



Col no: 2060513
Enquiries: E Cyster
Tel no: (021) 807 4770
Date: 24 June 2024

JD/JA
15/4/1 (26637) P

PJ Le Roux Town and Regional Planner (PTY) Ltd
262 Main Road
PAARL
7622

Email: pj@pjleroux.co.za

Sir

APPLICATION FOR CONSENT USE & DEPARTURE: ERF 26637 PAARL

Your above - mentioned application 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** application to utilize a new portion ($\pm 29\text{m}^2$) on Erf 26637 Paarl, in order to accommodate a licensed off-consumption liquor outlet, as indicated on the site plan drawn by EJS CONSULTING, dated JUNE 2023, (**Annexure B**);
 - 1.2 **Permanent Departures:** exceeding of the permissible 70% coverage to 87%
2. The approval mentioned in Paragraphs 1.1 and 1.2 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw 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 20 November 2023 (reference 15/4/1/ (1490) P (26637), (**Annexure E**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division, in its letter dated 29 February 2024 (reference 8/2/5_26637), (**Annexure F**);

2./...

- 3 Adherence to the following conditions from a town planning point of view:
- 3.1 The approval applies only to the consent use application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2 No new buildings are to be erected or existing buildings be converted without the prior approval of building plans by Council;
 - 3.3 No food to be served or any gambling machines installed or operated without Councils approval;
 - 3.4 No loud music or any form of disturbance be allowed from the proposed off-consumption liquor outlet;
 - 3.5 The proposed off-consumption liquor outlet will be operated from Mondays to Saturdays between the hours of 09:00 am to 20:00 pm only. No activities are permitted to take place on Sundays;
 - 3.6 Delivery vehicles, used for the delivery of alcoholic beverage supplies to the property, not exceed a maximum of 3 500kg Tarre individually, and may only occur during the work week during normal office hours;
 - 3.7 The proposal complies with all respective health requirements;
 - 3.8 Any amendments to the application be subject to the relevant approval;
 - 3.9 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;
4. The following be regarded as the reasons for the decision:
- 4.1 The proposal is well within the development parameters for Conventional Housing zoned properties located within a Local Economic Development Overlay (LEDO) Zone;
 - 4.2 The applicant obtains the necessary off-consumption license from the respective licensing authority;
 - 4.3 The proposal is not expected to be out of scale, nor character within the surrounding developed environment, due to the utilization of existing infrastructure;
 - 4.4 Business uses play a pivotal role to the economy within the Drakenstein area, and should therefore be supported as far as possible;

- 4.5 The application is not expected to negatively impact on the existing developed environment, existing rights or safety and welfare of the immediate and surrounding community;
- 4.6 Stringent conditions and regulatory frameworks guide the operation of liquor sales from residential properties which the proposed land use activity must adhere to, with the sales of alcohol to minors (under 18's) being strictly prohibited and regarded as a criminal offence;
- 4.7 Sufficient on-site parking provision has been provided, with majority of the establishment's patrons foreseen to be walk-in clients, which would significantly mitigate traffic congestion or inconvenience the immediate and surrounding property owners;
- 4.8 All internal departments support the proposal, subject to certain conditions; and
- 4.9 The proposal is considered to be consistent with the Drakenstein Spatial Development Framework.

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 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** 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 laid down 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.

