



Col no: 2064246
Enquiries: J Daniels
Tel no: (021) 807 4581
Date: 31 May 2024

JD/JA
15/4/1 (6367) W

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

pj@pjleroux.co.za

Sir

APPLICATION FOR REZONING AND DEPARTURES IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 6367 WELLINGTON

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 **Rezoning** of Erf 6369 Wellington, from Conventional Housing Zone to Multi-Unit Housing Zone, in order to permit a lodging accommodation of 14 bedrooms/units, together with associated parking provision and refuse area, as indicated on the site development plan drawn by Andre Carstens Architecture, Plan No-1056, Revision A, dated 2023.03.10, (**Annexure B**);
 - 1.2 **Departure** from the development parameters along the 5.0m southern and western common boundaries to 3.0m and 1.8m respectively, in order to facilitate the development proposal, as indicated on the site development plan drawn by Andre Carstens Architecture, Plan No-1056, Revision A, dated 2023.03.10 on Erf 6369 Wellington (**Annexure B**);

2./...

2. The approvals mentioned in Paragraphs 1.1 to 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 Division in its memorandum 15/4/1 (6367) P (43) dated 9 February 2024, (**Annexure E**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division in its memorandum 8/2/5_6367 dated 11 December 2023, (**Annexure F**);
 - 2.3 Adherence to the conditions laid down by the Drakenstein Municipality: Spatial Planning Section: Heritage Subsection in its memorandum 15/4/1 (6367) W dated 28 November 2023, (**Annexure G**);
 - 2.4 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;
 - 2.5 The proposal take place largely in accordance with the site development plan (**Annexure C**);
 - 2.6 An application for the installation of any photo-voltaic (PV) system be submitted to the Manager: Electro-Technical Engineering Services Division (Planning and Customer Services Section), prior to the building plan submission stage;
 - 2.7 Any required electrical services extensions and/or upgrades, including all costs related thereto, will be for the account of the applicant;
 - 2.8 Energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
 - 2.9 The applicant institute water conservation measures such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
 - 2.10 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council;

- 2.11 Any amendments to the application are subject to the relevant approval;
- 2.12 The proposal complies with all health requirements;
- 2.13 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;

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

- 3.1 The proposed rezoning and departures application is considered compatible with the development trend in the area;
- 3.2 The proposal will not be out of scale, nor character within the surrounding built environment;
- 3.3 The proposal is not expected to have a significant negative traffic impact, as sufficient on-site parking is being provided encouraging off street parking;
- 3.4 The proposal at hand is not expected to detract from the character of the area;
- 3.5 The proposal represents a low coverage lodging accommodation development, which is not expected to detract from the surrounding areas mixture of varying property sizes and densities;
- 3.6 The property is located within the delineated urban edge, which reduces urban sprawl, encourages urban compaction, as well as guiding and controlling developments within the prescribed urban 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; and
- 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** 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**, 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).

