



Enquiries: Earl Cyster  
Contact number: (021) 8074770  
Reference: 15/4/1(14985) W  
Date: 26 May 2025

EC/JA

Frame  
277 Main Road  
Paarl  
7646

Email: [lane.jordaan@framegroup.co.za](mailto:lane.jordaan@framegroup.co.za)

## **CONSENT USE FOR A VISITORS' ACCOMMODATION FACILITY AND APPROVAL OF A SITE DEVELOPMENT PLAN: ERF 14985 WELLINGTON**

Your above-mentioned application (Collaborator Reference 1633468) refers.

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 following:
  - 1.1 **Consent use** on Erf 14985, Wellington, to permit a "visitor accommodation" facility comprising 7 bedrooms with a total floor area of approximately 156 m<sup>2</sup> within existing dwellings, which exceeds the combined floor area restriction applicable to visitor accommodation in the Agriculture Zone, as indicated on the Site Development Plans and associated floor plans prepared by Stone Projects (Drawing Number: 19077-001), dated 25 November 2019, **(Annexure B)**;
  - 1.2 **Approval** of the proposed Site Development Plan - drawn by Stone Projects (Drawing Number: 19077-001) dated 25 November 2019
2. The approval mentioned in Paragraph 1.1 and 1.2 above be subject to the following conditions, laid down in terms of Section 13(2)(h) of the Drakenstein Zoning Scheme Bylaw, 2018:
  - 2.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division, as set out in its memorandum dated 17 February 2025 (reference number 15/4/1 (14985) P (58), **(Annexure D)**;

2.2 Adherence to the conditions set by the Western Cape Government: Department of Transport and Public Works as set out in its letter (Reference TPW/CFS/RP/LUD/REZ/SUB-10/394 (Application 2024-09-0050)) dated 31 October 2024, attached hereto as Annexure H;

3. The following conditions are applicable from a town planning point of view:

- a) No new structures may be erected, nor shall any existing buildings be altered, extended, or converted in any manner whatsoever, unless formal, written building plan approval has been granted by the Council in advance. Unauthorized work will be subject to immediate enforcement action;
- b) The development shall strictly conform to the Site Development Plan as attached in Annexure B. Any deviation, however minor, shall require prior written approval;
- c) It is the sole and non-delegable responsibility of the applicant to ensure, prior to commencement of any development or use, that no restrictive conditions in the title deed preclude the proposed visitor accommodation use. Ignorance or oversight will not be accepted as justification for non-compliance;
- d) The implementation of energy-efficient technologies and practices, as prescribed in the Drakenstein Municipality's Green Building Manual, is mandatory wherever technically feasible. Non-compliance must be specifically motivated and approved in writing by the Municipality;
- e) The applicant is strictly required to implement comprehensive water conservation measures, which shall include, without limitation, rainwater harvesting, greywater recycling systems, the installation of water-efficient fixtures (e.g., low-flow showerheads, dual-flush toilets), and the use of water-wise landscaping. Failure to do so will constitute a material breach of this approval;
- f) No amendments, revisions, or deviations from the approved application will be permitted unless they have been formally submitted and approved through the applicable statutory processes. Informal changes or retrospective applications are not acceptable;
- g) The development shall fully and unconditionally comply with all applicable health and safety legislation, standards, and regulations at all times. Any contravention will be regarded as a serious violation subject to enforcement;

- h) This approval is strictly confined to the technical scope of the submitted application. It does not in any way absolve the applicant from obtaining all other legally required permits, licenses, or approvals. The means of compliance remains entirely with the applicant;
- i) Failure to comply with any of the above conditions shall empower the Council to impose additional conditions, suspend or revoke approvals, or initiate legal or administrative enforcement proceedings without further notice;
- j) The approved use of the property is exclusively restricted to visitors' accommodation for no more than 14 guests accommodated in a maximum of seven bedrooms, and a single coffee shop. Under no circumstances may the number of guests exceed 14 at any given time. The operation of any other business or commercial activity on the premises is strictly prohibited unless prior, explicit, and written consent is obtained from the Council;
- k) Adequate on-site parking shall be provided in full compliance with the applicable Municipal Zoning Scheme, including clearly demarcated bays for staff and people with disabilities. Parking provision must meet the standards and receive the explicit approval of the Director: Engineering Services; and
- l) The applicant shall make provision for an on-site refuse storage facility that is screened, vermin-proof, and designed to the satisfaction of the Municipality. Refuses shall be removed as per Municipal guidelines. Non-compliance will result in penalties or further enforcement measures.

