



Col no: 1966186
Enquiries: R. Mowzer
Tel no: (021) 807 4822
Date: 12 October 2023

JA/
15/4/1 (F1592) P

Tommy Brummer Town Planners
PO Box 242
Buitengracht
Bo-Kaap
Cape Town
8001

tommy@tommybrummer.co.za
arina@tommybrummer.co.za

Sir

APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE: FARM No. 1592 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 uses to allow for the following uses, as indicated on the site plan drawn by CS Studio Architects (dated 2022/03, Revision Number 17, Drawing Number 1-3), (**Annexure B**):
 - 1.1.1 Visitors' accommodation to allow for twenty (20) bedrooms which will accommodate forty (40) visitors in total within a combination of existing buildings and one new building;
 - 1.1.2 The installation of renewable energy generation infrastructure on the new proposed carport structure in the form of PV solar panels;
 - 1.1.3 A visitor's facility in order to establish a restaurant ($\pm 160\text{m}^2$ GLA); and

2./...

- 1.1.4 A wellness centre comprising of a sauna ($\pm 17\text{m}^2$) and a gym facility ($\pm 72\text{m}^2$) to be located within two (2) existing buildings which are to be associated with the visitors accommodation and visitors facility;
 - 1.2 The permanent departure from the following land use parameters:
 - 1.2.1 from the prescribed 3m building line restriction applicable to the western boundary to $\pm 0\text{m}$, $\pm 1.015\text{m}$ and $\pm 1.24\text{m}$ respectively in order to permit a sauna, a storeroom ($\pm 59\text{m}^2$) and a refuse room ($\pm 18\text{m}^2$) to be accommodated within existing buildings and a new building; and
 - 1.2.2 from the prescribed 2m wall plate to roof ridge height restriction for pitched roofs to $\pm 4.275\text{m}$ and $\pm 3.8\text{m}$ respectively for two existing buildings.
 - 1.3 It is herewith certified in terms of Section 24 of the Drakenstein By-law on Municipal Land Use Planning, 2018, that all servitudes be exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, as indicated on the site plan drawn by CS Studio Architects (dated 2022/03, Revision Number 17, Drawing Number 1-3), **(Annexure B)**;
2. The approvals mentioned in Paragraphs 1.1-1.3 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018:
 - 2.1 Adherence to the conditions laid down in the memorandums of the Drakenstein Municipality: Civil Engineering Services Department referenced 15/4/1 (F1592/0) P (0184) dated 21 February 2023 and 15/4/1 (F1592/0) P (0979) dated 03 July 2023, **(Annexure I)**;
 - 2.2 Adherence to the conditions laid down in the memorandum of the Drakenstein Municipality: Electro Technical Engineering Department referenced Erf 1592 dated 23 December 2022, **(Annexure J)**;
 - 2.3 Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Heritage Services Sub-Section referenced 15/4/1 (F1592)P dated 28 April 2023, **(Annexure L)**;
3. The following conditions from a town planning point of view be applicable:
 - 3.1 The development takes place in accordance with the site plan **(Annexure B)**;
 - 3.2 This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.3 Any amendments to the application will be subject to the relevant approval;

- 3.4 No new structures are to be erected or existing buildings converted without the prior approval of building plans by the Council;
 - 3.5 The developer must ensure that all the necessary measures should be put in place, within habitable buildings, to ensure that the indoor air quality is not affected by emissions from normal agricultural activities;
 - 3.6 Consideration of the following water conservation measures must be given: Rainwater harvesting, grey water recycling and similar technical enhancements such as low flow shower heads, dual flush toilets and water-wise gardens;
4. The following be regarded as the reasons for the decision.
- 4.1 Tourism uses are easily identifiable with agricultural entities these days, due to the fact that it helps sustain the agricultural sectors of the farms;
 - 4.2 The proposed application does not introduce any foreign land uses to the area;
 - 4.3 Little to no negative impacts to the natural environment is foreseen by this application given the fact that Environmental Authorisation was granted to the application;
 - 4.4 The application will not have a significant impact on the visual character of the area;
 - 4.5 It was confirmed that the infrastructure can easily accommodate the proposed development, subject to certain conditions;
 - 4.6 No objections from the surrounding property owners were received to the application;
 - 4.7 The proposed departures will not have a significant impact on the surrounding property owners;
 - 4.8 The existing farm will remain a working farm which will be sustained by the tourism uses; and
 - 4.9 All the relevant departments consented to the application, subject to certain conditions.
5. The applicant takes note of the following:
- 5.1 The conditions laid down by the Department of Environmental Affairs and Development Planning in the Environmental Authorisation (**Annexure E**);

- 5.2 The conditions laid down by the Department of Transport and Public Works in their letter (**Annexure F**);
- 5.3 The conditions laid down by the Department of Western Cape Agriculture in their letter (**Annexure G**);
- 5.4 The conditions laid down by the Cape Winelands Department: Environmental Health Department in their letter (**Annexure H**);

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



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

- LEGEND**
- 1 - MANOR HOUSE
 - 2 - VISITOR'S ACCOMM.
 - 3 - VISITOR'S ACCOMM.
 - 4 - VISITOR'S ACCOMM.
 - 5 - VISITOR'S ACCOMM.
 - 6 - AGRICULTURAL & VIEWING DECK
 - 7 - STORE
 - 8 - VISITOR'S ANCILLARY FUNCTION (SAUNA)
 - 9 - VISITOR'S ACCOMM.
 - 10 - REFUSE
 - 11 - EXISTING DAM STRUCTURES & NEW REFURBISH ELECTRIC ROOM
 - 12 - GUARO HOUSE
 - 13 - COVERED PARKING WITH PV PANELS
 - 14 - PUMP ROOM FOR AGRICULTURAL USE
 - 15 - VISITOR'S ANCILLARY FUNCTION (GYM)