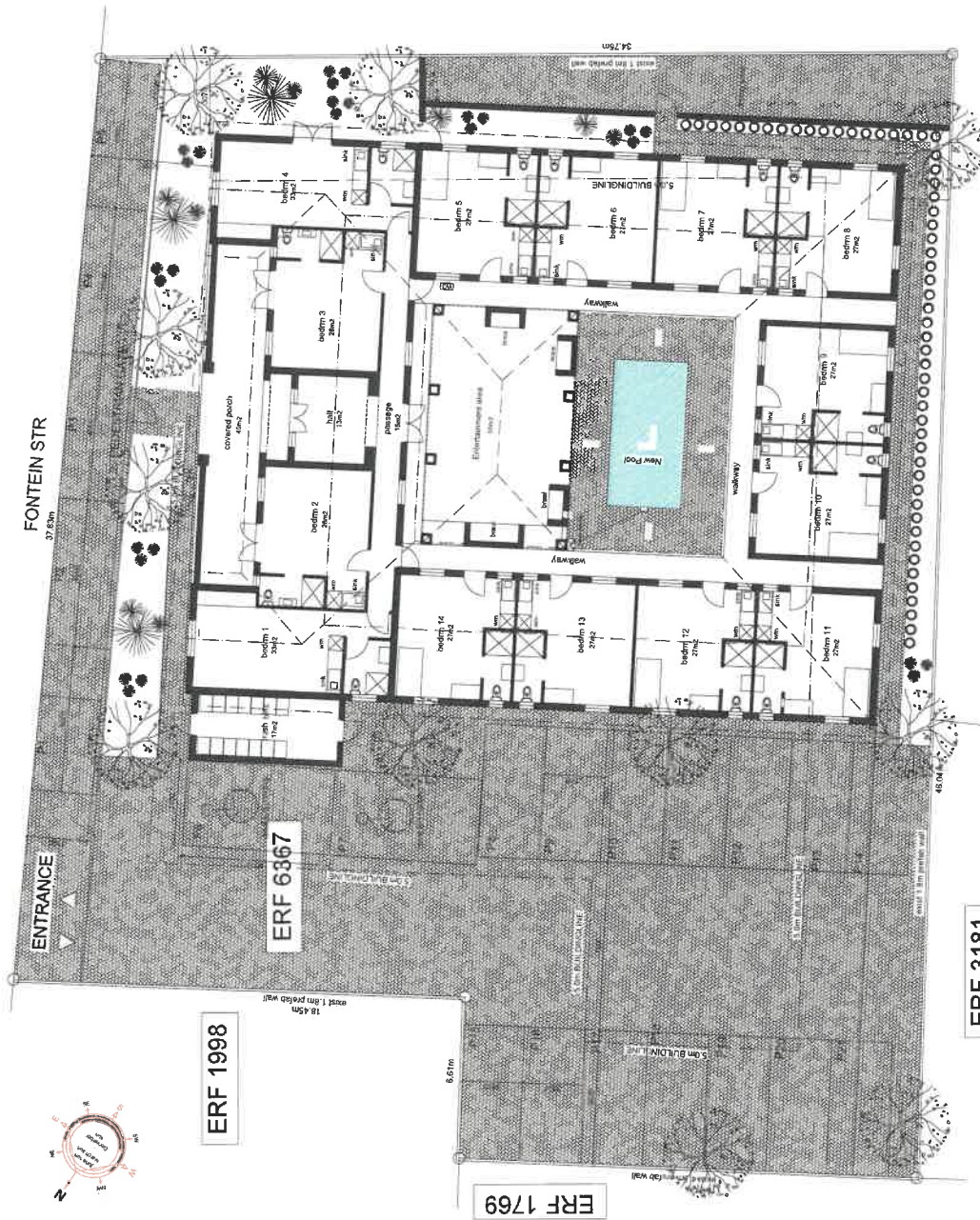
Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



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

THIS DRAWING IS THE PROPERTY OF THE ARCHITECTS. NO PART SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE ARCHITECTS. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS DRAWING SHALL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.



ERF 3184

ERF 3181

GROUND FLOOR PLAN AND SITE PLAN
1:100



TYPICAL BEDROOM
1:100

SITE DEVELOPMENT PLAN FOR ERF 6367 WELLINGTON
PROPOSED LODGING ACCOMMODATION
14 x SINGLE ROOMS (2 Single beds or 1 Double bed)
ERF 6367 SIZE: 1504m ²
EXISTING ZONING: CONVENTIONAL HOUSING ZONE
PROPOSED ZONING: MULTI UNIT HOUSING ZONE (LODGING AND ACCOMMODATION)
BUILDING PARAMETERS: COMMUNAL OUTDOOR SPACE: REQUIRED: 10% ACHIEVED: 12%
ALLOWABLE COVERAGE: 75% ACHIEVED: 40% HEIGHT RESTRICTION: 24m ACHIEVED: 5.125
BUILDING LINES: 5m STREET AND 5m COMMON BOUNDARIES (ENCROACHMENT REQUIRED)
OCCUPATION CLASSIFICATION OF PROPOSED BUILDING: H3
GROUND FLOOR AREAS:
ERF: 1504.0m ²
BEDROOMS AND UTILITIES: 428.0m ²
COVERED WALKWAYS: 57.0m ²
COVERED ENTRANCE: 40.0m ²
ENTERTAINMENT AREA: 60.0m ²
TRASH BINS AREA: 17.0m ²
TOTAL COVERED AREAS: 602.0m ²
PARKING REQUIREMENTS:
1 BAY/2 PERSONS ACCOMMODATED (OR ALTERNATIVELY 1 BAY/2 SINGLE BEDS AND 1 BAY/2 DOUBLE BED) PLUS 1 BAY PER EMPLOYEE (ADDITIONAL PARKING):
ADDITIONAL BAYS: 14 PARKING BAYS
TOTAL PARKING BAYS SUPPLIED: 21 PARKING BAYS

