



PORTION 11 OF FARM 1426, PAARL (AVEC LA TERRE)

APPLICATION FOR REZONING, SUBDIVISION, COUNCIL'S CONSENT, DEPARTURES AND APPROVAL OF STREET NAMES

SUBMITTED TO THE DRAKENSTEIN MUNICIPALITY

ON BEHALF OF FUTURE MEGAWATT (PTY) LTD

JANUARY 2023

(Revision 2)



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IN ASSOCIATION WITH



de villiers & moore
CONSULTING ENGINEERS
Electrical, Mechanical, Fire



EXECUTIVE SUMMARY

THE APPLICATION

Application is hereby made for the following in respect of Portion 11 of the Farm 1426, Paarl:

- **Rezoning** from Agriculture Zone to Subdivisional Area
- **Subdivision** into 236 portions, allowing for:
 - 216 x portions zoned Conventional Housing Zone
 - 1 x portion zoned Mixed-Use Zone
 - 11 x portions zoned Open Space Zone
 - 5 x portions zoned Transport Zone
 - 3 x portions zoned Utility Zone
- **Council's Consent** to permit Utility Plants
- **Permanent Departures** (street & common boundary building lines, building height)
- **Approval of street names**

Table I provides a summary of the application and property details:

| Table I – Summary of Property and Application Details | | | |
|---|--|--------------------------------|------|
| Property Description | Portion 11 of the Farm 1426, Paarl | | |
| Property Address | C/o Schuurmansfontein Rd and R301, Drakenstein South | | |
| Registered Owner | Future Megawatt (Pty) Ltd | | |
| Applicant | ARoux Town Planning | | |
| Property Extent | 27,4817 ha | | |
| Current Zoning | Agriculture Zone | | |
| Overlay Zone | Scenic Route Overlay Zone | | |
| Current Land Use | Vacant | | |
| Applicable Zoning Scheme | Drakenstein Zoning Scheme By-Law | | |
| Municipality | Drakenstein Municipality | | |
| Title Deed | T39833/2022 | Title Deed Restrictions | None |
| Subject to SAHRA | Yes – Letter from HWC obtained (no objection) | | |
| Subject to NEMA | Yes – EIA in process | | |
| SDF Designation | Urban Infill (inside urban edge) | | |
| Proposed Development / Land Use | Mixed-use development, providing for a residential estate with 216 single residential properties and one mixed-use property. | | |
| Policy Compliant | Yes | | |

BACKGROUND & PROPOSAL

- The Drakenstein South region, which comprises the area to the south of Paarl, has been an area of significant development interest in recent years. This is in response to the Municipality's spatial vision for this area as a low- to middle-density urban environment which functions as an expansion of the existing Paarl town. The existing developments in this area are thus mostly in the form of upmarket, low-density residential estates, such as Val de Vie, Boschenmeer and Pearl

Valley, although a number of new mixed-use developments have recently been approved by the Municipality which contain a greater mix of land uses and densities, such as De Hoop, Fraaigelegen, etc.

- Portion 11 of Farm 1426, Paarl (“the site”), a mostly vacant piece of land of approximately 27,5ha in size, is situated within this development region. It is situated within the Municipal urban edge and delineated as “Urban Infill” by the Drakenstein Municipality Spatial Development Framework (2022), therefore delineated for urban development by the Municipality.
- Due to the development opportunities that the site has to offer, the property was acquired by a local property development company and a project team was appointed to initiate the planning process for this development.
- The proposal involves the development of an upmarket residential gated estate. The proposed development provides for 216 single residential properties within a security-controlled estate, with associated open spaces. Provision is also made for a separate mixed-use site on the eastern portion of site, providing for a mix of office, retail, hotel and / or sectional-title residential opportunities.



Figure I – The proposed Subdivision and Zoning Plan.

- The proposed development will be rolled-out in five phases, with Phases 1 – 4 accommodating the residential estate and Phase 5 the Mixed-Use site. In addition to the 216 residential properties in Phases 1 – 4, it is proposed that a Basket of Rights be approved for the Mixed-Use site (Phase 5) to allow appropriate flexibility for the development of this site. It is also proposed that development on the Mixed-Use site be made subject to a separate SDP approval. The following Basket of Rights is being applied for.

| Table II – Proposed Basket of Rights | |
|--|----------------------------------|
| Land Use | Total Floor Space / Units |
| Phase 1 - 4 | |
| Single Residential (Conventional Housing) | 216 units |
| Phase 5 | |
| Office | 200m ² |
| Retail | 200m ² |
| Hotel | 40 rooms |
| Apartments | 100 units |

- Landscaping forms a critical component of the proposed development. The landscape vision is to create a development with a visual aesthetic and landscape character of a village within a natural and agricultural context. The vision is for a development that is generous in its provision of open space and integrates the service infrastructure of the overall development with the landscape functionality and spatially displays sensitivity to its context alongside the R301 scenic Route.

MOTIVATION

- The proposed development is aligned with the Drakenstein Municipality Spatial Development Framework (SDF). The site is situated within the proclaimed municipal urban edge and is delineated by the SDF for “urban infill”. The proposal also complies with all other spatial proposals and guidelines of the SDF.
- The proposal complies with the land use principles of the LUPA and SPLUMA as the development is spatially compact, optimizes the use of resources and does not impact in high potential agricultural land of habitat with high conservation value.
- Sufficient service capacity is available to accommodate the proposed development, as confirmed by the project civil engineering consultants.
- A traffic impact assessment has been undertaken and confirms that the proposed development will not result in a negative traffic impact, subject to minor external road upgrades being implemented.
- A visual impact assessment is being undertaken. It has been indicated that the proposed development will not result in a negative visual impact provided that certain mitigation measures are implemented (which are acceptable to the developer and design team). Recommendations by the specialist will be incorporated within the final site development plan for the proposed development.
- The site has no ecological or environmental conservation value as it has been heavily disturbed. Development of the site will not have any negative environmental impact. An EIA is being undertaken for the development.
- The proposed development will not have any impact on heritage resources. A letter has been obtained from Heritage Western Cape and confirms that no further heritage studies are required.

- The proposed development will result in significant investment in the local area and will have a positive impact on the local economy and local economic growth.
- The proposal is consistent in nature and scale to the existing and approved developments in the surrounding area.
- The proposed development will not impact negatively on the existing uses on the surrounding properties. This include the animal hospital and fruit processing facility to the south which will be able to continue operation unaffected. The proposed development also does not affect the future development opportunities of these sites and other surrounding properties.
- The departures being applied for are generally minor in nature and will improve the quality of the built form and street interfaces of the estate while also allowing the available space to be more efficiently utilized. The dwelling houses will be designed to ensure that privacy of all residents is protected.

CONCLUSION

It has been demonstrated that the proposed development is aligned with the Drakenstein Municipality's spatial development framework and development vision for this area, and that it will not result in any negative impacts. ARoux Town Planning recommends that this application, for rezoning, subdivision, departures, Council's consent and approval of street names, to permit the proposed mixed-use development on Portion 11 of Farm 1426, Paarl, be considered for approval.

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1.0 INTRODUCTION

1.1 PROPERTY AND APPLICATION DETAILS

Table 1 below provides a summary of the property and application details. The completed land use application form is attached as **Annexure A**.

| Table 1 – Property and Application Details | |
|---|---|
| Property Description | Portion 11 of the Farm 1426, Paarl |
| Property Address | C/o Schuurmansfontein Road and R301, Drakenstein South |
| Registered Owner | Future Megawatt (Pty) Ltd |
| Applicant | ARoux Town Planning |
| Property Extent | 27,4817 ha |
| Municipality | Drakenstein Municipality |
| Current Zoning | Agriculture Zone |
| Overlay Zone | Scenic Route Overlay Zone |
| Applicable Zoning Scheme | Drakenstein Municipality: Zoning Scheme By-Law, 2018 |
| Title Deed | T39833/2022 (refer to Annexure C) |
| Title Deed Restrictions | None |
| SG Diagram No. | 2754/1996 (refer to Annexure D) |
| Proposed Development / Land Use | Mixed-use development, including 216 single residential properties and one Mixed-Use property |
| Application Components | <ul style="list-style-type: none"> • Rezoning from Agriculture Zone to Subdivisional Area • Subdivision into 236 portions, allowing for <ul style="list-style-type: none"> ○ 216 portions zoned Conventional Housing Zone ○ 1 portion zoned Mixed-Use Zone ○ 11 portions zoned Open Space Zone ○ 5 portions zoned Transport Zone ○ 3 portions zoned Utility Zone • Council’s Consent to permit Utility Plants • Departures to permit: <ul style="list-style-type: none"> ○ Relaxation of street boundary building lines ○ Relaxation of common boundary building lines ○ Relaxation of maximum height • Approval of proposed street names |
| Inside Urban Edge | Yes |
| SDF Designation | Urban Infill |
| Subject to PHRA / SAHRA | Yes – Letter from HWC attached as Annexure G (no objection to proposal) |
| Subject to NEMA | Yes – EIA in process |
| Policy Compliant | Yes |

1.2 BACKGROUND

The Drakenstein South region, which comprises the area to the south of Paarl, has been an area of significant development interest in recent years. This is in response to the Municipality's spatial vision for this area as a low- to middle-density urban environment which functions as an expansion of the existing Paarl town. The existing developments in this area are thus mostly in the form of upmarket, low-density residential estates, such as Val de Vie, Boschenmeer and Pearl Valley, although a number of new mixed-use developments have recently been approved by the Municipality which contain a greater mix of land uses and densities, such as De Hoop, Fraaigelegen, etc.

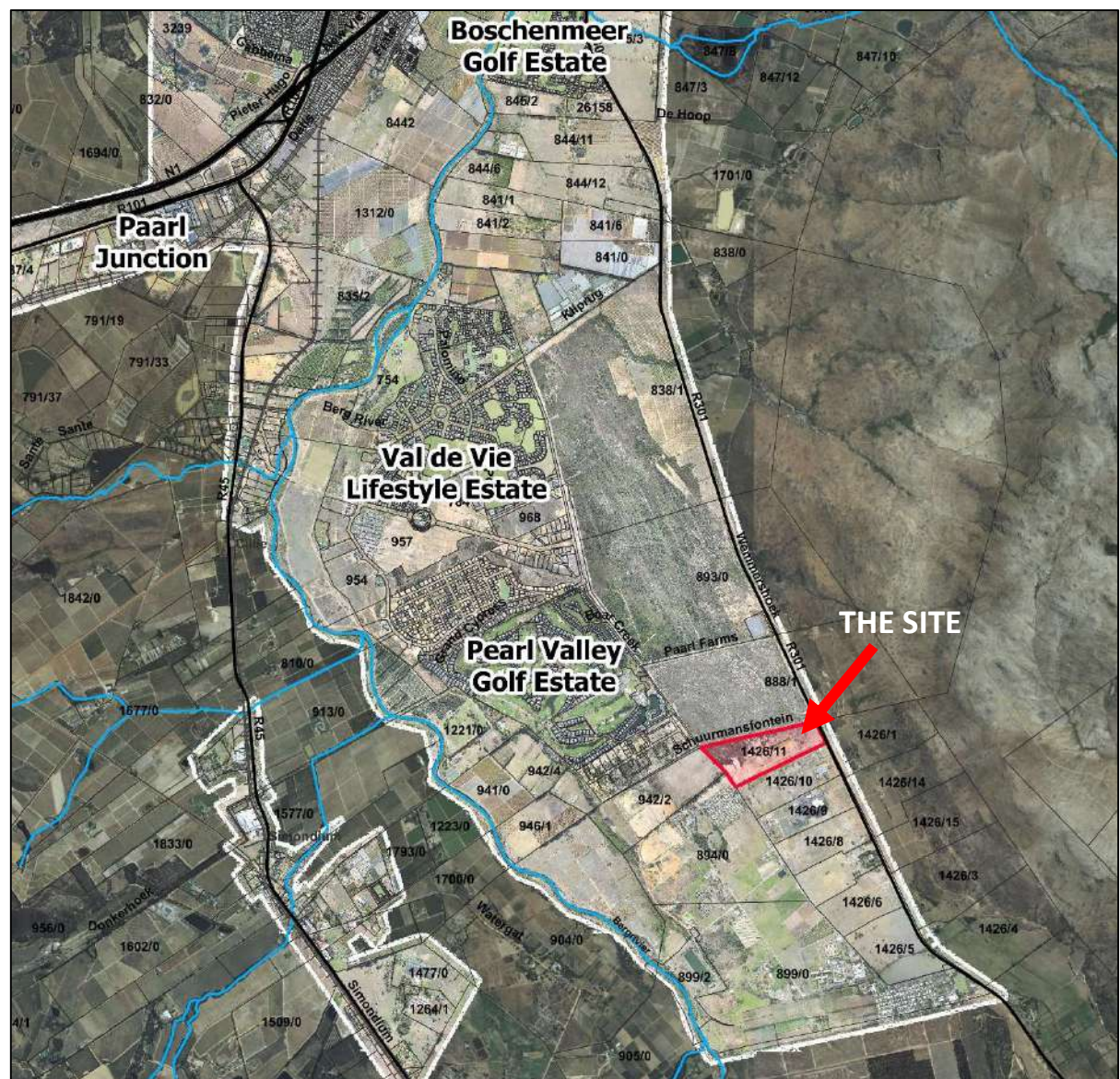


Figure 1 – Site locality within the Drakenstein South region.

More development is envisaged for this area in the near future as the Municipality's proclaimed urban edge includes many currently undeveloped land parcels that are not deemed as valuable agricultural land but suitable to accommodate further spatial expansion as part of the Drakentein South development region.

Portion 11 of Farm 1426, Paarl (“the site”), a mostly vacant piece of land of approximately 27,5ha in size, is situated within this development region (refer to **Figure 1**). It is situated within the Municipal urban edge and delineated as “Urban Infill” by the Drakenstein Municipality Spatial Development Framework (2022), therefore demarcated for urban development by the Municipality. The site is strategically well-located in terms of the spatial vision of this area, being situated along the R301 corridor and at the Schuurmansfontein / R301 intersection. This intersection has been identified as a potential gateway location as Schuurmansfontein Rd is being planned to function as a major east-west route in the area.

Due to the development opportunities that the site has to offer, the property was acquired by a local property development company and a project team was appointed to initiate the planning process for this development. The development proposal includes an upmarket residential estate, providing for 216 single residential properties, and a mixed-use site which is planned to accommodate a mix of land uses, including commercial, institutional and / or higher density residential facilities.

The planning process require a number of statutory processes and applications in order to obtain the required development rights. This include the land use application in terms of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015 (this application) and an environmental impact assessment or basic assessment process in terms of the National Environmental Management Act (NEMA) which is also in process.

ARoux Town Planning was appointed as the town planning consultant as part of the multi-disciplinary team (a power of attorney and company resolution are attached as **Annexure B**). Application is herewith made to the Municipality for the rezoning and subdivision of the site, including other associated land use applications, in order for the proposed development to be permitted.

1.3 PRE-APPLICATION CONSULTATION

The relevant authorities have been consulted extensively regarding the proposed development as part of the planning phase of this project. This includes meetings and discussions with officials from the Drakenstein Municipality (including the Land Use Planning, Spatial Planning, Civil Engineering, Electrical Engineering and Heritage branches), the Western Cape Department of Environmental Affairs & Development Planning, the Western Cape Department of Agriculture, the National Department of Agriculture, Forestry & Fisheries and Heritage Western Cape).

