



Col no: 1711297
Enquiries: M Ontong
Contact number: (021) 807-6351
Reference: 15/4/1(5171) P
Date: 02 June 2023

MO/JA
15/4/1 (5171) P

Tasnime Howell
3 Cuthbert Street
Charlston Hill
PAARL

Tasnime.howell@yahoo.com

Madam

APPLICATION FOR CONSENT USE: ERF 5171 PAARL

Your application dated 14 October 2022 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 in order to regularise the use of the existing dwelling for a place of instruction on Erf 5171 Paarl, as indicated on the site plan (**Annexure C**);
2. The approval mentioned in Paragraphs 1 above be 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 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services, in its letter dated 16 January 2023 reference number 15/4/1 (5171) P (1451), (**Annexure D**);
 - 2.2 Adherence to the conditions laid down by Cape Winelands District: Health Department, in its letter dated 26 September 2022 reference number 17/1/1/4/1/2 (Erf 5171), (**Annexure E**);
 - 2.3 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Services Division, in its letter dated 3 October 2022 reference number 5171, (**Annexure F**).

2./...

3. The following conditions are applicable from a town planning point of view:
 - a) A new building plan must be submitted for approval by the Municipality due to Occupational Classification that has changed (use of the building has changed);
 - b) No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
 - c) This approval applies only to the consent use in question, and shall not be construed as authority to depart from any legal prescriptions or requirements;
 - d) Any further amendments to the application are subject to the relevant approval;
 - e) A maximum of 24 children may be accommodated within the ECD;
 - f) The ECD complies with all environmental health requirements;
 - g) The ECD complies with all Civil Engineering Services requirements;
 - h) Operating hours for the crèche be limited to Monday-Friday, from 07:00 to 18:00; and
 - i) Should the applicant fail to comply with the any of the above-mentioned conditions of approval, the Council reserves the right to impose further conditions in future if deemed necessary.

4. The following be regarded as the reasons for the decision:
 - 4.1 ECD's are considered to be suitable secondary land uses on residential properties;
 - 4.2 The existing building can easily revert back to a dwelling house if the proposed use ceases to exist;
 - 4.3 The application will not have a significant impact on the residential character of the area;
 - 4.4 Sufficient on-site parking is provided;
 - 4.5 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding community;
 - 4.6 All the relevant internal and external departments consented to the application, subject to certain conditions; and
 - 4.7 The proposal is regarded as consistent with the Drakenstein Early Childhood Development Policy.

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 Municipal Land Use Planning 2018, by any person whose rights are affected by the decision, within 21 days from the date of registration of the letter.

The appeal procedures are set out in Section 80 of the above-mentioned By-law (attached). All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or at customercare@drakenstein.gov.za.

Yours faithfully



H.G. STRIJDOM

MANAGER: LAND DEVELOPMENT MANAGEMENT



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
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www.drakenstein.gov.za
customer@drakenstein.gov.za
Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: MATTHEW ONTONG)

From: MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: L. PIENAAR

Collaborator number:

Reference number: 15/4/1 (5171) P (1451)

Date: 16 January 2023

Subject: APPLICATION FOR CONSENT USE: ERF 5171 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;
- 1.2 *The exit gate(eastern side of the erf) must be provided with a new access from Richmond Street at the cost of the developer; and*
- 1.3 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 STORM WATER

- 2.1 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors; and

- 2.2 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 meter connection must be installed one meter inside the erf boundary;
- 3.2 The existing water connection to be retained;
- 3.3 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.4 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 A fat trap must be provided with a minimum capacity of 1200 liter;
- 4.2 The existing wastewater connection to be retained; and
- 4.3 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

- 5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erf for the removal of such household refuse;
- 5.2 Such collection shall be taken place as a kerbside service; and
- 5.3 Application can be made for additional bins if the applicant requires more bins.

