



Col no: 1994756
Enquiries: J Daniels
Tel no: (021) 807 4581
Date: 13 October 2023

JD/JA
15/4/1 (10242) P

PJ Le Roux Town and Regional Planner (PTY) Ltd
262 Main Road
PAARL
7622

Email: pj@pjlroux.co.za

Sir

APPLICATION FOR CONSENT USE: ERF 10242 PAARL

Your above - mentioned application refers.

1. **Approval** has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:-
 - 1.1 Consent Use application to utilize a portion ($\pm 25\text{m}^2$) of the existing dwelling on Erf 10242 Paarl, in order to accommodate a licensed off-consumption liquor outlet, as indicated on the site plan drawn by PJ Le Roux Town and Regional Planner (PTY) Ltd., Plan No. V30-111 (REV 1), dated Oct/2022, (**Annexure B**);
2. The approval mentioned in Paragraphs 1.1. above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 2.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division, in its letter dated 25 November 2022 (reference 15/4/1/ (10242) P (1453), (**Annexure E**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division, in its letter dated 03 February 2023 (reference 10242), (**Annexure F**);

2./...

- 3 Adherence to the following conditions from a town planning point of view:
 - 3.1 The approval applies only to the consent use application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2 No new buildings are to be erected or existing buildings be converted without the prior approval of building plans by Council;
 - 3.3 The applicant obtains the necessary off-consumption license from the respective licensing authority;
 - 3.4 No food to be served or any gambling machines installed or operated without Councils approval;
 - 3.5 No loud music or any form of disturbance be allowed from the proposed off-consumption liquor outlet;
 - 3.6 The proposed off-consumption liquor outlet will be operated from Mondays to Saturdays between the hours of 09:00 am to 20:00 pm only. No activities are permitted to take place on Sundays;
 - 3.7 Delivery vehicles, used for the delivery of alcoholic beverage supplies to the property, not exceed a maximum of 3 500kg Tarre individually, and may only occur during the work week during normal office hours;
 - 3.8 The proposal complies with all respective health requirements;
 - 3.9 Any amendments to the application be subject to the relevant approval;
 - 3.10 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;
4. The following be regarded as the reasons for the decision:
 - 4.1 The proposal is well within the development parameters for Conventional Housing zoned properties located within a Local Economic Development Overlay (LEDO) Zone;
 - 4.2 The proposal is not expected to be out of scale, nor character within the surrounding developed environment, due to the utilization of existing infrastructure;

- 4.3 Business uses play a pivotal role to the economy within the Drakenstein area, and should therefore be supported as far as possible;
- 4.4 The application is not expected to negatively impact on the existing developed environment, existing rights or safety and welfare of the immediate and surrounding community;
- 4.5 Stringent conditions and regulatory frameworks guide the operation of liquor sales from residential properties which the proposed land use activity must adhere to, with the sales of alcohol to minors (under 18's) being strictly prohibited and regarded as a criminal offence;
- 4.6 Sufficient on-site parking provision has been provided, with majority of the establishment's patrons foreseen to be walk-in clients, which would significantly mitigate traffic congestion or inconvenience the immediate and surrounding property owners;
- 4.7 All internal departments support the proposal, subject to certain conditions; and
- 4.8 The proposal is considered to be consistent with the Drakenstein Spatial Development Framework.

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

This approval is therefore suspended until further notice. Please also notify (**email or per hand**) the **surrounding property owners** who were notified of the application during the public participation process and **the objectors** of their right of appeal – proof of notification **must** be provided. Should there be any appeals against the decision, the application title (heading) **must** be used as reference. The appeal procedures are laid down in Section 80 of the above-mentioned bylaw (attached).