- LEGEND:**
- NEW PROPOSED
 - EXISTING/PREVIOUSLY APPROVED
 - DEMOLITION

PROPOSED ALTERATIONS & CONDITIONS ON REMAINDER OF THE FARM NO. 1592, DIVISION PARALL

DATE: 2022/03
 DRAWING NO: 17/20 @ A3
 PROJECT NO: 2021-07 000.2

APPLICABLE CODES:
 1. NATIONAL BUILDING REGULATIONS 2019
 2. NATIONAL ELECTRICAL REGULATIONS 2017
 3. NATIONAL WATER SUPPLY REGULATIONS 2011
 4. NATIONAL SANITATION REGULATIONS 2011
 5. NATIONAL FIRE REGULATIONS 2011
 6. NATIONAL PLUMBING REGULATIONS 2011
 7. NATIONAL MECHANICAL REGULATIONS 2011
 8. NATIONAL CIVIL REGULATIONS 2011
 9. NATIONAL LANDSCAPE ARCHITECTURE REGULATIONS 2011
 10. NATIONAL ENVIRONMENTAL REGULATIONS 2011
 11. NATIONAL ACOUSTIC REGULATIONS 2011
 12. NATIONAL VIBRATION REGULATIONS 2011
 13. NATIONAL LIGHTING REGULATIONS 2011
 14. NATIONAL SECURITY REGULATIONS 2011
 15. NATIONAL SAFETY REGULATIONS 2011
 16. NATIONAL HEALTH REGULATIONS 2011
 17. NATIONAL OCCUPANCY REGULATIONS 2011
 18. NATIONAL ENERGY REGULATIONS 2011
 19. NATIONAL SUSTAINABILITY REGULATIONS 2011
 20. NATIONAL ACCESSIBILITY REGULATIONS 2011

APPLICABLE ZONING:
 1. AGRICULTURAL ZONING
 2. RESIDENTIAL ZONING
 3. COMMERCIAL ZONING
 4. INDUSTRIAL ZONING
 5. MIXED USE ZONING
 6. SPECIAL USE ZONING
 7. UNZONED

APPLICABLE STANDARDS:
 1. SANS 10400-1:2011
 2. SANS 10400-2:2011
 3. SANS 10400-3:2011
 4. SANS 10400-4:2011
 5. SANS 10400-5:2011
 6. SANS 10400-6:2011
 7. SANS 10400-7:2011
 8. SANS 10400-8:2011
 9. SANS 10400-9:2011
 10. SANS 10400-10:2011
 11. SANS 10400-11:2011
 12. SANS 10400-12:2011
 13. SANS 10400-13:2011
 14. SANS 10400-14:2011
 15. SANS 10400-15:2011
 16. SANS 10400-16:2011
 17. SANS 10400-17:2011
 18. SANS 10400-18:2011
 19. SANS 10400-19:2011
 20. SANS 10400-20:2011

FLOOR AREA SCHEDULE

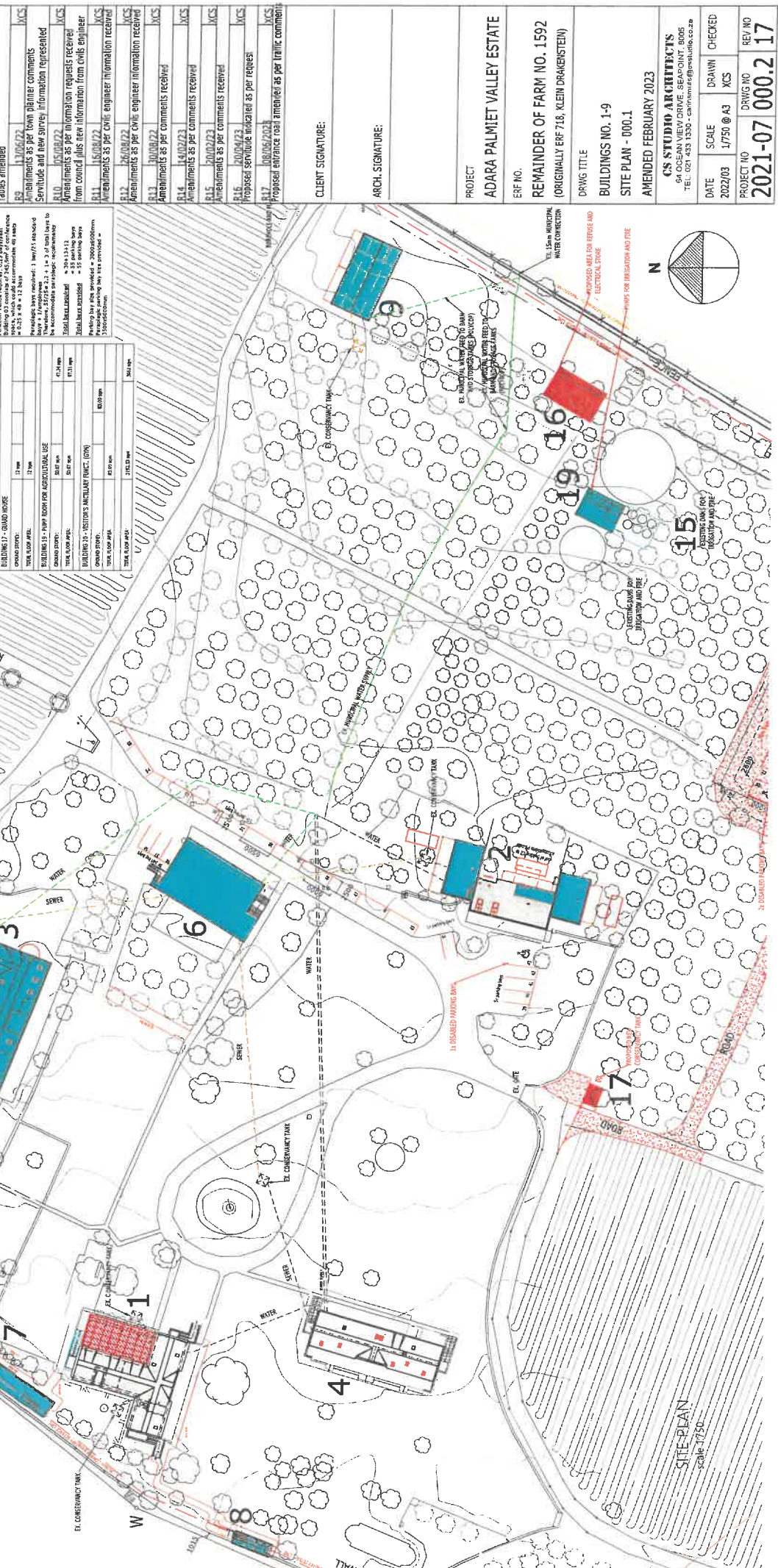
Building No.	Room	Area (m²)	Volume (m³)
11	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
12	Guaro House	1000	1000
	Visitor's Accommodation	1000	1000
13	Covered Parking	1000	1000
	Pump Room	1000	1000
14	Visitor's Ancillary Function	1000	1000
	Visitor's Accommodation	1000	1000
15	Refuse	1000	1000
	Visitor's Accommodation	1000	1000
16	Electric Room	1000	1000
	Visitor's Accommodation	1000	1000
17	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
18	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
19	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
20	Manor House	1000	1000
	Visitor's Accommodation	1000	1000

