

1. GENERAL INFORMATION

1.1 INTRODUCTION

AHG Town Planning was mandated by the owners of Erf 15712, Wellington to apply for the rezoning to sub-divisional area and the subdivision of the property in order to allow for a mixed-use development of 29 erven.

The purpose of the report shall therefore be to outline the proposed development and motivate the different aspects involved in order to obtain the approval of Drakenstein Municipality.

1.2 LOCALITY

The application site is situated to the North of Wellington along the R44 (Hermon Road) just to the north of the intersection with the Oakdene Road. The site to which the application applies used to form part of the land and properties of the Old Leather Tannery and used to accommodate mainly the evaporation ponds of the Tannery. ***The Locality Plan is attached.***

The site falls within the jurisdiction area of the Drakenstein Local Municipality.

1.3 TITLE ASPECTS

Erf 15712 Wellington was created by the subdivision of Erven 38, 42 and 40 and subsequently consolidating those subdivided portions of the said 3 erven which is located between the R44 Road, the Oakdene Road and the railway line into a single cadastral entity. See included the new SG Diagram of the property. Pending imminent registration of the newly created Erf 15712 in the Deeds Office, Title Deed T9185/2016 still refers to Erven 38, 42 and 40:

1.3.1 Property Description

By virtue of Title Deed T9185/2016, the properties are described as:

The Remainder of Erf 40 Wellington in the Drakenstein Municipality, Division Paarl, Province Western Cape

and

The Remainder of Erf 42 Wellington in the Drakenstein Municipality, Division Paarl, Province Western Cape

and

The Remainder of Erf 38 Wellington in the Drakenstein Municipality, Division Paarl, Province Western Cape

1.3.2 Conveyance Certificate

A Conveyancer Certificate was prepared for a previous application on these properties. This certificate is still a valid and is therefore included in this application.

1.3.2 Size

The total size of Erf 15712 is **20,4196 ha** in extent.

1.3.3 Ownership

The property is registered in the name of *THE OLD TANNERY MILL PTY LTD*, Registration Number 2015/331878/07

1.3.4 Mortgage Bonds

There are no mortgage bonds registered against the title of the property.

1.3.5 Title Deed Conditions

There are no title deed conditions in the current or preceding title deeds which prohibit the rezoning or subdivision of this property. *See Conveyancer Certificate included.*

1.4 EXISTING ZONING AND LAND USE

In terms of the Section 8 Zoning Scheme Regulations, the underlying components of Erf 15712, being the relevant portions of Erven 38, 42 and 40 Wellington are currently zoned "**Industrial Zone II, limited to evaporation ponds**" (see zoning certificates included).

The application site used to form part of the operations of the old leather tannery. This portion in particular used to accommodate various evaporation ponds / dams which formed part of the industrial processes conducted by the tannery.

