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Reference: 15/4/1 (34880) P & 15/4/1 (8724) P
Date: 09 April 2026

CB/CS

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Madam

APPLICATION FOR THE AMENDMENT OF CONDITIONS OF APPROVAL AND APPROVAL OF A SITE DEVELOPMENT PLAN FOR ERVEN 34880, 34890 AND 34891 (PREVIOUSLY PART OF ERF 8724), PAARL

I refer to your land use application, Collaborator Reference 2273607.

1. Provisional approval has now been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, in respect of Approval Letter 12 October 2021 for Erf 8724 Paarl (Subdivided Erven 34880, 34890 and 34891) for the following:
 - 1.1 **Removal** of Condition 10.6.22 that reads as follows “The constitution of the Homeowners Association for the development must contain a provision that erven in subdivided Portion E and F may only be occupied by persons over the age of 55.”
 - 1.2 **Amendment** of approved Site Development Plan (Annexure III) by amending the wording under the development parameters for Phase 3 that read: “Phase 3 to be utilised as a retirement village and for elderly care only” to “Phase 3 for Residential use and Service & Medical Centre.”
2. The Conditions of Approval dated 11 June 2013, 21 July 2014 and 24 July 2015, 10 May 2016, 12 October 2021 and 8 February 2024 shall be superseded by the updated conditions for the development of the subdivided portions of Erf 8724 Paarl, which reads as follows:

- 2.1 Subdivision of Erf 8709 Paarl into 2 portions, namely Portion B ($\pm 646\text{m}^2$) zoned Single Dwelling Residential Zone and Agricultural Zone and Remainder of Erf 8709 Paarl ($\pm 41.82\text{ha}$) zoned Agricultural Zone I, as indicated on the Pre-Development Subdivision Plan with reference SJ4 dated 25 February 2016 (Annexure I), bearing my Council's stamp of approval dated 10 May 2016.
- 2.2 That approval be granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the subdivision of Erf 8724 Paarl into 5 portions, namely Portion A ($\pm 1.33\text{ha}$), Portion C ($\pm 553\text{m}^2$), Portion D ($\pm 3.16\text{ha}$), Portion E ($\pm 9.63\text{ha}$) and Portion F ($\pm 1.22\text{ha}$), all zoned Conventional Housing Zone and Agriculture Zone, as indicated on the Pre-Development Subdivision Plan with reference SJ4 dated 25 February 2016 (Annexure I), bearing my Council's stamp of approval dated 10 May 2016.
3. The approvals granted in paragraphs 2.1 and 2.2 above are subject to the following conditions laid down in terms of Section 66 of the Drakenstein Municipal Land Use Planning Bylaw, 2018: The liquor outlet shall be restricted to an area $\pm 11\text{m}^2$ in extent, within the existing main dwelling, as demarcated on the Site Development Plan (**See Annexure B**).
 - 3.1 Portions A, B and C must be consolidated simultaneously with the subdivision approved of Erf 8274 Paarl.
 - 3.2 The subdivision must take place in accordance with the Pre-Development Subdivision Plan (SJ4 dated 25 February 2016) (Annexure I).
 - 3.3 The owners/developers of the four land units created from the subdivision shall be jointly responsible for the upgrading of Retief Street and the Retief and Main Streets intersection, as well as the provision of external civil and electrical engineering services connections as set out below should any one of them wish to implement the subdivision of any of the four land units as per the Proposed Plan of Subdivision with reference SJ4 dated 25 February 2016 (Annexure II), bearing my Council's stamp of approval dated 12 October 2021 which shall be conveyed in writing to the buyers of the land units by the seller;
 - 3.4 A 10m wide right of way servitude, as indicated on the duly endorsed Pre-Development Subdivision Plan with reference SJ4 dated 25 February 2016 (Annexure

- I), must be registered over Consolidated Portions A, B and C in favour of Erf 8709 Paarl;
- 3.5 A 6m wide temporary construction access servitude, as indicated on the duly endorsed Pre-Development Subdivision Plan with reference SJ4 dated 25 February 2016 (Annexure I), must be registered over Portions D and E in favour of Consolidated Portions A, B and C as well as Portions D and F;
- 3.6 A 6m wide temporary servitude, as indicated on the duly endorsed Pre-Development Subdivision Plan with reference SJ4 dated 25 February 2016 (Annexure I), must be registered over Portion E in favour of Portion F.
4. That approval be granted in terms of Section 60(1)(a) of the Drakenstein Municipal Land Use Planning Bylaw, 2018 for the rezoning of aforementioned Consolidated Portions A, B and C, as well as Portions D, E and F from “Conventional Housing Zone” and “Agricultural Zone” to “Subdivisional Area” in order to establish a mixed residential development, with a gross density of ± 17 units per hectare;
5. That approval be granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the subdivision of aforementioned Consolidated Portions A, B and C into the following 27 portions, as indicated on the Proposed Plan of Subdivision with reference SJ4 dated 25 February 2016 (Annexure II), bearing my Council’s stamp of approval dated 12 October 2021;
- 5.1 25 portions, with an average size of $\pm 414\text{m}^2$ in extent each, for single residential purposes (Single Dwelling Residential Zone);
- 5.2 1 portion for private road and private open space purposes (Land Reserved for Private Open Space); and
- 5.3 1 portion for public road purposes (Land Reserved for Public Street).
6. That approval be granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the subdivision of aforementioned Portion D into the following 62 portions, as indicated on the Proposed Plan of Subdivision with reference SJ4 dated 25 February 2016 (Annexure II), bearing my Council’s stamp of approval dated 12 October 2021:

- 6.1 59 portions, with an average size of $\pm 383\text{m}^2$ in extent each, for single residential purposes (Single Dwelling Residential Zone);
 - 6.2 2 portions for private road and private open space purposes (Land Reserved for Private Open Space); and
 - 6.3 1 portion for public road purposes (Land Reserved for Public Street).
7. That approval be granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the subdivision of aforementioned Portion E into the following 193 portions, as indicated on the Proposed Plan of Subdivision with reference SJ4 dated 25 February 2016 (Annexure II), bearing my Council's stamp of approval dated 12 October 2021:
- 7.1 182 portions, with an average size of $\pm 292\text{m}^2$ in extent each, for life style residential purposes (Group Housing Zone);
 - 7.2 8 portions for private road and private open space purposes (Land Reserved for Private Open Space); and
 - 7.3 3 portions for public road purposes (Land Reserved for Public Street).
 - 7.4 3 portions for public road purposes (Land Reserved for Public Street).
 - 7.5 1 portion for the future extension of the development (Undetermined Zone); and
 - 7.6 1 portion for a service centre and clinic purposes (Special Business Zone).
8. That approval be granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the phasing of the entire development, as indicated on the duly endorsed Proposed Plan of Subdivision with reference SJ4 dated 25 February 2016 (Annexure II), bearing my Council's stamp of approval dated 12 October 2021.
9. The following conditions, laid down in terms of Section 66 of the Drakenstein Municipal Land Use Planning Bylaw, 2018 are applicable to the approvals granted.
- 9.1 Adherence to the conditions laid down by the Department of Agriculture Western Cape in its letter with reference 2020/9/2/5/4/068 dated 14 October 2008;

- 9.2 Adherence to the conditions laid down by the Department of Transport and Public Works in its letter with reference 13/3/5/1-10/48 (Job 16524) dated 21 January 2009;
- 9.3 Adherence to the conditions laid down by the Department of Environmental Affairs and Development Planning in its Environmental Authorisation dated 28 November 2011;
- 9.4 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Department in its memorandum with reference 15/4/1 (8724) P (0514) dated 1 March 2012 and reference 15/4/1 (34880,34890 & 34891)P (0979) dated 15 October 2025 (Annexure H).
- 9.5 Adherence to the following conditions set by the Drakenstein Municipality: Electrical Engineering Services Department:
 - 9.5.1 Planning for electrical services must be submitted for approval and the installation thereof must be to the satisfaction of the Head: Electrical Engineering Services;
10. The following conditions are applicable from a town planning point of view:
 - 10.1 The approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescription or requirement;
 - 10.2 Any amendments to the application or any further land use rights required for the development will require separate approval;
 - 10.3 No new structures are to be erected without the approval of building plans by the Drakenstein Municipality;
 - 10.4 Adherence to the recommendations as contained in the Heritage Impact Assessment;
 - 10.5 Adherence to the recommendations as contained in the updated Traffic Impact Assessment;

- 10.6 Subdivision must take place in accordance with the Plan of Subdivision (Annexure II);
- 10.7 The development is to be undertaken in accordance with the Site Development Plan with reference F15354-P-001 dated 21 May 2025, Revision C- Annexure III (Annexure C);
- 10.8 Phasing of the development may only take place in accordance with the phases indicated on the Site Development Plan with reference F15354-P-001 dated 21 May 2025, Revision C -Annexure III (Annexure C);
- 10.9 A security wall must be erected around the development prior to the installation of services in order to promote the security of the farms and surrounding properties;
- 10.10 A 10 metre building line, which is to be planted with vegetation to screen the development, is applicable alongside the St Peter's Roche farmstead;
- 10.11 Energy saving devices such as contained in the Drakenstein Municipality Green Building Manual must be made use of as far as possible in the design and development of buildings;
- 10.12 A single Homeowners Association (HOA) must be established and a constitution approved for it by the Drakenstein Municipality for the entire development, with the Site Development Plan and an Architectural Design Manual to be incorporated as annexures to the constitution of the HOA;
- 10.13 Private streets and private open spaces (communal properties) must be registered in the name of the Homeowners Association before or simultaneously with the registration of the first erf in any particular phase;
- 10.14 Permanent access to the development may only be obtained off Piet Retief Street via the Main Road/Piet Retief Street intersection;
- 10.15 Access by construction vehicles to the development may only be taken from Piet Retief Street via the Main Road/Retief Street intersection at a position approximately 50 metres from the Main Road/Retief Street intersection;

