



**DRAKENSTEIN**

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**Date:** 12 October 2023

JA/CB  
15/4/1 (955) VdV

Mr T Walters,  
TV3 Town Planners  
97 Dorp Street,  
La Gratitude Office Building  
Stellebosch  
7600

Email: [thys@tv3.co.za](mailto:thys@tv3.co.za)

Sir

**APPLICATION FOR CONSENT USE IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN MUNICIPALITY LAND USE PLANNING BYLAW, 2018: UNREGISTERED ERF 1635 VAL DE VIE (A PORTION OF ERF 955 VAL DE VIE)**

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 for a “Renewable Energy Generation” (Solar Energy) installation, on Unregistered Erf 1635 Val de Vie, (a portion of Erf 955 Val de Vie) for the generation of electric supply solely for the private Val de Vie electrical network.
2. The approval mentioned in the above paragraph 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 as set out in its memorandum 15/4/1 (955)P(744) dated 7 June 2022, (**Annexure D**).

2./...

- 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro Technical Services Division in its memorandum dated 28 July 2022, (Annexure E).
- 2.3 Adherence to the conditions laid down by Land Development Management:
- 2.3.1 The development shall take place in accordance with the site development plan (Annexure B).
- 2.3.2 The proposed installation shall include the following associated facilities:
- 2.3.2.1 Photovoltaic panels on ground-mounted structures with associated infrastructure.
- 2.3.2.2 Underground alternating current (AC), medium voltage and network cabling at each inverter.
- 2.3.2.3 Earthing, bonding and lighting systems.
- 2.3.2.4 A mini substation for the generation of 1MVA from the photovoltaic modules.
- 2.3.3 The applicant shall be required to obtain permission from the Electro Technical Services Planning Section in terms of the Policy and Guidelines for becoming a Small-scale Embedded Generator (SSEG).
- 2.3.4 The generating capacity shall be restricted to 1 MVA (1000 kVA) and any increase of the electrical generation capacity or changes to the installation shall be subject to approval.
- 2.3.5 The Renewable Energy Generation installation is solely for the generation of electric supply to the existing private Val de Vie electrical reticulation network on a commercial basis.
- 2.3.6 No infrastructure and buildings for the purposes of the connection and distribution of the generated electricity into the national electrical grid, is allowed and shall be subject to further approval by Council.
- 2.3.7 Access to and egress from the installation shall be from the southern boundary of the Unregistered Erf 1635 Val de Vie (a portion of Erf 955 Val de Vie).
- 2.3.8 The applicant shall be required to obtain permission from Eskom prior to the installation of the Photovoltaic panels in close proximity to the existing 132kV overhead lines.

- 2.3.9 Proposed engineering services that will cross or run parallel to Eskom and Municipal services is subject to approval from the mentioned entities and the applicant shall provide proof thereof before construction.
  - 2.3.10 Maintenance and reselling of exported KWH must be maintained by the Homeowners Association or account holder of the bulk supply from the Municipality. NRS Standards must be adhered to at all times.
  - 2.3.11 A service level agreement between the municipality and the owner of the development has to be approved prior to the construction of the facility.
  - 2.3.12 No buildings or structures may be erected, installations altered, or generation capacity increased, without the approval of the Val de Vie Winelands and Val de Vie II Homeowners Associations.
  - 2.3.13 No buildings or structures may be erected, installations altered, or generation capacity increased without the approval of building plans by Council.
  - 2.3.14 Should the applicant fail to comply with any of the above-mentioned conditions of approval, the Council reserves the right to impose further conditions in future if deemed necessary.
3. The following be regarded as the reasons for the decision:
- 3.1 A transparent and fair process was followed during the processing of the application in accordance with the Land Use Planning Bylaw, 2018. Notice of the land use application was posted in the Val de Vie Newsletter.
  - 3.2 The proposed development was circulated to the Civil Engineering Services – and Electro Technical Services Departments for comments with their requirements being incorporated into the approval.
  - 3.3 The Electro Technical Services Planning Section will be required to ensure that the applicant adhere to the Policy and Guidelines for becoming a Small-scale Embedded Generator (SSEG).
  - 3.4 The proposal does not affect the Spatial Planning Principals, SDF, and policies for the area.