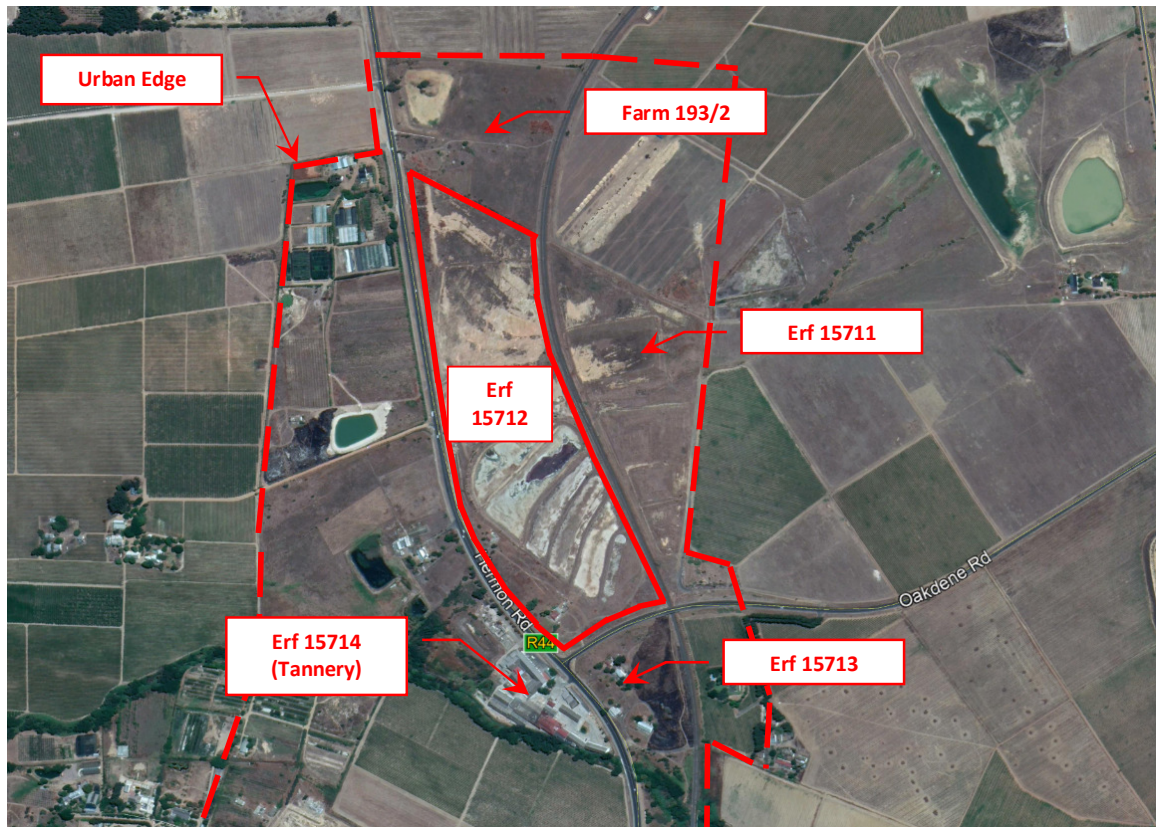
An historic farm house is also located on the property. This building has heritage significance and will be incorporated into the development.

1.5 SURROUNDING ZONING AND LAND USE

The property is situated to the North of the build-up area of Wellington. To the West, the application site is bordered by the R44 Road and agricultural uses as well as the buildings of the old Leather Tannery (Erf 15714 currently being redeveloped into a business, retail and entertainment precinct). Directly to the North (Farm 193/2) and East (Erf 15711 across the railway line) of the application site, similar vacant properties which was also used for evaporation ponds by the old tannery, are located. The property to the south of the Oakdene Road (Erf15713) between the R44 and the railway line, is also mostly vacant and also currently the subject of a development application.

This area is included in the Urban Edge of Drakenstein. It was further excluded as agricultural land by the Minister of Agriculture and included into the development area of the municipality.

The picture below indicates the application site in relation to the immediate surroundings.



Aerial image of the application site in relation to the surrounding area

1.6 GEOGRAPHICAL CHARACTERISTICS OF THE SITE

1.6.1 Geotechnical Conditions

A geotechnical report was prepared by Core Geotechnical Consultants and is included in this application. In general the site was found to be suitable for development and the report makes certain recommendations with regard to construction methods and foundation considerations. ***The full report is included in the application.***

1.6.2 Topography

The site is largely vacant and comprises mostly of the evaporation ponds associated with the leather tanning process. The area slopes down slightly from the higher lying North and east towards the lower lying west in the general direction of the Krom River which lies further to the south-west of the site.

The average slope is extremely moderate with a height difference of approximately 7 to 8m from the highest to the lowest points on the site.

1.6.3 Flood Line

The application site is affected by a 1:100 year flood line of a local stream that enters the site from Erf 15711 just east of the site through the culvert under the railway line traversing the

site and discharging through an existing culvert underneath the R44 at a position just south of the proposed new main access to the development.

Storm water run-off will be attenuated onsite on Erven 27, 28 and 29. The attenuation ponds will be of adequate size to retain the additional flow resulting from the development, whilst allowing the 1:100 year to pass safely through it. Erven 27, 28 and 29 will be the only erven in the development affected by the 1: 100 year flood line.

2. THE APPLICATION

In terms of the Section 8 Zoning Scheme Regulations, the underlying components of Erf 15712, being relevant portions of Erven 38, 42 and 40 Wellington are currently zoned "**Industrial Zone II, limited to evaporation ponds**"

2.1 THE FOLLOWING ACTIONS ARE APPLIED FOR:

- 2.2.1 An application in terms of Section 13(2)(a) of the Drakenstein Municipal Planning By-Law, 2015 for the **rezoning** of Erf 15712 Wellington to "**Subdivisional Area**".
- 2.2.3 An application in terms of Section 13(2)(d) of the Drakenstein Municipal Planning By-Law, 2015 for the **subdivision** of the property into 29 erven and streets.

