



**Col no:** 1299628  
**Enquiries:** Mr. J. Daniels  
**Tel no:** (021) 807 4581  
**Date:** 13 July 2020

JD/  
15/4/1 (13812) W

Messrs David Hellig & Abrahamse  
Land Surveyors  
258 Main Road  
Paarl  
7646

Dear Sir

#### **APPLICATION FOR REZONING AND PERMANENT DEPARTURE: ERF 13812 WELLINGTON**

I refer to your application submitted on 24 April 2018, and have to inform you as follows:

1. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the rezoning of Erf 13812 Wellington, from *"Single Residential Zone"* to *"Business Zone"*.
2. The approval granted in paragraph 1 above is subject to the following conditions laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018:
  - 2.1 The following conditions are applicable from a town planning point of view:
    - 2.1.1 This approval applies only to the rezoning application from *"Single Residential Zone"* to *"Business Zone"* in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;
    - 2.1.2 That a revised building plan be referred to the Wellington Heritage Committee for technical design input prior to building plan approval;
    - 2.1.3 The applicant must institute water conservation measures such as rainwater harvesting, greywater recycling and similar technical advancements such as low-flow showerheads, dual flush toilets and water-wise gardens;
    - 2.1.4 The applicant makes use of energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual as far as possible;
    - 2.1.4 No new building plans are to be erected or existing structures altered without the approval of building plans by Council;
    - 2.1.5 Any amendments to the application are subject to the relevant approval;

2/ ...

2.1.6 That should the applicant fail to comply with the any of the above-mentioned conditions of approval, Council reserves the right to impose further conditions in future if deemed necessary;

3. That the applicant takes note of the following:

- 3.1 The conditions set by the Western Cape Government: Provincial Roads Authority, as set in its letter dated 23 July 2018 (reference 16/9/6/1-10/283 (Job 17222), attached hereto as **(Annexure E)**;
- 3.2 Adherence to the conditions set by the Drakenstein Municipality: Electro-Technical Engineering Services, as set out in its letter dated 18 January 2019 (reference number 13812), attached hereto as **(Annexure F)**; and
- 3.3 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services, as set out in its letter dated 26 March 2019 (reference number 15/4/1 (13812) W (0781)), attached hereto as **(Annexure G)**;

4. The following are regarded as the reasons for the decision:

- 4.1 With regard to the building plan, the proposal at hand will be out of scale within the local context;
- 4.2. With regard to the building plan, the proposal at hand will have a negative impact on the existing streetscape;
- 4.3 The rezoning of the property from a Single Residential Zone to Business Zone can be supported as the area surrounding the subject property has a mixed-use character and similar types of land use activities can be found along Main Street the activity street of Wellington;
- 4.4 The building line departure cannot be supported as any relaxation should form part of the building plan submission phase; and
- 4.5 Densification and infill developments are encouraged within certain areas, however sensitivity must be exercised in the designing thereof with regard to the Heritage Guidelines for the built environment – Guidelines for new structures in heritage areas.

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 By-law on the Land Use Planning, 2018, by any person whose rights are effected by the decision, within **21 days** from the date of registration of the letter. The approval is therefore suspended until further notice.

Yours faithfully



**H.G. STRIJDOM**

**AUTHORISED EMPLOYEE: DRAKENSTEIN MUNICIPALITY**

**ROAD NETWORK MANAGEMENT**

Email: Grace.Swanepoel@westerncape.gov.za

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

**REFERENCE: 16/9/6/1-10/283 (Job 17222)****ENQUIRIES: Ms G D Swanepoel****DATE: 23 July 2018**

The Municipal Manager  
 Drakenstein Municipality  
 PO Box 1  
 Main Street  
**PAARL**  
 7622

Attention: Ms C van der Bank

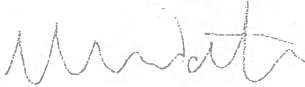
Dear Madam

**ERF 13812 WELLINGTON: MAIN ROAD 219 (MAIN STREET): APPLICATION FOR REZONING AND PERMANENT DEPARTURE**

1. Your letter ref. 15/4/1(13812)W dated 28 June 2018 refers.
2. The application is for:
  - 2.1 Rezoning of Erf 13812 Wellington from Single Residential Zone to Business Zone in order to develop a three storey building comprising 113m<sup>2</sup> of commercial floor space and parking on the ground floor, sixteen flats on the first and second floors and
  - 2.2 Permanent departure of the zoning scheme to relax the building line along the western boundary of the erf from 4.5m to 2.5m to accommodate the balconies of the proposed building.
3. The subject property is located on Main Street, Wellington, in a mixed use area close to the town centre of Wellington. The proposed access will be onto Main Street (Main Road 219) at the south-eastern corner of the site. Main Street is a dual carriageway road and the existing median island will limit access to left in, left out movements. It is likely that there will be U-turns by residents, clients and guests accessing or leaving the site, but the traffic generated is not considered likely to create congestion or safety concerns. Drakenstein Municipality is the Road Authority for this section of Main Street.