Two formal pre-application meetings were held with the Drakenstein Municipality to discuss the development proposal, the development layout and process to be followed. The minutes of these meetings are attached as **Annexure E**.

2.0 THE APPLICATION

2.1 APPLICATION COMPONENTS

Application is hereby made to the Drakenstein Municipality for the following in terms of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015:

- The **rezoning** of Portion 11 of the Farm 1426, Paarl from Agriculture Zone to Subdivisional Area, in terms of Section 15(2)(a) of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015.
- The **subdivision** of Portion 11 of the Farm 1426, Paarl into 236 portions in terms of Section 15(2)(d) of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015, in accordance with the proposed Subdivision and Zoning Plan with plan number 22013-003, Rev 4, dated 2022-10-17, to create the following:
 - 216 x portions zoned Conventional Housing Zone
 - 1 x portion zoned Mixed-Use Zone
 - 11 x portions zoned Open Space Zone
 - 5 x portions zoned Transport Zone
 - 3 x portions zoned Utility Zone
- **Council's Consent** to permit 'Utility Plants' on proposed portions 233 and 234 of the proposed subdivision of Portion 11 of the Farm 1426, Paarl, in terms of Section 15(2)(o) of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015, to permit a temporary package plant and electrical substation respectively.
- The following **permanent departures** in terms of Section 15(2)(b) of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015, read with Item 127 of the Drakenstein Municipality: Zoning Scheme By-Law, 2018:
 - To permit a street boundary building line setback of 1,5m in lieu of 2,0m / 4,5m for all properties zoned Conventional Housing.
 - To permit a common boundary building line setback of 1,0m in lieu of 1,5m for all properties zoned Conventional Housing.
 - To permit a maximum building height of 9,0m in lieu of 8,0m for all properties zoned Conventional Housing.
- Approval of the following proposed **street names** in terms of Section 98(1) of the of the Drakenstein Municipality: Municipal Land Use Planning By-Law, 2015:
 - Avec La Terre Boulevard
 - Arcadia Street
 - Brickleaf Crescent
 - Clovelly Street
 - Cormorant Street

- Dresden Close
- Dundee Street
- Fernwood Road
- Glenrosa Crescent
- Griffin Close
- Pinedene Boulevard
- Pinegrove Street
- Salvia Street
- Teal Close
- Weaver Street
- Westleigh Crescent
- Willowbrook Crescent

2.2 OTHER STATUTORY PROCESSES AND APPLICATIONS

2.2.1 National Environmental Management Act No. 107 of 1998

A number of listed activities as contained in the National Environmental Management Act (No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 (as amended) are being triggered by the proposed development. An environmental authorisation from the Western Cape Department of Environmental Affairs and Development Planning is therefore required.

An Environmental Assessment Practitioner (Doug Jeffrey Environmental Consultants) has been appointed as part of the project team to facilitate the environmental impact assessment process. A Notice of Intent (NOI) document has been submitted to the department, which has been acknowledged (refer to **Annexure F**) and a pre-application meeting between the department and consultants has been held. A full environmental impact assessment will be undertaken for this development

The formal process will be initiated shortly. The environmental authorisation will be provided as soon as it has been issued by the department.

2.2.2 National Heritage Resources Act No.25 of 1999

Due to the size of the site, the submission of a Notice of Intent to Develop (NID) to Heritage Western Cape (HWC) is required for the proposed development in terms of Section 38 of the National Heritage Resources Act No.25 of 1999 (NHRA). The NID was submitted by the project's heritage consultant (Lize Malan) in August 2022 and a letter has been obtained from HWC confirming that no further action in terms of Section 38 of the NHRA is required as there is no reason to believe that the proposed development will impact on heritage resources. A copy of this letter is attached as **Annexure G**.

2.2.3 The Subdivision of Agricultural Land Act No.70 of 1970

Although the site is situated within the Municipal urban edge and delineated by the Drakenstein Municipality's spatial development framework for "urban infill", the proposed

development requires approval from the National Department of Agriculture, Forestry & Fisheries in terms of the Subdivision of Agricultural Land Act No.70 of 1970 as it involves subdivision from an existing agricultural zoned property. This application has been submitted to the afore-mentioned department. A copy of the application is attached as **Annexure H**. Letters of support for this application have also been obtained from the Western Cape Department of Agriculture, the Department of Environmental & Development Planning, and the Drakenstein Municipality (**Annexure I**).

2.2.4 The National Water Act No. 36 of 1998

A water use application to the Department of Water & Sanitation will be required for the use of treated effluent for irrigation of landscaping (in summer) and discharging water into the Berg River (in winter).

The application will be made in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998) for the following water uses:

- (e) engaging in a controlled activity identified as such in section 37(1) or declared under section 38(1);
- (f) discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit;

The project environmental consultants have been appointed to facilitate this process as well.

3.0 CONTEXTUAL ANALYSIS

3.1 LOCALITY

The site is situated in the Drakenstein South region, which includes the area to the south of Paarl, a town within the Boland / Cape Winelands region of the Western Cape. Paarl is situated approximately 25km east of the City of Cape Town municipal area (refer to **Figure 2**).

The site is located at the intersection of Schuurmansfontein Road and the R301, approximately 8km south of the N1 highway (refer to **Figure 3**). It is situated near the existing residential estates of Val de Vie and the Pearl Valley Golf Estate. The R301 runs along the eastern boundary of the site and connects with Paarl to the north and Wemmershoek to the south. Other nearby towns / settlements include Franschhoek, Simondium, Pniel, Kylemore, Stellenbosch and Klipmuts.

Also refer to the locality map attached as **Annexure J**.

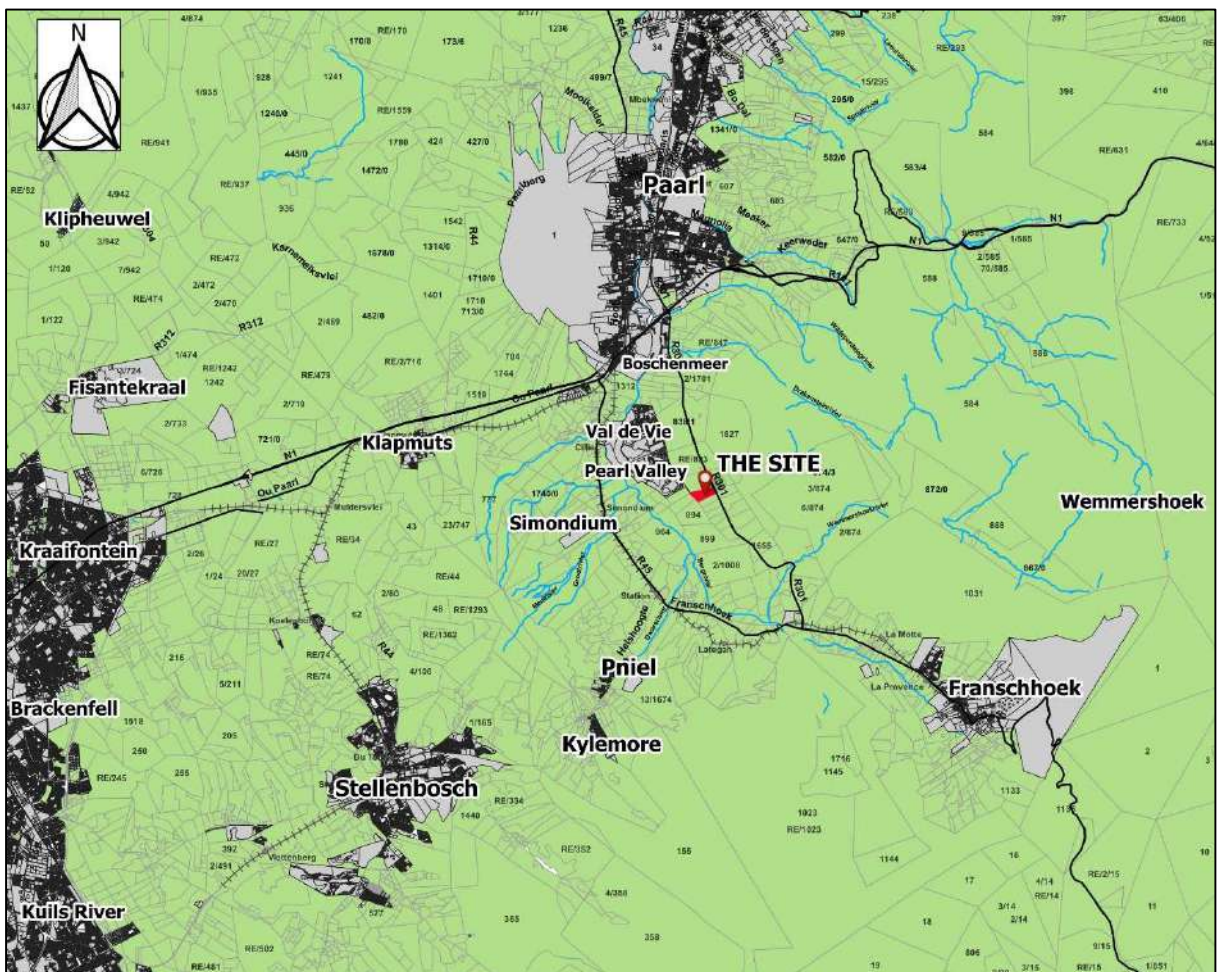


Figure 2 – Regional Context

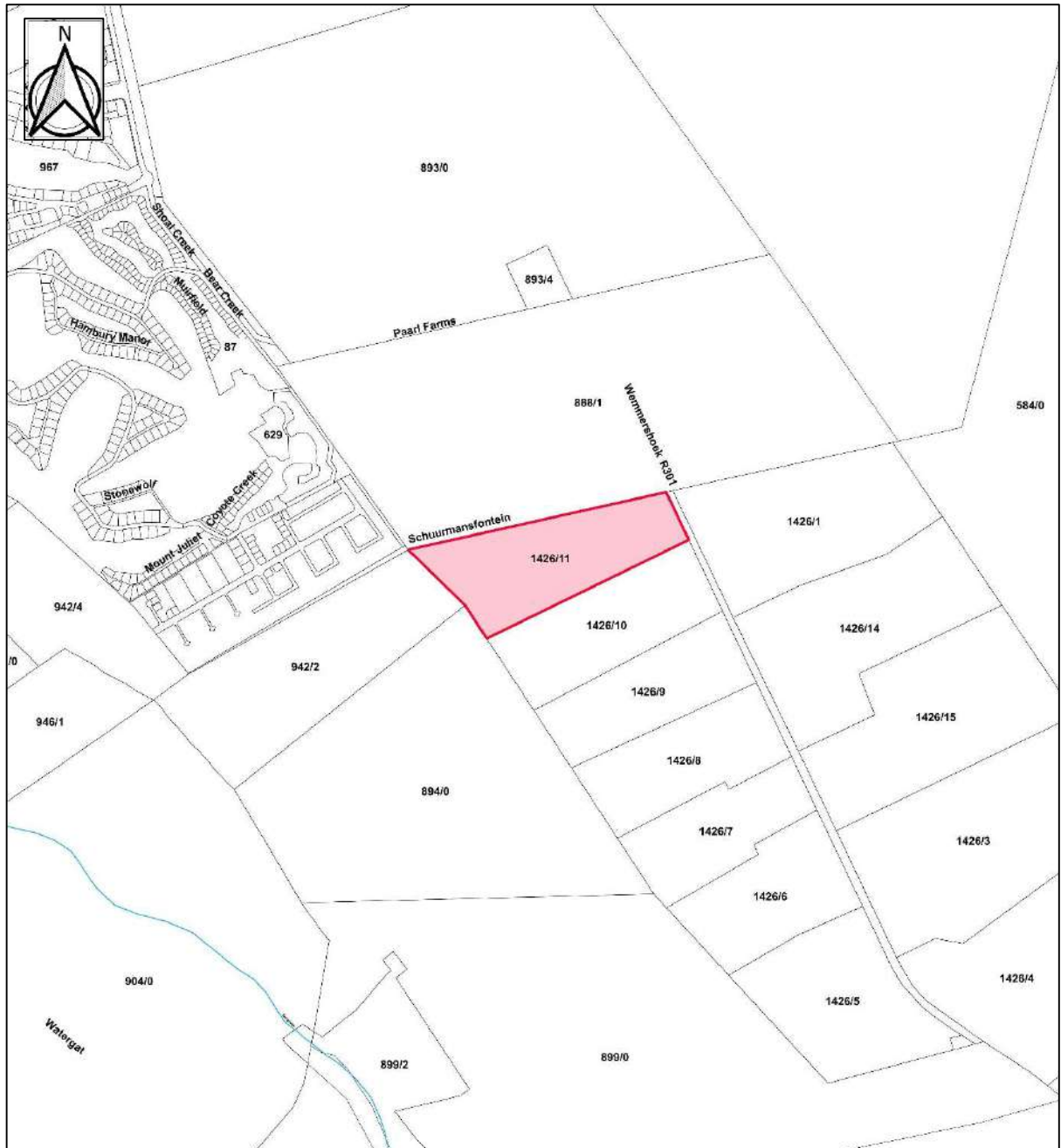


Figure 3 – Site Locality

3.2 CHARACTER OF THE AREA

The area currently reflects a rural character, with the surrounding area consisting of relatively large properties that are mostly covered by natural vegetation or small-scale rural / light-industrial land uses. The views of the surrounding landscape and Wemmershoek mountain are also prominent (refer to **Figures 4 - 6**).

The character of the area is however expected to change significantly in the near future as the area west of the R301 has been earmarked by the Drakenstein Municipality for urban development. Many of the properties in the vicinity of the site have already initiated development processes (such as The Acres to the west), or have recently obtained land use

approval, but have not yet commenced with construction activities. This area will therefore adopt an urban development character within the next few years, with developments of various forms being anticipated for this corridor.

Due to the area east of the R301, which is outside of the Municipal urban edge and not earmarked for urban development, and the views of the surrounding Wemmershoek mountains, the area will retain a relationship with the surrounding natural landscape.



Figures 4, 5 and 6 – The existing rural environment of the surrounding area. The area west of the R301 is inside the urban edge and is likely to accommodate urban development in future.

3.3 RECENT DEVELOPMENT TRENDS

As mentioned, the Drakenstein South region is one of the major development areas in the Cape Winelands area and has been a popular region for upmarket residential development in particular since the Val de Vie lifestyle estate and Peal Valley golf estate were established in the early 2000's. Since then, a number of residential and mixed-use developments have been approved by the Municipality, as illustrated in **Figure 7**, although many of these developments have not yet been developed.