2.2 PROPOSED DEVELOPMENT

The owners of Erf 15712 would like to further their intentions to redevelop this site which is well situated at the gateway into Wellington into a mixed use precinct.

The site is extremely well located for this development, which will entail the redevelopment of the old tannery evaporation ponds for businesses, offices, shops, a Hospital and light industrial & commercial uses.

With reference to the layout plan included, the following.

- **Business Erven 1-3**

These erven will accommodate an office park (Erf 1) as well as a retail centre / complex envisaged on Erven 2 & 3. It is proposed that the floor area ratio (permissible bulk factor) be restricted to 0,35. Erf 1 accommodates and historic farm house which will be restored and integrated into the development proposal

- **Business Erven 24 - 25**

These properties will be marketed as general business opportunities and could develop for either retail or offices or a mixture of business uses. Since there is currently not a specific development proposal on the table for these properties it is proposed that the floor area ratio (permissible bulk factor) be restricted to 1. This may be increased by the municipality upon

approval of a specific site development plan and subject to the payment of additional Development Contributions (DC's) to the Municipality.

- **Institutional Erf 26**

This property will be developed with a hospital. The current proposal is for a 90 bed hospital including specialist wards for Maternity, Medical, paediatrics, surgical and mental health. Operating theatres, a pharmacy and radiology department will also form part of the hospital. A floor area ratio (permissible bulk factor) of 0,5 will be applied.

- **Light industrial and or commercial Erven 4 – 23**

These properties will be marketed as opportunities for light manufacturing and commercial uses. Typically warehousing and or small scale low impact industries such as electronics etc. Since there is also not a specific development proposal on the table for these properties at this time, it is proposed that the floor area ratio (permissible bulk factor) be restricted to 0,75. This may be increased by the municipality upon approval of a specific site development plan and subject to the payment of additional Development Contributions (DC's) to the Municipality.

- **Open Space Erven 27 – 29**

Erven 27, 28 and 29 will be used primarily for storm water attenuation and accommodate the 1:100 year flood line, it will be landscaped and also used for the conveyance of engineering services.

2.3 ACCESSIBILITY, ACCESS, ROADS & TRAFFIC CONSIDERATIONS

The primary access to the development will be taken directly off the R44 (Hermon Road) at a position approximately 600m to the north of the intersection with the Oakdene road and positioned to line up with the existing farm Road located between Erven 37 and 36. This main access to the development will be a roundabout intersection with one circulating lane entering the development via a 25m road reserve. A secondary access will be taken off the Oakdene Road, however, this will only be a left-in and left-out access and right turns will be eliminated by the construction of a median on the Oakdene Road.

The R44 (Hermon Road) extends in a direction to the towns of Hermon, Riebeeck Kasteel and Gouda, while extending to the south into the town of Wellington and further on to Paarl (via R45) and the N2 national road and Stellenbosch in the South. The location in relation to main routes gives this site excellent regional accessibility.

The widening of the existing R44 reserve to a 40m road reserve has also been provided for by allowing for a 20m road reserve measured from the centre line of the current roadway to the boundary of the subdivided erven. No individual erf access will be taken from the R44 or the Oakdene Road.

The main internal access roads are planned with a 25m road reserve. Between Erven 8 and 19, the road reserve was widened to 40m to accommodate a turning circle of vehicles. 16m reserves were provided for the 2 *cul-de-sac* entrance roads serving the smaller erven in the northern part of the layout. These 2 *cul-de-sac* entrance roads both culminate in a 30m wide reserve to accommodate turning circles.

Between erven 14 and 15 a 5m wide service lane was provided for the future conveyance of services for Farm 193/2.

A **traffic impact assessment** (TIA) was undertaken by Element Consulting Engineers. This report concludes that the TIA is in support of the Rezoning application. Attention is drawn to the conclusions of this report with regard to the proposed improvements at certain intersections in accordance to the geometric standards required by the governing road authorities.