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 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.

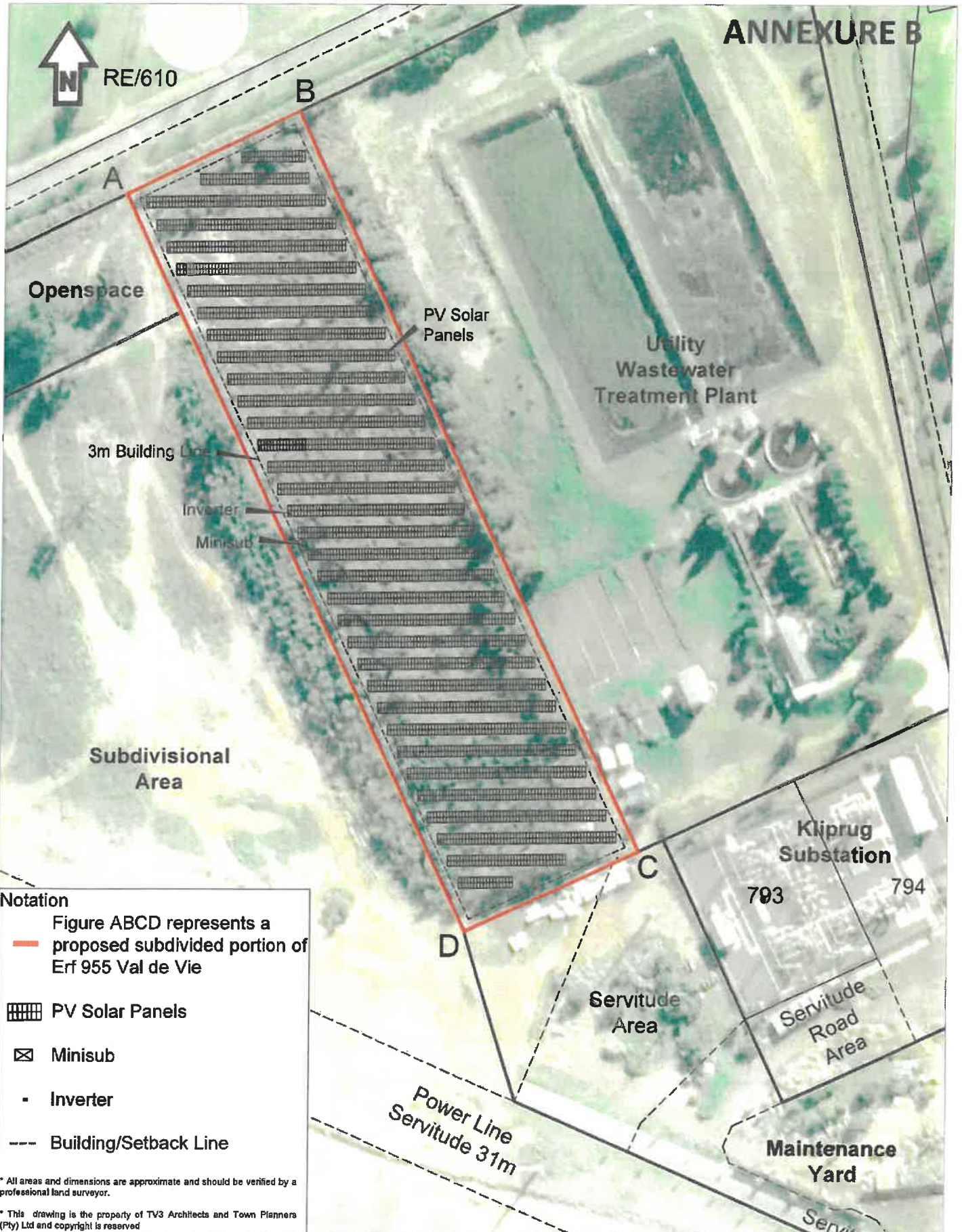
Yours faithfully



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

# ANNEXURE B



**Notation**

Figure ABCD represents a proposed subdivided portion of Erf 955 Val de Vie

PV Solar Panels

Minisub

Inverter

Building/Setback Line

\* All areas and dimensions are approximate and should be verified by a professional land surveyor.

\* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

**tv3** ARCHITECTS  
TOWN PLANNERS  
URBAN DESIGNERS

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## Solar Plant

Property Description:  
**Erf 955, Val de Vie**

Drawing:		Plan no.:	
<b>Solar Plant SDP</b>		<b>2</b>	
Date:	23/08/2021	Scale:	1:1500 (A4)
Project no.:	P3713	Drawn:	WH
		Checked:	MW

# Memo

**To:** EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT  
(ATTENTION: E. CYSTER)

**From:** MANAGER: INFRASTRUCTURE MANAGEMENT

**Enquiries:** L. PIENAAR

**Collaborator number:**

**Reference number:** 15/4/1 (955) P (744)

**Date:** 07 June 2022

**Subject:** APPLICATION FOR A CONSENT USE ON A PROPOSED SUBDIVIDED  
PORTION OF REM ERF 955 VAL DE VIE ESTATE, PAARL

**Time Limit on Conditions:** These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced (this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

**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.

## INFORMATION REQUIRED/OUTSTANDING

1. Nil

## THE FOLLOWING CONDITIONS WILL APPLY

### 1. STREETS & TRAFFIC

- 1.1. Any new roads 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, including design, approval and construction of any additional traffic control and or traffic calming measures

### 2. STORMWATER

- 2.1. Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;

- 2.2. Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 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 0.02m<sup>3</sup>/m<sup>2</sup> roof area.

### **3. WATER**

- 3.1 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 of home owner's organisation in the development, for the removal of such household refuse.

### **6. DEVELOPMENT CHARGES**

- 6.1. Based on the information provided in the application, no Development Charges payable by the developer.

### **7. GENERAL**

- 7.1 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 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 above conditions are to be complied with in stages;
  - 7.3.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
  - 7.3.2 Requirements associated with the completion of construction, 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

7.3.3 Proof of compliance for the requirements associated with long term operations must be available on request.



**L.P. PIENAAR (Pr. Eng)**

**MANAGER: INFRASTRUCTURE MANAGEMENT**

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# 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:** 1635 (955)  
**Date:** 28 July 2022  
**Subject:** APPLICATION FOR CONSENT USE AND SUBDIVISION, ERF 1635 (955), VAL DE VIE PV PLANT, PAARL

**Time Limit on Conditions:** These conditions will be limited to a period of one (2) years from the date as on the covering memo from this department. After this period a re-application has to 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.
- 2.1. In the case where existing services crosses the adjacent erven, it will have to be removed or relocate at the cost of the owner as such that each erf must have its own cable connection from the Street boundary.
- 2.2. Contact Eskom prior to obtain approval for the installation of photo voltaic panels in close proximity from the existing 132kV overhead line.
- 2.3. The installation must be installed as such to feed from the existing private electrical reticulation.
- 2.4. Proposed services that will cross or run parallel to Eskom and Municipal services is subject to approval from the previous mentioned entities (proof must be submitted before construction).

- 2.5. Maintenance and reselling of exported KWH must be maintained by the home owners association or account holder of the bulk supply from the Municipality. NRS standards must be adhere to at all times.
- 2.6. A service level agreement between the municipality and the owner or developer of the development have to be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).

### 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: **R 4 500.11 x per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2023 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 including the linkage to the infrastructure as determined by the Manager: Planning and Customer Services.
- 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. A private registered electrical consultant and 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 proposed development.
- 3.5. A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered or as the case may be.

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**

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