REPERE ROOM CALCULATIONS

Room No.	Room	Area (m²)	Volume (m³)
11	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
12	Guaro House	1000	1000
	Visitor's Accommodation	1000	1000
13	Covered Parking	1000	1000
	Pump Room	1000	1000
14	Visitor's Ancillary Function	1000	1000
	Visitor's Accommodation	1000	1000
15	Refuse	1000	1000
	Visitor's Accommodation	1000	1000
16	Electric Room	1000	1000
	Visitor's Accommodation	1000	1000
17	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
18	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
19	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
20	Manor House	1000	1000
	Visitor's Accommodation	1000	1000

REPERE ROOM CALCULATIONS

Room No.	Room	Area (m²)	Volume (m³)
11	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
12	Guaro House	1000	1000
	Visitor's Accommodation	1000	1000
13	Covered Parking	1000	1000
	Pump Room	1000	1000
14	Visitor's Ancillary Function	1000	1000
	Visitor's Accommodation	1000	1000
15	Refuse	1000	1000
	Visitor's Accommodation	1000	1000
16	Electric Room	1000	1000
	Visitor's Accommodation	1000	1000
17	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
18	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
19	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
20	Manor House	1000	1000
	Visitor's Accommodation	1000	1000



REPERE ROOM CALCULATIONS

Room No.	Room	Area (m²)	Volume (m³)
11	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
12	Guaro House	1000	1000
	Visitor's Accommodation	1000	1000
13	Covered Parking	1000	1000
	Pump Room	1000	1000
14	Visitor's Ancillary Function	1000	1000
	Visitor's Accommodation	1000	1000
15	Refuse	1000	1000
	Visitor's Accommodation	1000	1000
16	Electric Room	1000	1000
	Visitor's Accommodation	1000	1000
17	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
18	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
19	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
20	Manor House	1000	1000
	Visitor's Accommodation	1000	1000

REPERE ROOM CALCULATIONS

Room No.	Room	Area (m²)	Volume (m³)
11	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
12	Guaro House	1000	1000
	Visitor's Accommodation	1000	1000
13	Covered Parking	1000	1000
	Pump Room	1000	1000
14	Visitor's Ancillary Function	1000	1000
	Visitor's Accommodation	1000	1000
15	Refuse	1000	1000
	Visitor's Accommodation	1000	1000
16	Electric Room	1000	1000
	Visitor's Accommodation	1000	1000
17	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
18	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
19	Manor House	1000	1000
	Visitor's Accommodation	1000	1000
20	Manor House	1000	1000
	Visitor's Accommodation	1000	1000

CLIENT SIGNATURE: _____

ARCH. SIGNATURE: _____

PROJECT: ADARA PALMIET VALLEY ESTATE

ERF NO. REMAINDER OF FARM NO. 1592 (ORIGINALLY ERF 718, KLEIN DRANKENSTEIN)

DRWG TITLE: BUILDINGS NO. 1-9 SITE PLAN - 000.1

AMENDED FEBRUARY 2023

CS STUDIO ARCHITECTS
 107 DRIVE, SEAPOINT, 8005
 TEL: 021 433 1535 - contact@csstudio.co.za

DATE: 2022/03 SCALE: 1/750 @ A3 PROJECT NO: 2021-07 000.2

DATE: 2022/03 SCALE: 1/750 @ A3 PROJECT NO: 2021-07 000.2

DATE: 2022/03 SCALE: 1/750 @ A3 PROJECT NO: 2021-07 000.2



Department of Environmental Affairs and Development Planning
Samornay Smidt
Directorate: Development Management, Region 1
Samornay.Smidt@westerncape.gov.za | Tel: 021 483 5828

REFERENCE: 16/3/3/1/B3/28/1088/22
NEAS REFERENCE: WCP/EIA/0001196/2022
DATE: 08 AUGUST 2023

The Board of Directors
Adara Palmiet Valley (Pty) Ltd
2 Sonstraal Road
PAARL
7446

Attention: Mr Arthur Bisig

Cell: 082 955 5538
Email: arthurbisig@cybersmart.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED EXPANSION OF TOURIST FACILITIES AND ASSOCIATED PARKING ON THE REMAINDER OF FARM NO. 1592, PAARL

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

Zaahir Toefy

Digitally signed by Zaahir
Toefy
Date: 2023.08.08 13:47:41
+02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) A Groenewald (DJEC)
(2) S Reece (Drakenstein Municipality)
(3) C Muller (HWC)
(4) K Mohlodini (DWS)

Email: adel@dougjeff.co.za
Email: shaun.reece@drakenstein.gov.za
Email: Cecilene.Muller@westerncape.gov.za
Email: MohlodiniK@dws.gov.za

REFERENCE: 16/3/3/1/B3/28/1088/22
NEAS REFERENCE: WCP/EIA/0001196/2022
ENQUIRIES: Samornay Smidt
DATE OF ISSUE: **08 AUGUST 2023**

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF TOURIST FACILITIES AND ASSOCIATED PARKING ON THE REMAINDER OF FARM NO. 1592, PAARL

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Layout Alternative, as described in the Basic Assessment Report ("BAR"), dated April 2023.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Board of Directors
Adara Palmiet Valley (Pty) Ltd
c/o Mr Arthur Bisig
2 Sonstraal Road
PAARL
7446

Cell.: 082 955 5538
Email: arthurbisig@cybersmart.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activities/Project Description
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activities Number: 17</p> <p>The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded, and the expanded facility can accommodate an additional 15 people or more.</p> <p>i. Western Cape</p> <ul style="list-style-type: none"> i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas: <ul style="list-style-type: none"> (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - <p>excluding the conversion of existing buildings where the development footprint will not be increased.</p>	<p>The expansion of the existing tourist facility will accommodate more than 15 people in total.</p>
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activities Number: 26</p> <p>Phased activities for all activities—</p> <ul style="list-style-type: none"> i. listed in this Notice and as it applies to a specific geographical area, which commenced on or after the effective date of this Notice; or ii. similarly listed in any of the previous NEMA notices, and as it applies to a specific geographical area, which commenced on or after the effective date of such previous NEMA Notices— <p>where any phase of the activities was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold; —</p> <p>excluding the following activities listed in this Notice—</p> <p>7; 8; 11; 13; 20; 21; and 24.</p>	<p>The additional accommodation to be developed represent a phased development.</p>