The following are some of the recommendations from this report with specific reference to ERF 15712:

Hermon Road / Oakdene Road intersection:

- Upgrade this intersection to a four-legged, roundabout intersection with two circulating lanes.
- Construct an exclusive left turn lane (100 m in length) on the southern approach.
- Construct an auxiliary through lane (100m in length) on the southern exit.
- Construct a shared through and left turn lane (100 m in length) on the northern approach.
- Construct a shared through and left turn lane on the western approach.
- Construct an exclusive right turn lane on the western approach.

Hermon Road / Access to Erf 15712 intersection:

- Upgrade this intersection to a three-legged, roundabout intersection with one circulating lane.
- No additional turning lanes are required

Oakdene Road / Access to Erf 15712 and Erf 15713

- Construct a Left-in, Left-out access along both sides of Oakdene Road
- Construct a median island to prohibit any right-turning movements.

See full report included in this application for further details and specific findings and recommendations.

2.4 ENGINEERING SERVICES

Triple 3 Engineering (Pty) Ltd has been appointed as consulting engineers by the developer to prepare both the Service Outline Scheme Report (SOSR) as well as a Storm water Management Plan (SMP) envisaged for the proposed development.

The purpose of the SOSR is to provide information to the Municipality regarding the requirements of the new development in terms of the provision of roads, storm water drainage, sewer drainage, domestic water and electrical reticulation, for approval by the Drakenstein Municipality. See full report included in this application for further details and specific findings and recommendations.

The purpose of the SMP was to assess the impact that the proposed development would have on the storm water system under the 1:100 year flood conditions since a stream transverse the site and further to recommend potential solutions to attenuate stormflows on site to ensure that the post-development storm water run-off does not exceed the pre-development levels. See full report included in this application for further details and specific findings and recommendations.

3. MOTIVATION

3.1 OVERVIEW AND NEED FOR THE DEVELOPMENT

As previously mentioned the application site used to form part of the operations of the old leather tannery. This land in particular used to accommodate various evaporation ponds or dams which formed part of the industrial processes of the tannery.

The nature of the historic land-uses on the application site, which essentially entailed storing the waste water and sludge that emanated from the Leather Tannery's industrial processes (all these aspects will be fully addressed in the Environmental Impact Assessment – EIA which is undertaken simultaneously with the Rezoning) makes this land totally unsuitable for agricultural activities. This also explains why the current zoning, Industrial Zone II, which only allows “noxious trade” as a primary use, was allocated to this land.

It is therefore our opinion that the rezoning of this property for urban commercial uses, is the most suitable way to rehabilitate this property and also represents the most suitable future use for deriving the maximum benefit from the inherent potential of this land.

The owner would therefore like to redevelop this site for a mixed use township which will entail retail businesses, offices, shops, a Hospital and various light industrial & commercial uses. This development, together with the redevelopment of the Old Tannery buildings (Erf 15714) across the road and the proposed developments planned for Erf 15713 south of the Oakdene Road could in future develop into a regional nodal precinct which will in all likelihood then form the “Northern Gateway” into the Drakenstein Urban complex of Wellington / Paarl.

The main focus will be to make this a signature development for Wellington and the Drakenstein area which will not only attract investors from Wellington, but also from regional, national and international investors.

The site is very well situated and in relative close proximity to other community facilities such as schools and places of worship and other urban amenities as well as the well-established residential areas of Wellington. It is expected that this investment will create numerous job opportunities for the region through the various stages of the development, construction as well as over the long term as uses and businesses invest in the area and develop their businesses here.

