



DRAKENSTEIN

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Paarl | Wellington | Gouda | Saron | Simondium

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APPLICATION FOR REZONING AND SUBDIVISION: PORTION 2 OF FARM 527 PAARL DIVISION (DE LEEUW ESTATE)

1. Approval be granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1 **Rezoning** of Farm 527/2 Paarl Division, from Agriculture Zone to Subdivisional Area Zone for purposes of establishing a residential development with a gross density of 41,34 du/ha;
 - 1.2 **Subdivision** of the rezoned property into 129 units, as indicated on proposed Rezoning & Subdivision Plan, Project No. 3829-P, Plan No. 3, dated 10/10/2023, drawn by TV3 Architects, Town Planners and Urban Designers (See Annexure C), as follows;

Zoning and Land Use Development Schedule								
Erf	Zone	Land Use	Area (ha)	%	No. of Erven	No. of Units	Avg. Size (m ²)	Gross Density (Units / ha)
1 - 81	Multi-Unit Housing	Group Housing	1,67	53	81	81	206	41,34
82	Multi-Unit Housing	Apartment Buildings	0,53	17	1	48		
83 - 84	Open Space	Private Open Space	0,19	6	2			



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85	Transport	Private Road & Gatehouse	0,74	24	1		
Total			3,12	100	85	129	

- 1.3 **Concept site development plan**, as indicated in the Site Development Plan drawn by Architect Architects, dated 10.10.2023 **(See Annexure B)**;
- 1.4 **Approval be granted** in terms of Section 100 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the street name and numbering of the development to be known as De Leeuw Estate, as indicated in the Street Naming and Numbering Plan, drawn by TV3 Architects, Town Planners and Urban Designers, Project No. 3829-P, Plan No. 5, dated 10/10/2023 **(See Annexure F)**;
2. The Architectural Design Guidelines for the development to be known as De Leeuw Estate, which indicates development parameters such as building lines, height, coverage and setbacks, be accepted and supported **(See Annexure H)**;
3. In terms of Section 24(1)(f) of the Drakenstein Municipality Bylaw on Municipal Land Use Planning, 2018, it **be certified** that services servitudes **be exempted** from the provisions of Section 15 and 20 to 23 of the Drakenstein Bylaw on Municipal Land Use Planning, as indicated on the proposed Rezoning & Subdivision Plan, Project No. 3829-P, Plan No. 3, dated 10/10/2023 and Services Servitudes Plan, Project No. 3574-P, Plan No. 6, dated 20/10/2022, collectively drawn by TV3 Architects, Town Planners and Urban Designers **(See Annexures C and D)**;
4. The approvals mentioned in Paragraphs 1.1 to 1.4 above is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 4.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division, in its memorandum dated 26 March 2024 (reference number 15/4/1 (F527/2) P (0225) **(See Annexure I)**;
 - 4.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electrical Engineering Services Division, in its memorandum dated 30 December 2023 (reference number 8/2/5_527_2) **(See Annexure J)**;
 - 4.3 This approval only applies to the application in question and shall not be construed as authority to depart from any legal prescriptions or requirements;
 - 4.4 That the proposal take place largely in accordance with the concept site development plan **(See Annexure B)**;

- 4.5 That the phasing of the development take place as indicated on the Phasing Plan, drawn by TV3 Architects, Town Planners and Urban Designers, Project No. 3829-P, Plan No. 4, dated 10/10/2023 (See Annexure E);
 - 4.6 An application for the approval of a Homeowners Association Constitution for the proposed group housing development and apartments must be submitted to the Manager: Land Development Management, prior to building plan submission stage;
 - 4.7 That the Private Road / Private Open Spaces be transferred to Homeowners Association simultaneously with the first transfer of the first erf;
 - 4.8 That semi-mature trees and landscaping, be implemented prior to occupation of any dwelling unit, as indicated on the Landscape Master Plan drawn by Jacques Ewald Dohse Professional Landscape Architect, Job No. 77380, Drawing No. LMP Rev B, dated June 2023 (See Annexure G);
 - 4.9 That a copy of the approved Surveyor-General diagram be submitted to Council for record keeping purposes;
 - 4.10 That an application for the installation of any photo-voltaic (PV) system be submitted to the Manager: Electro-Technical Services Department (Planning and Customer Services Section), prior to building plan submission stage;
 - 4.11 The developer is required to include measures to improve energy efficiency to reduce consumption of electricity;
 - 4.12 Energy-saving devices such as contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
 - 4.13 The applicant must institute water conservation measure such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
 - 4.14 No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
 - 4.15 Any amendments to the application be subject to the relevant approval;
 - 4.16 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary;
5. That the following be taken note of:
- 5.1 The applicant take note of the conditions laid down by the National Department of Agriculture, Land Reform and Rural Development, in its letter dated 16 September 2022 (See Annexure N);

- 5.2 The applicant take note of the conditions laid down by the Western Cape Department of Water and Sanitation, in its letter dated 11 May 2023 **(See Annexure O)**;
 - 5.3 The applicant take note of the conditions laid down by the Western Cape Government: Department of Infrastructure: Road Planning, as set out in its letter dated 9 January 2024 (reference TPW/CFS/RP/LUD/REZ/SUB-10/533 (Job 30290)) **(See Annexure S)**;
 - 5.4 The applicant take note of the conditions laid down by the Western Cape Department of Environmental Affairs and Development Planning: Development Management: Region 1, in its letter dated 11 October 2024 (reference 16/3/3/1/B3/28/1027/24) **(See Annexure T)**;
6. The following considerations can be regarded as the reasons for the decision:
- 6.1 The proposal is to rezone and subdivide existing property into land units, which will not detract from the existing urban footprint;
 - 6.2 The property is located within the delineated urban edge, reducing sprawl as well as guiding and controlling developments within the prescribed urban area;
 - 6.3 The application at hand is not expected to be out of scale, nor character within the surrounding built and natural environment due to approved adjacent developments;
 - 6.4 The application is not expected to have a significant negative impact on the health, safety and wellbeing of the surrounding built, natural environment and communities;
 - 6.5 The proposal is not expected to have a significant negative traffic impact as the Department of Infrastructure and the Drakenstein Civil Engineering Services Division supports the application subject to certain conditions;
 - 6.6 The proposal is merely to rezone and subdivide existing property which is in-line with the spatial direction of the existing area;
 - 6.7 No objections were received during the public participation and stakeholder engagement process;
 - 6.8 All relevant internal and external departments consented to the proposal; and
 - 6.9 The proposal is line with the Drakenstein Spatial Development Framework (SDF).

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

The applicant shall be required to notify (**by email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **objectors** (if any), of their right of appeal – proof of notification **must** be provided.

Should there be any appeals against the decision, **the application title (heading)** must be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

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

Yours faithfully



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