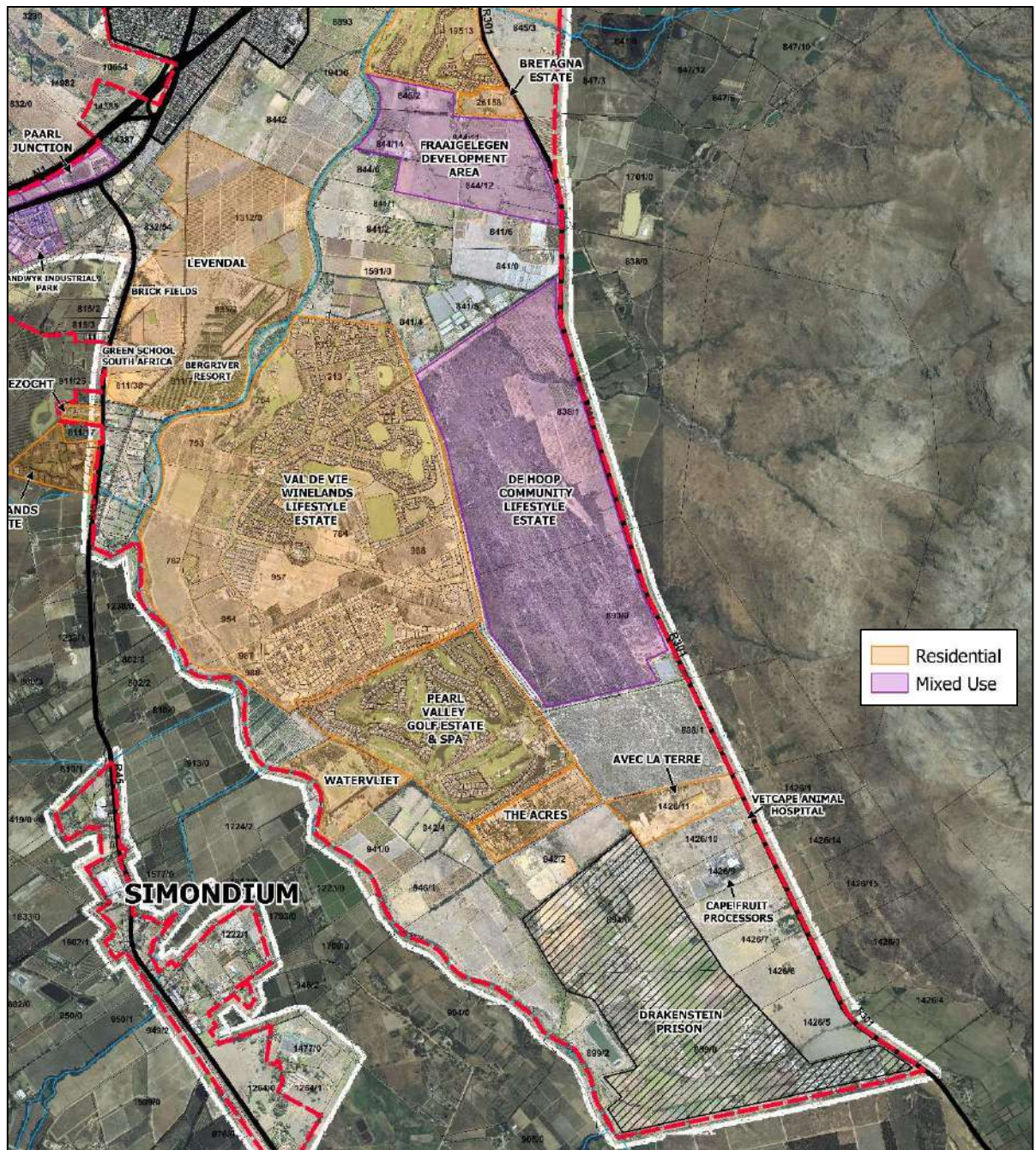


Figure 7 – Surrounding Developments

Some of the recently approved developments which are located close to the site are described below.

The Acres

Situated to the west of the site, this development forms part of the Val de Vie Lifestyle Estate and provides for several 1ha Gentleman’s Estates, larger acre stands (4040m²) as well as 700m² stands (refer to **Figure 8**). The development is currently in construction process.



Figure 8 – The Acres development layout

De Hoop Community Lifestyle Estate

The De Hoop Community Lifestyle Estate was approved by the Drakenstein Municipality in 2018 and entails a mixed-use development comprising of residential, commercial, community and conservation land uses on Portion 1 of Farm 838 and Farm 893, Paarl, to the north of the site (refer to **Figure 9**). The construction process has not yet been initiated.

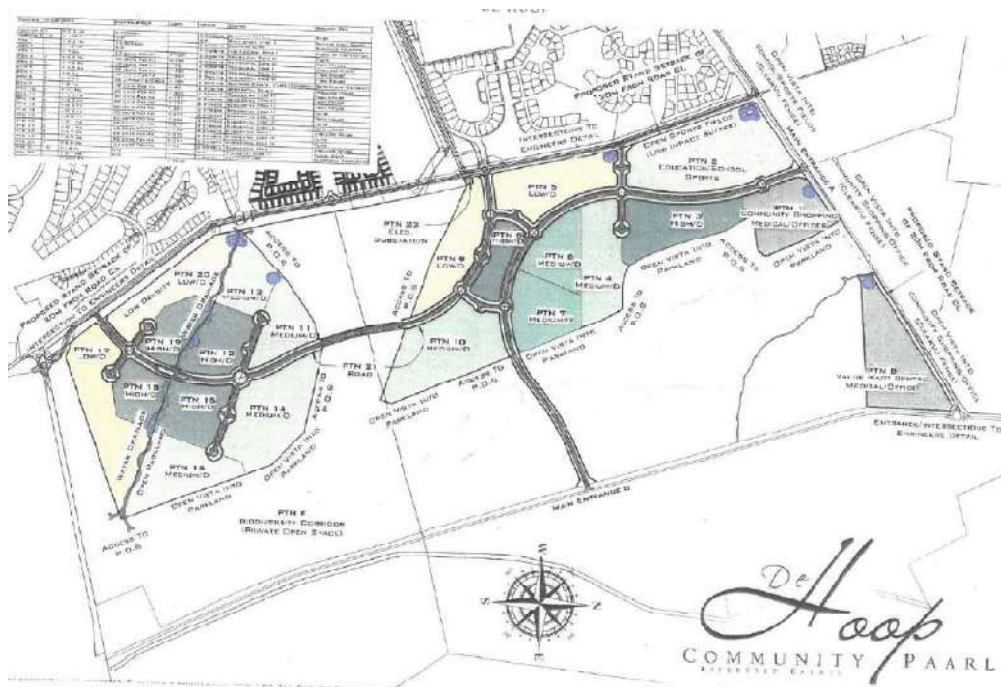


Figure 9 – The De Hoop Community Lifestyle Estate development layout

Fraaigelegen

The Fraaigelegen development is situated to the north of the site and has a land area of approximately 107ha which include Portions 10, 11, 12 and 14 of Farm 844 and Portion 2 of Farm 845, Paarl. The land use approval provides for a mixed-use lifestyle estate including residential opportunities, retail, offices, civic and institutional land uses (refer to **Figure 10**). The construction process has not yet been initiated.



Figure 10 – The Fraaigelegen development framework plan

Bretagna Esate

Bretagna Estate is situated on Erf 26158, Paarl, to the north of the site (adjacent to Boschenmeer Golf Estate and Fraaigelegen). The development was approved by the Drakenstein Municipality in 2019 and provides for 59 single residential properties, sectional-title apartments, assisted-living units and commercial space, including retail and offices (refer to **Figure 11**). The construction activities for this development have not yet commenced.



Figure 11 – The Bretagna Estate layout plan

3.4 SURROUNDING LAND USES AND ZONINGS

Figure 12 below illustrate the existing land uses and zonings of the properties surrounding the site. This include:

- Portion 1 of Farm 888, Paarl (north): The property is zoned Agriculture Zone and is covered by natural vegetation. The property contains sensitive vegetation that is protected and is therefore excluded from the Municipal urban edge.
- Remainder of Portion 1 of Farm 1426, Paarl (east): The property is zoned Agriculture Zone and is covered by natural vegetation. The property is situated outside of the Municipal urban edge.
- Portion 10 of Farm 1426, Paarl (south): The property is zoned Agriculture Zone and accommodates the Vetcape Animal Hospital on the eastern portion. The remaining farm portion is vacant.
- Farm 894, Paarl (south-west): The property is zoned Community Use Zone and forms part of the Drakenstein Prison premises.
- Portion 2 of Farm 942, Paarl (west): The property is zoned Agriculture Zone and contains the Mandela Prison House facility.
- The Acres Development (north-west): The property contains The Acres residential estate that forms part of the Val de Vie Estate. It consists of a number of residential and open space properties that are zoned Conventional Housing Zone and Open Space Zone.



Figure 12 – Land Use and Zoning Map

3.5 TRANSPORTATION CONTEXT

The main vehicular route in the vicinity of the site is the R301 road which runs in a north-south direction along the eastern boundary of the site. This Class 2 Provincial Main Road (MR201) connects with the N1 highway to the north, becoming Jan van Riebeeck Drive within Paarl, north of the N1 highway, and Wemmershoek to the south.

Schuurmansfontein Road, which runs along the site's northern boundary, is a Class 4 Provincial Divisional Road (DR1095) and terminates at the R301 to the east and at the Berg River to the west.

Future road upgrades to the above roads and surrounding road network include the following:

- The dualling of the R301 from the N1 up to the Schuurmansfontein Road intersection. The 1st phase of the dualling will be up to the Kliprug Road intersection. The 2nd phase will include the dualling up to Schuurmansfontein Road.
- A new Class 3 road is planned from the Kliprug Minor Road passing the existing Val de Vie development, through the future De Hoop Estate development and past the future The Acres development. The road will intersect with Schuurmansfontein Road.
- It is planned to extent Schuurmansfontein Road over the Berg River to link with Watergat Road to the R45.

There are currently no pedestrian or cyclist facilities along Schuurmansfontein Road or the R301 in the vicinity of the site.

There are currently no public transport facilities in the vicinity of the site. Bus and min-bus taxi volumes are low in the area.

Refer **Figure 13** for the existing and planned future road network plan.

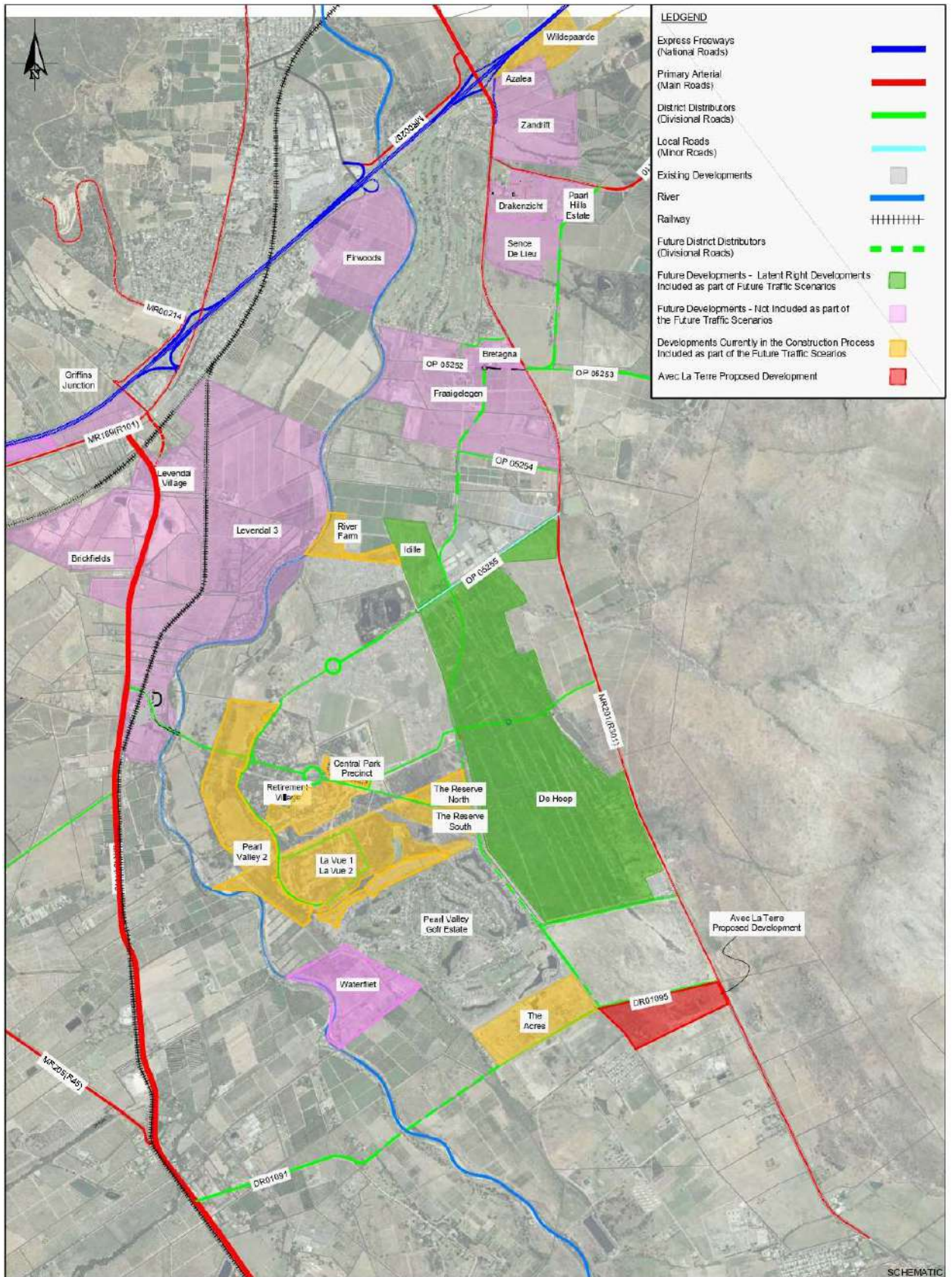


Figure 13 - Existing and future road network (ITS)

4.0 SITE DESCRIPTION

4.1 STATUTORY INFORMATION

4.1.1 Property Ownership and Registration

The subject property is registered as Portion 11 of the Farm 1426, Paarl.

The property is owned by Future Megawatt (Pty) Ltd, as confirmed in the title deed T39833/2022 (refer to **Annexure C**).

4.1.2 Restrictive Title Deed Conditions

The property' title deed does not contain any conditions that will restrict the proposed development.

4.1.3 Servitudes

The following existing servitudes are registered on the property (refer to the SG Diagram, attached as **Annexure D**):

- An electric power transmission servitude. This servitude is 22m wide, but only a portion of the servitude crosses the north-western corner of the site. It is anticipated that this servitude will be cancelled in future as the current overhead powerlines are planned to be replaced by underground powerlines. The existing servitude is however accommodated in the proposed subdivision layout.
- A 6m wide pipeline servitude along the site's eastern boundary (to be retained).
- A 6m wide pipeline servitude along the site's western boundary (to be retained).

4.1.4 Existing Zoning and Land Use Rights

The property is currently zoned Agriculture Zone in terms of the Drakenstein Zoning Scheme By-Law, 2018. This zoning permits a number of land uses that are associated with agricultural activities. Urban development is not permitted.

4.2 CURRENT LAND USE AND STRUCTURES

The site is currently mostly vacant. Although it is mostly covered by natural vegetation, it has been completely transformed by farming and excavation activities in the past (refer to **Figure 14**). The site slopes in a north-westerly direction towards Schuurmansfontein Road at 0.6%, with a 7,37m difference between the lowest and highest levels. Refer to the Topographical Survey Plan attached as **Annexure K**.

The only structures on the property are the dwelling house and associated outbuildings in the south-eastern corner of the site. These structures currently derive access from an existing vehicular access from the R301 (refer to **Figure 15**).

Also refer to the site photographs – **Figures 16 – 18**.



Figure 14 – Aerial Image of the Site



Figure 15 – The existing structures on the site



Figure 16 – The site as viewed from the east.



Figure 17 – The site as viewed from the north.



Figure 18 – The site as viewed from Schuurmansfontein Road.

4.3 NATURAL ELEMENTS

4.3.1 Soils

Natural soils on the site formed in alluvial sand and rounded cobblestone deposits. These soils are sandy and extremely stony and have low water and nutrient holding capacity. Soils are of the Dundee, Lamotte, Longlands, Pinedene and Fernwood soil forms.