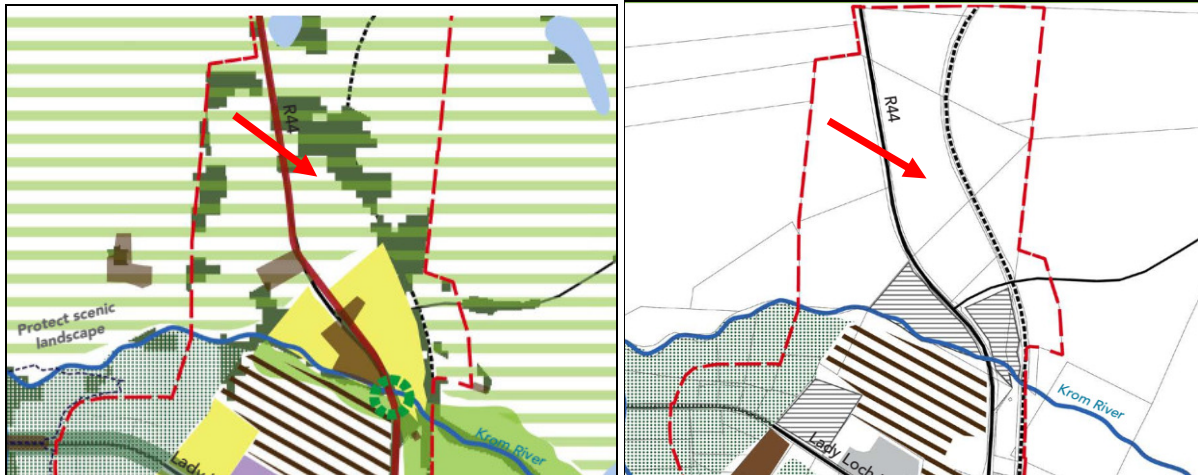
3.2 APPLICABLE POLICIES & LEGISLATION:

3.2.1 Spatial Development Framework

In terms of the Drakenstein SDF 2015, FA4 Wellington, the property is indicated as follows:

- “Urban Infill” and small portion as “Heritage Resources” (southern portion of Erf 15712),
- “Retained Rural Areas” and “Critical Biodiversity” (central and northern portions of Erf 15712),
- The property falls inside the urban edge,

(Refer to relevant extracts below)



Above: Extracts from: SDF plan depicting the location of the application site

This application is currently only partially compliant and consistent with the vision of the Municipal SDF and therefore application is formally made for the approval of a **“Site-Specific Deviation”** as part of this application:

Site Specific Deviation Motivation/Justification

The following aspects clearly indicate why a deviation from the SDF is warranted in this case.

- **Current Zoning and historic use of the site**

The current zoning of the land is, Industrial Zone II – limited to evaporation ponds, which only allows “noxious trade” as a primary use. Historically the site was used for storing the waste water and sludge that emanated from the Leather Tannery’s industrial processes. This effluent was also contaminated to various degrees. (These aspects will be fully addressed in the Environmental Impact Assessment). This land was for all intents and purposes an approved **waste disposal site** with no environmental significance. As a rural area it has little value to retain its “character”

The Heritage Resource refers to the historic homestead on the land. This will be retained, restored, protected and incorporated into the functioning of an office park. The necessary Heritage processes will be followed.

- **Unsuitable for agriculture**

For the obvious reasons stated in bullet point one above it is highly unlikely that any agricultural production will be possible or viable. There is no value to retain this land for any agricultural production.

- **Exclusion as Agricultural Land**

Following from bullet point above coupled with the fact that this land falls inside the Urban edge, the Minister of Agriculture formally granted approval in terms of Act 70 of 1970 that this land be excluded as agricultural land and to utilise the land for **“enlarge the development area of a local authority”**. See included approval dated 10/04/2018.

- **Accuracy of “critical biodiversity” layer in the SDF**

Although it is proposed that a disclaimer be added into the SDF to make it clear that the biodiversity layer should be considered on an *ad-hoc* basis due to the scale of and the accuracy of the mapping and that discrepancies are possible, this is a very good case in point why this was necessary. The google image on page 3 of this report indicates the absence of natural vegetation and the position of the old evaporation ponds. As mentioned in bullet point one above, this land was used for all intents and purposes a waste disposal site and for that reason the indication for “critical biodiversity” must have been done in error. This will be confirmed by specialist and “ground truthing” activities during the EIA process currently being undertaken.

- **Best-use and Economic potential**

The process of urban development which is proposed, will rehabilitate this site and also represents the most suitable future use for deriving the maximum economic benefit from this land.

Business and light industrial / commercial” land uses are viewed as some of the biggest drivers in the urban economy and has huge investment and job creation potential. Although there is a focus in the SDF (and IDP) on the Wellington Industrial Park precinct as well as the Welgeleë/Diemersfontein precinct these documents should also be flexible to accommodate individual entrepreneurial development initiatives in locations which might have been overlooked in the past. The fact that an entrepreneur is willing to invest hundreds of Millions of Rands to bring infrastructure to this location and is willing to pay many millions of rands in Development Contributions to the Municipality to develop this particular piece of land shows that planning cannot always direct private sector investment to specific “Big Move” areas. There are other economic dynamics involved for instance the location and accessibility on a regional level, access to major link roads, visibility and exposure.