The abovementioned list is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposal entails the expansion of existing tourist facilities and associated parking on the Remainder of Farm No. 1592, Paarl. The proposal aims to limit the construction of new infrastructure and therefore utilises most of the existing infrastructure on the site to accommodate the proposed tourist accommodation and ancillary facilities. The proposal includes the following:

- An increase in the number of tourist accommodation units from seven units to 20 units that will accommodate a maximum of 40 people. The existing buildings will be converted into tourist accommodation and three new units that accommodates six people is proposed in a new building (Building 5).
- A tourist facility (a restaurant) will be accommodated in Building 1 (Manor House). The roof of Building 6 (Agricultural store) will be used as a viewing deck.
- Re-instating the use of the cellar in Building 3 as a function venue.
- Ancillary uses that will be located in existing buildings and will include a reception and offices to be accommodated within Building 2, a sauna (in Building 8), extension of Building 7 (cold storeroom) and a gym (in Building 20).
- Limited new infrastructure comprising of Building 17 (a guard house), Building 10 (a refuse room) and Building 16 (an electrical and refuse room).
- A new parking area is proposed within the guava orchard and the carport structure over the new formal parking area will be covered with renewable energy generation infrastructure.
- A new Sewerage Treatment Package Plant ("STPP") and the treated effluent from the STPP will be discharged into the watercourse along the northern boundary the site. A new conservancy tank is proposed to service the new guard house (Building 17) and for the new tourist accommodation unit (Building 9).

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the Remainder of Erf No. 1592, Paarl.

The SG21 digit code is: C05500000000159200000

Co-ordinates:

Latitude	Longitude
33° 43' 56.75" S	19° 01' 13.16" E

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Doug Jeffery Environmental Consultants (Pty) Ltd
c/o Ms. Adél Groenewald / Ms. Anwen Beukes
PO Box 44
KLAPMUTS
7625

Tel: 021 875 5272

Email: adel@dougjeff.co.za / anwen@dougjeff.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Layout Alternative, as described in the BAR dated April 2023 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for-

- (a) A period of **five years** from the date of issue, during which period the holder must commence with the authorised listed activities.
 - (b) A period of **ten (10) years**, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
 4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 5.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 10.

Notification and administration of appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 6.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision as included in Annexure 3;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date when the decision was issued.
 - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
 - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4 provide the registered I&APs with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any, of the holder, and
 - 6.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activities

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
11. The ECO must conduct monthly site visits, and report on compliance with the EMPr to this Department and the relevant authorities, in writing, on a monthly basis during the construction phase.

12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an **independent person** (other than the ECO appointed in terms of condition 10 above or the appointed Environmental Assessment Practitioner) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake environmental audits bi-annually and submit an environmental audit to the Department annually for the duration of the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir Toefy
Digitally signed by Zaahir Toefy
Date: 2023.08.08 13:48:15
+02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 08 AUGUST 2023

CC: (1) A Groenewald (DJEC)
(2) S Reece (Drakenstein Municipality)
(3) C Muller (HWC)
(4) K Mohlodini (DWS)

Email: adel@dougjeff.co.za
Email: shaun.reece@drakenstein.gov.za
Email: Cecilene.Muller@westerncape.gov.za
Email: MohlodiniK@dws.gov.za



Locality Map

Legend

Property Boundary

ANNEXURE 2: SITE PLAN

REV	DATE	DESCRIPTION
01	11/02/22	ISSUED FOR PERMIT
02	11/02/22	ISSUED FOR PERMIT
03	11/02/22	ISSUED FOR PERMIT
04	11/02/22	ISSUED FOR PERMIT
05	11/02/22	ISSUED FOR PERMIT
06	11/02/22	ISSUED FOR PERMIT
07	11/02/22	ISSUED FOR PERMIT
08	11/02/22	ISSUED FOR PERMIT
09	11/02/22	ISSUED FOR PERMIT
10	11/02/22	ISSUED FOR PERMIT
11	11/02/22	ISSUED FOR PERMIT
12	11/02/22	ISSUED FOR PERMIT
13	11/02/22	ISSUED FOR PERMIT
14	11/02/22	ISSUED FOR PERMIT
15	11/02/22	ISSUED FOR PERMIT
16	11/02/22	ISSUED FOR PERMIT
17	11/02/22	ISSUED FOR PERMIT
18	11/02/22	ISSUED FOR PERMIT
19	11/02/22	ISSUED FOR PERMIT
20	11/02/22	ISSUED FOR PERMIT

<p>REVISE TOPIC CALCULATIONS</p> <p>1. AREA CALCULATIONS:</p> <ul style="list-style-type: none"> Site Area: 100,000 m² Impervious Area: 50,000 m² Permeable Area: 50,000 m² <p>2. WATER DEMAND CALCULATIONS:</p> <ul style="list-style-type: none"> Peak Daily Demand: 100,000 L/day Peak Hourly Demand: 4,000 L/hr <p>3. SEWERAGE CALCULATIONS:</p> <ul style="list-style-type: none"> Peak Daily Sewerage: 100,000 L/day Peak Hourly Sewerage: 4,000 L/hr 	<p>ESTIMATE OF COSTS:</p> <p>1. CONSTRUCTION COSTS:</p> <ul style="list-style-type: none"> Site Preparation: \$100,000 Water Supply: \$200,000 Sewerage: \$150,000 Other: \$50,000 <p>2. OPERATIONAL COSTS:</p> <ul style="list-style-type: none"> Water: \$10,000 Sewerage: \$5,000 Other: \$2,000 	<p>LEGEND:</p> <ul style="list-style-type: none"> 1 - MANDR HOUSE 2 - VISITOR'S ACCOMM. 3 - VISITOR'S ACCOMM. 4 - VISITOR'S ACCOMM. 5 - VISITOR'S ACCOMM. 6 - AGRICULTURAL & VIEWING DECK 7 - STORE 8 - VISITOR'S ANCILLARY FUNCTION (SAURIA) 9 - VISITOR'S ACCOMM. 10 - REFUSE HOUSE 11 - EXISTING CAR STRUCTURES 12 - NEW REFURSE & ELECTRICAL ROOM 13 - GUARD HOUSE 14 - COVERED PARKING WITH PV PANELS 15 - PUMP ROOM FOR AGRICULTURAL USE 16 - VISITOR'S ANCILLARY FUNCTION (GYM)
---	---	---