Yours faithfully



H. G. STRIJDOM (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT MANAGEMENT

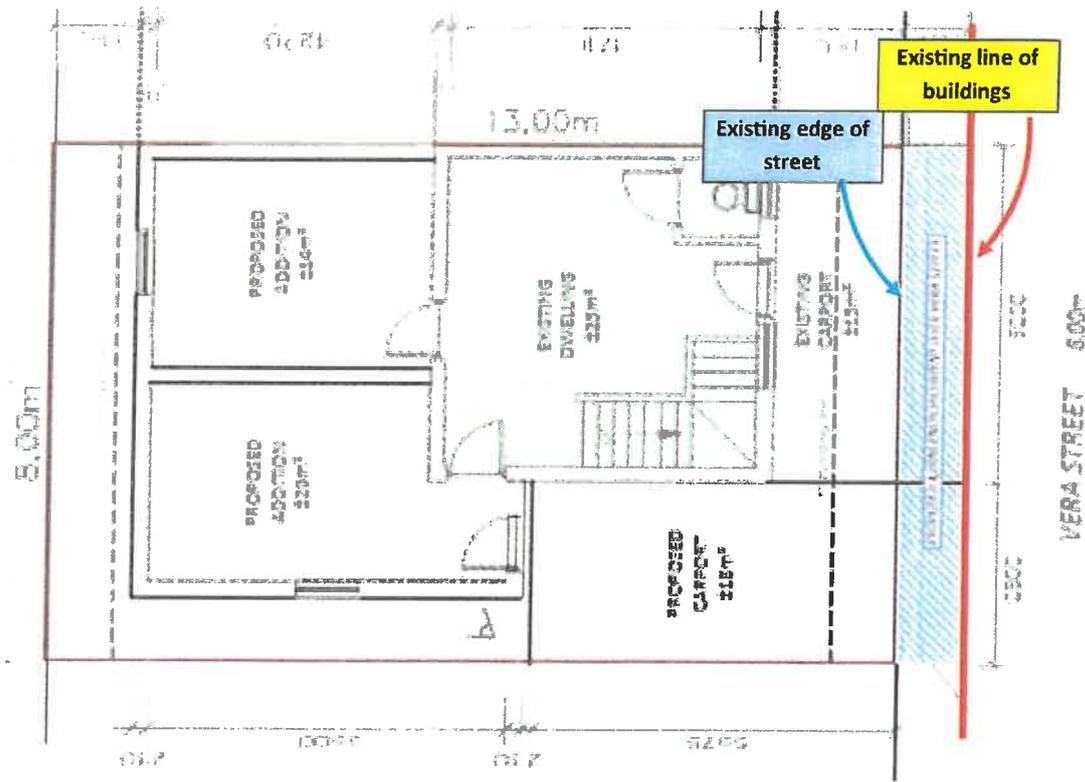
STREET VIEW ALONG VERA STREET PAARL EAST



Southern view along Vera Street with encroachment of $\pm 1\text{m}$ of all buildings along Vera Street



Northern view along Vera Street with encroachment of $\pm 1\text{m}$ of all buildings along Vera Street



Existing encroachment of $\pm 1\text{m}$ of all buildings along Vera Street

SITE DEVELOPMENT PLAN

CONSENT USE & DEPARTURE APPLICATION

APPLICANT : ELTON MAKABA
PREMISES : ERF 26637 PAARL, ALSO KNOWN AS VERA STREET, PAARL
APPLICATION : CONSENT USE (LIQUOR OUTLET)
DESIGNER : EJS CONSULTING
REVISION : GDV
DATE : JUNE 2023
OFFICE : PAARL

COLOUR LEGEND

EXISTING DWELLING: ±22m²	
PROPOSED LIQUOR OUTLET OFF CONSUMPTION: ±15m²	
PROPOSED STOREROOM: ±14m²	
EXISTING CARPORT: ±10m²	
PROPOSED CARPORT: ±16m²	
EXISTING 0.5M ENCROACHMENT OVER VERA STREET	