This development proposal, together with the redevelopment of the Old Tannery buildings and the proposed developments planned for south of the Oakdene Road will create a regional “Gateway” into the urban complex of Wellington / Paarl. Depending on the entrepreneurial skill and initiative this development may well outperform other “Big Move” areas in the municipality. This should however not be the driver in decision making whether one area should be preferred or supported over another or where the municipality would like to steer investment and growth but rather the potential of all these development for economic growth and job creation to benefit the economy and people.

3.2.2 Spatial Planning and Land Use Management Act, 2013

Section 7 stipulates principles that apply to spatial planning, land development & land use management. Under the principles of spatial sustainability and efficiency:

- Under the principle of spatial sustainability that: spatial planning must (*inter alia*) **protect prime and unique agricultural land** and promote land development in **locations that are sustainable** and limit urban sprawl and result in communities that are viable.
- Under the principle of efficiency that: land development **optimises the use of existing resources and infrastructure.**

The location of the property within the urban edge and the fact that land is developed which is deemed as unsuitable for agriculture and specifically excluded as such, ensures that the proposed development is compliant with these principles.

3.2.3 Western Cape Land Use Planning Act, 2014.

Chapter 6 stipulates principles that apply to land use planning. Under the principles of spatial sustainability:

land use planning should (*inter alia*) —

- (i) promote land development that is spatially compact, ***resource-frugal*** and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority;
- (vi) promote land development ***in locations that are sustainable*** and limit urban sprawl;

Under the principles of spatial efficiency:

- (a) land development should ***optimise*** the use of ***existing resources, infrastructure, agriculture, land, minerals and facilities***;
- (b) integrated cities and towns should be developed, whereby—
 - (i) the social, economic, institutional and physical aspects of land development is integrated;
 - (ii) land development ***in rural and urban areas in support of each other*** is promoted;
 - (iii) the ***availability*** of ***residential*** and ***employment opportunities*** in ***close proximity*** to, or ***integrated*** with, each other is ***promoted***;
 - (iv) a ***diverse combination of land uses*** is ***promoted***;
 - (v) the phenomenon of urban sprawl in urban areas is discouraged and the development of ***more compact towns*** and cities with ***denser habitation*** is promoted;
 - (vi) historically distorted spatial patterns of settlement are corrected; and
 - (vii) the quality and functionality of the public spatial environment is promoted;

The above selected extracts, with relevant ***emphasis added***, indicates the support and legislative requirement for well-planned and coordinated mixed use development of this nature within the urban edge. This application is therefore deemed compliant with this legislative principles.

3.3 DESIRABILITY OF THE PROPOSED DEVELOPMENT

The old Tannery properties have been vacant and unused for numerous years and yet it forms such an integral part of Wellington's history.

To rehabilitate and redevelop this site into a productive use will create a new, vibrant mixed use Gateway that will attract investors and visitors from all over the Cape, South Africa and the world.

In the past, the tannery, while it was in operation, was classified and experienced as a noxious industry that negatively impacted the whole town. The odours emanating from the old use could be smelled throughout Wellington. The new intended uses will no longer be noxious, nor will it impact negatively on the environment. The anticipated economic spinoffs will however make a huge positive impact on the Town and the Municipality. A number of much needed permanent and temporary jobs will be created which will benefit the local community directly. In the same way will the inflow of capital from outside the municipal area also advance the local economy?

The possible addition of a major Hospital as part of this development will have huge benefits for Wellington and the region. Specialised medical & health service providers will now be available in Wellington and will also serve a broad rural hinterland to the north and east of the Cape Peninsular.

If, on the other hand, this vacant (currently unused) property is not rehabilitated and developed, it could lead to unlawful occupation. In such a scenario the social impact on the surrounds will be unthinkable and it will inevitably lead to the loss of a heritage resource. A well planned, well designed re-use of this old waste disposal site, will on the other hand ensure a much healthier environment in future.