andre cartiers architecture

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Joliette, Québec H3C 1G3
Canada

Cell: 514 333 6634
Email: andre@andrecartiers.com

THE DEVELOPMENT OF PUBLIC INFRASTRUCTURE PROJECTS
AND THE DESIGN OF COMMUNITY CENTRES

Owner Signature: _____

Scale: 1:100
Drawing Number: 101102 - 101102 - 101102 - 101102
Name: Cartiers

Revision: A

ANNEXURE B

NOTICE: APPLICATION FOR REZONING AND PERMANENT DEPARTURE IN TERMS OF
SECTION
15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF
6367
WELLINGTON, 42 FONTEIN STREET, PAARL:

FORMAL OBJECTION
AGAINST THE REZONING
OF ERF 6367
WELLINGTON

We, the undersigned owners of directly adjoining and other affected properties, hereby formally lodge our objection against:

- The rezoning of Erf 6367 Wellington from *Conventional Housing* to *Multi-Unit Housing*.
- The permanent departure of the 5m common building line to 3m and 1,8m respectively.

Our objection is based on the following motivation:

- This is primarily a single residential area and, with the exception of one or two property, accommodates single families on residential sites between 300m² and 800m² and while the current zoning makes provision for 2nd housing units, the relative small sites limit the use for more than one family.
- The adjustment in building lines to 1,8m on the western boundary would effectively mean that the privacy of especially the owners of Erf 3181 and Erf 3184 would be severely affected.
- The statement in the formal application that the immediate vicinity consists of “various land uses” is misleading. With the exception of Boland Stadium, the directly affected properties are all single residential zoned and used properties and while the Drakenstein Municipality has over a period allowed some of the residential sites in the immediate vicinity to be used as student accommodation and offices, the proposed rezoning would facilitate the future zoning departure in this area from Residential to other uses.
- The Planning Departments’s suggestion that the most appropriate zoning for the subject property will be *Multi-Unit Housing Zone*, supports our opinion that the proposed use is a dramatic deviation from the permitted use under the *Residential zoning* and could not even be treated as a *Consent Use* application under the Residential zoning.
- The area is already suffering from a severe lack of parking facilities and traffic congestion during events at Boland Stadium and the further loss of the current parking facilities on Erf 6367 will worsen the situation.

Erf nr	Registered owner	Address	Contact nr	Signature
1998	Windmeul Voere	h/v Burg en Fonteinstr		
1769	CJ Theron	Burgstr 36	084637422	
1770	EA&H Smith	Minnie Str 1	0612675034	
3181	JC & M Truter	Minniestr 3	0645821081	
3184	CJ Theron	Minniestr 5	021-8732800	
3212	RG Laubscher	7 Minnie	0839493936	
3190	JM & J Ras			
3189	Tembador 170 Pty Ltd Izak Visagie		082 806 0815	
3188	HA & JJ Serdyn			
1664	RP Van Rooyen	9 WILLEM BASSON	0825596033	
1685	AG Gordon			
6578	Merwyn Watts			
1666	DJ Janse van Rensburg	Fontein 52	0845224206	
6765	Jacques van Rooyen	Fontein 46	0823854752	
	PASSERINI	Burg 38	0634914384	
13050	DD Ellis			
5783	Helen Briers	Minniestraat 2C	0847656329	
5778	Elsabe Truter	Minniestraat 2B		
1773	L& C Groenewald	Minniestraat. 4	0825639192	
3275	AM en NH Marais	Minniestraat. 6		
13050	D-Dowdell - Ellis	45 Fontein Str	0793412524	