The site has been significantly disturbed and neglected in the past. Topsoil has been lost and the land surface has been lowered in areas to below the water table (refer to **Figure 19**).



Figure 19 - Topsoil is absent from most of the site.

4.3.2 Vegetation

The original vegetation that would have been found on the site would have been Swartland Alluvium Fynbos. The vegetation type / habitat has been severely negatively impacted over a wide area due to agriculture and more recently, to urban development and is now critically endangered.

The site has been completely transformed by past activities and does not contain any form of this vegetation. The only indigenous plant species that could be found on the site are fragmented stands of *Seriphium plumosum* (Slangbos) together with *Wildenowia sulcata* (Sonkwasriet). Several mature *Leucadendron rubrum* (spinning top) shrubs were also found. The area where these representatives of the former fynbos plant community were found was invaded by alien *Acacia saligna* (Port Jackson Willow) and *Pinus radiata* (Monterey Pine). The grass, *Cynodon dactylon*, is indigenous but is extremely invasive on disturbed dry, sandy, sites, such as this site (refer to **Figure 20**).



Figure 20 - Invasive and alien trees have had a negative impact on the site, leaving little natural vegetation unaffected.

4.3.3 Freshwater

The site contains a large dam / excavated area that contains water but no associated wetland vegetation or habitat (refer to **Figure 21**). There is however a small patch of wetland dominated by riverbed grass directly to the north of the dam.

There is no existing wetland in the central area to the west of the dam, although this area does show remnants of wetland habitat and have been previously excavated and filled with rubble and then overgrown with alien invasive kikuyu grass. There is no wetland habitat to the east of the dam.

There is some wetland habitat in the western water pathway. This area has mostly been previously excavated for sand and wetland habitat formed within the excavation and surrounding area. There are also patches of riverbed grass occurring to the south of the excavations, where it is less disturbed.

In general, it can be said that there is no significant wetland habitat found on the site that needs to be maintained. There is, however, still evidence of the water pathways though the site. These pathways can be accommodated within the development by creating new wetland habitats within these pathways. The pathways should link up with the culverts along Schuurmansfontein Road to feed through to the site to the north. These waterways can also be combined with stormwater management areas. There is also the potential to retain a portion of the large dam / excavated area and create a wetland habitat within it.



Figure 21 – Large dam / excavation within the site

5.0 THE PROPOSED DEVELOPMENT

5.1 SUMMARY OF THE DEVELOPMENT PROPOSAL

The proposal involves the development of an upmarket residential gated estate. The proposed development provides for 216 single residential properties within a security-controlled estate, with associated open spaces. Provision is also made for a separate mixed-use site on the eastern portion of site, providing for a mix of office, retail, hotel and / sectional-title residential opportunities.

5.2 STRUCTURING ELEMENTS

The following structuring elements informed the layout of the proposed development (also refer to **Figure 22**):

- **The R301 boundary along the eastern boundary:** This road provides the main vehicular connectivity to the surrounding area, particularly to Paarl to the north. This portion of the R301 is also classified as scenic route. Visual impact from this road is therefore important. Vehicular access cannot be taken from this road.
- **Schuurmansfontein Road:** The road forms the site northern boundary. Access to the site must be taken from this road.
- **Vehicular access points:** As mentioned, access to the development must be taken from Schuurmansfontein Road, while no access can be taken from the R301. The minimum access spacing standards permit unsignalized full accesses at 225m intervals along this Class 4 road, with the first access from the R301 being a minimum of 225m from this intersection.
- **Road widening along the eastern boundary:** A 12m road reserve must be provided along the site's eastern boundary to allow for a future Class 3 road as an extension of the planned Class 3 from the De Hoop development.
- **Landscape buffer:** A landscape buffer must be created along the Schuurmansfontein boundary to screen the development from the north (from where it will be most visible).
- **Existing dam area:** A portion of the existing (man-made) dam area is proposed to be retained to function as a dam feature that forms part of the development's open space system. Not only will this create a beautiful natural element within the estate, but it will also reduce the cost of filling the dam.
- **Wetland corridors:** On recommendation from the project's freshwater specialist, provision needs to be made for a wetland corridor to preserve historical wetlands that were previously found on the site (these wetlands do not have specific locations).
- **Wastewater Treatment Plant:** As there is no municipal sewer infrastructure currently in the area, provision must be made for a temporary waste water treatment plant. It needs

to be located at a low point of the site, with accessibility to a municipal stormwater system.

- **Mixed-use site on eastern portion:** Due to the visibility from the R301 and this road's scenic route classification, a higher density mixed-use development is planned for the eastern portion of the site.
- **Main access road:** The main access road will create the entrance boulevard into the estate. The access point and proposed dam need to be linked to create a focal point as one enters the development.
- **Main east-west road:** The main east-west road will reinforce the internal movement network of the estate, linking the western and portions of the estate, the main open space and internal access to the mixed-use site.
- **Future connectivity to the south:** Provision should be made to allow for a future road link to the south, should Portion 10 of Farm 1426 ever develop. This will allow for integration with future developments.
- **Pedestrian movement network:** The landscaping buffer, wetland corridors and other open space will form part of the main internal pedestrian movement network.

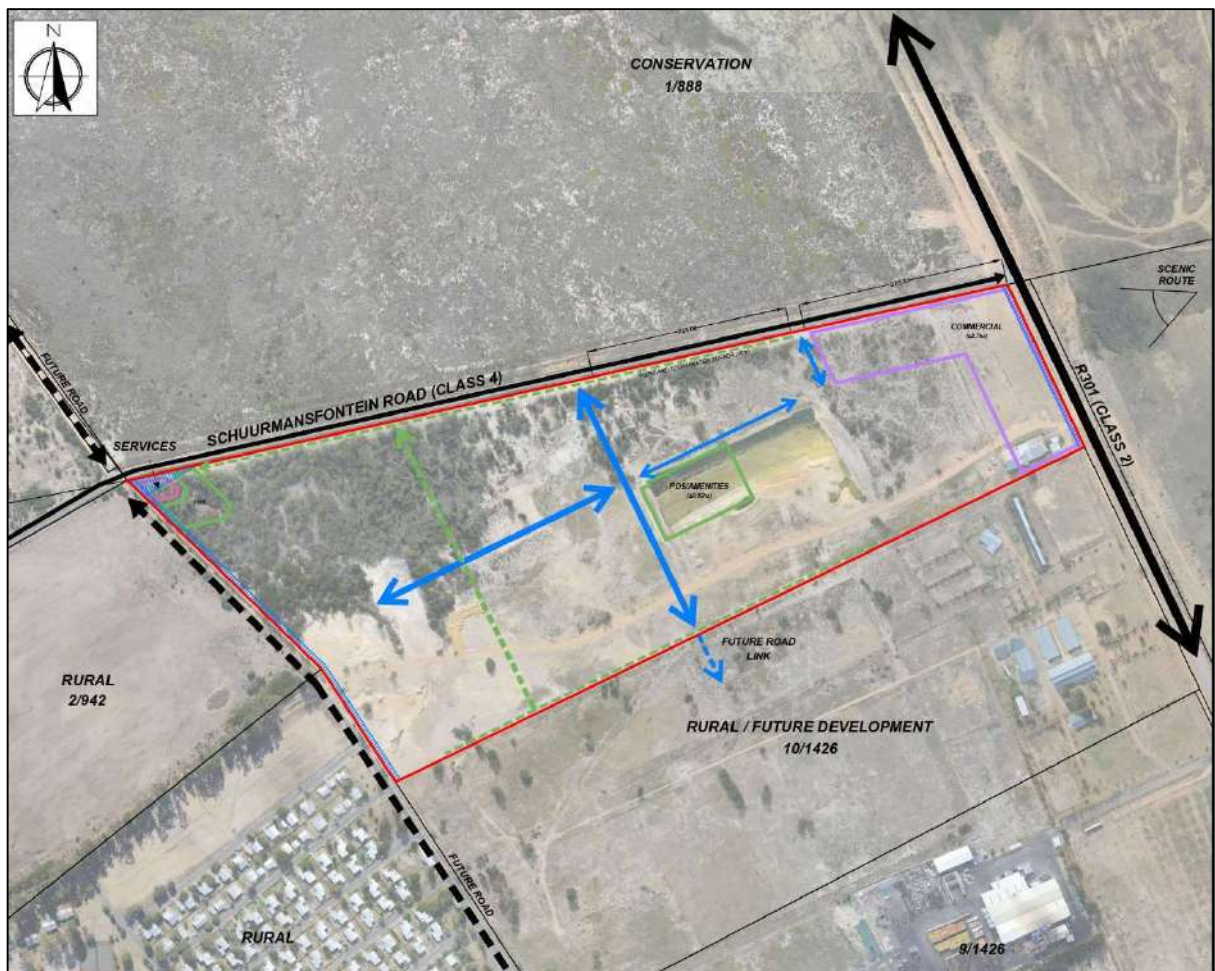


Figure 22 - Structuring elements of the site that informed the development layout.

5.3 SITE DEVELOPMENT PLAN

The proposed development consists of two main components, namely the residential estate and the mixed-use site. The proposed site development plan (SDP) is attached as **Annexure L** (also refer to **Figure 23**) and illustrate the layout of the proposed development.

5.3.1 Residential Estate

The residential estate comprises the largest area of the site and derives access from the 2nd access on Schuurmansfontein Road. The internal residential streets are generally configured as a simple grid-pattern layout which retains strong legibility and road hierarchy. Most streets either terminate as a cul-de-sac or form part of a slow-moving crescent. The internal streets connect with the internal pedestrian pathways and open space system.

It is aimed to provide a tranquil and high-quality / upmarket residential environment. The estate therefore has a strong emphasis on quality open space provision and substantial landscaping within the open space areas / corridors and within the internal road reserves. This includes the main central open space. This open space is situated at the end of the entrance boulevard and is one of the main focal points of the estate. A dam is provided on a large portion of this open space and will contain natural elements (plants, bird life, etc). The main boulevards (Avec La Terre Boulevard and Pinedene Boulevard) will be extensively landscaped to further reinforce the sense of place.

Pedestrian movement forms an important element of the estate, with an internal circular pedestrian route that includes pathways within the green corridors and sidewalks on internal streets.

Provision is also made for utility services such as stormwater retention ponds, package plant and electrical substation.

5.3.2 Mixed-Use Site

The proposed Mixed-Use site is situated on the eastern portion of the site and is approximately 2,8 ha in size. It is planned for this site to be developed at a higher density and built form to create a positive interface with the R301 and to reinforce a more defined built form along the R301 corridor.

It is planned for this site to accommodate a mix of land uses including office, retail, hotel and / or sectional apartments. These facilities may be directly or indirectly linked with the residential estate. Provision is therefore made for the Mixed-Use site to be accessed internally from the residential estate. This is in addition to the main access to this site from Schuurmansfontein Road.

It is important to note that a final site development plan or breakdown of land uses and floor space for the Mixed-Use site is not ready at this stage. The layout indicated on the attached site development plan, as well as all other drawings and images related to the Mixed-Use site (**Figures 24 and 25**), are indicative at this stage and illustrate what can be achieved.

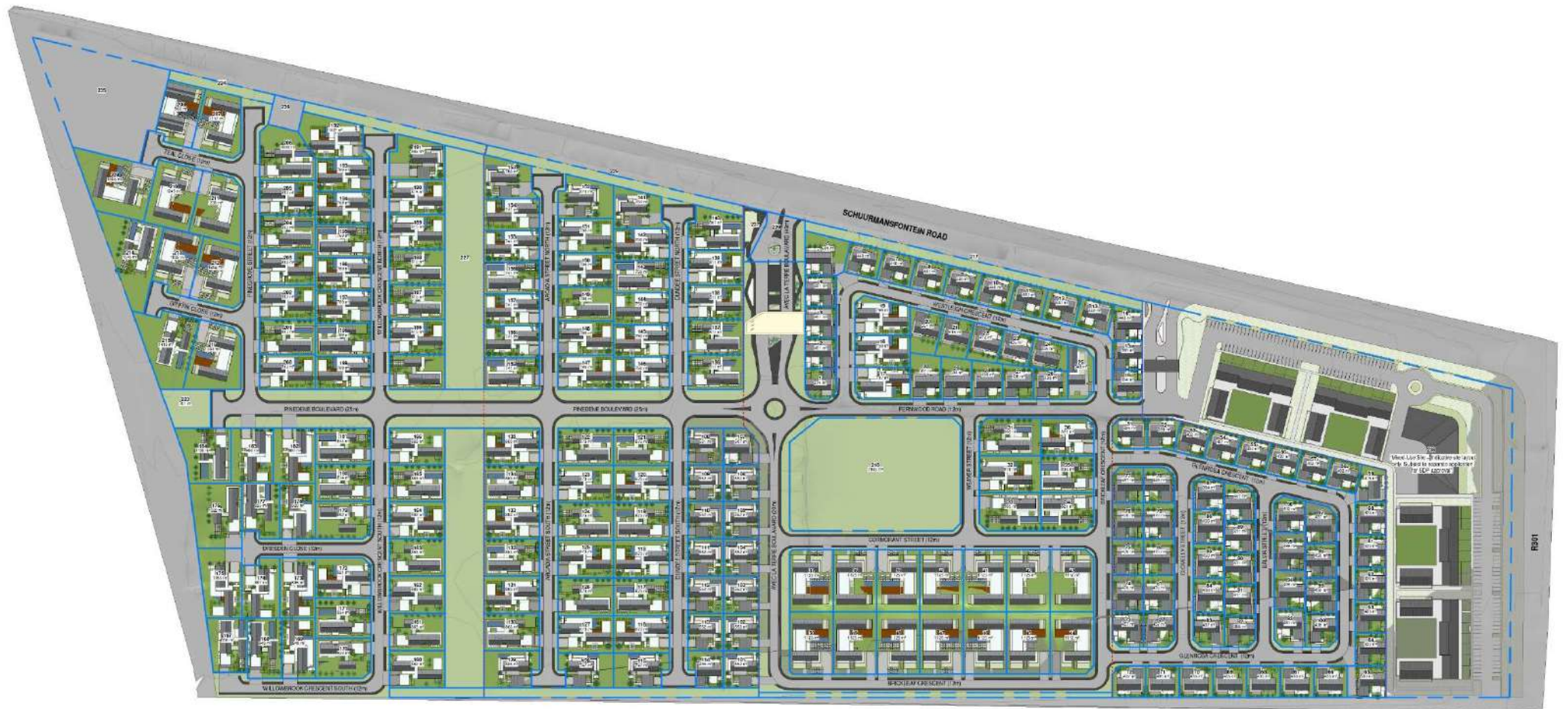


Figure 23 - Proposed Site Development Plan

It is therefore proposed that a Basket of Rights be approved for this site but that the implementation of these rights be made subject to a separate site development plan approval, which will be submitted after approval of this rezoning and subdivision application and when there is more clarity as to what the development of this site will entail (this is explained in greater detail in Section 5.6 of this report).



Figure 24 - An indicative 3D model of the proposed Mixed-Use site, as viewed from the east.



Figure 25 - An indicative 3D model of the proposed Mixed-Use site, as viewed from the north-east.

Due to the visual sensitivity of this site, with this section of the R301 being a scenic route, some elements and principles will however be fixed for the Mixed-Use site and any future site development plan will need to conform with these principles. These principles also formed part of the visual impact assessment undertaken for this site, and include:

- Maximum building height of 3 storeys.
- Buildings to be set back from the R301 boundary to prevent obstruction of the view corridors from the R301.
- Extensive landscaping (trees) along the R301 boundary, except near the R301 / Schuurmansfontein intersection to allow accentuation of the main building at the corner.
- Architecture and built form to be contemporary but complimentary to the local area, natural landscape and views.

