



Enquiries: C v/d Bank
Contact number: 021 807 4832
Reference: 15/4/1 (4582) P
Date: 04 March 2025

CB/JA

P-J Le Roux Town and Regional Planner (PTY) Ltd
262 Main Road
PAARL
7622

pj@pjlroux.co.za

Sir

APPLICATION FOR REZONING, CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE CONDITIONS IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 4582 PAARL

Your above-mentioned application (Collaborator Reference 2112220) refers.

1. **Approval** has been granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1. **Rezoning** of Erf 4582 Paarl from “Conventional Housing Zone (CH)” to “Multi Unit Housing Zone (MUH)”.
 - 1.2. **Consent Use** in order to permit “Offices” within the existing dwelling, measuring $\pm 203,5\text{m}^2$, on Erf 4582 Paarl as indicated on the Site Development Plan, (**Annexure B**).
 - 1.3. **Departure** of the existing dwelling, ($\pm 203,5\text{m}^2$), encroaching onto the new 5m building line applicable, for the proposed “Multi-Unit Housing Zone (MUH)” zoning, as indicated on the Encroachment Plan, (**Annexure C**).
 - 1.4. **Removal of Restrictive Condition B.1.** as contained in the Title deed No. T95968/2007, in order to utilize Erf 4582 Paarl for purposes other than a residential use.



2. The approvals mentioned in the paragraphs above shall 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 Division in its memorandum 15/4/1 (4582) P (278) dated 22 February 2024, (**Annexure J**).

2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division in its memorandum 8/2/5/_4582 dated 10 February 2024, (**Annexure K**).

2.3 Adherence to the conditions laid down by the Drakenstein Municipality: Spatial Planning Section: Heritage Subsection in its memorandum 15/4/1 (4582) P dated 7 February 2024, (**Annexure L**).

2.4 Adherence to the conditions laid down from a Land Development Management point of view:

2.4.1 This approval only applies to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements.

2.4.2 The applicant shall submit a copy of the Surveyor-General diagram to Council for record keeping purposes.

2.4.3 The applicant be responsible for the cost of the publication, in the Provincial Gazette, of the final notice regarding the removal of the restrictive conditions, which should be attended to prior to the issuing of the final letter of approval.

2.4.4 The applicant be responsible for the submission of the original title deed at the Cape Town Deeds Office for the necessary endorsement by the Registrar of Deeds, together with a copy of the final removal notice as published in the Provincial Gazette. A copy of the endorsed title deed must be supplied to the municipality for record keeping purposes.

2.4.5 The use of the existing dwelling for residential and/or office purposes, shall take place largely in accordance with the site development plan, (**Annexure B**).

2.4.6 The following development parameters shall apply:

Erf	Erf 4852 Paarl
Size	±1133m ²
Parameter	Zoning Scheme Requirement
Permitted Land Use	Multi-Unit Housing Zone (MUH)
Consent Use	Offices within the existing building
Coverage	±17% restricted to the existing single dwelling (measuring ±203m ² in extent). Any increase in coverage shall be subject to approval of the Manager: Land Development Management.
Height	Restricted to the existing single storey dwelling. Any increase in height shall be subject to approval of the Manager: Land Development Management.
Building line	
<u>Street Building line</u>	5m
<u>Common Building line</u>	Eastern Boundary:1m Southern Boundary: 5m
Parking	
<u>Offices</u>	5 on-site parking bays

2.4.7 Any required electrical services extensions and/or upgrades, including all costs related thereto, will be for the account of the applicant.

2.4.8 Based on the information provided, the applicant shall be responsible for the payment of the Development Charge as indicated in the comments from the Civil Engineering Services Department dated 22 February 2024, (**Annexure J**).

2.4.9 In the event of a generator installation, a building plan application needs to be lodged with the Building Control Section. The allowable noise levels of the Western Cape Noise Regulations (2013) should be adhered to, and appropriate noise mitigation measures should be instituted for the protection of the surrounding residential land uses.

2.4.10 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council.

2.4.11 Any amendments to the application are subject to the relevant approval.

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

3.1 The application was administrated in terms of the Drakenstein Municipal Land Use Planning Bylaw, 2018 and notification was given to the surrounding

property owners and community as prescribed in terms of the mentioned legislation, to submit objections. All objections received has been recorded for the necessary consideration during the evaluation of the application.