CONVENTIONAL HOUSING ZONE

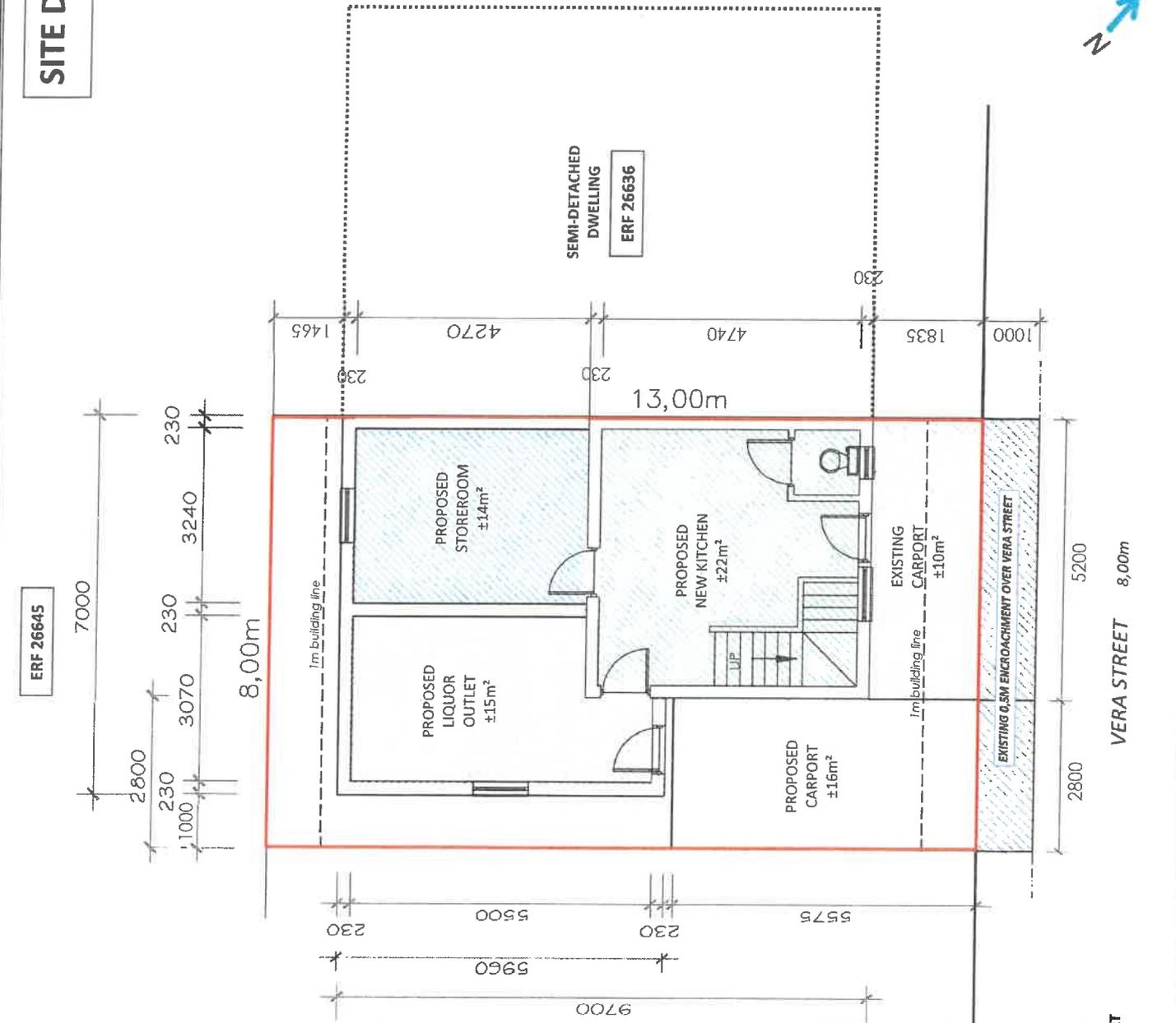
ERF SIZE: 104m²
COVERAGE PERMITTED: 70%
PROPOSED COVERAGE: 87%
CARPOT ON 0M STREET BUILDING LINE AS PER SECTION 127(1) OF ZONING BY-LAW

MEASUREMENTS AS PER SITE PLAN DRAWN BY EJS CONSULTANTS



P-J le Roux
 Spatial- en Streeklaanlegers
 Town and Regional Planners
 Hoofstraat 202, Main Road Paarl
 (Ph) 021-8722489 (Cell) 078 031 7807
 (email) pjl@pjlroux.co.za

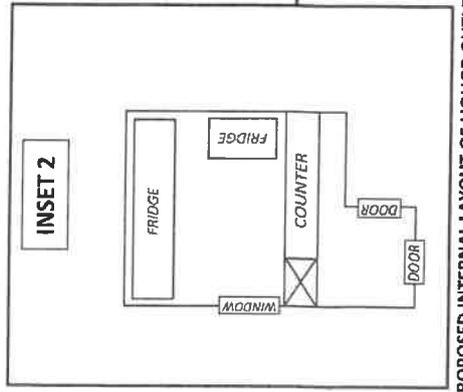
ANNEXURE B



INSET 1		26647	26635	26657
26644	26637	26646	26636	26658
26643	26638	26645	26637	26659
26639		26644	26638	26660
		26643	26637	26661

