

Col no: 1489/2019
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RM/HK
15/4/1 (13811) W

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Sir

APPLICATION FOR THE REZONING, CONSENT USE AND SITE-SPECIFIC DEVIATION FROM THE DRAKENSTEIN SPATIAL DEVELOPMENT FRAMEWORK: ERF 13811 WELLINGTON

I refer to your application, 14 October 2019 and have to inform you that Council's Municipal Planning Tribunal on 24 May 2023, resolved as follows, that:

- “1. *The site-specific deviation from the provisions of the Drakenstein Spatial Development Framework 2018, in order to include the entire Erf 13811 Wellington into the urban edge of Wellington, be supported;*
2. *Approval be granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for:-*
 - 2.1 *Rezoning of Erf 13811 Wellington (±5.3321ha) from Conventional Housing Zone to Neighbourhood Business Zone to allow for the following:*

<i>Proposed Use</i>	<i>Land Use</i>	<i>Capacity</i>
<i>Guest accommodation within the existing two storey Manor House</i>	<i>Visitors and Lodging Accommodation</i>	<i>11 Bedrooms = 22 Guests</i>
<i>Guest accommodation within two existing outbuildings</i>	<i>Visitors and Lodging Accommodation</i>	<i>4 bedrooms = 8 Guests</i>

2./..

<i>Guest accommodation within four self-catering cottages (existing labourers' cottages)</i>	<i>Visitors and Lodging Accommodation</i>	<i>4 Bedrooms = 8 Guests</i>
<i>Utilise the 1:100-year flood plain area for the establishment of a campsite with associated facilities</i>	<i>Visitors Accommodation</i>	<i>160 tent sites with a capacity for 320 persons (2 persons per tent); 11 glamping units with a capacity for 66 campers (6 persons per unit); 6 semi-permanent ablution containers; 1 mini-soccer pitch; 1 multipurpose levelled lawn;</i>
<i>Church services within the existing approved function hall (±302m²) and minor hall (±78m²)</i>	<i>Place of Assembly and approved function venue</i>	<i>300 guests in total for either functions or church services</i>
<i>Student Institution within the new student centre</i>	<i>Place of Instruction</i>	

- 2.2 The **approval been granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the consent use in order to develop the following:

Proposed Use	Land Use	Capacity
Student accommodation with cafeteria, kitchen and covered braai area within a new student centre building	Hostel	50 Students
Outdoor markets on the multi-purpose lawn	Occasional Use once every quarter	300 People

3. *The approvals mentioned in Paragraphs 2.1 to 2.2 above, be subject to the conditions laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018 and be applicable from a town planning point of view.*

- 3.1 *This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;*
- 3.2 *Any amendments to the application are subject to the relevant approval;*
- 3.3 *No new buildings are to be erected or existing structures altered without the approval of building plans by Council;*

- 3.4 *That the development takes place largely in accordance with the respective site development plan (Annexure C to the department report);*
- 3.5 *The landscaping throughout the development must take place largely in accordance with the Landscaping Plan drafted by Penny Moir Landscape Architects, (Annexure D to the departmental report);*
- 3.6 *The developer must ensure that all the necessary measures should be put in place, within habitable buildings, to ensure that the indoor air quality is not affected by emissions from normal agricultural activities;*
- 3.7 *The developer must ensure that the increased traffic flow from the development during construction phase does not create disturbance for the existing surrounding residents;*
- 3.8 *Consideration of the following water conservation measures must be given: Rainwater harvesting, grey water recycling and similar technical enhancements such as low flow shower heads, dual flush toilets and water-wise gardens;*
- 3.9 *That the proposed development and associated uses only be utilised by the church parish or people belonging to the church, except the outdoor markets which are to be open to the general public;*
- 3.10 *Drakenstein Municipality: Civil Engineering Services Division must grant consent, as part of the building plan approval submission, for the location and height of buildings within the 1:100-year flood line;*
- 3.11 *That the area to be utilised for the camping area (within the 1:100 year flood line) be valid for two years from the date of operation. The applicant/owner of the property must apply to the Manager: Land Development Management, prior to the two years lapsing period, for the extension of the approval for a further two year period and subsequent two year periods thereafter. Complaints received during the two year periods of operation will be an informant to the decision; and during the granting of extensions conditions of approval may be laid down;*
- 3.12 *That the camping area only be utilised on weekends, during school holidays and public holidays;*
- 3.13 *That no amplified sound be used outside of any approved buildings or structures;*
- 3.14 *No praise and worship (singing loudly) should be done within the camping area;*