- 3.2 The reasons as contained in the thoroughly motivated objections were fully considered from a town planning point of view. Several site inspections were conducted to inform the report and recommendation to protect the residential character of the Lemoenkloof area.
- 3.3 The proposed application is considered to be located within a transitional area between the offices operating around Main Road and the residential core of the neighbourhood to the west of the property. The proposed rezoning of Erf 4582 Paarl will serve as a buffer between the non-residential impact of Main Street and the existing residential core of the neighbourhood.
- 3.4 The proposal will not be out of scale, nor character within the surrounding built environment. The fact that the visual appearance of the property will remain unchanged confirms the low impact the activity will have on the visible character of the area. The application is therefore supported on condition that the proposed offices be restricted to the existing building only.
- 3.5 The proposal is not expected to have a significant negative traffic impact, the existing access to the property will be used. On-site parking in accordance with the requirements of the Bylaw, must be provided.
- 3.6 The proposal at hand is not expected to detract from the character of the area.
- 3.7 The application is not expected to have a significant negative impact on the health, safety and wellbeing of the surrounding community and built environment.
- 3.8 All relevant internal departments consented to the proposal. Based on the information provided, the applicant is responsible for the payment of the Development Charge as indicated in the comments from the Civil Engineering Services Department dated 22 February 2024, (**Annexure J**).
- 3.9 The proposal is line with the Drakenstein Spatial Development Framework (DSDF).

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 from the date of registration of the letter.

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 of their right of appeal – proof of notification must be provided. The appeal procedures are set out in Section 80 of the above-mentioned Bylaw (attached).

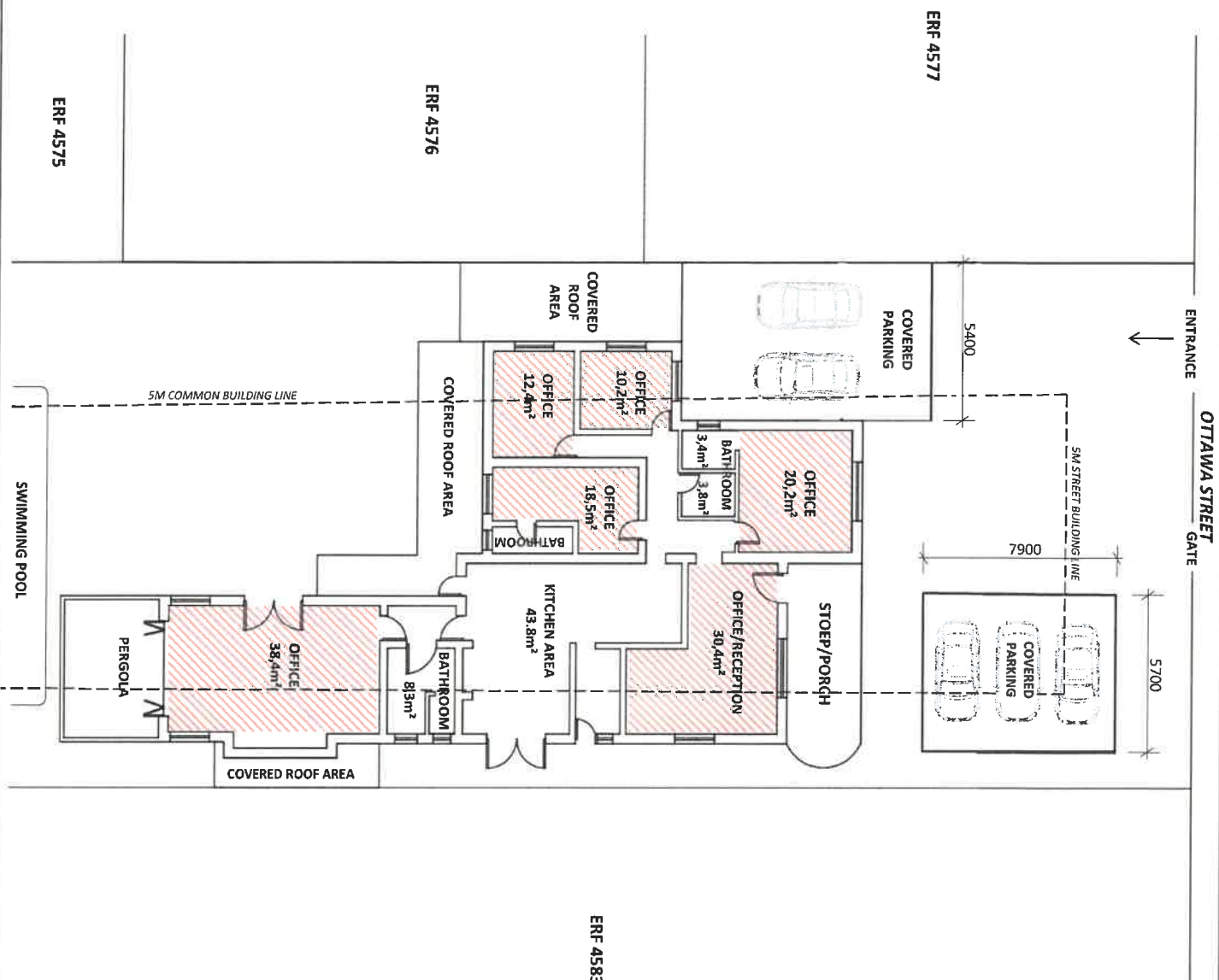
Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