Chapter 2 of the Drakenstein SDF specifies 10 Spatial Principles which will be used to analyse and measure the desirability of this particular development:

Spatial Development Principles	Description	Compatibility of this development in relation to these principles	
1. CONTINUITY OF GREEN:	Ensure the continuity and connection of core biodiversity areas, river systems and landscape elements to establish connected green networks.	✓	Although the site is partly indicated for “critical biodiversity”, this must have been done in error. This will be confirmed by specialist during the EIA process currently being undertaken
2. ESTABLISH WELL-DEFINED AND DESIGNED DEVELOPMENT - OPEN SPACE INTERFACES:	Ensure that the interface between green space and development is well designed so that open space is overlooked and not edged by “backs” and blank edges.	✓	This principle was applied in the layout by establishing Business Erven 24 & 25 on either side of the open space (storm water attenuation facility) on Erf 29. The idea is to have buildings on both business erven overlooking the open space.
3. PROTECT AND ENHANCE RURAL CHARACTER:	Ensure that all interventions in rural areas are of an appropriate scale and nature to support rural livelihoods, whilst at that same time protecting the sense of place and the agricultural resource base.	✓	This development entails the rehabilitation / re-use the existing waste water dams on this property. This will not negatively impact agricultural production in any way.
4. ENABLE STRATEGIC DENSIFICATION:	Densify residential development and cluster activities in these areas for efficient use of infrastructure and available land.	✓	This development is not a residential development, but the principle of densifying towns by using suitable vacant land within the urban development boundary is applied
5. ENABLE AND PROMOTE MIXED USE:	Promote a mix of uses around nodes and along corridors within the accessibility grid. The above two principles set up an environment in which public transport becomes viable	✓	This development being a mixed use precinct along major transport corridors will comply and enhance this principle 100%.
6. PROTECT AND ENHANCE HERITAGE RESOURCES:	Acknowledge the importance of heritage resources and carefully manage impacts at all scales of planning and development, from the broader Drakenstein municipal landscape and its settlement pattern to individual buildings.	✓	A part of this site has been identified as a Heritage resource. The development will be sympathetic, enhance and protect this resource. The municipal Heritage authority as well as Heritage Western Cape will be consulted and the necessary approvals sought for this development.
7. ENSURE CONNECTIVITY BETWEEN SETTLEMENTS AND A HIERARCHY OF	Connect nodes and communities via safe and attractive public transport	✓	This development is a typical example of rehabilitation and increased activity along a prominent public transport route linking

NODES AND CONNECTIVITY WITHIN SETTLEMENTS:	and pedestrian friendly routes and activity corridors within a hierarchical accessibility grid.		rural towns and urban areas.
8. PROMOTE SPATIAL INTEGRATION:	Facilitate integration through well-located new development and infill, reducing barriers between communities and enabling more efficient access to facilities and opportunities.	✓	This development is compliant with this principle. This development constitute a mixed-use development + infill development within the urban development boundary. It will be an interface between urban and rural communities and accessible to the broader Drakenstein community.
9. ESTABLISH AN ACCESSIBLE HIERARCHY OF PUBLIC FACILITIES:	Locate new facilities and resources so that they relate to the accessibility grid; high order regional facilities should be within easy reach of the primary public transport and street network.	✓	Once again this development “ticks all the boxes” for this principle. The locality of this property on the intersection of 2 main roads makes it highly accessible on a local and regional level.
10. CLUSTER SOCIAL FACILITIES:	Cluster social facilities and activities within nodes to optimise accessibility and convenience while also improving security and maintenance.	✓	This application constitutes a mixed-use business and commercial development. Social facilities are not provided for, but is available within the greater Wellington region.

4. SUMMARY AND CONCLUSION

Application is made to the Drakenstein Municipality for the rezoning to Subdivisional area and subdivision into 29 erven and streets in order to allow for a mixed-use development on the property which used to accommodate the evaporation ponds of the Old Leather Tannery.

The information provided supports the fact that the proposed development will be desirable in this area and should not adversely affect the rights of any other properties in the area.

This report also clearly outlined the background information to the intended development and was appropriately motivated. Lastly, it was found that it complies with the basic principles to promote efficient and integrated land development. We therefore await the consent of all concerned parties in this matter.

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