5.4 SUBDIVISION AND ZONING

The proposed Subdivision and Zoning Plan is attached as **Annexure M**. Also refer to **Figure 26**.

It is proposed to subdivide the property into 236 portions. The subdivision creates separate land units for all residential properties to allow own-title ownership within the estate. These properties are allocated a Conventional Housing zoning. Separate land units are also created for the Mixed-use site, the internal private roads, open spaces and utility properties.

Note that a separate property is created for the portion of public road along the site's western boundary (Portion 236). This portion is required to form part of the future Class 3 road which is planned to run along the western boundary of the site and will be transferred to the Drakenstein Municipality.

Refer to **Table 2** for a summary of the proposed subdivision and zonings.

| Zoning | Land Use | Portion No | Total Erven | Units | Area | % |
|----------------------|--|------------|-------------|------------|----------------|------------|
| Conventional Housing | Single Residential | 1 – 216 | 216 | 216 | 15,58ha | 56,7 |
| Mixed-Use Zone | Mixed Use (incl. office, retail, institutional hotel and / or flats) | 228 | 1 | | 2,83ha | 10,29 |
| Open Space Zone | Private Open Space | 217 – 227 | 11 | | 2,27ha | 8,25 |
| Utility Zone | Utility Service, Utility Plant | 234 – 236 | 3 | | 0,51ha | 1,87 |
| Transport Zone | Private Road | 230 – 233 | 4 | | 5,75ha | 20,93 |
| Transport Zone | Public Road | 229 | 1 | | 0,54ha | 1,96 |
| Total | | | 236 | 216 | 27,48ha | 100 |

5.5 DEVELOPMENT PHASING

The proposed development will be done in phases to facilitate an efficient and feasible development roll-out. Provision is made for five phases, with Phases 1 – 4 consisting of the residential component. The Mixed-Use site (Portion 228) forms Phase 5 (refer to **Figure 27**).



Figure 26 - Proposed Subdivision & Zoning Plan

Portion 11 of Farm 1426, Paarl (Avec La Terre)



Figure 27 - Proposed phasing plan

5.6 BASKET OF RIGHTS

Although the land use rights for the residential component of the proposed development are fixed in terms of the permitted land uses and total number of units (216 single residential units), the proposed Mixed-Use site (Portion 228) requires more flexibility as the site development plan and land uses have not been finalised and will be informed by future demand.

The Mixed-Use site constitutes the final phase of the proposed development. As mentioned, this portion is planned to accommodate a mix of land uses. To allow appropriate flexibility for this site, it is proposed that a Basket of Right be approved for this property, which can be implemented in future on this portion. It is also proposed that development on this portion be made subject to a separate site development plan approval, which is to be submitted at a later stage, after rezoning and subdivision approval of the site has been obtained. This development will have to utilise the rights (or portion of the rights) allocated to this site.

Table 3 below summarises the Basket of Rights being applied for.

| Table 3 – Proposed Basket of Rights | |
|---|---------------------------|
| Land Use | Total Floor Space / Units |
| Phase 1 - 4 | |
| Single Residential (Conventional Housing) | 216 units |
| Phase 5 | |
| Office | 200m ² |
| Retail | 200m ² |
| Hotel | 40 rooms |
| Apartments | 100 units |

It should be noted that all capacity studies, including the transport impact assessment and the engineering services report, were based on this Basket of Rights. Should future development on this site deviate from the approved Basket of Rights in terms of the land use and floor space / residential unit allocations, but doesn't affect the transport impact and engineering services capacity, then this deviation should be permitted. It is also proposed that any land use permitted by the Drakenstein Municipal Zoning-Scheme By-Law's Mixed-Use Zoning be allowed on the site, subject to confirmation that no additional transport or services impact is created.

5.7 TRANSPORT – ACCESS, ROADS AND PARKING

The main vehicular access from Schuurmansfontein Rd to the residential estate will be access-controlled by means security gates / booms and manned security. The access gates / control point is set back more than 60m from the Schuurmansfontein boundary and provides for more than sufficient stacking distance for vehicles waiting to enter the estate.

The access design layout provides for two separate entrance lanes and two separate exit lanes (refer to **Figure 28**). This is to separate resident and visitor access and exit and to allow an efficient flow of traffic in and out of the estate. Provision is also made for a guardhouse between the access and exit lanes as well as separate pedestrian gates.

Visitors' parking bays in front of the access provide for parking opportunities for visitors that do not require entrance to the estate, such as deliveries. Provision is also made for turning space to allow vehicles to turn around that can't enter the estate.

A refuse storage area is proposed on the western side of the site access. A traffic roundabout will allow refuse trucks to enter from the east (via the R301), to move around this roundabout and to stop within the refuse embayment next to the refuse storage area where refuse is then

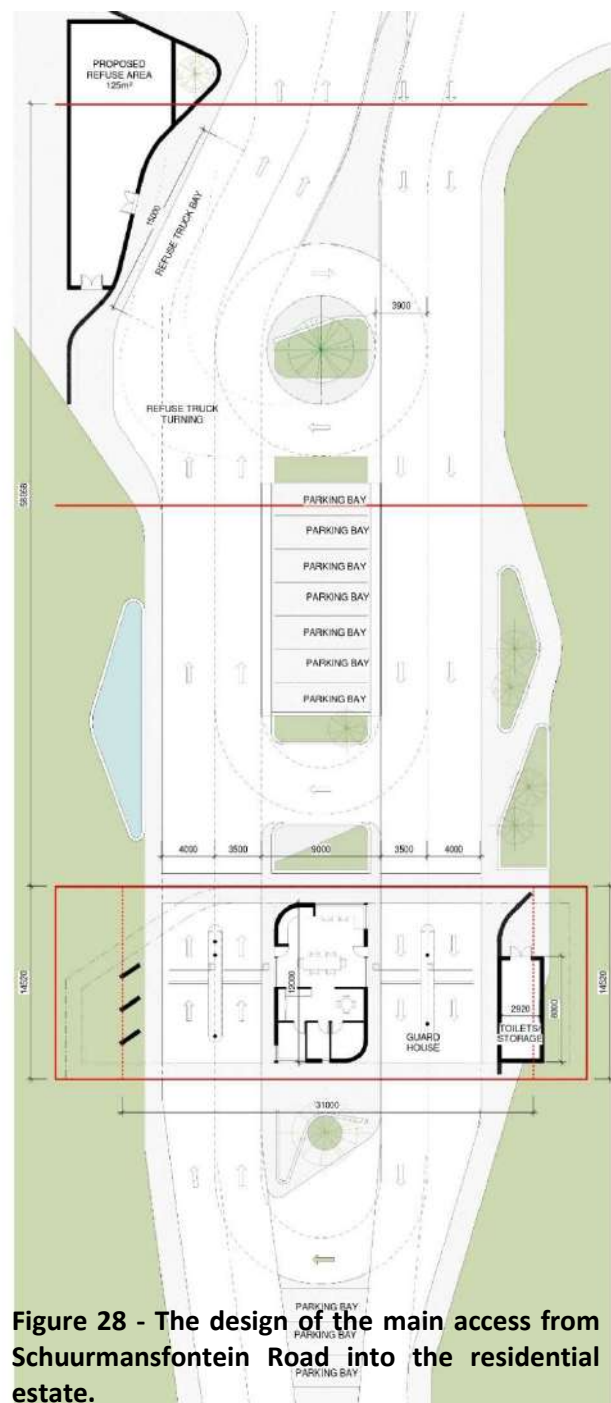


Figure 28 - The design of the main access from Schuurmansfontein Road into the residential estate.

collected. This design ensures that refuse collection can occur efficiently without the need for refuse trucks to enter the development and without obstructing vehicular flow at the access.

The design of the main access and guard house is attached as **Annexure N**.

A secondary vehicular access on Schuurmanfontein Road provides for access to the proposed Mixed-Use site only. Note that the detailed design of this access will be finalised as part of the SDP preparation process for this site.

The main north-south and east-west boulevards of the estate have wide road reserve widths (20m and 25m) to allow for additional landscaping to create the boulevard effects for these roads. All other internal roads are accommodated within 12m road reserves and will be paved.

Except for the 10 visitors' parking bays at the main estate entrance (inside and outside the access gates) no other form of on-street parking is provided. All residential properties will accommodate double garages and space for additional parking in the driveways to ensure that sufficient provision is made for off-street for residents and visitors.

5.8 DESIGN PRINCIPLES AND ARCHITECTURE *(with input from Bruce Wilson Architects)*

5.8.1 Residential Unit Type Designs

Provision is made for three property size categories within the residential estate:

- “Small” properties, which are on average between 350m² and 500m² in size.
- “Medium” properties, which are on average between 500m² and 1000m² in size.
- “Large” properties, which are on average between 1000m² and 1500m² in size.

Specific unit types will be designed for all property size categories. These unit-types provide for a range of 3-bedroom or 4-bedroom units and are either single or double storey in size. Examples of some of the draft unit type designs and 3D images are attached as **Annexure O**.

5.8.2 Overall Architectural Principles

Avec la Terre is conceived as a contemporary and authentically sustainable estate. The architectural style takes a ‘form follows function’ approach, and no stylistic architectural theme is adopted or prescribed.

A draft Architectural Design Guidelines document has been prepared and aims at allowing individual architectural expression within this broad conceptual parameter (refer to **Annexure P**). A simple, elegant and contemporary visual form is envisaged, and designers are encouraged to perfect their proposals with this aim in mind.

5.8.3 Architectural Design Guidelines

Simple and concise architectural guidelines have been prepared to ensure the implementation of the design concept. The guideline document also sets out the urban form, as follows:

- The architectural guidelines and home designs encourage a positive and consistently urban street form. This form is integrated with landscape and road planning.
- The architectural guidelines will enable visually interesting homes, specifically with varied roof forms that will make for visual interest and coherence. A limited number of specific design controls will be implemented in order to broadly ensure this vision is achieved.

5.8.4 Sitting and Orientation of Homes

All erven have been carefully arranged to ensure that each erf supports good siting practice, including but not limited to:

- The possibility for long elevations to face north and northeast, in order to benefit from solar gain and attractive views;
- The placement of garages to the south;
- The ability for the architectural form to shield externally living spaces from the south-easterly wind.



Figure 29 - Indicative 3D model of a street view of a residential dwelling unit.

5.9 OPEN SPACE AND LANDSCAPING *(with input from Viridian Landscape Architects)*

Landscaping forms a critical component of the proposed development. A Landscaping Master Plan and Guidelines document has thus been prepared by the project landscape architects (Viridian Consulting Landscape Architects) to illustrate the landscape vision for this development. The report is attached as **Annexure Q**. The landscaping plan is attached as **Annexure R**.

The landscape vision for this development is to create a development with a visual aesthetic and landscape character of a village within a natural and agricultural context. The vision is for a development that is generous in its provision of open space and integrates the service infrastructure of the overall development with the landscape functionality and spatially displays sensitivity to its context alongside the R301 scenic Route.

The proposed development's landscaping design is informed by the following landscape design principles:

- High priority on tree structure and hierarchy;
- Trees are a critical element for shelter from the prevailing winds to create liveable spaces and respond to context and landscape setting sensitively;
- Resource efficiency;
- Integration with engineering service infrastructure;
- Context sensitivity;
- The planting strategy focuses in creating a rural rather than suburban character and prioritises interface and edge treatment with surroundings;
- Continuous pedestrian circulation;
- Focus on increasing biodiversity of flora and fauna.

5.9.1 Community Park

The form, character and function of the large detention pond celebrates water sustainability, habitat creation and recreation. The park is an active and passive space, creating a coherent community. Provision is made for a large lawn area, play structures, pedestrian paths, seating areas and a viewing deck (refer to **Figure 30**).

Figure 30 - Proposed landscaping plan for the community park.



5.9.2 Wetland Park

The primary aim of the wetland corridor is to allow the movement of water and associated biota through the site and provide a level of wetland habitat and functionality within the created habitats. The water will be supplied by the stormwater pond, during the times of

need, where excess water will be pumped into the high point of the wetland park and be gravity fed from there. The approximate extent of wetland habitat that would need to be created is about 1 – 2ha.

The aim would be to introduce habitat diversity accompanied by a series of varying stream-like sections of narrow and then pool/wetland areas.

The intent is to introduce water into this section to add a system and series of water features, of which some are permanently wet, more aesthetically pleasing features, and some sections of the water system is fed by natural and stormwater drainage. The wetland park is designed in such a way to facilitate and integrate stormwater designs and strategies. The created habitats will be a combination of areas that can attenuate and treat stormwater runoff and then have more natural areas (refer to **Figure 31**).



Figure 31 - The design of the proposed wetland parks, north (left) and south (right)

5.9.3 Pond Walk Park

The primary function of the pond in the north-western corner of the site is to function as a stormwater detention pond. A pedestrian pathway around the pond ensures that the pond also forms part of the internal open space and pedestrian movement system.

5.9.4 Pinedene Play Park

Provision is made for an open lawned area and play structures to ensure that the park can be actively used for recreation.

5.9.5 Walking and Jogging Paths

The design intent for pedestrian circulation is to accommodate and promote continuity and to provide substantial walking paths and jogging trails, all adding to a theme of a healthy lifestyle. The pathways treatment and articulation of the ground plane ensures circulation and fluidity throughout the development, using materials, textures and composition.

The primary pedestrian route is extensive and covers a circular length of approximately 2,7km.

5.9.6 Boundary interface along Schuurmansfontein Road

The interface of the proposed development on Schuurmansfontein Rd required specific design attention. Not only is this boundary highly visible traveling southbound along the R301 (largely due to Portion 1 of Farm 888 which will remain open as a conservation area), but it also forms the entrance route from the R301 to the proposed development and areas further west, which include the Mandela House facility. A 6,5m wide buffer area is therefore provided along this boundary and allow space for tree planting to appropriately screen the development, as well as stormwater swales and pedestrian paths (refer to **Figure 32**).

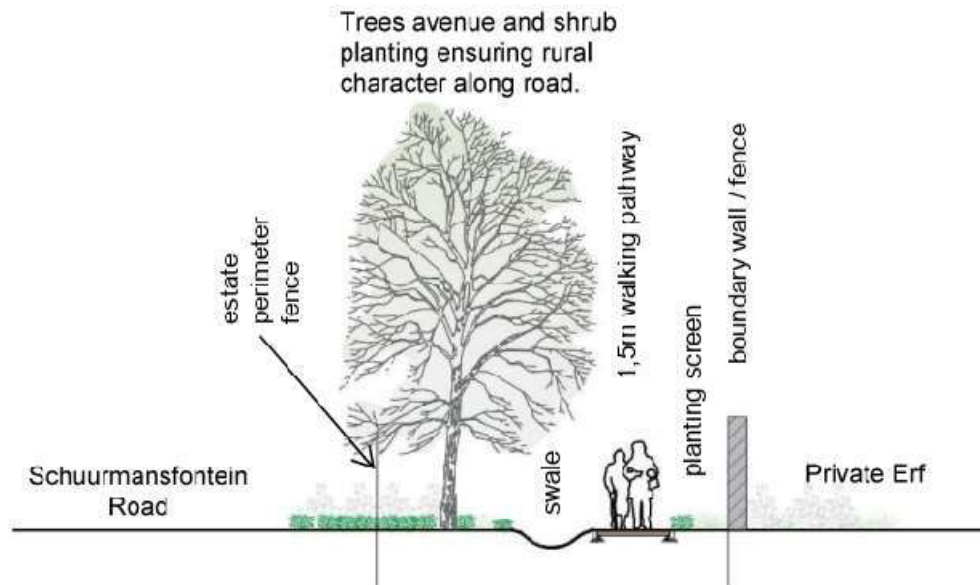


Figure 32 - A cross-section illustrating the design of the buffer corridor along the Schuurmansfontein boundary.