H. G. STRIJDOM
MANAGER: LAND DEVELOPMENT MANAGEMENT

ANNEXURE B



FLOOR PLAN

REZONING AND CONSENT USE

APPLICATION

APPLICANT	MARTINA KRYNAUW
PROPERTY	ERF 4582 PAARL
LOCALITY	7 OTTAWA STREET
EXTENT	1133M²
PROJECT	APPLICATION FOR

PROJECT

APPLICATION FOR

ZONING

CONVENTIONAL

PROPOSED

MULTI-UNIT HOUSING

NOTES:

EXISTING BUILDING AREA: ±203,5M²

COLOUR LEGEND

PROPOSED OFFICES GLA: 130,1m²

PARKING REQUIREMENTS

OFFICES: 4 BAYS / 100M² GLA

TOTAL GLA: 130,1M²

PARKING REQUIRED: 5,2 PARKING BAYS

PARKING SUPPLIED: 5 PARKING BAYS

BUILDING LINES

MULTI-UNIT HOUSING ZONE:

STREET BUILDING LINE: 5M

DESIGNER	GREGORY DE VRIES
DATE	NOVEMBER 2023
OFFICE	PAARL, WESTERN CAPE
SCALE	N.T.S.
FILE NR	H 10 – 185



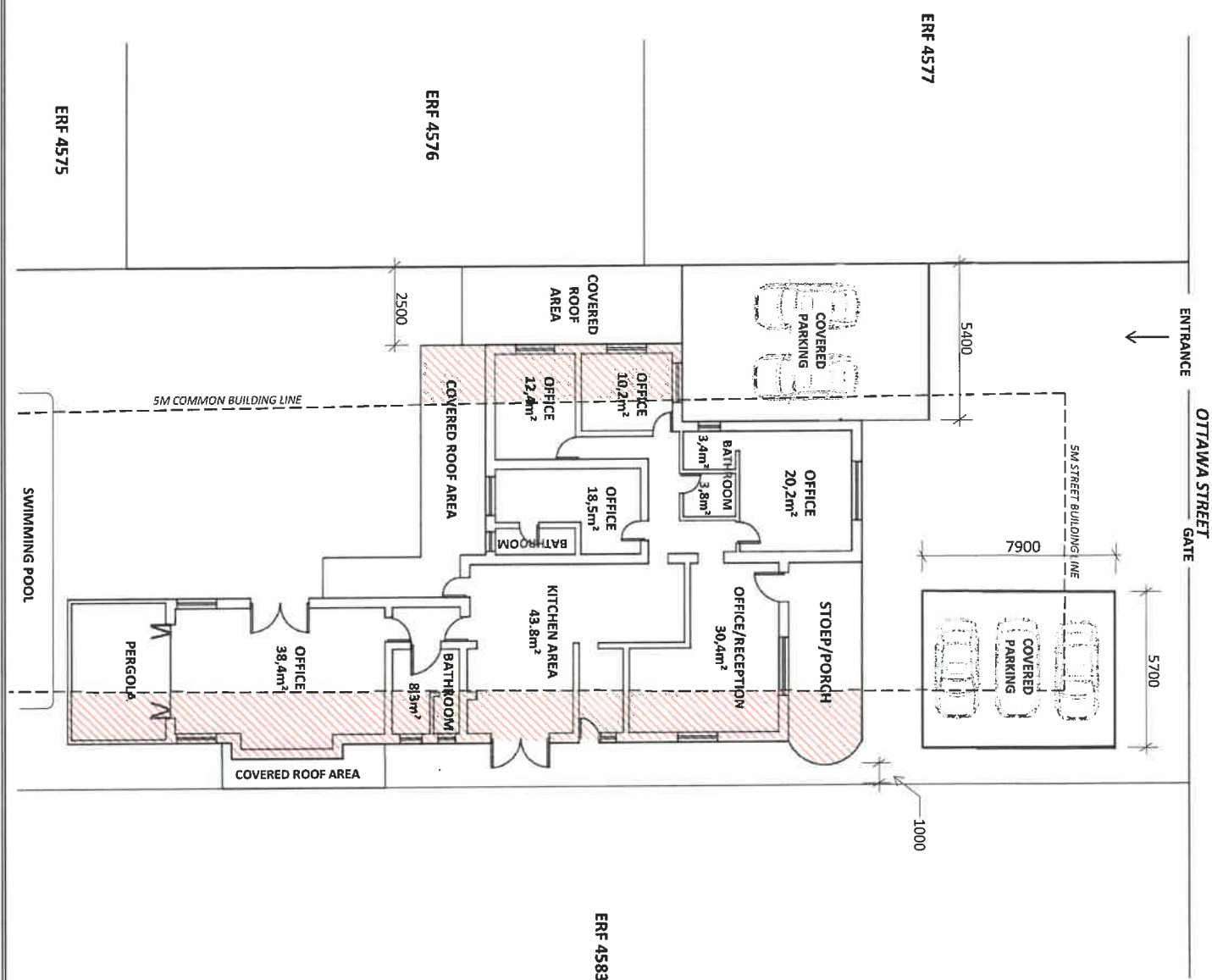
P-J le Roux

State-en Surveylphment Town and Regional Plannere

Hooftstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7867

(email) pjp@pjeroux.co.za

ANNEXURE C



ENCROACHMENT PLAN

REZONING AND CONSENT USE APPLICATION

APPLICANT	MARTINA KRYNAUW
PROPERTY	ERF 4582 PAARL
LOCALITY	7 OTTAWA STREET
EXTENT	1133m²
PROJECT	APPLICATION FOR REZONING AND CONSENT USE: OFFICES
ZONING	CONVENTIONAL HOUSING ZONE
PROPOSED ZONING	MULTI-UNIT HOUSING ZONE