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

Yours faithfully



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

FLOOR PLAN

APPLICANT :

P-J LE ROUX TOWN
PLANNERS PTY LTD ON
BEHALF OF VIVIAN CUPIDO
AND SURETTE BOOYSEN

PROJECT :

ERF 10242 PAARL, WESTERN
CAPE PROVINCE

APPLICATION :

APPLICATION FOR CONSENT
USE FOR A LIQUOR OUTLET
(OFF-SITE CONSUMPTION
ONLY)

DESIGNER : GDV
PLAN NO. : V30-111 (REV1)
DATE : OCT / 2022
OFFICE : PAARL

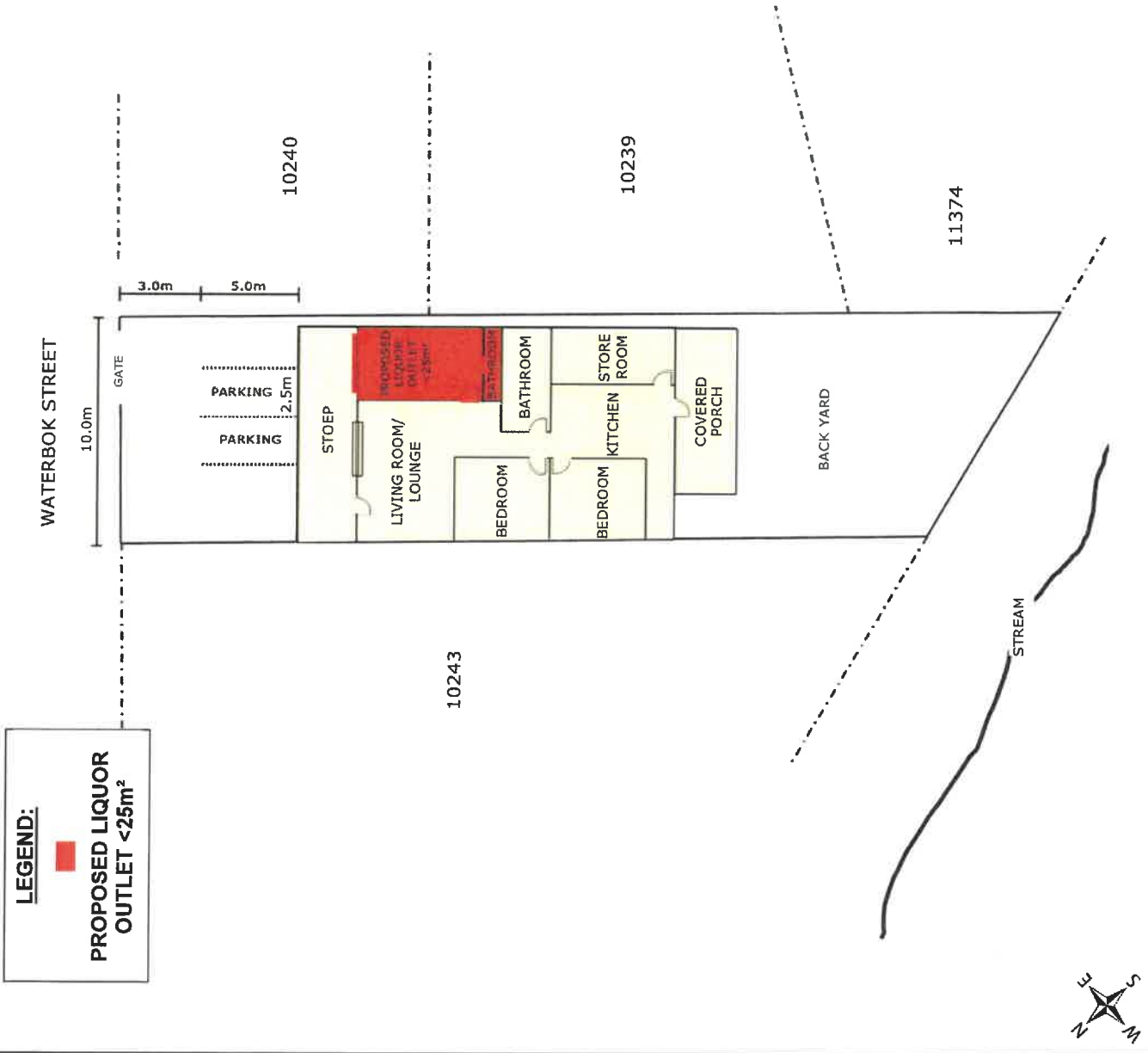


P-J le Roux

Stads- en Streekplanners/
Town and Regional Planners

Hoofstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7607
(email) pj@pjlroux.co.za

