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Coll no: 1103555
Enquiries: EJ Cyster
Tell no: (021) 807 4770
Date: 29 June 2022

EJC/SM

15/4/1 (6570) W
PJ le Roux
262 Main Road
Paarl
7646

Email: pj@pjleroux.co.za

Sir

APPLICATION FOR REZONING: ERF 6570 WELLINGTON

I refer to your application dated January 2022, 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 6570 Wellington from “Industrial Zone” to “Community Use Zone” in order to utilize the existing property with structures thereon as a community care facility for children of all ages in providing food and life education and support, as indicated on the Site Development Plan drawn by A3D Architects, dated Jan 2021, “**Annexure B**”.
2. That the approval mentioned in Paragraphs 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 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services, as set out in its letter dated 20 July 2021 reference number 15/4/1 (6570) W (1303), “**Annexure D**”;
 - 2.2 Adherence to the conditions set by the Drakenstein Municipality: Electrical Engineering Services, as set out in its letter dated 27 October 2021 reference number Erf 6570 W, “**Annexure E**”;

- 2.3 Adherence to the conditions set by the Drakenstein Municipality: Planning and Development: Spatial Planning, as set out in its letter dated 9 July 2021 reference number 15/4/1(6570) W, **“Annexure F”**;
- 2.4 The following conditions are applicable from a town planning point of view:
 - 2.4.1 The approval applies only to the rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 2.4.2 Any amendments to the application be subject to the relevant approval;
 - 2.4.3 No new structures are to be erected or existing buildings converted without the prior approval of building plans by the Council;
 - 2.4.5 That the proposal be restricted to the footprint of the existing and proposed structures and take place largely in accordance with the Site Development Plan, **“Annexure B”**;
 - 2.4.6 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.
3. That the following be regarded as the reasons for the decision:
 - 3.1 The proposed rezoning is considered compatible with the development trend in the area;
 - 3.2 The proposal at hand is not expected to be out of scale, nor character within the surrounding built and natural environment;
 - 3.3 The proposal is not expected to have a negative traffic impact;
 - 3.4 The aesthetics created by additions to the existing structure is not expected to create any negative visual impact due its location from Blignaut Street;
 - 3.5 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding built and natural environment;
 - 3.6 The property is located within close proximity to the existing Wellington Industrial area and adjacent to the Weltevrede Sports Field, encouraging mixed land uses and economic opportunities;
 - 3.7 Sufficient on-site parking will be provided;
 - 3.8 No objections were rendered against the application; and
 - 3.9 The property is easily accessible because of the location and a public transport route.

4. That the applicant be informed of 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 the registration of the letter. The approval is therefore suspended until further notice;
5. That the surrounding properties owners who were notified of the application during the public participation process, together with the objectors, be informed of 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,
6. That the approval letter be displayed on the notice boards of the municipal offices and libraries and also be posted on the official municipal website.

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, by any person whose rights are affected by the decision of an authorised official, within **21 days** of notification of the 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 (if applicable)**, of their general right of appeal – proof of notification **must** be provided. Note that the 21-day appeal period will commence the day after all the property owners have been notified. The appeal procedures are set out in Section 80 of the abovementioned By-Law (attached).

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

Yours faithfully



H.G STRIJDOM

MANAGER: LAND DEVELOPMENT MANAGMENT



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23 JUL 2021

Memo

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

From: MANAGER: INFRASTRUCTURE MANAGEMENT

Enquiries: L. PIENAAR

Collaborator number: 1103555_170856_1731997

Reference number: 15/4/1 (6570) W (1303)

Date: 20 July 2021

Subject: APPLICATION FOR REZONING IN TERMS OF SECTION 15(2) OF THE
DRAKENSTEIN BY – LAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF
6570 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

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 *Sufficient on-site parking is to be provided as per Drakenstein Zoning Scheme By-law, 2018; 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 STORMWATER

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

- 2.2 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 2.3 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
- 2.4 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 ***Water supply to erf must be adequately sized to provide sufficient pressure to adhere to fire requirements for the community care facility;***
- 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 ***A 1200l fat trap and sludge catcher must be installed for the kitchen area; and***
- 4.2 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 owner of the erf, for the removal of such household refuse;
- 5.2 ***An application must be made to source additional wheelie bins if necessary; and***
- 5.3 On refuse removal days, the owner will be responsible to ensure that their bins are placed on the sidewalks to be serviced.

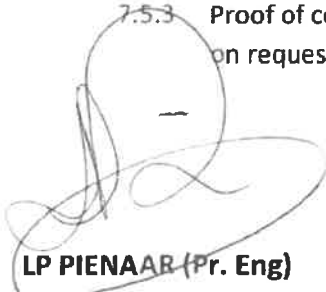
6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, a Development Charge (DC) is payable by the developer in accordance with Drakenstein Municipality's Development Charge Policy; and
- 6.2 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 Gross Leasable Area of the development in future, resulting in an additional impact on engineering services, this department will investigate whether the developer is liable for the payment of Development Charges within the given legislative and policy frameworks.

