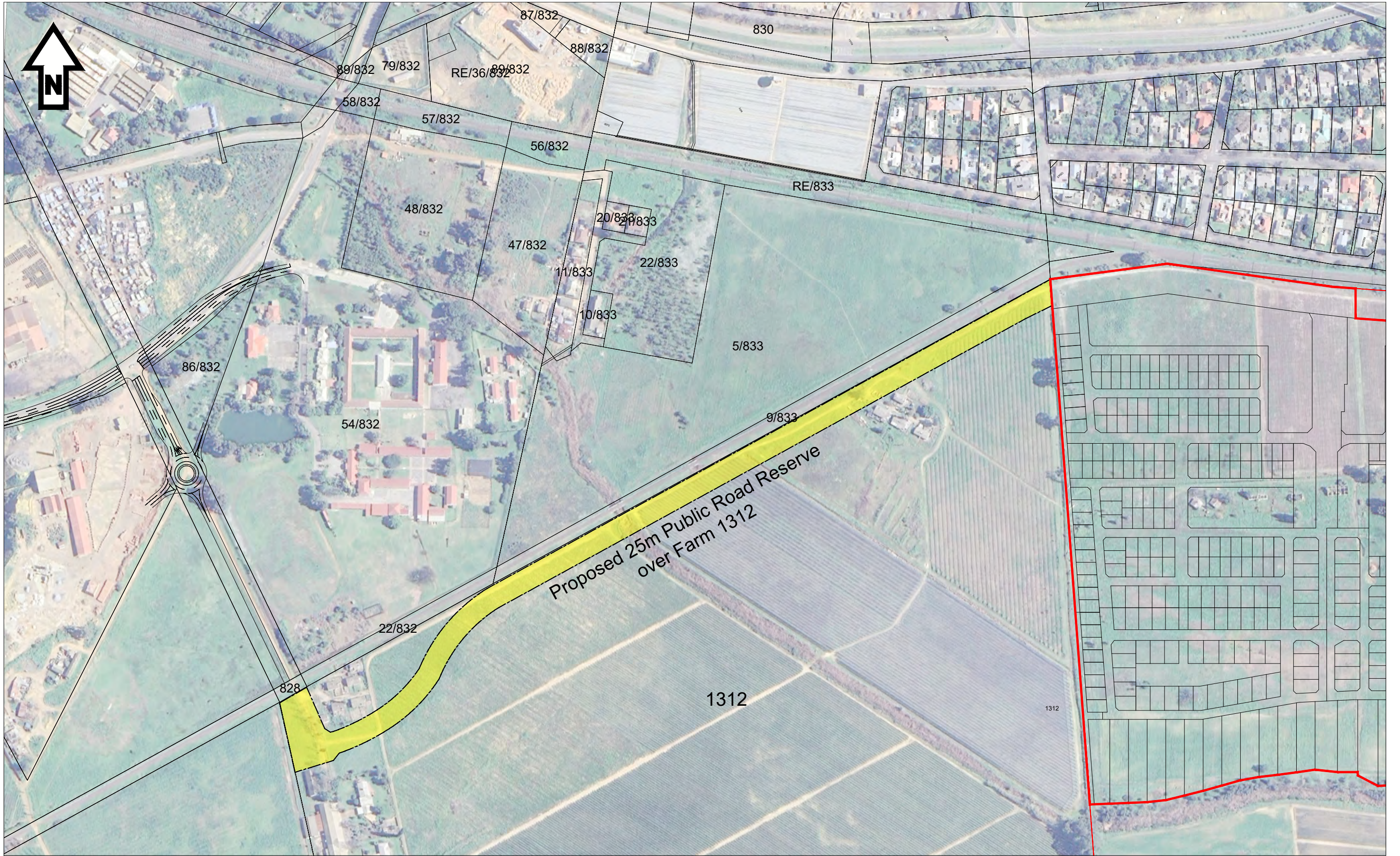
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<b>tv3</b> ARCHITECTS TOWN PLANNERS URBAN DESIGNERS <small>FIRST FLOOR LA GRATITUDE OFFICE BUILDING   97 STELLENBOSCH 7600P   TEL +27(0)21 961 3990   Ewww.tv3.co.za</small>	<b>Frater Estate</b> Property Description: Erven 39750 & 19436, Paarl	Drawing: <b>Exempted Servitudes</b>		Plan no.: <b>8</b>	Notation: Cadastral information obtained from Surveys and Mapping (DRDLR).  Aerial Photography obtained on Google Earth.  * All areas and dimensions are approximate and should be verified by a professional land surveyor.  * This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved
		Date: 10/06/2025	Scale: NTS		
		Project no.: P3688	Drawn: MW	Checked: MW	





ARCHITECTS  
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STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

## Frater Estate

Property Description:

Farm 1312, Paarl

Drawing:

Proposed Exempted Road Reserve Erf

Plan no.:

9

Date:

10/06/2025

Scale:

NTS

Project no.:

P3688

Drawn:

Checked:

MW

Notation:

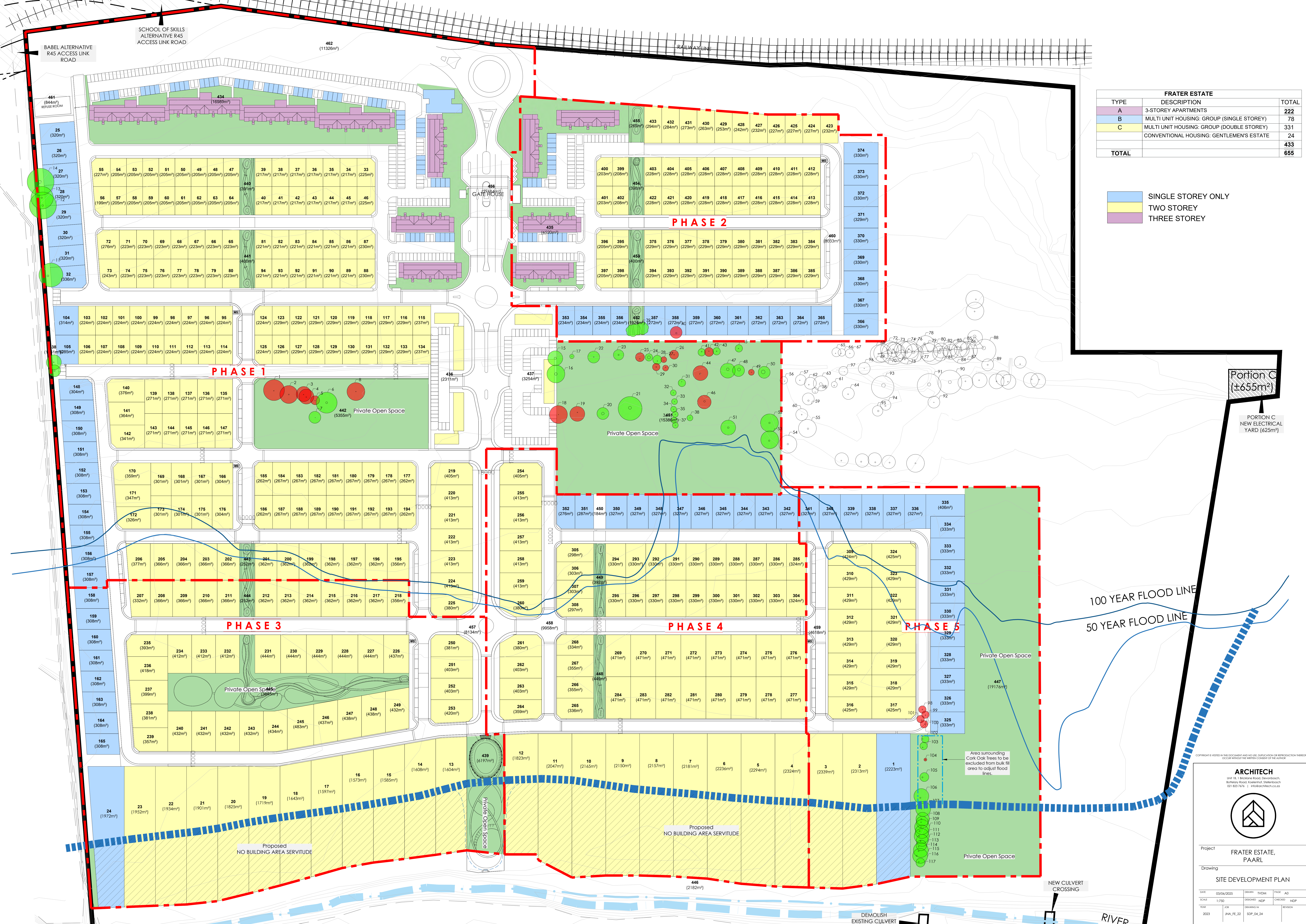
Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

\* All areas and dimensions are approximate and should be verified by a professional land surveyor.

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FRATER ESTATE		
TYPE	DESCRIPTION	TOTAL
A	3-STORY APARTMENTS	222
B	MULTI UNIT HOUSING: GROUP (SINGLE STOREY)	78
C	MULTI UNIT HOUSING: GROUP (DOUBLE STOREY)	331
	CONVENTIONAL HOUSING: GENTLEMEN'S ESTATE	24
TOTAL		655

- SINGLE STOREY ONLY
- TWO STOREY
- THREE STOREY

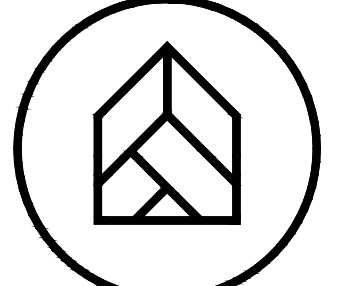
Portion C  
(±655m²)

PORTION C  
NEW ELECTRICAL  
YARD (625m²)

100 YEAR FLOOD LINE  
50 YEAR FLOOD LINE

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Project FRATER ESTATE,  
PAARL

Drawing SITE DEVELOPMENT PLAN

DATE	03/06/2025	DRAWN	TVDM	PAGE	AD
SCALE	1:750	DESIGNED	NDP	CHECKED	NDP
YEAR	2023	JNA	NDP	REVISION	