[illegible]



Memo

To: EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE DEPARTMENT
(ATTENTION: EARL CYSTER)

From: ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: LH SMITH

Collaborator number: 2064246

Reference number: 15/4/1 (6367) P (43)

Date: 09 February 2024

Subject: APPLICATION FOR REZONING AND DEPARTURE FOR ERF 6367 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.

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 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 No development is allowed within the 1:50 year flood line and any construction within the 1:100 year flood line must be 1m above the 1:100 year flood line.

- 2.2 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;
- 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 ***Prior to the approval of any building or civil engineering plan, a GLS report must be submitted this department;***
- 3.2 The development will be provided with a bulk metered connection at actual cost;
- 3.3 The meter connection must be installed one meter inside the erf boundary;
- 3.4 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 ***Prior to the approval of any building or civil engineering plan, a GLS report must be submitted this department;***
- 4.2 The development must be provided with a separate wastewater connection;
- 4.3 The connection must be installed one meter inside the erf boundary; and
- 4.4 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 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

5.3 *Such collection shall be serviced as a kerbside service.*

6 DEVELOPMENT CHARGES

6.1 Based on the information provided in the application, the Development Charge payable by the developer is **R351 155 (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 = R32 891

6.1.2 Sewer = R15 479

6.1.3 Roads =R262 148

6.1.4 Stormwater = R30 849

6.1.5 Solid Waste = R9 788

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 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;**
- 7.4 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;**
- 7.5 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;**
- 7.6 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and**
- 7.7 The above conditions are to be complied with in stages.**

- 7.7.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.7.2 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
- 7.7.3 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 6367 Wellington - Application for Rezoning and Departure.docx

LHS/bvr

Date Payment Received:
Receipt Number:

Description of proposed land use					#REF!



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_6367
Date: 11 December 2023
Subject: APPLICATION FOR REZONING AND DEPARTURE, ERF 6367, WELLINGTON

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 is required to include measures to improve energy efficiency for this development.
- 2.5. A service level agreement between the municipality and the owner or developer of above-mentioned erf must be arranged at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply and will be calculated according to the following as indicated in approved tariffs: **R5 123.00 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 section in cash before any service connection may be rendered.
- 3.4. It may be requested to provide accommodation of 4mx6m for a new proposed mini-sub.
- 3.5. A private registered electrical engineer and electrical installation electrician shall be used to do all designs, 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.
- 3.6. 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 rendered or as the case may be.
- 3.7. The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully



L. LAING

MANAGER: PLANNING AND CUSTOMER SERVICES

T:\BEPLAN_3\Sub_Divisions_RezonIng\202324\6367



Memo

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

From: HERITAGE RESOURCES SUB-SECTION

Enquiries: ZWELIBANZI G SHICEKA (EXT: x6337)

Collaborator number: 2064246

Reference number: 15/4/1 (6367)W

Date: 28 NOVEMBER 2023

Subject: APPLICATION FOR REZONING AND DEPARTURE IN TERMS OF SECTION 13
OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING 2018:
ERF 6367, WELLINGTON

RECEIVED APPLICATION ON 22 NOVEMBER 2023

1. PROPOSAL

The proposal entails the rezoning of Erf 6367, Wellington from Conventional Housing Zone to Multi-Unit Housing Zone in order to establish lodging accommodation within a new building.

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 or 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 rezoning of Erf 6367, Wellington from Conventional Housing Zone to Multi-Unit Housing Zone in order to establish lodging accommodation within a new building, is supported from the heritage point of view.

.....
W HENDRICKS
MANAGER: SPATIAL PLANNING