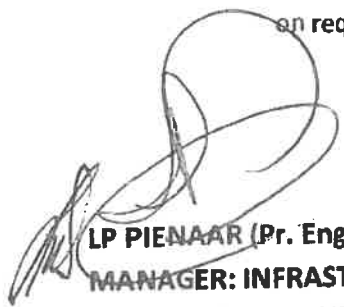
6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, the Development Charge payable by the developer is **R287 117.00 (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 = R3 346.00
- 6.1.2 Sewer = - R2 699.00
- 6.1.3 Roads =R259 595.00
- 6.1.4 Stormwater = - R233.00
- 6.1.5 Solid Waste = R27 108.00

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 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;
- 7.3 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.4 The above conditions are to be complied with in stages.
- 7.4.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.4.2 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
- 7.4.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LP PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE DEVELOPMENT

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LP/bvr



ANNEXURE E
CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMBUZO: W. Oosthuizen
TELEFOON/TELEPHONE/UMNXEBA: 870 3245
FAKS/FAX/IFEKSI: 872 1277
U VERWYS/YOUR REF/IREF YAKHO: -
ONS VERW/OUR REF/IREF YETH: 17/1/1/4/1/2 (Erf 5171)

Munisipale Gesondheid / Municipal Health
Hoofstraat 194 Main Street
☒ 23
PAARL
7622

The Municipal Manager
Drakenstein Municipality
PO Box 1 Main Road
Paarl
7622

ATTENTION: Executive Manager: Corporate Services

26 September 2022

Sir / Madam

APPLICATION FOR LAND USE RIGHTS FOR THE LEGAL OPERATION OF AN EARLY CHILDHOOD DEVELOPMENT CENTRE: ERF 5171, 3 CUTHBERT STREET, PAARL.

Your letter 15/4/1 (541) P, dated 23 September 2022 in the above regard refers.

An inspection was carried out at the abovementioned erf and this Department has no objection to the application for land use rights for the operation of an **Early Childhood Development Centre** on the premises and may be recommended for approval provided that the following conditions are complied with:

General conditions

- a. After this application, has been approved in principle, an approved **building plan** indicating all improvements to establish specific health requirements in respect of toilet facilities, sewerage system, kitchen and ventilation, must be submitted to the Building Division of Drakenstein Municipality;
- b. **Refuse** collection and storage must be done in a way that will not cause a health nuisance. Refuse removal must comply with the specifications of Drakenstein Municipality's By-law No 17/2007 – Refuse Removal, i.e. obligatory use of the municipal service;
- c. In terms of the **Noise** Control Regulations of the Environment Conservation Act, 1989, (Act no 73/1989) as well as the provisions of SABS Code 0103 – 1994, the necessary steps must be taken to ensure that no nuisance or disturbing noise are generated for the adjacent businesses and surrounding house owners;
- d. The requirements for **smoking** in public places as contained in Regulation 975 – Notice Relating to Smoking of Tobacco Products in Public Places, issued in terms of the Tobacco Products Control Act, 1993 (Act 83 of 1993) as amended, must be complied with at all times;

- e. The **sewerage system** from the proposed development must be connected to the Municipal sewerage system according to Drakenstein Municipality's specifications, conditions, and approval.
- f. That the **ECD centre** complies with the **Municipal Health By-laws: Cape Winelands District Municipality PK 6696, 15 February 2010. CHAPTER 5: CHILD CARE FACILITIES AND INSTITUTIONS.**
- g. The **number of children** to care for must not exceed the maximum of **24** children.
- h. There must be at least one toilet available for every twenty children and one potty for every five babies.
- i. Separate toilet facilities are required for staff members.
- j. This Department **reserves the right** to set further requirements during the running of the business.

Yours faithfully



pp MUNICIPAL MANAGER



Memo

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|--------------------------|--|
| 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: | 5171 |
| Date: | 3 October 2022 |
| Subject: | APPLICATION FOR CONSENT USE OF AN EARLY CHILDHOOD DEVELOPMENT CENTRE (ECD), ERF 5171, 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 arranged 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


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MANAGER: PLANNING AND CUSTOMER SERVICES
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