NOTES :
EXISTING BUILDING AREA: 2203,5m²

COLOUR LEGEND
PROPOSED ENCROACHMENT

PARKING REQUIREMENTS
OFFICES: 4 BAYS / 100m² GLA
TOTAL GLA: 130,1m²
PARKING REQUIRED: 5,2 PARKING BAYS
PARKING SUPPLIED: 5 PARKING BAYS

BUILDING LINES MULTI-UNIT HOUSING ZONE: STREET BUILDING LINE: 5M COMMON BUILDING LINE: 5M	
DESIGNER	GREGORY DE VRIES
DATE	NOVEMBER 2023
OFFICE	PAARL, WESTERN CAPE
SCALE	N.T.S.
FILE NR	H 10 – 185



P-J le Roux
Stads- en Streeklouers
Towns and Regional Planners

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DRAKENSTEIN

MUNICIPALITEIT • MUNICIPALITY • UMASIPALA

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 🌐 www.drakenstein.gov.za
 ✉ customercare@drakenstein.gov.za
 📍 Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To: EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE DEPARTMENT
 (ATTENTION: CORNELIA VAN DER BANK)

From: ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: LH. SMITH

Collaborator number: 2112220

Reference number: 15/4/1 (4582) P (278)

Date: 22 February 2024

Subject: APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND REMOVAL
 OF RESTRICTIVE CONDITIONS FOR ERF 4582 PAARL

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.