DRAWING NOT TO SCALE



LEGEND:

PROPOSED LIQUOR OUTLET $25m^2$





+27 21 807 4500 +27 21 872 8054
www.drakenstein.gov.za
customer@drakenstein.gov.za
Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: E. CYSTER)

From: MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: L. PIENAAR

Collaborator number:

Reference number: 15/4/1 (10242) P (1453)

Date: 25 November 2022

Subject: APPLICATION FOR CONSENT USE ERF 10242 PAARL

Time Limit on Conditions: These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced (this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

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

THE FOLLOWING CONDITIONS WILL APPLY

1 STREETS & TRAFFIC

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

2 STORMWATER

- 2.1 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.2 Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event; and

- 2.3 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³/m² roof area.

3 WATER

- 3.1 *The existing water connection must remain accessible at all times;*
- 3.2 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.3 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 *The existing wastewater connection must be accessible and unobstructed at all times;*
- 4.2 *The municipal wastewater main line must be unobstructed at all times; and*
- 4.3 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

- 5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and such collection shall be as a kerbside service for the property;
- 5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out;
- 5.3 *An application must be made to source an additional wheelle bin if required; and*
- 5.4 On refuse removal days, the residents will be responsible to ensure that their bins are placed on the sidewalks to be serviced.

6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, the Development Charge payable by the developer is **R12 629(Excl VAT)**. The levy is valid until **30 June 2023** where after a new calculation is required. The value has been calculated as follows:

- 6.1.1 Water = R1,022.00
- 6.1.2 Sewer = R708.00
- 6.1.3 Roads =R9,788.00
- 6.1.4 Stormwater = R169.00
- 6.1.5 Solid Waste = R942.00

7 GENERAL

- 7.1 The developer is responsible for the payment of a Developers Charge (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;
- 7.2 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.3 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;
- 7.4 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.5 The above conditions are to be complied with in stages.
- 7.5.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.5.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and
- 7.5.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LP RIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE DEVELOPMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2022\comments\Erf 10242 - Paarl - Consent Use - Liquor outlet.docx

LP/bvr

Order
 Payment Received (R)
 Date Payment Received
 Receipt Number

08-Nov-22

existing land use						
Single Residential (Low Income)	Office	#REF!	Limited Outlet			
Existing House	#REF!					
						#REF!
Description of proposed land use						



Memo

To: Senior Manager: Land Development Management
For attention: H Strijdom/C van der Bank/E Cyster
From: Manager: Planning and Customer Services
Enquiries: L Laing
Reference number: 10242
Date: 3 February 2023
Subject: APPLICATION FOR CONSENT USE FOR A LIQUOR OUTLET, ERF 10242,
PAARL

Time Limit on Conditions: These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must be submitted for approval by this department.

1. INFORMATION REQUIRED/OUTSTANDING

1.1. None.

2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty-four-hour access for maintenance purposes.
- 2.4. A service level agreement between the municipality and the owner or developer of the development must be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician) for any requirement to increase the existing supply to the premises.

3. GENERAL

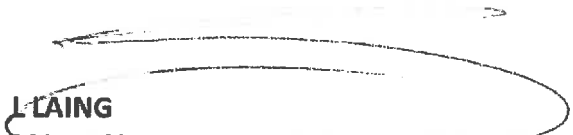
- 3.1. NRS069 Network recovery cost will apply for any additional load requirement for this development and will be calculated according to the following as indicated in approved tariffs: **R 3 750.79 x per kVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2023 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.2. The developer will be responsible to carry all cost of the electrical installation including the linkage to the infrastructure as determined by the Manager: Planning and Customer Services.
- 3.3. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.

A private registered installation electrician shall be used to do all installations and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal By-laws, prior to the proposed development.

A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Services Department (Service section) on the day the service is render, or the case may be.

The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully



J. LAING
MANAGER: PLANNING AND CUSTOMER SERVICES
I:BEPLAN_3\Sub_Divisions_Rezoning\202223\10242