The boundary fence will consist of a 1,8m high mesh fencing which will be fixed to cylindrical poles. The fence design will tie in with the rural character of the area. Electrical fencing will be fixed to the top of this fence, creating a maximum height of 2.2m (refer to **Figure 33**).

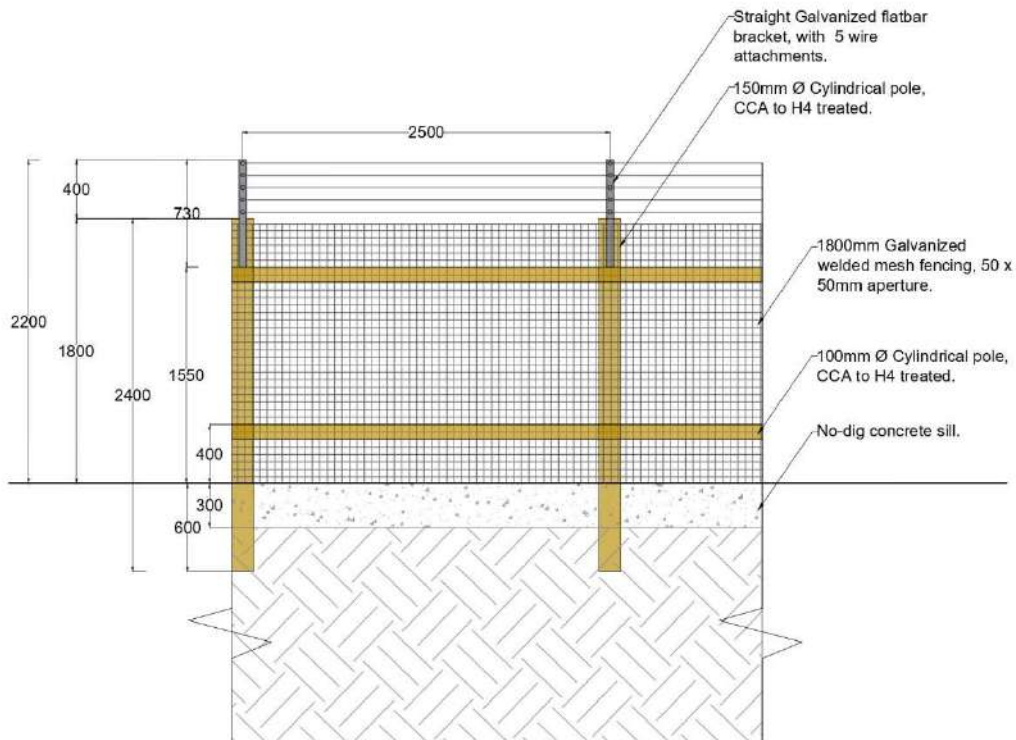


Figure 33 – The Schuurmansfontein Road boundary fence design

5.9.7 Boundary interface along R301

With the R301 being a scenic route, careful consideration should also be given to the interface treatment along this boundary on the Mixed-Use site. This includes extensive tree planting along this boundary, while also allowing for the required future road widening of this road.

Figure 34 illustrates the cross-section along the R301 boundary. Note that the design of this interface will be considered in greater detail during the SDP process for the Mixed-Use site, which is to be done separately at a later stage.

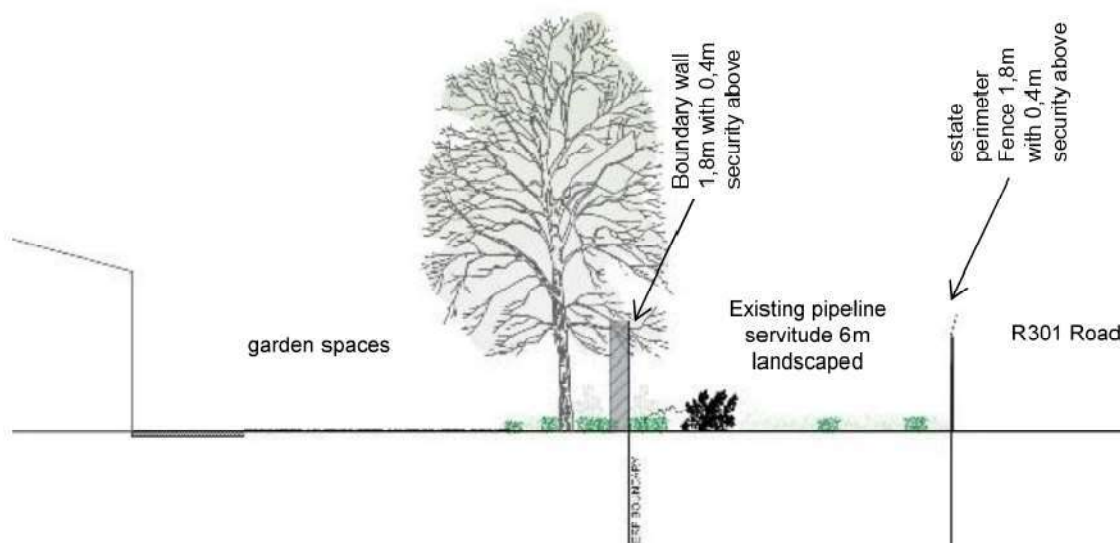


Figure 34 - A cross-section illustrating the interface with the R301.

5.10 PROPOSED STREET NAMES

The site has a considerable French connection due to its proximity to Franschoek and the current farm name of “La Paris”.

“Avec La Terre” means “with the earth” in French. This relates to the development’s approach towards the sustainable use of resources and its relationship with the natural environment on the site and the surrounding landscape.

The proposed street names for the development aligns with this theme. Three groups of street names are proposed, namely names of soil types found in the local area, names of local Fynbos found in the area, and names of birds found in dam areas in the Western Cape. The full list of proposed street names is given below. An application for the formal approval of the proposed street names by Council is included herewith.

The proposed street names and numbers plan is attached as **Annexure S**.

Main Estate Road

Avec La Terre Boulevard

Names of Soil Forms

Pinedene Boulevard
 Dundee Street
 Fernwood Road
 Arcadia Street
 Willowbrook Crescent
 Pinegrove Street
 Westleigh Crescent
 Dresden Close
 Griffin Close
 Clovelly Street
 Glenrosa Crescent

Names of local Fynbos

Brickleaf Crescent
 Salvia Street

Names of Water Birds

Teal Close
 Weaver Street
 Cormorant Street

6.0 MOTIVATION

Section 65 of the Drakenstein Municipality: Municipal Land Use Planning By-Law (2015) stipulates that the Municipality must have regard to a set of prescribed criteria when it considers a land use application. The following sections are an assessment of the application in terms of said criteria and serves as the motivation for the approval of this application.

6.1 CONSISTENCY WITH PLANNING LEGISLATION (SPLUMA & LUPA)

Both the Spatial Planning and Land Use Management Act No.16 of 2013 (SPLUMA) and the Western Cape Land Use Planning Act No.3 of 2014 (LUPA) prescribes a set of land use planning principles to guide land use planning. The proposed development adheres to the land use principles relevant to development proposal as follows:

- **Spatial Justice** – The proposed development will ensure the improved access to, and utilization of, land. The proposal is deemed to be the best use of the property in the context of the site’s location and the Municipality’s spatial development framework. Given the lack of accessibility to public transportation services, the cost of services and long distance to the nearest hub of employment opportunities, the site is not conducive for low-cost housing provision.
- **Spatial Sustainability** – The proposed development is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the local authority. As demonstrated in this report, the property is not deemed to be high potential agricultural land that should be protected. It also does not impact on natural habitat with high biodiversity importance, provincial heritage and tourism resources or areas unusable for development. It therefore supports the principle of spatial sustainability.
- **Efficiency** – The proposed development optimizes the use of existing resources and infrastructure as it densifies development on a site within the approved Municipal urban edge. It also contributes to an integrated urban area as the phenomenon of urban sprawl is countered due to the site being within the Municipal urban edge, with the surrounding properties (which are suitable for development) envisaged to be developed in future.
- **Good administration** – The proposed development is aligned with the provincial and municipal spatial development frameworks and land use policies.

6.2 CONSISTENCY WITH SPATIAL DEVELOPMENT FRAMEWORKS AND COUNCIL POLICIES

6.2.1 Western Cape Provincial Spatial Development Framework

The Western Cape Spatial Development Framework (PSDF) was approved by the executive authority in 2014 and endorsed by the Provincial Cabinet to replace the previous PSDF. The PSDF puts in place a coherent framework for the province’s urban and rural areas that (1) gives spatial expression to the National and Provincial development agendas, (2) serves as basis for coordinating, integrating and aligning ‘on the ground’ delivery of National and

Provincial departmental programmes, (3) supports the municipalities to fulfil their municipal planning mandate in line with the National and Provincial agendas and (4) communicates government's spatial development intentions to the private sector and civil society.

The PSDF applies the following spatial principles:

- **Spatial justice** – A socially just society is based on the principles of equity, solidarity and inclusion. Past spatial and other development imbalances should be redressed through improved access to and use of land by disadvantaged communities.
- **Sustainability & Resilience** – Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromise ecosystems.
- **Spatial Efficiency** – Relates to the form of settlements and use of resources – compaction as opposed to sprawl, mixed-use as opposed to mono-functional land uses, residential areas close to work opportunities as opposed to dormitory settlement and prioritisation of public transport over private car use.
- **Accessibility** – Improving access to services, facilities, employment, training and recreation, and safe and efficient transport modes.
- **Quality and Liveability** – A quality built environment is one that is legible, diverse, varied and unique. Legible built environments are characterised by the existing of landmarks such as notable buildings and landscaping, well-defined public spaces and navigable street networks.

The PSDF's policy framework covers Provincial spatial planning's three interrelated themes, namely (1) Sustainable use of the Western Cape's spatial assets, (2) Opening-up opportunities in the Provincial space-economy, and (3) Developing integrated and sustainable settlements.

Sustainable Use of Spatial Assets

The PSDF emphasise that the Province's biodiversity and agricultural resources should be protected as the unique scenic and cultural landscapes, which underpin the tourism economy, are being eroded and fragmented from inappropriate development.

The site is situated within the proclaimed Municipal urban edge and has therefore been demarcated by the Municipality for urban development. It has also been confirmed by a suitably qualified soil scientist that the site has low agricultural potential due to the soil conditions and as it has been heavily disturbed and excavated (refer to Section 6.9 in this report). The site does not form part of a critically biodiversity area (as confirmed by the environmental specialists) and has low environmental significance.

The proposed development is designed to remain sensitive to the surrounding rural setting. Protected environmental elements in the surrounding area will not be affected.

Opening-up opportunities in Space-economy

In response to the Western Cape's historical and recent economic challenges, the Western Cape Government has made growing the economic its primary objective. To this end the PSDF

focuses on opening-up opportunities in the Provincial space-economy. Amongst the key concepts in the PSDF's space-economy policies are to build 'land assembly' capacity in the urban space-economies, incentivize mixed land use and economic diversification in urban and rural land markets, and to prioritize the roll-out of the 'greener' economy by promoting rural economic diversification by using off-grid infrastructure technologies.

The proposed development will attract significant investment in the local area and contribute towards mixed-use development in the area, thereby facilitating in the diversification of the local economy of the Drakenstein South region. It will also have a high emphasis on off-grid infrastructure technologies and towards the more sustainable use of resources.

Developing Integrated and Sustainable Settlements

The PSDF promotes smart growth of urban settlements by ensuring efficient use of land and infrastructure by containing urban sprawl and prioritising infill, intensification and redevelopment within settlements. It further encourages the increase of densities of settlements and dwelling units in new housing projects.

The proposed development responds positively to this strategy of the PSDF as it facilitates more efficient use of land with the proclaimed Municipal urban edge. The proposed development will allow development at an appropriate density as well as a mix and intensification of land uses.

It is thus evident that the proposed development is consistent with the policies of the PSDF.

6.2.2 Drakenstein Spatial Development Framework

The Drakenstein Municipality Spatial Development Framework (SDF) was approved by the Municipality in 2022 to provide planning systems and approaches through which the Municipality can achieve its spatial development vision. The SDF seeks to influence the overall spatial distribution of the current, and future, land use within a municipality, in order to give effect to the vision, goals and objectives of a municipal Integrated Development Plan (IDP).

The SDF divides the municipal area into different spatial focus areas (SFA). The site is situated within Special Focus Area 4: Drakenstein South, which include the area south of the N1 and east of the Berg River (excluding Simondium).

According to the SDF, this area is under pressure for the development of high-income, low-density, gated community residential developments. This SFA is strategically located and offers good access to the rest of the region. The SFA is predominantly characterized by agricultural and natural land uses, but large portions of the SFA are already characterized by large-scale, high-income residential developments.

Currently, the role that this SFA fulfils is centred around low-density residential development. Future development focus should, however, be focused on an efficient and integrated urban structure, inclusive of a variety of housing typologies, commercial opportunities, and social

and community facilities with well-connected open spaces that caters for different income groups.

Extensive bulk infrastructure investment is required, as well as investment in roads and transport to ensure mobility and connectivity with other main urban areas. An appropriate return on investment for the Municipality is required. Focus should also be placed on creating an efficient urban structure through the incorporation of a high mix of different housing typologies and community facilities, which must be well connected through appropriate smaller nodes on the R45 and R301.

Amongst the spatial interventions for this SFA, the SDF promotes corridor development with appropriate intensification along the R301 and R45 routes, with the provision of appropriate and sensitive convenience nodes at strategic locations along the R301 road. Future housing projects that facilitate a range of housing typologies, with community facilities and a well-connected movement network, is encouraged. The Watergat / Schuurmansfontein Integration Route is identified as an important route to enable integration between the east and west of this SFA.

It should be noted that although parts of the site is indicated as “Critical Biodiversity Areas” and “Ecological Support Areas”, it has been confirmed by specialist environmental studies that the site does not contain any sensitive biodiversity and that it has been completely disturbed.