EXTRACT FROM GENERAL PLAN CONFIRMING SIZE TO BE 8,00M BY 13,00M = 104M²

ERF 26638



PROPOSED INTERNAL LAYOUT OF LIQUOR OUTLET



Memo

To: LAND DEVELOPMENT MANAGEMENT DIVISION
J MEYER (EXT: x4836)

From: HERITAGE SERVICES SUB-SECTION

Enquiries: ZWELIBANZI G SHICEKA (EXT: x6337)

Collaborator No. 2060513

Reference number: 15/4/1(26637)P

Date: 11 AUGUST 2023

Subject: APPLICATION FOR CONSENT USE AND DEPARTURE IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING 2018: ERF 26637 PAARL

RECEIVED APPLICATION ON 2 AUGUST 2023

1. PROPOSAL

The proposal entails the consent use and departure to allow a liquor outlet on Erf 26637 Paarl.

2. EVALUATION

2.1 DRAKENSTEIN MUNICIPAL ZONING SCHEME BYLAW 2018

In terms of the Drakenstein Municipal Zoning Scheme Bylaw 2018, the proposal is located outside of any Special Character Protected Area Overlay Zone and Scenic Route Overlay Zone.

2.2 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal is located outside of any Heritage Overlay Zone.

3. CONCLUSION

In view of the above, the proposed consent use and departure to allow a liquor outlet on Erf 26637, Paarl, is supported from a heritage point of view.

.....
W HENDRICKS
MANAGER: SPATIAL PLANNING

DRAKENSTEIN MUNICIPALITY

NOTICE: APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 26637 PAARL, VERA STREET, HILLSIDE, PAARL

Notice is hereby given in terms of the Drakenstein By-law on Municipal Land Use Planning 2018, that an application as set out below has been submitted to the Drakenstein Municipality, Land Use Planning Section. A comprehensive copy of the application is available for viewing and / or can be requested by sending an email to pi@pileroux.co.za, or by contacting the applicant telephonically. Alternatively, Earl Cyster can be contacted at tel. 021 807 4770, or at e-mail address Earl.Cyster@drakenstein.gov.za:

Property	:	Erf 26637 Paarl
Applicant	:	P-J le Roux Town Planners Pty Ltd (0760317607)
Owner	:	Elton Makaba
Locality	:	Vera Street, Hillside, Paarl
Extent	:	104m ²
Zoning	:	Conventional Housing Zone
Proposal	:	Consent Use to permit a <i>“liquor outlet”</i> (sale of alcoholic beverages for off-consumption only) inside a portion (±29m² including storage) of the new additions of the existing dwelling on Erf 26637 Paarl , while the rest of the dwelling will remain primary residence for the owner. Business Hours: Mondays to Saturdays (09:00 – 20:00) and Sundays (11:00 – 20:00).

Permanent Departures:

- The **0,5m encroachment onto Vera Street** by the existing carport; and
- **Exceeding** of permissible **70% coverage to 87%**.

Motivated objections or comments must be addressed to the City Manager for the attention of the Manager: Land Use Planning and Surveying by **28 AUGUST 2023** and can be submitted via one of the following three options:

- Posted to PO Box 1, Paarl, 7622;
- Hand delivered at the Paarl Civic Centre, Berg River Boulevard, Paarl; or
- E-mailed to customer care@drakenstein.gov.za and copied to Earl.Cyster@drakenstein.gov.za.

Please use the heading of this notice as the heading of your objection / comments.

Note that submissions must comply with Section 50 of the Drakenstein By-law on Municipal Land Use Planning 2018, being available from the above-mentioned official.