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 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;

- 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; and
- 2.3 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 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.2 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 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 for the removal of such household refuse;
- 5.2 Such collection shall be taken place as a kerbside service; and
- 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;

6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, the Development Charge payable by the developer is **R25 636.00(Excl VAT)**. The levy is valid until **30 June 2024** where after a new calculation is required. The value has been calculated as follows:

- 6.1.1 Water = -R7 983.00
- 6.1.2 Sewer = -R4 530.00
- 6.1.3 Roads =R25 407.00
- 6.1.4 Stormwater = R13 092.00
- 6.1.5 Solid Waste = -R351.00

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 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.



LH SMITH

ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2024\comments\Erf 4582 - Paarl - Application for Rezoning, Consent Use, Departure & Removal of Restrictive Title Deed.docx

LHS/bvr

4582 ;	0 ;	0
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Paarl 7546

Ottawa Street

Ottawa
Total Municipal Area

R 2,100,000

Drakenstein Municipality

Owner ID No:

Erf Number of Development:

Physical Address:

Municipal Area:

Municipal Valuation of Property:

Owner:

[illegible][illegible]

[illegible]

Provide reasons for applying exemptions.	DEVELOPMENT CHARGE PER SERVICE	EXEMPTIONS PER SERVICE (%)	VALU APPLICABLE EXEMPTIONS

P	7-889	B	A 013 A	R	13603	R	327	N	2032
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APPLICABLE EXEMPTIONS	VALUE APPLICABLE EXEMPTIONS	DEVELOPMENT CHARGE PER SERVICE WITH EXEMPTIONS	APPLICABLE CREDITS (%)	APPLICABLE CREDITS (\$)
Programs				
Intended for				
supplying				
energy				

[illegible]

Product	Amount for applying credits	Development charge per service with exemptions	Applicable credits (%)	Applicable credits (\$)
...

R	-7.983	R	+4.530	R	+3.002	R	-3.177	R	+6.222
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0%

Ro

R 25,636

R 384

R29.681

Bernice van Rooy

John Smith

22-Feb-24

Office

Memo

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:	8/2/5_4582
Date:	10 February 2024
Subject:	APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND REMOVAL OF RESTRICTIVE CONDITIONS, ERF 4582, 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. The developer will be responsible for all cost in the case where he or she request any infrastructure situated in the road reserve to be moved or relocated to new proposed positions.
- 2.5. The developer is required to include measures to improve energy efficiency for any additional load requirement to the existing electrical supply.
- 2.6. A service level agreement between the municipality and the owner or developer of above-mentioned erf must be arrange at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician), prior to any additional load requirement.

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: **R4 317.00 x per kVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2024 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 Services Department in cash before any service connection may be rendered.
- 3.4. A private registered electrical 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 development.
- 3.5. A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Services Department (Wellington section) on the day the service is rendered or as the case may be.
- 3.6. The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'L. LAING', is written over a large, empty oval shape that serves as a placeholder for a stamp or seal.

L LAING

MANAGER: PLANNING AND CUSTOMER SERVICES

I:BEPLAN_3\Sub_Divisions_Rezoning\202324\4582



Memo

To: LAND USE PLANNING AND SURVEYING
J MEYER (EXT: x4836)

From: HERITAGE RESOURCES SUB-SECTION

Enquiries: CLIVE THEUNISSEN (EXT: x4818)

Collaborator number: 2112220

Reference number: 15/4/1(4582)P

Date: 07 FEBRUARY 2024

Subject: APPLICATION FOR REZONING, CONSENT USE, PERMANENT DEPARTURE AND THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITION IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 4582, PAARL

RECEIVED APPLICATION ON 06 FEBRUARY 2024

1. PROPOSAL

The proposal entails the rezoning from conventional housing zone to multi-unit housing zone, consent use, permanent departure to facilitate and the removal of a restrictive title deed condition on Erf 4582, Paarl, in order to permit offices within the existing dwelling.

2. EVALUATION

2.1 DRAKENSTEIN MUNICIPAL ZONING SCHEME BYLAW 2018

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

2.2 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal is located within the proposed Paarl Heritage Overlay Zone. The site is also graded as a Grade 3C heritage resource within the Drakenstein Heritage Survey 2013.

3. CONCLUSION

In view of the above, the proposed rezoning from conventional housing zone to multi-unit housing zone, consent use, permanent departure and the removal of a restrictive title deed condition on Erf 4582, Paarl, in order to permit offices within the existing dwelling, is supported from a heritage point of view.

W HENDRICKS
MANAGER: SPATIAL PLANNING