- 10.16 Access by construction vehicles to the development may only be taken from Piet Retief Street via the Main Road/Retief Street intersection at a position approximately 50 metres from the Main Road/Retief Street intersection;
 - 10.17 Traffic control at the Main Road/Retief Street intersection by means of traffic lights has to be installed before more than 120 dwelling units are occupied;
 - 10.18 No taxi waiting stops may be provided in Retief Street;
 - 10.19 The intersections of Myra and Daniel Streets with Retief Street must be redeveloped with raised brick paving prior to the transfer of the first erf in the relevant phase;
 - 10.20 The road reserve of Retief Street must be widened to 16 metres where Erf 8724 Paarl fronts onto the street;
 - 10.21 The developers will be responsible for the upgrading of Retief Street (i.e. the widening of the road surface and the construction of sidewalks) where it fronts onto Erf 8724 Paarl prior to the start of any construction work on Erf 8724 Paarl, to the satisfaction of the Head: Civil Engineering Services;
 - 10.22 Deleted condition.
 - 10.23 Phase 4E indicated on the Site Development Plan with reference F15354-P-001 dated 21 May 2025 (Annexure III), may only be developed once the Environmental Authorisation dated 28 November 2011 and the comment from the Department of Transport and Public Works dated 21 January 2009 have been amended or supplemented to permit a total of 266 single residential erven on Erf 8724 Paarl; and
 - 10.24 All the portions of land reserved for public road purposes must be transferred to the Drakenstein Municipality simultaneous with the registration of the first erf in a particular phase.
 - 10.25 All zonings in the conditions above and depicted in the relevant subdivision and site development plans shall be subject to Schedule 2 of the Drakenstein Zoning Scheme Bylaw, 2018 for the conversion of zonings on repealed zoning maps.
11. The following considerations shall be regarded as the reasons for the decision:

- 11.1 A transparent and fair process administrative process was followed in processing the application in accordance with the Land Use Planning Bylaw, 2018. One objection received has been recorded for the necessary consideration during the evaluation of the application.
- 11.2 Application was made only for the removal of the age restriction of 55 allocated Phase 3 of the proposed development in order to accommodate changing property markets. No additional rights or demand on infrastructure will result from this amendment and the developer is obligated to comply with the existing conditions of approval as well as the Zoning Scheme Bylaw, 2018.
- 11.3 The application was circulated to various internal and external departments for comment and consideration. No objections to the proposed subdivision were received.
- 11.4 The proposal conforms to the Spatial Planning Principles, SDF, and policies for the area.

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.

This provisional approval is therefore suspended until further notice. Please also notify (**email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and the **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

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



Memo

To: EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE
(ATTENTION: C. VAN DER BANK)

From: EXECUTIVE DIRECTOR: ENGINEERING SERVICES

Enquiries: LH. SMITH

Collaborator number: 2273607

Reference number: 15/4/1 (34880, 34890 & 34891) P (0979)

Date: 15 October 2025

Subject: APPLICATION FOR THE AMENDMENT OF CONDITIONS OF APPROVAL AND SITE THE SITE DEVELOPMENT PLAN, ERF 34880, 34890 AND 34891, PAARL

These conditions will be subject to review by the Engineering Services Department upon receipt of Civil and/or building plans for approval. This may require all the studies carried out for the proposed development to be updated and revised accordingly, which shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

The aforementioned is based on the possibility of changes in the physical environment in respect of engineering infrastructure between date of issuing of conditions and actual building/construction being imminent, which may impact on available relevant infrastructure capacities as at time of initial issuing of conditions.

NOTE: This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants.

THE FOLLOWING CONDITIONS WILL APPLY

1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures; and
- 1.3 *Parking ratio should adhere to the zoning parking scheme requirements.*

2 STORM WATER

- 2.1 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.2 Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event;
- 2.3 Contaminated run-off (washing water, storm water, etc) must be disposed of in such a manner so as not to cause any pollution to surface, ground water or create a nuisance; and
- 2.4 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³/m² roof area.

3 WATER

- 3.1 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.2 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law;
- 4.2 The municipality cannot guarantee a tanker service at all times and the owner remains responsible for the servicing of the conservancy tank. Any private company used must be registered with the Municipality and must provide the owner of an invoice for services rendered. All invoices must be submitted on a monthly basis to the Waste Water Services section as proof of compliance; and
- 4.3 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

- 5.1 The Municipality undertakes, to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erf for the removal of such household refuse; and
- 5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out.

6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, the Development Charge are payable by the developer. Development Charges will be calculated when a more detailed SDP is submitted.

7 GENERAL

- 7.1 *When at any stage in future the municipality is required to take over ownership and maintenance of civil infrastructure, it will be the responsibility of the property owners to ensure all water and waste water connections adhere to municipal standards and by-laws;*
- 7.2 *The comments provided are based on the amount of originally approved number of units. Any increase in the number of units may result in additional future engineering reports.*
- 7.3 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.4 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.5 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and
- 7.6 The above conditions are to be complied with in stages.
- 7.6.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.6.2 Requirements associated with the completion of construction, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any subdivided erf within the development property or occupation of any property/building in the phase; and
- 7.6.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LH Smith

SENIOR MANAGER: INFRASTRUCTURE MANAGEMENT

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