<p>REQUIREMENTS AND CONDITIONS OF THE DEVELOPMENT PERMIT:</p> <p>1. The development must be completed within 12 months of the date of issue of the permit.</p> <p>2. The development must be in accordance with the conditions of the permit.</p> <p>3. The development must be in accordance with the conditions of the permit.</p>	<p>REQUIREMENTS AND CONDITIONS OF THE DEVELOPMENT PERMIT:</p> <p>1. The development must be completed within 12 months of the date of issue of the permit.</p> <p>2. The development must be in accordance with the conditions of the permit.</p> <p>3. The development must be in accordance with the conditions of the permit.</p>
---	---



PROPOSED SEWERAGE PACKAGE PLANT CALL-OUT
Scale: 1:200

FULL SITE PLAN
Scale: 1:3000

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated November 2022 and the EMPr submitted together with final BAR on 23 April 2023 and additional information received from 25 April 2023 to 2 May 2023.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated April 2023; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- the placing of a newspaper advertisement in the 'Paarl Post' on 10 November 2022;
- fixing notice boards at the site where the listed activities is to be undertaken and public areas on 11 November 2022;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 11 November 2022; and
- circulating the in-process draft BAR to I&APs from 11 November 2022.
- circulating a second in-process draft BAR to I&APs from 7 March 2023.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Layout Alternative 1

The proposal entails the following:

- The addition of 18 tourist accommodation units.
- 3 new buildings will be constructed in the existing guava orchards.

- A tourist facility will be provided (i.e., restaurant) in the Manor House (Building 1) and on the roof of the existing deck and workshop (Building 6).
- The cellar will be re-instated in the existing Vineyard House (Building 3) to provide for a 48-seated function venue, to be used by the residing tourists and general public.
- Ancillary infrastructure for the tourist facilities will include a reception and office (Building 2), a gym (Building 5) and sauna (Building 8) for the exclusive use of the residing tourists, two new staff accommodation units (Building 18) and a guard house (Building 17) that will be located next to the new parking area proposed within the existing guava orchards.
- Two new staff accommodation units.
- A new Sewerage Treatment Package Plant.
- A new conservancy tank.

Due to comments received during the initial 30-day commenting period on the draft BAR, the proposal was revised to address all the concerns raised, giving rise to the below preferred layout alternative. The amendments to the proposal address the potential heritage and agricultural impacts and reduces the impact on the existing agricultural activities. The initial tourist accommodation units proposed in the guava orchards, as well as the staff accommodation unit and the gym were omitted. Furthermore, the proposed parking area (which is required in terms of the Land Use Planning legislation) was reduced in scale to limit loss of agricultural land. Some parking bays have been relocated to within the farm "werf". The proposal does not impact on any heritage resources and rather that of the heritage qualities, which include the cultural and scenic landscape, are enhanced.

Preferred Layout Alternative (Herewith authorised)

The proposal entails the expansion of existing tourist facilities and associated parking on the Remainder of Farm No. 1592, Paarl Division. The proposal aims to limit the construction of new infrastructure and therefore utilises most of the existing infrastructure on the site to accommodate the proposed tourist accommodation and ancillary facilities. The proposal entails the following:

- An increase in the number of tourist accommodation units from seven units to 20 units, which will accommodate a maximum of 40 people. Existing buildings will be converted into tourist accommodation and three new units that accommodates six people is proposed in Building 5.
- A tourist facility (a restaurant) will be accommodated in Building 1 (Manor House). The roof of Building 6 (agricultural store) will be used as a viewing deck.
- Re-instating the use of the cellar in Building 3 as a function venue.
- Ancillary uses will be located in existing buildings and will include a reception and offices to be accommodated within Building 2, a sauna (in Building 8), extension of Building 7 (cold storeroom) and a gym (in Building 20).
- A new parking area is proposed within the guava orchard and the carport structure over the new formal parking area will be covered with renewable energy generation infrastructure.
- A new Sewerage Treatment Package Plant ("STPP") and the treated effluent from the STPP will be discharged into the watercourse along the northern boundary the site. A new conservancy tank is proposed to service the new guard house (Building 17) and for the new tourist accommodation unit (Building 9).

"No-Go" Alternative

The no-go alternative will result in the status quo of the site being maintained. However, it was not preferred, since the applicant will not be able to effectively utilise their property and expand the existing tourist facilities. The applicant purchased the property to expand the existing tourist facilities and rehabilitating the agricultural aspects of the site as a whole. The intention was to retain and renovate the existing buildings and construct limited infrastructure on the site. Should the no-go alternative be

implemented, there will be no contribution to the tourism sector and the opportunity for additional job creation and the socio-economic benefits associated with the proposed development will be lost.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The Remainder of Farm No. 1592, Paarl is approximately 18.3ha in extent with existing buildings located in the central portion of the property on the farm "werf" and majority of the proposed development will be restricted to this portion of the site. The farmland precinct is characterised by a typical Cape Winelands landscape including historic homesteads and farmsteads embedded in vineyards, and orchards with treed windbreaks. The proposal is compatible with the surrounding land uses which primarily consist of farming, guest accommodation and function venues. The preferred development was tailored to be consistent with the surrounding land uses, planning policies and guidelines of the Drakenstein Municipality Factors such as the loss of agricultural land and activities, heritage and cultural landscape context of the site, the potential visual impacts on the surrounding area, and its financial viability informed the proposed development. The specialist studies conducted during the EIA process and input obtained during the public participation process further informed the preferred layout. The preferred layout was amended to reduce the loss of agricultural land and takes cognisance of the rural landscape, while the existing heritage resources on the property will also be maintained to enhance the rural quality and sense of place of the proposed development.

3.2 Biophysical Impacts

Historically, the site contained Swartland Shale Renosterveld and Boland Granite Fynbos vegetation, which are classified as critically endangered and endangered vegetation types, respectively. The site has however been completely transformed by past and present agricultural activities and associated structure and infrastructure that are located on the site. The site contains no sensitive indigenous vegetation, watercourses or wetlands.