DATE OF NOTIFICATION: 28 JULY 2023

DRAKENSTEIN MUNISIPALITEIT

AMPTELIKE KENNISGEWING: AANSOEK VIR VERGUNNINGSGEBRUIK EN PERMANENTE AFWYKING IN TERME VAN ARTIKEL 15(2) VAN DIE DRAKENSTEIN VERORDENING OP MUNISIPALE GRONDGEBRUIKBEPLANNING, 2018: ERF 26637 PAARL, VERA STRAAT, HILLSIDE, PAARL

Kennis geskied hiermee ingevolge die Drakenstein Verordening op Munisipale Grondgebruikbeplanning, 2018, dat 'n aansoek soos hieronder uiteengesit ingedien is by die Drakenstein Munisipaliteit Grondgebruiksbeplanning Afdeling. 'n Volledige kopie van die aansoek is beskikbaar ter insae en kan aangevra word deur 'n epos te stuur na pj@pileroux.co.za of deur die aansoeker telefonies te kontak: Alternatiewelik kan Earl Cyster gekontak word by tel. 021 807 4770 of by e-posadres Earl.Cyster@drakenstein.gov.za.

Eiendom	:	Erf 26637 Paarl
Aansoeker	:	P-J le Roux Stadsbeplanners Pty Ltd (0760317607)
Eienaar	:	Elton Makaba
Ligging	:	Vera Straat, Hillside, Paarl
Totale Grootte	:	104m ²
Huidige Sonering	:	Konvensionele Behuisingsone
Voorstel	:	<u>Vergunningsgebruik</u> om 'n " <i>drankwinkel</i> " toe te laat (verkoop van alkoholiese drank slegs vir buite-verbruik) binne 'n gedeelte (<i>±29m² insluitend berging</i>) van die nuwe toevoegings van die bestaande woning op Erf 26637 Paarl , terwyl die res van die woning steeds as primêre woning deur die eienaar gebruik sal word. Besigheidsure: Maandae – Saterdag (09:00 – 20:00) en Sondag (11:00 – 20:00).

Permanente Afwyking:

- Die 0,5m indringing van Vera Straat deur die bestaande motorafdak; en
- Oorskryding van toelaatbare 70% dekking tot 87%.

Gemotiveerde besware of kommentare moet teen **28 AUGUSTUS 2023** aan die Stadsbestuurder gerig word vir die aandag van die bestuurder: Grondgebruikbeplanning en -opmeting en kan ingedien word via een van die volgende drie opsies:

- Gepos na Posbus 1, Paarl, 7622;
- Hand afgelewer by die Paarl Burgersentrum, Bergrivier Boulevard, Paarl; of
- E-pos na customercare@drakenstein.gov.za en kopieer dit na Earl.Cyster@drakenstein.gov.za.

Gebruik die opskrif van hierdie kennisgewing as die opskuif van u beswaar / kommentaar.

Let daarop dat voorleggings moet voldoen aan artikel 50 van die Drakenstein-verordening oor munisipale grondgebruikbeplanning 2018, beskikbaar by bogenoemde amptenaar.

KENNISGEWING DATUM: 28 JULIE 2023

SURROUNDING/AFFECTED LANDOWNERS

ERF 26637 PAARL

PROPERTY DESCRIPTION	OWNER	EMAIL
SOUTH AFRICAN POLICE SERVICES	LIQUOR OFFICER: WARRANT OFFICER RADYN	PAARLEASTSAPS@SAPS.GOV.ZA
DRAKENSTEIN LIQUOR TAVERN ASSOCIATION	CHAIRPERSON	DLTTA1484@GMAIL.COM
PORTFOLIO HOLDER	Cllr. LAURICHIA VAN NIEKERK	LAURICHIA.VANNIEKERK@DRAKENSTEIN.GOV.ZA
WARD Cllr. (WARD 19)	Cllr. THEUNIS BESTER	THEUNS.BESTER@DRAKENSTEIN.GOV.ZA

info@pjleroux.co.za

From: info@pjleroux.co.za
Sent: Friday, 28 July 2023 11:59
To: 'paarleastsaps@saps.gov.za'
Subject: NOTICE: ERF 26637 PAARL
Attachments: Notice.pdf; Locality Plan.pdf; Site Development Plan.pdf
Importance: High

Dear, South African Police Services

ATTENTION: LIQUOR OFFICER: WARRANT OFFICER RADYN

**APPLICATION IN TERMS OF THE DRAKENSTEIN MUNICIPALITY: BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018
APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE OF ERF 26637 PAARL**

As an **affected department**, you are hereby informed that a land use planning application was recently submitted to the Drakenstein Municipality for **consent use and permanent departure on Erf 26637 Paarl, Vera Street, Hillside, Paarl.**

As instructed in terms of the Drakenstein Municipality By-Law on Municipal Land Use Planning, 2018, please find the necessary notice and plans for your attention.