4. It is noted that there is an existing stormwater inlet/catchpit at or very close to the proposed entrance point to the site. The Municipality will want to ensure that the design of the access is to Municipal standards and does not compromise drainage on Main Street.
5. This Branch offers no objection to the proposed rezoning and permanent departure on Erf 13812 as detailed above, provided that:
  - 5.1 Drakenstein Municipality's Engineering Department is supportive of the application and
  - 5.3 The access design and construction meets the Municipality's design standards.

Yours faithfully



**ML WATTERS**  
**For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**



**DRAKENSTEIN**  
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Civic Centre, Berg River Boulevard, Paarl 7645

# Memo

**To:** Senior Manager: Spatial Planning & Development  
For attention: W Hendricks/H Strijdom/C van der Bank

**From:** Manager: Planning and Customer Services

**Enquiries:** L Laing

**Reference number:** 13812

**Date:** 18 January 2019

**Subject:** APPLICATION FOR REZONING AND PERMANENT DEPARTURE, ERF 13812, WELLINGTON

Time Limit on Conditions: These conditions will be limited to a period of one (2) years from the date as on the covering memo from this department. After this period a re-application has to be submitted for approval by this department.

## 1. INFORMATION REQUIRED/OUTSTANDING

1.1. Non

## 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. Accommodation for a mini-sub must be provided (6mx4m).
- 2.5. In the case where existing services crosses the adjacent proposed subdivided erf, it will have to be removed or relocate at the cost of the owner.
- 2.6. The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.
- 2.7. A service level agreement between the municipality and the owner/developer of the development have to be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).

### 3. GENERAL

- 3.1. NRS069 Network recovery cost will apply for any additional upgrade to the existing supply and will be calculated according to the following as indicated in approved tariffs: **R 6 629.40 (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2019 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.
- 3.3. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.4. Your attention is drawn to the following electricity by-law:
  - 3.4..1. Unless authorised by the municipality, no person may sell or supply electricity supplied to his or her premises or generated by him or her under an agreement with the municipality, to any other person or persons for use on any other premises, or permit or allow such resale or supply to take place.
  - 3.4..2. A reseller must comply with the licensing and registration requirements set out in the ERA.
  - 3.4..3. If electricity is resold for use upon the same premises, the electricity resold must be measured by a sub meter of a type which has been approved by South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the municipality.
  - 3.4..4. The tariff at which and the conditions of sale under which electricity is thus resold, shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the municipality.
  - 3.4..5. Every reseller must furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the municipality to its electricity customers.
  - 3.4..6. The municipality may request audited reports from resellers to prove that the above resale conditions are met. The cost to obtain audited reports will be borne by the reseller.
- 3.5. Authorization to re-sell electricity can be obtained by council approval only.
- 3.6. Applications to be submitted in writing to the Senior Manager: Electro Technical Services indicating the following:
  - The application must also include a load profile to indicate the power usage per month with peak, standards, off peak loads, etc.
- 3.7. A private registered electrical consultant as well as an installation electrician shall be used to do all installations and alterations after the council meter according to SANS 10142.

3.8. A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical department (Service section) on the day the service is rendered or as the case may be.

3.9. The Manager: Planning, Design and Construction with reference to the services and conditions has no objection to this application.

Yours faithfully



**L LAING**

**MANAGER: PLANNING AND CUSTOMER SERVICES**

I:BEPLAN\_3\Sub\_Divisions\_Rezoning\2019\13812


**DRAKENSTEIN**

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# Memo

**To:** EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT  
**(ATTENTION: C VAN DER BANK)**  
**From:** SENIOR MANAGER: CIVIL ENGINEERING SERVICES  
**Enquiries:** L. PIENAAR  
**Collaborator number:** 1299628  
**Reference number:** 15/4/1 (13812) W (0781)  
**Date:** 26 March 2019  
**Subject:** REZONING AND PERMANENT DEPARTURE OF ERF 13812 WELLINGTON

**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

## INFORMATION REQUIRED/OUTSTANDING

Nil

## THE FOLLOWING CONDITIONS WILL APPLY

### 1 STREETS

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors; and
- 1.2 Conditions from the Provincial Roads Engineer as stated in the letter referenced 16/9/6/1-10/283 (Job 17222) dated 23 July 2018 must be adhered to.

### 2 TRAFFIC

- 2.1 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;
- 2.2 Only left in / left out traffic will be allowed. No opening in the median is permitted; and



- 2.3 No deliveries will be allowed in the road reserves. Applicant to ensure adequately sized trucks are used and that the trucks can be accommodated on-site.

### **3 STORMWATER**

- 3.1 The stormwater catchpit at the site's entrance has to be moved at the developer's cost and shall remain a side inlet;
- 3.2 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 3.3 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 3.4 Only pre-development run off of a 1:5 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
- 3.5 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 0.02m<sup>3</sup>/m<sup>2</sup> roof area.