There is currently no formal municipal sewerage infrastructure located in close proximity to the proposed development site and therefore the proposal includes a new STPP. The plant will be a modular system which can be expanded if required. The treated effluent will be discharged into the watercourse bordering the site. An application for a Water Use Authorisation in terms of Section 21(f) of the NWA was submitted to the Department of Water and Sanitation. The Department of Water and Sanitation has issued the Water Use Registration Approval for the proposed STPP and treated effluent discharge.

3.3 Heritage and Visual Impacts

The heritage significance of the site has influenced the design of the proposed development. The heritage-related design indicators informed the proposal in order to prevent and/or minimise the potential impact on the heritage resources and its cultural significance. Based on the findings of the Heritage Impact Assessment dated 22 February 2023, compiled by Bridget O'Donoghue the significance of the potential impacts on the heritage significance of buildings and the farmstead will be low, provided that the mitigation measures are implemented. The significance of the potential loss of the building setting within the property, in terms of the visual aspects, will have no impact provided that the mitigation measures are implemented. The preferred development layout has evolved in direct response to the heritage indicators and visual criteria, as well as to the comments provided by Heritage Western Cape ("HWC") and the Drakenstein Municipality's Heritage Resources Department. Heritage Western Cape and the Drakenstein Municipality's Heritage Resources Department confirmed their support for the proposed development subject to further requirements and on condition that further detailed design resolutions be submitted to HWC for approval. The HWC Impact Assessment Committee

endorsed the Heritage Impact Assessment as having complied with the provisions of Section 38(3) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). In light of the above, the potential heritage impacts are deemed to have been addressed satisfactorily.

Negative Impacts:

- The proposed development will have a negative impact during the construction phase in terms of visual, traffic, noise and dust nuisance. The impacts will however be mitigated to a satisfactory level with the implementation of and adherence to the EMPr.
- There will be agricultural, visual, heritage and traffic impacts during the operational phase, which have been mitigated to an acceptable level through the incorporation of the specialist and I&AP input into the preferred layout design.

Positive impacts:

- The proposed development will contribute towards the tourism sector, which is considered a priority for the economic growth of the municipal area, as well as provide employment opportunities during the construction and operational phase.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----



Ref: TPW/CFS/RP/LUD/REZ/SUB-10/512 (Job 29985)

The Municipal Manager
Drakenstein Municipality
P.O. Box 1
PAARL
7622

Attention: Ms C van der Bank

Dear Madam

REMAINDER FARM NO. 1592 DIVISION PAARL STREET ADDRESS: ADARA PALMIET VALLEY, SONSTRAAL ROAD 2, KLEIN DRAKENSTEIN, PAARL: DIVISIONAL ROAD 1118 (SONSTRAAL ROAD): APPLICATION FOR CONSENT USE AND DEPARTURES

1. The following refer:
 - 1.1. The application received from Messrs. Tommy Brümmer;
 - 1.2. This Branch's even numbered letter dated 15 March 2023; and
 - 1.3. Traffic Impact Statement dated 19 April 2023 submitted by Messrs. ITS and follow up email dated 24 May 2023.
2. The subject property is in eastern Paarl and takes access off Divisional Road 1118 (Sonstraal Road), via Minor Road 5628.
3. The application is for Consent Use and Departure from building lines to accommodate the following:
 - 3.1. 20 guest bedrooms;
 - 3.2. Renewable energy infrastructure;
 - 3.3. One restaurant (158.4m²);
 - 3.4. Wellness centre comprising a sauna and gym facility;
4. It is understood that the property has approval for a 48-seat function venue already.
5. The TIS recommends certain access and road improvements and concluded that a right turn lane is not warranted.

6. Accordingly, this Branch **withdraws its objection** to the application in terms of the Land Use Planning Act, No. 3 of 2014, subject to the following conditions:
 - 6.1. The existing development access intersect OP5628 at an acute angle and it is recommended that the **access be reconfigured to improve the intersecting angle**.
 - 6.2. The access road is only 3m wide and it is recommended that at **a passing area be provided along the access road** to allow passing opportunity for vehicles traveling in opposite directions along the access road.
7. All the road improvements are for the account of the proponent.
8. **Detail design plans are to be submitted to this Branch's Design Directorate** for the attention of Mr M Hendrickse (michael.hendrickse2@westerncape.gov.za tel: 2721-4833107) for approval.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE

DATE: 30 MAY 2023

ENDORSEMENTS

1. Drakenstein Municipality
Attention: Ms C van der Bank (e-mail: Cornelia.vanderbank@drakenstein.gov.za)
2. Consultant: Tommy Brümmer Town Planners
Attention: Ms Arina de Villiers (e-mail: Arina@tommybrummer.co.za)
3. Mr M Hendrickse (e-mail)
4. District Roads Engineer Paarl
5. Mr E Smith (e-mail)
6. Mr SW Carstens (e-mail)
7. Ms S du Preez (e-mail)
8. Mr F Fakier (e-mail)



Cor Van Der Walt
LandUse Management
Email: Cor.VanderWalt@westerncape.gov.za
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/5/4/1234
YOUR REFERENCE : 2022/10
DEA&DP REFERENCE : 16/3/3/1/B3/28/1088/22
ENQUIRIES : Cor van der Walt

Doug Jeffery Environmental Consultants
PO Box 44
KLAPMUTS
7625

Att: Adél Groenewald

REVISED DRAFT BASIC ASSESSMENT REPORT
PROPOSED EXPANSION OF TOURIST FACILITIES AND ASSOCIATED PARKING:
DIVISION PAARL
REMAINDER OF FARM NO 1592

Your application of 06 March 2023 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection to the proposed site development plan as dated 2023/02, Drawing No. 000.3 Rev. 14, Project No. 2021/07.