If you have any questions please feel free to contact this office.

Please acknowledge receipt of this.

Kind Regards

Gregory de Vries
Tch. Pln B/8460/2023
ND (TRP)



Pty Reg. No.: 2015 / 058583 / 07

262 Main Road / P.O.Box 3457
Paarl Paarl
7646 7620
Tel: 021-8722499

info@pjleroux.co.za

From: info@pjleroux.co.za
Sent: Friday, 28 July 2023 11:59
To: 'dltta1484@gmail.com'
Subject: NOTICE: ERF 26637 PAARL
Attachments: Notice.pdf; Locality Plan.pdf; Site Development Plan.pdf
Importance: High

Dear: Drakenstein Liquor Tavern Association (NPC)

ATTENTION: MR. J.P. WILLIAMS

**APPLICATION IN TERMS OF THE DRAKENSTEIN MUNICIPALITY: BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018
APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE OF ERF 26637 PAARL**

As an **affected department**, you are hereby informed that a land use planning application was recently submitted to the Drakenstein Municipality for **consent use and permanent departure on Erf 26637 Paarl, Vera Street, Hillside, Paarl.**

As instructed in terms of the Drakenstein Municipality By-Law on Municipal Land Use Planning, 2018, please find the necessary notice and plans for your attention.

If you have any questions please feel free to contact this office.

Please acknowledge receipt of this.

Kind Regards

Gregory de Vries
Tch. PIn B/8460/2023
ND (TRP)



Pty Reg. No.: 2015 / 058583 / 07

262 Main Road / P.O.Box 3457
Paarl Paarl
7646 7620
Tel: 021-8722499

info@pjleroux.co.za

From: info@pjleroux.co.za
Sent: Friday, 28 July 2023 11:59
To: 'Laurichia van Niekerk'
Subject: NOTICE: ERF 26637 PAARL
Attachments: Notice.pdf; Locality Plan.pdf; Site Development Plan.pdf

Importance: High

To whom it may concern,

**APPLICATION IN TERMS OF THE DRAKENSTEIN MUNICIPALITY: BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018
APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE OF ERF 26637 PAARL**

Being the **Portfolio Holder**, you are hereby informed that a land use planning application was recently submitted to the Drakenstein Municipality for **consent use and permanent departure on Erf 26637 Paarl, Vera Street, Hillside, Paarl.**

As instructed in terms of the Drakenstein Municipality By-Law on Municipal Land Use Planning, 2018, please find the necessary notice and plans for your attention.

If you have any questions please feel free to contact this office.

Please acknowledge receipt of this.

Kind Regards

Gregory de Vries
Tch. Pln B/8460/2023
ND (TRP)



Pty Reg. No.: 2015 / 058583 / 07

262 Main Road / P.O.Box 3457
Paarl Paarl
7646 7620
Tel: 021-8722499
Faks: 086 605 8431
Sel: 0760317607

Spreuke 3:5-6/Proverbs 3:5-6

info@pjleroux.co.za

From: info@pjleroux.co.za
Sent: Friday, 28 July 2023 11:59
To: 'sangolomzi.ganandana@drakenstein.gov.za'
Subject: NOTICE: ERF 26637 PAARL
Attachments: Notice.pdf; Locality Plan.pdf; Site Development Plan.pdf
Importance: High

To whom it may concern,

APPLICATION IN TERMS OF THE DRAKENSTEIN MUNICIPALITY: BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018
APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE OF ERF 26637 PAARL

Being the **Ward Councillor (Ward 32)**, you are hereby informed that a land use planning application was recently submitted to the Drakenstein Municipality for **consent use and permanent departure on Erf 26637 Paarl, Vera Street, Hillside, Paarl.**

As instructed in terms of the Drakenstein Municipality By-Law on Municipal Land Use Planning, 2018, please find the necessary notice and plans for your attention.

If you have any questions please feel free to contact this office.

Please acknowledge receipt of this.

Kind Regards

Gregory de Vries
Tch. PIn B/8460/2023
ND (TRP)



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Spreuke 3:5-6/Proverbs 3:5-6