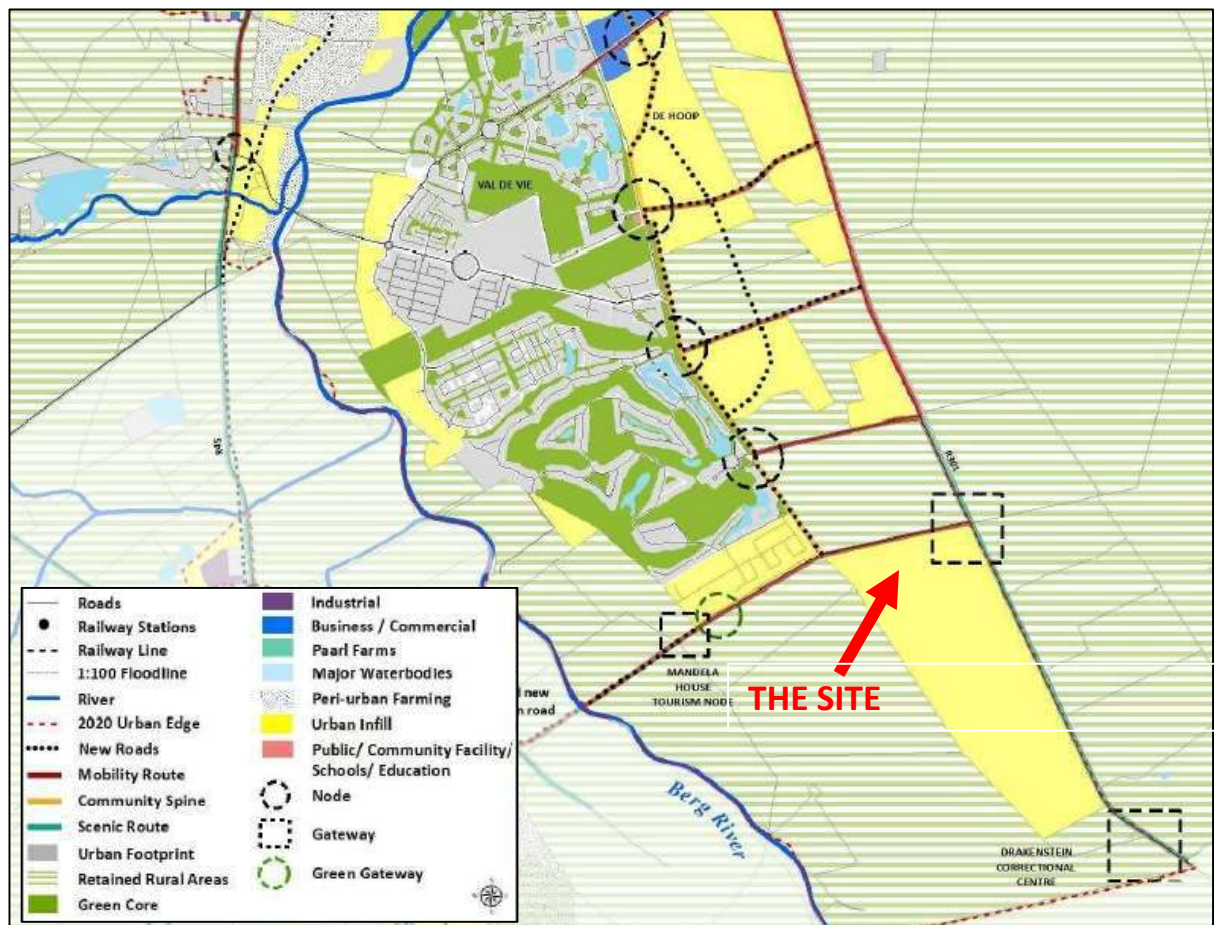


Figure 35 – Extract of the Drakenstein South Spatial Focus Area Map

According to the Spatial Focus Area Map, the site is situated within the Municipal urban edge and is delineated for “Urban Infill” (refer to **Figure 35**). This includes all existing agricultural zoned properties along the R301, south of the site up to the Drakenstein Prison. This entire area is thus planned to accommodate urban development as part of this SFA’s development framework.

The proposed development is thus deemed to be aligned with the Drakenstein SDF for the following reasons:

- The site is situated within the Municipal urban edge and within an area delineated for Urban Infill where higher densities is promoted.
- The proposed development supports the SDF’s proposal of creating a gateway at the R301 / Schuurmansfontein Road intersection. An opportunity is created to enhance the sense of place at this gateway location (with new buildings and landscaping).
- The proposal will contribute to the provision of a variety of housing typologies and commercial opportunities.
- It will assist in creating an efficient urban structure, with higher-density mixed-use development along the R301 corridor.
- The proposal supports corridor development along the R301.
- The proposed development will contribute towards much-needed infrastructure investment in the area.
- As confirmed by the environmental specialist studies, the site does not contain any sensitive vegetation, fauna or water courses and does not form part of a Critical Biodiversity Network.
- The site has low agricultural potential. The proposed development will therefore not result in the loss of high-potential agricultural land.
- The proposal will not affect the integrity of the nearby Mandela Prison House facility.
- The proposed development will not affect the surrounding rural landscape, specifically towards the east of the R301.

6.3 COMPLIANCE WITH DRAKENSTEIN ZONING SCHEME BY-LAW (2018)

6.3.1 Residential Properties (Conventional Housing Zone)

The residential properties in the residential component of the proposed development (Phases 1 – 4) are proposed to be zoned Conventional Housing Zone. This zone is deemed to be the most appropriate zone for these properties as it will allow for predominantly lower density conventional housing and character with controlled opportunities for home employment.

As all of these properties are designed to accommodate a single dwelling house only, the properties will be compliant with the land use restrictions of this zoning as prescribed in the Drakenstein Zoning Scheme By-Law. Relaxations from the building development parameters are however required to allow development that creates a positive interface with the internal street areas and that efficiently utilises the available space.

Table 4 summarises the building development parameters that apply in this zone:

| Area of Land Unit | Street Building Line | Common Boundary Building Lines | Maximum Coverage | Maximum Height | Parking |
|---------------------------------------|-----------------------------|---------------------------------------|-------------------------|-----------------------|-----------------------|
| 251m ² – 500m ² | 2m | 1,5m | 60% | 8m | 1 bay / dwelling unit |
| > 500m ² | 4,5m | 1,5m | 50% | 8m | 1 bay / dwelling unit |
| Garages and Carports | 0m | 0m | N/A | 4m | N/A |

The following departures are applied for to allow deviation from these restrictions. This includes:

- A departure to permit a street boundary building line setback of 1,5m for all properties zoned Conventional Housing.
- A departure to permit a common boundary building line setback of 1,0m for all properties zoned Conventional Housing.
- A departure to permit a maximum building height of 9,0m for all properties zoned Conventional Housing.

The above departures are motivated as follows:

- **1,5m street building lines:** The departure will allow the units to be placed closer to the street boundaries, thereby creating a more positive interface with the semi-public environment.
- **1,0m common boundary building line:** This departure is fairly minor in nature, allowing for a relaxation of 500mm. The departure will allow the available space to be utilised more efficiently and supports the desired urban form onto the street.
- **Maximum building height of 9,0m:** The additional 1,0m height will allow more flexibility in the design of the double storey residential units and thereby achieving a more contemporary roof design and allowing for variation in roof form aligned with the architectural design guidelines. The additional 1m in height is fairly minor and will not result in a negative impact on the surrounding environmental or surrounding properties.

To summarise, the following building development parameters will apply to all properties zoned Conventional Housing, should the above departures be approved:

- Street building line – 1,5m
- Common boundary building line – 1,0m
- Max. Coverage – 60% (for properties < 500m²); 50% (for properties >500m²)
- Max. Height – 9m

6.3.2 Mixed-Use Site (Mixed-Use Zone)

As mentioned, the Mixed-use site (Portion 228) is planned to accommodate a mix of land uses, including office, retail, hotel and / or apartments. The Mixed-Use zoning is therefore

allocated to this site as all of the potential land uses are permitted in this zoning as a primary land uses.

The following building development parameters will apply to the Mixed-Use site as prescribed in the Drakenstein Zoning-Scheme By-Law:

- Street boundary building line: 0m
- Common boundary building line: 4,5m
- Maximum coverage: 100%
- Maximum height: 20m

In addition to the above building lines, it should be noted that a 5m building line applies along the R301 property boundary (eastern boundary) as this road is a provincial main road.

The proposed development on this site will be compliant with the above building development parameters.

6.3.3 Utility Services and Utility Plants

The development layout provides for three properties zoned Utility Services which provide for various utility services. This includes the stormwater retention pond, temporary package plant, electrical substation and refuse storage facility. As the package plant and electrical substation are defined as “utility plants” by the Drakenstein Zoning-Scheme By-Law, Council’s consent is required to permit these uses on Portions 233 and 234 respectively.

6.3.4 The R301 Scenic Route Overlay Zone

The section of the R301 road between the intersection with Jack Nicklaus Boulevard in the north and Wemmershoek to the south is classified as a scenic route by the Drakenstein Municipal Zoning Scheme By-Law. All properties within 200m from this section of the road therefore falls within the Scenic Route Overlay. This includes the eastern portion of the site.

The Scenic Route Overlay Zone does not prescribe additional development parameters or restrictions as the concerned base zoning’s permitted land uses and development parameters remain applicable, but it allows the Municipality to impose additional restrictions on development if deemed necessary. It also allows the Municipality the opportunity to request site development plans and visual impact assessments for any development within this overlay zone in order to assess the impact of proposed developments along the scenic route.

A visual impact assessment is being undertaken for the proposed development by a visual impact assessment specialist to determine the impact of the development on the scenic route. Early indications are that the proposed development will not result in a negative visual impact, provided that certain mitigation measures are implemented (which are acceptable to the developer and design team). Recommendations by the specialist will be incorporated within the site development plan for the proposed development.

6.4 VISUAL IMPACT

This Visual Statement report (attached as **Annexure T**) has been prepared to accompany the Land Use application, in order to ensure that the visual and aesthetic consequences of the proposed project are understood and adequately considered in the planning process prior to the completion of the full Visual Impact Assessment (which will be completed and made available as part of the EIA process).

6.4.1 Preliminary visual analysis and visual impact findings summary

The findings of the Visual Statement Report indicate that the proposed development can be expected to have a visual impact on the visual and scenic environment. Some of the key findings are:

- Being highly transformed from the natural state, and containing no visual resources of significance, the site itself has low visual significance, although the cultural landscape context within which it is located has high significance.
- The site has a scenically dramatic valley setting which confers a sense of containment between the encircling mountains. It is highly transformed, but within its context it contributes passively to the rural agricultural character of the local area.
- The site is within the urban edge, and the proposed development is in line with future planning policy for the area, as well as being consistent in nature and scale to the existing and approved developments in the surrounding area.
- The receiving environment is a landscape in transition from a predominantly rural and agricultural environment to a mix of residential, commercial and industrial land uses.
- The site falls within the 200m “area of control” of the R301 Wemmershoek road Scenic route, the character and sense of place of which evolves along the length of the route.
- Two Landscape Character areas were identified, namely the riverine corridor and the Berg River Valley to the west of Wemmershoek road (LCA1) and the foothills of the Wemmershoek Mountains (LCA2). The site falls within LCA1.
- The overall Landscape Character of the Receiving Environment is that of a large but fairly enclosed rural agricultural valley that is characterised by long views over a mosaic of landscapes (typical of the Cape Winelands) and dramatic scenery of the encircling mountains, arranged along a strong north-south linear pattern of settlement (informed by the alignment of the Berg River).
- The viewshed indicates that the overall visibility of the proposed development is limited to a +-3km radius around the site, with notable exceptions.
- The visibility analysis indicated that:
 - The site is not visually prominent, and commuters travelling along the scenic route north towards Paarl benefit from significant screening by topography as well as existing vegetation and buildings.

- The R301 will experience sustained views of the proposed development over the open conservation area of Farm 888 for commuters travelling south towards Franschoek. This view and the articulation of the northern property interface must receive special attention to mitigate negative visual impacts.
- The proposed development will inevitably change the landscape character in terms of the broader agricultural pattern of the winelands region by introducing new and higher intensity land uses and built form where there were none. However, there is opportunity for the nature of proposed development to achieve visual congruence within the context.
- Only approximately 3km of the R301 Scenic route will be affected. The affected portion is characterised by long views over the Immediate Foreground and Foreground Distance zones, which have a predominantly agricultural character and few visual obstructions/clutter/complexities. The proposed development will bring about changes to the perception of the scenic route (especially for commuters travelling south), which must be addressed by mitigation measures along the northern and eastern interfaces. This is both in spite of and as a result of the fact that the area is earmarked for Urban infill in terms of the SDF.
- The proposed project will result in Low to Moderate visual intrusion overall, but there should be a distinction made between the residential and the mixed-use components.
 - The **residential component** is expected to result in Low visual intrusion because it will have a minimal effect on the visual quality of the landscape; is mostly compatible (contrasts minimally) with land use, settlement or enclosure patterns, and will mostly be 'absorbed' into the landscape.
 - The **Mixed-Use component** is expected to result in Moderate visual intrusion. It is expected to have a moderate negative effect on the visual quality of the landscape (is only partially compatible with land use, settlement or enclosure patterns, and will only be partially 'absorbed' into the landscape).
- In terms of the expected Magnitude of Visual Impact (prior to Impact Assessment), the findings are again separated for the Mixed-use and the Residential:
 - The **residential component** will result in minor loss of or alteration to key elements/features/characteristics of the baseline and will introduce elements that may not be un-characteristic when set within the attributes of the receiving landscape.
 - The **mixed-use component** will result in partial loss of or alteration to key elements/features/characteristics of the baseline and will introduce elements that may be prominent but may not necessarily be considered to be substantially uncharacteristic when set within the attributes of the receiving landscape.

It should be noted that all of the findings above are put forward keeping in mind that the proposed development is located within an area that is (a) within the urban edge and (b) earmarked for Urban infill according to the municipal SDF.

6.4.2 Recommendations

This Visual Statement is only able to anticipate potential visual impact at the level of the rezoning approval, using the information at hand. This section aims to ensure that a positive and constructive response to visual sensitivities is maintained throughout the design and planning process.

The following recommendations and mitigation measures are proposed by the Visual Statement for incorporation into the development proposal and/or inclusion in the conditions of approval for rezoning and subdivision:

Recommendations for the Residential Component

After rezoning approval is obtained for the Residential portion of the development, it will not be subject to further SDP approval. Individual homeowners will submit their Building Plans to the Avec La Terre Home Owner's Association (HOA) to be reviewed by the Avec la Terre Design Review Committee (DRC). The inclusion of a controlling Professional Landscape Architect on the DRC is strongly supported.

The following must either be included in the Architectural Guidelines, or Development Guidelines must be included in the HOA's suite of documents:

- ***Guidelines addressing general outdoor lighting within and around the residential estate:*** Light pollution should be kept to an absolute minimum throughout the development, and exterior lighting must be limited to areas where this is necessary for utility, safety and security. The goal is to keep the ambient light levels within the immediate receiving environment low. Mitigation measures must be implemented to mitigate negative impacts of night lighting (as listed in the Visual Statement Report).
- ***Guidelines addressing fencing and boundary wall treatment:*** The fencing guidelines specified in the Landscape Guideline document is acceptable for the development, but these guidelines do not translate to an overall (and enforceable) Development Guideline document. A fencing and boundary treatment plan must be provided as additional information for the impact assessment phase. The Development Guidelines must include more explicit inclusions and exclusions in terms of appropriate fencing, such as:
 - *Boundary walls, fencing and gateways should be in keeping with a visually neutral architectural character with a simple design and being visually permeable.*
 - *High, solid or palisade-type walling, and any form of precast panel type fencing is inappropriate and must not be allowed.*
 - *Low walling where used should be in line with the general materials and finishes recommendations of the estate.*
 - *Where security fencing is required, it should be screened with trees or hedging.*
 - *Screening vegetation along boundaries must be maintained and replaced, so as not to become the source of visual impact.*
- ***Tree specification and irrigation:*** The key to the successfully establishment of trees for screening is not their size or maturity at installation, rather the provision of ideal growing conditions from the point of installation onward. The irrigation of the proposed trees

(especially those for screening along the Schuurmansfontein Rd) must be sufficient during and after the establishment period to ensure their successful establishment and survival. The development guidelines must also make provision for the conditions under which a tree that performs a screening role will be replaced, and clarify that it is the responsibility of the developer to plant the trees in the common areas, subject to a set of recommendations.