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 PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE MANAGEMENT

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LP/wf



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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: 6570

Date: 27 October 2021

Subject: APPLICATION FOR REZONING, ERF 6570, 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. 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.
- 2.1. In the case where existing services crosses the adjacent erven, it will have to be removed or relocate at the cost of the owner as such that each erf must have its own cable connection from the Street boundary.
- 2.2. A service level agreement between the municipality and the owner or 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 load requirement and will be calculated according to the following as indicated in approved tariffs: **R 3 146.00 x per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2022 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. It may be requested to register service servitudes where the reticulation falls outside the municipal road reserve.
- 3.4. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.5. 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.
- 3.6. A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered or as 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


L. LATING
MANAGER: PLANNING AND CUSTOMER SERVICES

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Memo

To: LAND USE PLANNING AND SURVEYING
 EARL CYSTER (EXT: x4832)

From: PLANNING AND DEVELOPMENT: SPATIAL PLANNING

Enquiries: LOUIS SCHLECHTER (EXT: x6236)

Collaborator number: 1731997

Reference number: 15/4/1(6570)W

Date: 09 JULY 2021

Subject: APPLICATION FOR REZONING IN TERMS OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018; ERF 6570 WELLINGTON

RECEIVED APPLICATION ON 07 JUNE 2021

1. PROPOSAL

The purpose of this application is to optimally utilise Erf 6570, Wellington as a community care facility within existing shipping containers. The intention is that the applicant and the owner of the subject property will be offering this community care facility to children from the community of all ages. The application entails the following:

- 1.1 Application is made for **Rezoning** in terms of section 15(2)(a) of the Drakenstein By-Law on Municipal Land Use Planning, 2018 to rezone Erf 6570 Wellington from 'Industrial Zone' to 'Community Use Zone' in order to facilitate a community care facility thereon.

2. EVALUATION

2.1 DRAKENSTEIN SPATIAL DEVELOPMENT FRAMEWORK 2020

The SDF is a high level spatial core component of the IDP, and secondly, it does not confer/give rights or take away land use rights but guides and informs decisions to be made by the municipality relating to land development. Therefore, it is important to understand that the SDF is only a guiding document.

Figure 1 below provides the SDF plans (Focus Area 3: Wellington South) applicable to the evaluation of the application pertaining to Erf 6570, Wellington. The location of the proposed development is indicated with a red arrow.



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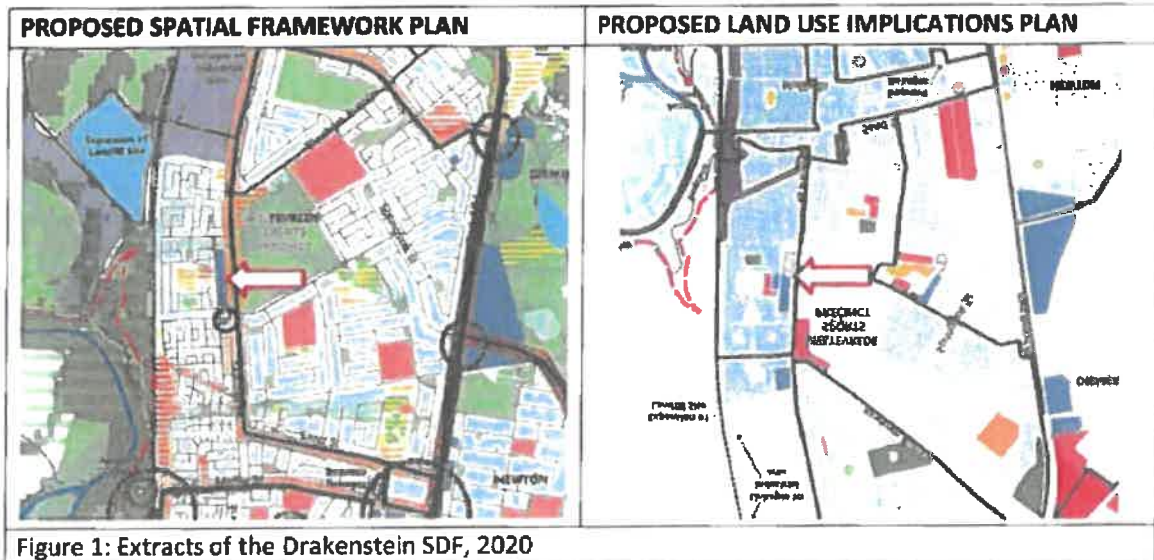
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With regards to the SDF and Figure 1 above the following is important:

- 2.1.1 Erf 6570, Wellington is situated inside the demarcated 'Urban Edge' of Drakenstein;
- 2.1.2 The subject property is earmarked as 'Business / Commercial';
- 2.1.3 The subject site abuts Blugnaut Street which is identified as a 'Mobility Route'; and
- 2.1.4 According to the FA3: Land Use Implications Plan, Erf 6570 Wellington is earmarked with **Typology 7: Mixed Use**, which indicates that the desired urban form to be achieved in this area could offer a wide range of land uses.

3 RECOMMENDATION

In view of the above, the proposal is deemed to be consistent with the general provisions of the Drakenstein SDF, 2020. The proposed application can be supported from a spatial planning point of view.

W HENDRICKS

MANAGER: SPATIAL PLANNING HERITAGE AND GIS