### **4 WATER**

- 4.1 The findings of the bulk service capacity analysis carried out by Council's consultant GLS Engineers, dated 8 March 2019, needs to be implemented simultaneously with the development;
- 4.2 The development will be provided with a bulk metered connection at actual cost;
- 4.3 All individual portions must be provided with a separate water connection and a separate water meter to municipal specifications;
- 4.4 All the metered connections must be installed outside the residential units;
- 4.5 Water saving devices shall be installed in toilets, bathrooms and basins;
- 4.6 A water demand management plan must be submitted to the Civil Engineering Department and must include and indicate the measures to be put in place to conserve and manage water; and
- 4.7 Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **5 WASTEWATER SERVICES**

- 5.1 The findings of the bulk service capacity analysis carried out by Council's consultant GLS Engineers, dated 8 March 2019, needs to be implemented simultaneously with the development;
- 5.2 The development will be provided with a wastewater connection at actual cost;
- 5.3 The connection must be installed one meter inside the erf boundary;
- 5.4 A connection manhole must be constructed at the connection point to a maximum depth of 1m; and
- 5.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **6 SOLID WASTE**

- 6.1 The Municipality undertakes, after proclamation of the development, to remove household refuse in

accordance with its by-laws and shall make its own arrangements with the occupants in the development for the removal of such household refuse;

6.2 Such collection shall be from the kerbside;

6.3 Provision should be made for a waste disposal facility and entrance to the township, with a lockable gate for wheelie bins (240l bins) and recyclable bags equal to the number of dwellings per development;

6.4 The garbage area should be enclosed with a 1.8m high fence and need to consist of the following;

- Tap with running water;
- A gully which is connected to an approved sewer connection;
- Concrete floor; and

6.5 Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days.

## **7 DEVELOPMENT CHARGES**

7.1 Based on the information provided in the application, the Development Charge payable by the developer is **R 486 943,00 (Excl VAT)**. The levy is valid until **30 June 2019** where after a new calculation is required. The value has been calculated as follows:

- Water = R 97 807,00
- Sewer = R 65 210,00
- Roads = R 233 838,00
- Stormwater = R 7 567,00
- Solid Waste = R 82 521,00

7.2 Note that the Development Charge calculated will only be applicable to the approved SDP provided in the application. If the developer wishes to increase the GLA in future, the Development Charge will be recalculated as per amended SDP.

## **8 GENERAL**

8.1 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;

8.2 The developer is responsible for the funding of all connections to the bulk services and all internal works;

8.3 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;

8.4 The whole of the works shall fall under the control of a single project manager;

8.5 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;

8.6 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and

8.8 The above conditions are to be complied with in stages.

- a. Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- b. 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
- c. Proof of compliance for the requirements associated with long term operations must be available on request.



**LP PIENAAR (Pr. Eng)**

**MANAGER: INFRASTRUCTURE MANAGEMENT**

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**DRAKENSTEIN MUNICIPALITY DEVELOPMENT CHARGES CALCULATOR**  
Development Charges Summary

Home

Erf Number of Development: 1381270 ;  
Physical Address: 63 Main Road Wellington 7654  
Municipal Area: Paarl, Mbekwini, Wellington  
Municipal Valuation of Property: R 447,000  
Owner: Barry Nyabonda  
Owner ID No: 0

EXISTING DEVELOPMENT CHARGE PER SERVICE						
Water	Sanitation	Stormwater	Solid Waste	Roads	Electricity	
R -11,229	R -6,920	R -11,121	R -4,543	R -22,370		

CALCULATED EXISTING DEMAND									
Land Use	Unit	Usage	Land Area developed with Land Use (m <sup>2</sup> )	Water (kL/day)	Sanitation (kL/day)	Stormwater (c.ha)	Solid Waste (tonnes/wk)	Roads (trips/pk hr)	Electricity (kVA)
Single Residential stand area 500m2(Med/High Income)	erf	1	949	1.20	0.80	0.04	0.05	1.50	
				1.20	0.80	0.04	0.05	1.50	
<b>TOTAL</b>				1.20	0.80	0.04	0.05	1.50	

Existing

NEW DEVELOPMENT CHARGE PER SERVICE					
Water	Sanitation	Stormwater	Solid Waste	Roads	Electricity

CALCULATED NEW DEMAND									
Land Use	Unit	Usage	Land Area developed with Land Use (m <sup>2</sup> )	Water (kL/day)	Sanitation (kL/day)	Stormwater (c.ha)	Solid Waste (tonnes/wk)	Roads (trips/pk hr)	Electricity (kVA)
Commercial Retail Neighbourhood	100 m2 of GLA	1.43	113	0.45	0.34	0.01	0.16	6.78	
Flat Residential (Med/High Income)	flat	16	766	11.20	8.00	0.05	0.80	10.40	