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

- 4.1 The proposed application is merely to utilise existing built structures to accommodate a visitors' accommodation;
- 4.2 The proposal is to utilise existing infrastructure in its current position, with proposed additions and alterations;
- 4.3 The proposal at hand is not expected to be out of scale, nor character with the surrounding built and natural environment due to the utilization of existing infrastructure;
- 4.4 The application is not expected to significantly impact on the health, safety and wellbeing of the surrounding built and natural environment;

- 4.5 No objections were received during the public participation and stakeholder engagement process;
- 4.6 All relevant internal and external departments consented to the proposal; and
- 4.7 The proposal is considered to be consistent with the Drakenstein Spatial Development Framework;
- 4.8 The slightly larger footprint is not deemed out of character or scale, considering the overall size and extent of the property.

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 provisional 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 initial public participation process and objectors (if any), 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 set out 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.



---

**H. G. STRIJDOM**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**





# Memo

**To:** EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE  
(ATTENTION: J. MEYER)

**From:** EXECUTIVE DIRECTOR: ENGINEERING SERVICES

**Enquiries:** LH SMITH

**Collaborator number:**

**Reference number:** 15/4/1 (14985) P (58)

**Date:** 17 February 2025

**Subject:** MOTIVATION TO AMMEND COMMENTS - APPLICATION FOR CONSENT USE FOR VISITORS' ACCOMMODATION FACILITY, ERF 14985, WELLINGTON.

These conditions will be subject to review by the Engineering Services Department upon receipt of Civil and/or building plans for approval. This may require all the studies carried out for the proposed development to be updated and revised accordingly, which shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

The aforementioned is based on the possibility of changes in the physical environment in respect of engineering infrastructure between date of issuing of conditions and actual building/construction being imminent, which may impact on available relevant infrastructure capacities as at time of initial issuing of conditions.

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.

This memo replaces our previous conditions referenced 14/4/1(14985)W(1597) dated 18/11/2024.

## 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. *As access is off a proclaimed main road, approval from the Provincial Roads Engineer is required.*

## **2. STORM WATER**

- 2.1. Any new storm water 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;
- 2.3. Contaminated run-off (washing water, storm water, etc) must be disposed of in such a manner so as not to cause any pollution to surface, ground water or create a nuisance; 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  $0.02\text{m}^3/\text{m}^2$  roof area.

## **3. WATER**

- 3.1 NOTE if there are any existing connections to the municipal network it/they will remain on the subdivide portion that it/they fall on. No new connections can be made;
- 3.2 All potable water supplied to consumers on the farm shall comply with SANS 241 as amended. Proof of compliance test no older than 6 months must be available on request. All testing must be done by an accredited service provider;
- 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 The developer will be responsible to connect to future municipal networks when it is provided;
- 4.2 The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law (2014);
- 4.3 No new septic tanks allowed, all old/existing septic tank and soakaway systems must comply with the Water Research Commissions Report TT 114/99. No conservancy tank will be allowed within 100m of the 1:50 year flood line;
- 4.4 The municipality cannot guarantee a tanker service at all times and the owner remains responsible for the servicing of the conservancy tank. Any private company used must be registered with the Municipality and must provide the owner of an invoice for services

rendered. All invoices must be submitted on a monthly basis to the Waste Water Services section as proof of compliance;

**4.5    *The farm owner to confirm in writing that they take full responsibility for the provision of basic sanitation services to all farm dwellers/employees and visitors;***

4.5    Any upsizing and/or upgrading required will be for the developer account; and

4.6    Any existing system that is to remain shall be upgraded to minimum municipal standards.

## **5.    SOLID WASTE**

5.1.   Municipality undertakes to remove solid waste. The developer must apply for sufficient number of bins;

5.2.   All solid waste disposal shall comply with, the National Environmental Management Waste Act 59 of 2008. Proof of compliance must be available on request;

5.3.   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; and

5.4.   The Developer shall indemnify the Municipality from any damages caused as a result in rendering the refuse removal service.

## **6    DEVELOPMENT CHARGES**

6.1    Based on the information provided in the application, the Development Charge payable by the developer is **R93 118.00** (Excl vat). The levy is valid until 30 June 2025 where after a new calculation is required. The value has been calculated as follows:

- Water = R 9 965.00
- Sewer = R 4 516.00
- Roads =R 74 767.00
- Stormwater = R 1 069.00
- Solid Waste = R 2 801.00

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



LH Smith

**SENIOR MANAGER: INFRASTRUCTURE MANAGEMENT**

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2025\Comments\Erf 14985 Wellington - Motivation for request to Amend Comments (Application for Consent Use for Visitors Accommodation Facility).docx  
LHS/bm