With reference to the initial comments submitted on 2023/01/19 amendment to the SDP, a proposal is supported & subject to the following:

- a) The restriction of the extent of the parking and proposed sewerage package plant as per SDP.
- b) No further loss of agricultural land shall be allowed.
- c) Non-agricultural land-uses to be restricted to the werf-area.
- d) Existing agricultural building may not be further converted to non-agricultural land uses.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2023-04-25

Copies:

Department of Environmental Affairs & Development Planning

1 Dorp Street

Cape Town

8000

Drakenstein Municipality

PO Box 1

PAARL

7622



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:	Stefnie Titus	Trappesstraat 51 Trappes Street
TELEFOON/TELEPHONE/UMNXEBA:	0218711001	☒ 91
FAKS/FAX/IFEKSI:	0218721277	WORCESTER
E-POS/E-MAIL/iE-MAIL:	stefnie@capewinelands.gov.za	6849
U VERW/YOUR REF/iREF YAKHO:		
ONS VERW/OUR REF/iREF YETHU:	15/2/6/1	

28 October 2022

Tommy Brümmer Town Planners
80 Jordaan Street
Cape Town
8001

Attention: Arina De Villiers

Sir/Madam

APPLICATION FOR CONSENT AND DEPARTURES: FARM NO. 1592, ADARA PALMIET VALLY ESTATE, DIVISION PAARL

Your email dated 28 October 2022 in the above regard refers.

From an environmental health perspective this proposed development may be recommended for approval, provided that the following conditions are complied with:

1. To operate a business where food is sold to the public (i.e., a restaurant or wine tasting facility), the owner must apply for a Certificate of Acceptability under Regulation 638 (in terms of the Health Act: Act 61 of 2003), from the CWDM- Municipal Health Division (Drakenstein Office).
2. All accommodation facilities must also be certified and regulated by this Department. The owner must therefore inform this Department when such business becomes operational.
3. The owner must ensure enough toilet facilities for visitor's and staff as regulated by the National Building Regulations.
4. All water used for drinking and food preparation purposes must comply to SANS code 241.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully

SS TITUS
ENVIRONMENTAL HEALTH PRACTITIONER
pp MUNICIPAL MANAGER

Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: C. VAN DER BANK)

From: MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: L. PIENAAR

Collaborator number: 1966186

Reference number: 15/4/1 (F1592/0) P (0184)

Date: 21 February 2023

Subject: APPLICATION FOR CONSENT USE AND DEPARTURES: FARM 1592/0 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.

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. *As access is off a proclaimed road, approval from the Provincial Roads Engineer is required; and*
- 1.3. 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. STORM WATER

- 2.1. Any new storm water 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;
- 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; and
- 2.5. ***Prior to the approval of any building/civil plans, a detailed SWMP must be submitted to this department for approval.***

3. WATER

- 3.1 ***The existing 15mmØ water connection cannot be used for fire protection. The 15mm connection is only for domestic use and 48 hours emergency consumption;***
- 3.2 All potable water supplied to consumers on the farm from boreholes shall comply with SANS 241 as amended. Proof of compliance test no older than 6 months must be available on request. All testing must be done by an accredited service provider;
- 3.3 The developer will be required to connect to future Drakenstein Municipal networks when it is provided;
- 3.4 Water saving devices shall be installed in toilets, bathrooms and basins;
- 3.5 Any existing system that is to remain shall be upgraded to minimum municipal standards;
- 3.6 ***Water services Intermediary agreement to be entered into with Drakenstein Municipality; and***
- 3.7 ***Any abstraction from any natural water source on the property must be metered (type of meter to be confirmed by Department of Water and Sanitation.)***

4. WASTEWATER SERVICES

- 4.1 The developer will be responsible to connect to future municipal networks when it is provided;
- 4.2 The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law (2014);
- 4.3 No new septic tanks allowed, all old/existing septic tank and soakaway systems must comply with the Water Research Commissions Report TT 114/99. No conservancy tank will be allowed within 100m of the 1:50 year flood line;
- 4.4 The municipality cannot guarantee a tanker service at all times and the owner remains responsible for the servicing of the conservancy tank. Any private company used must be registered with the Municipality and

;

must provide the owner of an invoice for services rendered. All invoices must be submitted on a monthly basis to the Waste Water Services section as proof of compliance;

4.5 ***Any on-site treatment works will require the necessary authorisations, prior to the approval of any construction/building plan and be completed prior to any occupancy certificate being issued; and***

4.9 Any existing system that is to remain shall be upgraded to minimum municipal standards;

5. SOLID WASTE

5.1 ***The applicant shall submit an Integrated Waste Management plan for approval;***

5.2 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;

5.3 Such collection shall be from individual erven/a single centralised waste collection site for the development;

5.4 Provision should be made for a waste disposal facility and entrance to the township, with lockable gate for wheelie bins (240l bins) and recyclable bags equal to the number of dwellings per development;

5.5 A key should be provided to Drakenstein Municipality to be able to unlock the door/gate to garbage area on collection days, from the kerbside;

5.6 The garbage area should be enclosed with a 1.8m high fence and need to provided with the following;

- Tap with running water;
- A gully which is connected to an approved sewer connection;
- Concrete floor;

5.7 Municipal refuse trucks will not enter to collect wheelie bins on collection days;

5.8 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

5.9 The Developer shall indemnify the Municipality from any damages caused as a result in rendering the refuse removal service.

6 DEVELOPMENT CHARGES

6.1 Based on the information provided in the application, the Development Charge are payable by the developer. Development Charges will be calculated when a more detailed SDP is submitted.

;

7 GENERAL

- 7.1** *When at any stage in future the municipality is required to take over ownership and maintenance of civil infrastructure, it will be the responsibility of the property owners to ensure all water and waste water connections adhere to municipal standards and by-laws;*
- 7.2** 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;
- 7.3** The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 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** The whole of the works shall fall under the control of a single project manager;
- 7.6** All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.7** Where applicable all water network, (down stream of the valve immediately upstream of the bulk water meter, upstream of the connection to the existing system or intersection point with the existing road), sewer network, stormwater network and road network components shall be a private combined system and shall be indicated as such on all documents and plans;
- 7.8** All private combined systems (including but not limited to water, sewer, stormwater, roads, irrigation, etc) shall be the joint and several responsibility (including but not limited to the administration of the joint account and operation and maintenance of the system) of the members of the homeowners association/body corporate and must be noted as such in any constitution of any such body and any such constitution must be submitted for approval by council. This constitution shall be notarially linked to each separate title deed;
- 7.9** A set of accurate as built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection;
- 7.10** The above conditions are to be complied with in stages;
- 7.10.1** Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.10.2** 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

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



LP PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE DEVELOPMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2023\comments\Farm 1592 portion 0 Paarl, Consent Use and Departure.docx
LP/gm



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium

+27 21 807 4500 +27 21 872 8054
www.drakenstein.gov.za
customer@drakenstein.gov.za
Civic Centre, Berg River Boulevard, Paarl 7646

Memo

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

From: MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: L. PIENAAR

Collaborator number: 2059774

Reference number: 15/4/1 (F1592/0) P (0979)

Date: 03 July 2023

Subject: APPLICATION FOR CONSENT USE AND DEPARTURES: FARM 1592/0 PAARL

This department take note of the letter of approval from the Provincial Roads Engineer dated 30 May 2023 with reference TPW/CFS/RP/LUD/REZ/SUB-10/512 (Job 29985). The conditions stated our letter dated 21 February 2023 with reference 15/4/1 (F1592/0) P (0184) remains applicable.