- 3.15 *Adherence to the conditions Laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Division referenced 15/4/1 (13811) W (XXXX) dated 26 May 2020 and 15/4/1 (13811) W (1185) dated 12 July 2021, (Annexure N to the departmental report)*
 - 3.16 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Division referenced 13811 dated 08 July 2021, (Annexure O to the department report);*
 - 3.17 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Environmental Management referenced 15/4/1 (13811) W dated 06 February 2020 and 15/4/1 (13811) W dated 16 March 2021, (Annexure P to the departmental report);*
 - 3.18 *That the recommendations contained in the Traffic Impact Assessment drafted by Sturgeon Consulting, attached as Annexure R, be complied with;*
 - 3.19 *No sound checks should occur before 07:45;*
 - 3.20 *Noise levels should comply with the residential area standards as set out in the Noise Control Regulations;*
 - 3.21 *A 1.2m high fence should be erected in the Krom River in order to prohibit possible trespassing. The church should ensure that access to the riverine be limited and that no one crosses the river onto adjacent properties;*
 - 3.22 *The main entrance gate should be left open before and after proposed events/functions/camps in order to mitigate congestion and possible hooting;*
 - 3.23 *The glamping units and camping plots situated closest to the existing buildings as well as the parking area should be occupied first;*
 - 3.24 *Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.*
 - 3.25 *The applicant must submit sections and drawings depicting the height of the glamping tents in relation to the closest properties in Onverwacht Estate and the three adjacent properties in Jan Van Riebeeck Street, together with mitigating landscaping, for acceptance by the Authorized Official prior to the submission of building plans.*
 - 3.26 *That the main road exit be designed in such a way that left turns only be forced.*
4. *The following will be regarded as the reasons for decisions:*
- 4.1 *The development proposal will introduce significant economic investment into the town of Wellington;* 5./...

- 4.2 *The development will lead to the creation of job opportunities in Wellington;*
- 4.3 *The inclusion of the northern portion of Erf 13811 Wellington into the urban area can be regarded as logical adjustment without compromising the surrounding urban structure;*
- 4.4 *No new accesses are proposed and thus the proposal will have no impact on the existing traffic reticulation of the surrounding neighbourhood, subject to the conditions contained in the TIA;*
- 4.5 *The development is considered to be compliant with the development principles contained in SPLUMA and LUPA;*
- 4.6 *The proposal represents the optimization of existing infrastructure and services;*
- 4.7 *The proposed church development is set to contribute positively to the surrounding neighbourhood in terms of religious and spiritual need;*
- 4.8 *The proposed development will positively contribute to an appropriate socio-economic integration, which will be beneficial to the broader community of Wellington;*
- 4.9 *The proposed development will enhance integration and establish linkages which are important in the continuity of urban settlements and successful neighbourhoods;*
- 4.10 *The proposed development will not have a significant impact on the existing views of the surrounding properties, but will rather enhance the view with the implementation of the proposed landscape plan;*
- 4.11 *The site-specific deviation from the provisions of the Drakenstein Spatial Development Framework 2020 was supported by the Drakenstein Municipality: Spatial Planning Section;*
- 4.12 *The proposed development will not have a negative impact on the existing surrounding environment;*
- 4.13 *No significant impact on heritage and environmental resources are envisaged, as it was confirmed by both of the respective departments;*
- 4.14 *All relevant internal and external departments consented to the application; and*
- 4.15 *Adequate mitigating conditions to be complied with have been laid down.”*

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(2) of the Drakenstein By-law on Municipal Land Use Planning 2018, excluding the decision for a Technical Approval, by any person whose rights are affected by the decision of an authorized official, within 21 days of notification of the decision. This approval is therefore suspended until further notice.

the application during the public participation process and the objectors (if applicable), of their general right of appeal – proof of notification must be provided. The appeal procedures are set out in Section 80 of the above-mentioned Bylaw (attached).

All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O. Box 1, Paarl, 7622 or on customercare@drakenstein.gov.za.

Yours faithfully



H.G. STRIJDOM

MANAGER: LAND DEVELOPMENT MANAGEMENT

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