- **Timing of landscaping installation:** A set of guidelines must be incorporated into the Landscape and Development Guidelines to ensure that the installation of trees is undertaken at the earliest possible opportunity, allowing as much time as possible to grow to maturity and begin fulfilling their screening and visual absorption capacity functions within the proposed development.
- **Construction phase:** The developer must put formal and enforceable measures in place to ensure that the visual impact of construction activities is limited and reduced wherever possible. Recommendations for these guidelines are included in the VS.

Recommendations for the Mixed-Use component

The Mixed-use site will be subject to SDP approval that will be submitted to the Municipality at a later stage (prior to the submission of building plans). It is recommended that the SDP for the Mixed-use component be accompanied by a Visual Statement to be prepared by an independent visual specialist.

It is also recommended that the SDP application be *accompanied by Development Guidelines that address the management of visual impact, according to the key findings and concerns of this VS (and the future VIA).*

6.4.3 Summary

The Visual Statement report, which precedes the Visual Impact Assessment (VIA), has been drafted to ensure that the visual and aesthetic consequences of the proposed development are understood and adequately considered in the environmental and land use planning process.

The report's findings are offered in light of the project design and planning team's responsiveness to most of the specific recommendations provided during the pre-application and scoping phases. The developer and professional team have confirmed that the future mitigation measures that may arise from the VIA will be incorporated as part of the development.

The proposed development, including the residential and mixed-use components, **is generally supported by the visual statement** at the level of the site development plan for the rezoning approval, subject to the recommendations outlined in the report (and summarized above), and the findings of the VIA that will follow, and which the developer and project team have agreed to implement.

It is thus evident that the proposed development will not result in a negative visual impact.

6.5 IMPACT ON ENGINEERING SERVICES

The project civil engineering consultants (A19 Consulting Engineers) have prepared a civil engineering report, including a stormwater management plan, for the proposed development (a copy of the report is attached as **Annexure U**). This follows extensive consultation with the Drakenstein Municipality's Civil Engineering Department. The following in summary:

6.5.1 Bulk Water

Potable water will be provided for drinking, washing and general use. Irrigation water for the development will be supplied from the stormwater retention ponds. The total average daily development for the development is calculated at 256 kl/day (for all phases).

The following is proposed:

- Metered potable water connections to be provided to each unit (reticulation with bulk meter to be connected to the Drakenstein network).
- Grey water to be drained to the north-western area of the site to a package plant where the water will be treated. Treated effluent will be used for general on-site irrigation for the development.

The site falls within the Pearl Valley reservoir water distribution zone. The existing 400mm diameter bulk pipeline which supplies the Pearl Valley reservoirs with water has sufficient capacity to accommodate the proposed development. The Municipality has however indicated that the section of the pipeline between the R301 and the Pearl Valley reservoirs is in a deteriorating condition and should be replaced. A new 250mm diameter supply line is also required for future connections and to connect the proposed development to the existing 400mm diameter supply pipe from the Pearl Valley reservoirs.

Although the Pearl Valley reservoirs have insufficient storage capacity to accommodate additional developments in the supply area, the Paarl Water Master Plan allows for new bulk infrastructure to be implemented that links the Courtrai reservoirs with Pearl Valley reservoir zone.

6.5.2 Sewerage

Sewerage from the proposed development will drain to the northwestern portion of the site where a wastewater treatment plant will be constructed. The site is situated north of the Berg River in Paarl and therefore any water discharged into the Berg River needs to comply to the DWA special limits.

The effluent of the proposed package plant will be treated to the Special Limit Standards of the DWS and could be stored and utilized for the irrigation of the open spaces and gardens of the proposed development. The treated water will be discharged into the retention pond and be used for irrigation purposes within the development. During winter months it is possible

for overflow of the retention pond. The quality of water can be confirmed as suitable to overflow into the stormwater system as the water will be treated to special conditions.

6.5.3 Stormwater Management

It is proposed to use the two stormwater attenuation ponds within the proposed development to achieve quantity and rate of runoff requirements. This includes the pond on the main community open space (Pond 1) and the stormwater pond in the north-western corner of the site (Pond 2). Stormwater management for the respective phases is planned for as follows:

- **Phase 1:** The runoff will be collected in the minor stormwater network and discharge into Pond 1.
- **Phase 2:** The runoff will be collected in the minor stormwater network and discharge in a 450mm diameter stormwater pipe flowing through Phase 1 and into the forebay at Pond 1.
- **Phase 3:** The runoff will be collected in the minor stormwater network and discharge into a 675mm diameter stormwater pipe flowing to Pond 2. A small section of Phase 3 will flow in the buffer area along the Schuurmansfontein boundary which eventually discharges into Pond 2.
- **Phase 4:** The runoff will be collected in the minor stormwater network and discharge into a 750mm diameter stormwater pipe flowing to Pond 2.
- **Phase 5:** The runoff will be collected in the minor stormwater network and discharge into a 525mm diameter pipe flowing through Phase 1 and into the forebay of Pond 1.

6.5.4 Roads

The internal streets will be paved roads, 5.5m to 6.8m wide. The roads will have mountable kerbs on both sides. The vertical alignment of the road will be designed to enable the natural flow of stormwater from the development. Stormwater will be accommodated alongside the road by means of pipe networks.

6.5.5 Refuse Removal

Drakenstein Municipality will collect household waste on a weekly basis for disposal from the dedicated refuse bay area located at the main site. The waste will be collected internally by an appropriate contractor appointed by the Homeowners Association and taken to the refuse room at the site entrance from where it will be collected by the Municipality.

6.5.6 Electricity

An Electrical Services Report has been prepared by the project electrical engineering consultant (De Villiers & Moore Consulting Engineers). A copy of the report is attached as **Annexure V**.

The area is currently supplied with electricity by Drakenstein Municipality. The Municipality's Electricity Department confirmed that there is sufficient electrical supply-capacity available from the step-down substation in the area.

The Municipality requested that a 20m x 20m property be provided along Schuurmansfontein Road for a future brick-built substation, which will strengthen the network in the area and will be utilized to supply the proposed development. The property is provided as Portion 234 in the proposed development. The feeder-cables to this substation will be installed in future by Drakenstein Municipality, all external to this development and subject to programming, funding and planning by Drakenstein Municipality.

A temporary switchgear will be installed in the substation for the proposed development and will be fed from the existing 11kV-overhead line along Schuurmansfontein Road. 11kV-cabling will be installed along Schuurmansfontein Road to the entrance of the proposed development, where a bulk MV-metering point will be located for the supply to the estate.

A separate 11kV-cable will be routed in the same trench, along Schuurmansfontein road, to the Mixed-Use site, also with their own MV-metering supply point.

The total estimated load for the proposed development is 2 326kVA.

6.5.7 Summary

It is thus evident that sufficient service capacity is available for the proposed development and that it can be accommodated within the existing infrastructure network as well as the proposed infrastructure upgrades.

The proposed development will therefore not have a negative impact on municipal engineering services.

6.6 TRANSPORT IMPACT

A Transport Impact Assessment (TIA) was undertaken by the project transport engineering consultants (ITS) for the proposed development. A copy of the TIA report is attached as **Annexure W**.

The TIA was based on the total 'Basket of Rights' for the proposed development, i.e. the 216 single residential (conventional housing) properties as well as the 2,8ha 'mixed-use' site which provides for the following land use rights:

- 200m² office floor space
- 200m² retail floor space
- A hotel with 40 rooms
- 100 sectional title residential units

The TIA's findings are as follows:

- **2022 Existing Traffic Conditions:** All study intersections currently operate acceptably during the typical weekday AM and PM peak hours.
- **2027 Background Traffic Conditions** – All study intersections are projected to continue to operate acceptably with the dualling upgrades planned along the R301 (MR201) between the N1 and Kliprug Minor Road.
- **Development Trips:** The proposed development is estimated to generate a total of 300 weekday a.m. peak hour- and 333 weekday p.m. peak hour vehicle trips respectively upon full build-out of the development.
- **Site Access and Queuing:** The proposed site access points as well as internal intersections must be designed to meet sight distance requirements.
- **2026 Total Traffic (Phase 1 & Phase 2):** Based on WCG right-turn lane volume warrants, it is recommended that a southbound right-turn lane in accordance with WCG design standards be provided at the R301 (MR201) / Schuurmansfontein Road (DR1095) intersection. This upgrade should be implemented by the developer of the Avec La Terre development.
- **2027 Total Traffic (Phase 1 to Phase 4):** It is projected that the study intersections will continue to operate acceptably.
- **2028 Total Traffic (Phase 1 to Phase 5):** It is projected that the study intersections will continue to operate acceptably.

The TIA proposes the following recommendations:

- Provide a southbound right-turn lane at the Schuurmansfontein Road / R301 (MR201) intersection. The southbound right-turn lane should have a minimum storage lane length to accommodate a 90th percentile queue of one vehicle.
- Provide streetlights at both development accesses and at the intersection of R301 (MR201) and Schuurmansfontein Road (DR1095).
- Parking should be provided at the following rates:
 - Residential (conventional housing) - 1 bay / dwelling
 - Residential (sectional title) - 1 bay / dwelling + 0,5 bays per dwelling for visitors
 - Office - 4 bays / 100m²
 - Retail - 4 bays 100m²
 - Hotel - 0,7 bays / bedroom + 0,5 bays / employee

It is thus evident from the TIA that the proposed development will not result in a negative transport impact as any potential impact can be sufficiently mitigated by the proposed upgrades.

6.7 HERITAGE IMPACT

As confirmed by the project heritage consultants, the only heritage resource in the vicinity of the site is the Mandela Prison House and historic farm gateposts, situated at the other end of Schuurmansfontein Road at a distance of 1,1km from the north-western corner of the site. The proposed development will not impact on the sense of place of the setting of the house or the historic gate structure. Note that although the R301 is indicated as a scenic route, the designation only applies to views to the east of the road onto the Wemmershoek Mountains. Views to the west are not regarded as important. Thus, the small holdings to the west of this road, which includes the site in question, does not fall within a proposed heritage overlay zone and has been designated for mixed-use development in the Drakenstein SDF.

Due to the size of the site, a Notice of Intent to Develop (NID) was submitted to Heritage Western Cape (HWC) for the proposed development. HWC has responded to the NID with a letter confirming that no further action in terms of Section 38 of the NHRA is required as there is no reason to believe that the proposed development will impact on heritage resources. A copy of the NID and the letter received from HWC are attached as **Annexure H**.

It is thus evident that the proposed development will not result in heritage impact.

6.8 ENVIRONMENTAL IMPACT

An environmental authorization in terms of the National Environmental Management Act is required for the proposed development and an environmental impact assessment (EIA) is being undertaken by the appointed environmental consultants. All potential environmental factors will be taken into consideration as part of this assessment to determine if the proposed development will result in any environmental impact.

A number of specialist studies are being done as part of the EIA process. This includes an agricultural assessment, botanical assessment and freshwater study. Screening activities have been done by all specialists and it has been indicated that the site has no ecological or conservation value and that the proposed development will not result in a negative impact on environmental resources. There are no existing wetlands that need to be maintained and there is significant invasion by alien invasive trees and general degradation due to sand and gravel mining and grazing by cattle and springbok.

The environmental authorization will be provided when issued by the Department of Environmental Affairs & Development Planning

6.9 DESIRABILITY OF THE PROPOSED DEVELOPMENT

The proposed development is deemed desirable for the following reasons:

- The proposed development will result in significant investment in the local area and will have a positive impact on the local economy and local economic growth. The construction phase will mostly involve the local construction industry while the influx of residents to

the estate will result in a positive spin-off for the Drakenstein economy in general. Many employment opportunities will also be created at the Mixed-Use site in particular and with the management of the estate (maintenance, security, admin, etc).

- The proposed development will result in additional rates payments to the Drakenstein Municipality and will enlarge the tax base, which is beneficial to all residents within Drakenstein.
- The proposal will lead to appropriate spatial growth within the Drakenstein South region, in accordance with the Drakenstein spatial development framework and the Municipality's vision for this area.
- The proposal is consistent in nature and scale to the existing and approved developments in the surrounding area.
- The proposed development will not impact negatively on the existing uses on the surrounding properties. This include the animal hospital and fruit processing facility to the south which will be able to continue operation unaffected. The proposed development also does not affect the future development opportunities of these sites and other surrounding properties.
- The proposed development will have a positive visual impact, with the architecture and landscaping that is designed to improve the visual experience along the R301 scenic route.
- The site does not contain any sensitive environmental resources and does not have any ecological value as the site has been significantly disturbed. The proposed development will therefore not result in a negative impact on the biophysical environment.
- The proposed development will not have a negative impact on heritage resources. The site does not contain heritage elements and the proposed development will not affect the heritage resources in the surrounding area, as confirmed by Heritage Western Cape.
- As confirmed in the traffic impact assessment, the proposed development, including the proposed external road upgrades, will not result in a negative impact on traffic flow in the surrounding area.
- Sufficient service capacity is available to accommodate the proposed development.

7.0 CONCLUSION & RECOMMENDATION

It has been demonstrated that the proposed development is aligned with the Drakenstein Municipality's spatial development framework and development vision for this area, and that it will not result in any negative impacts. We highlight the following in conclusion:

- The proposed development (called "Avec La Terre") involves a mixed-use development providing for a gated residential estate with 216 single residential properties and a mixed-use site providing for a mix of office, retail, hotel and / other residential apartment land uses.
- Application is made for rezoning, subdivision and other associated applications to permit the proposed development over five phases. In addition to the 216 residential properties in Phases 1 – 4, it is proposed that a Basket of Rights be approved for the Mixed-Use site (Phase 5) to allow appropriate flexibility for the development of this site. It is also proposed that development on the Mixed-Use site be made subject to a separate SDP approval.
- The proposed development is aligned with the Drakenstein Municipality Spatial Development Framework (SDF). The site is situated within the proclaimed municipal urban edge and is delineated by the SDF for "urban infill". The proposal also complies with all other spatial proposals and guidelines of the SDF.
- The proposal complies with the land use principles of the LUPA and SPLUMA as the development is spatially compact, optimizes the use of resources and does not impact in high potential agricultural land of habitat with high conservation value.
- Sufficient service capacity is available to accommodate the proposed development, as confirmed by the project civil engineering consultants.
- A traffic impact assessment has been undertaken and confirms that the proposed development will not result in a negative traffic impact, subject to minor external road upgrades being implemented.
- A visual impact assessment is being undertaken. It has been indicated that the proposed development will not result in a negative visual impact provided that certain mitigation measures are implemented (which are acceptable to the developer and design team). Recommendations by the specialist will be incorporated within the site development plan for the proposed development.
- The site has no ecological or environmental conservation value as it has been heavily disturbed. Development of the site will not have any negative environmental impact. An EIA is being undertaken for the development.
- The proposed development will not have any impact on heritage resources. A letter has been obtained from Heritage Western Cape and confirmed that no further heritage studies are required.

- The proposed development will result in significant investment in the local area and will have a positive impact on the local economy and local economic growth.
- The proposal is consistent in nature and scale to the existing and approved developments in the surrounding area.
- The proposed development will not impact negatively on the existing uses on the surrounding properties. This include the animal hospital and fruit processing facility to the south which will be able to continue operation unaffected. The proposed development also does not affect the future development opportunities of these sites and other surrounding properties.

ARoux Town Planning recommends that this application, for rezoning, subdivision, departures, Council's consent and approval of street names, to permit the proposed mixed-use development on Portion 11 of Farm 1426, Paarl, be considered for approval.