LP PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE DEVELOPMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2023\comments\Farm 1592 portion 0 Paarl, Consent Use and Departure
Revision 1.docx

LP/gm



DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

+27 21 807 4500 +27 21 872 8054
 www.drakenstein.gov.za
 records@drakenstein.gov.za
 Civic Centre, Berg River Boulevard, Paarl 7646

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: Erf 1592
Date: 23 December 2022
Subject: APPLICATION FOR CONSENT USE AND DEPARTURES, ERF 1592, 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 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 or as the case may be.
- 2.2. Register service servitudes where existing services crosses the erf.
- 2.3. A service level agreement between the municipality and the owner or developer of the development must be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply in the case where the notified maximum demand will be exceeded and will then be calculated according to the following as indicated in approved tariffs: **R 4 500.11 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.
- 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. Your attention is drawn to the following electricity by-law:
 - 3.4..1. Unless authorised by the municipality, no person may sell or supply electricity supplied to his or her premises or generated by him or her under an agreement with the municipality, to any other person or persons for use on any other premises, or permit or allow such resale or supply to take place.
 - 3.4..2. A reseller must comply with the licensing and registration requirements set out in the ERA.
 - 3.4..3. If electricity is resold for use upon the same premises, the electricity resold must be measured by a sub meter of a type which has been approved by South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the municipality.
 - 3.4..4. The tariff at which and the conditions of sale under which electricity is thus resold, shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the municipality.
 - 3.4..5. Every reseller must furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the municipality to its electricity customers.
 - 3.4..6. The municipality may request audited reports from resellers to prove that the above resale conditions are met. The cost to obtain audited reports will be borne by the reseller.
- 3.5. A private registered electrical consultant as well as an 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 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.

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

i:BEPLAN_3\Sub_Divisions_Rezoning\202223\1592

Provide Comments: Electro Technical Engineer

LU Circulation	2016609,      
Task Ref	4635711
From	 Hamish Louw
Due Date	26-01-2023
Date Completed	12-02-2023
Date Assigned	26-01-2023 09:22
LUA OnPremise Ref	1966186
LUA ExtensionRef	1671429
Provide Comments: Electro Technical Engineering Services	Yes
User: Electro Technical Engineering Services	LEONL
Outcome: Electro Technical Engineering Services	In Order

Comments:
 Electro Technical Engineering Services
 (Note: This field forms part of an official email to the Applicant)

Service servitudes will have to be registered where existing 11kV overhead lines crosses the erf. The existing supplies to the respective erf will have to be consolidated. The developer will be responsible for all upgrading and service cost to the development.

Completion Date: Electro Technical Engineering Services

2023-02-12

Feedback History

Feedback User	Feedback Date	% Compl	Feedback
Leon Laing (LEONL)	12-02-2023 11:57	100%	No feedback was required.

Reallocated Tasks

Prev. Allocated To	Date Reallocated	Reallocation Note

Task Note

Note

Back



Memo

To: LAND DEVELOPMENT MANAGEMENT DIVISION
C VAN DER BANK (EXT: x4832)

From: HERITAGE SERVICES SUB-SECTION

Enquiries: CLIVE THEUNISSEN (EXT: x4818)

Reference number: 15/4/1 (F1592)P

Date: 28 APRIL 2023

Subject: APPLICATION FOR THE CONSENT USE AND DEPARTURES IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING 2018: REMAINDER OF FARM 1592, PAARL

RECEIVED APPLICATION ON 25 APRIL 2023

1. PROPOSAL

The proposal entails the consent use to permit visitor's accommodation and visitor's facilities and departures on Remainder of Farm 1592, Paarl.

2. EVALUATION

2.1 NATIONAL HERITAGE RESOURCES ACT NO. 25 of 1999

A Notice of Intent to Develop was submitted to Heritage Western Cape and a Heritage Impact Assessment was requested that includes a Visual Impact Assessment and an Archaeological Screening Report.

Heritage Resource Subsection notes the following:

- On page 3 of the Heritage Impact Assessment dated 8 November 2022 by Bridget O'Donoghue Architect Heritage Specialist Environment, it is noted that the heritage practitioner assessed the site and its context as follows:
 - The site has an importance in the community or pattern in South African history, as a good example of an historic agrarian cultural landscape that established from the 17th century;
 - The farmstead is recommended for Grade IIIA for historic, aesthetic, architectural significances;
 - The farm is recommended for Grade II heritage resource;
 - Building 1 is recommended as a Grade IIIA for architectural, aesthetic, historic significances. Building 4 is recommended as Grade IIIC for historic and contextual significance;
 - Building 2 is recommended as a Grade IIIC heritage resource;
 - The farmstead vegetation is a garden setting that is important to the aesthetic value of the farmstead;
 - The mature trees within the werf are significant for historic and aesthetic values. The windbreak trees within the cultivated lands are an important agrarian element but not significant as trees species and could be removed or replaced; and



- The archaeological resources are deemed to have very low cultural significance at the local level for their scientific value.

2.2 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.

2.3 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal is located within the proposed Klein Drakenstein Heritage Overlay Zone.

3. CONCLUSION

In view of the above, the proposed the consent use to permit visitor's accommodation and visitor's facilities and departures on Remainder of Farm 1592, Paarl, is **supported** on condition that:

- The concerns as identified by Heritage Western Cape must be addressed as part of the proposed development proposals;
- An emergency permit application must be lodged with Heritage Western Cape for the illegal work to the visitors accommodation (Building No. 2); and
- Heritage Western Cape permit must be provided for any alterations to the heritage resources onsite at the building plan stage.

.....
W HENDRICKS
MANAGER: SPATIAL PLANNING