



Col no: 1577054 (1479/2019)  
Enquiries: R Mowzer  
Tel no: (021) 807-4822  
Date: 12 November 2020

JA/RM  
15/4/1 (216/1) P

PJ Le Roux  
262 Main Road  
PAARL  
7646

[pj@pjleroux.co.za](mailto:pj@pjleroux.co.za)

Sir

## APPLICATION FOR TECHNICAL APPROVAL AND PERMANENT DEPARTURE FROM THE LAND USE RESTRICTIONS: FARM 216/1 PAARL DIVISION

Your application dated 23 September 2019, refers.

1. Approval has been granted in terms of Section 13(2)(d) of the Drakenstein Zoning Scheme By-law, 2018, for the following:
  - 1.1 Technical Approval for an Agricultural Processing facility, in order to establish a fruit processing facility within a new building measuring  $\pm 1000\text{m}^2$ , together with a dispatching area of  $\pm 500\text{m}^2$  in extent, and will include a lab/office, processing area ( $\pm 300\text{m}^2$ ), a boardroom, office/ablution area and associated uses, as indicated on the Site Plan and layout Plan drawn by PJ Le Roux, Town Planners dated September 2019, attached hereto as **(Annexure B)**;
  - 1.2 Permanent departure from the prescribed land use restrictions in respect of Section 155(3) of the Drakenstein Municipality Zoning Scheme Bylaw, 2018 in order to allow for only 30%, instead of the prescribed 50%, of the produce to be derived from the land unit concerned or on a group of land units managed as one agricultural enterprise;
2. That the approval mentioned in Paragraphs 1 above is subject to the following conditions, laid down in terms of Sections 13(2)(h) of the Drakenstein Zoning Scheme By-law, 2018 and 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018:

- 2.1 Adherence to the conditions set by the Cape Winelands District Municipality: Health Department in their letter referenced 15/2/6/1 dated 17 August 2020, attached hereto as **(Annexure G)**;
- 2.3 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services Division as set out in its memorandum 15/4/1 (F216/1) P (1947) dated 06 November 2020, attached hereto as **(Annexure H)**;
3. The following conditions from a town planning point of view, be applicable:
  - 3.1 That the development take place largely in accordance with the site and layout plan attached as **(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 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 That Farm 216/1 Paarl, Farm 211 Paarl and Erf 9142 Wellington must be notorially tied in order to ensure that the 30% produce is derived from the owners properties at all times;
  - 3.6 That any electrical services, extensions and/or upgrades will be for the cost of the applicant;
- 4 That the following be regarded as the reasons for the decision pertaining to the permanent departure application:
  - 4.1 Little to no negative impacts to the natural environment is foreseen by this application;
  - 4.2 No change in zoning and no foreign land uses to the area is proposed;
  - 4.3 The proposal will not lead to the extensive loss of cultivated land;
  - 4.4 The proposal represents an initiative by the owner to extend the agricultural potential of his land;

- 4.5 This will create much needed employment opportunity in the area;
- 4.6 The proposed use will ensure a sustainable agricultural operation for the owner;
- 4.7 The application will not have a significant impact on the visual character of the area;
- 4.8 The proposal will become a subservient use to the existing agricultural activity on the property; and
- 4.9 All the relevant internal and external departments consented to the application, subject to certain conditions.

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 By-law on Municipal Land Planning, 2018, by any any person whose rights are affected by the decision, within **21 days** from, the date of the registration of the letter.

Yours faithfully



**H.G. STRIJDOM**  
**MANAGER LAND USE PLANNING AND SURVEYING**









**CAPE WINELANDS DISTRICT**  
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E-POS/E-MAIL/E-MAIL:  
U VERW/YOUR REF/REF YAKHO:  
ONS VERW/OUR REF/REF YETHU:

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15/4/1 (F216/1) P  
15/2/5/1

Alexanderstraat 46 Alexander Street  
☒ 100  
STELLENBOSCH  
7599

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word  
All correspondence to be addressed to the Municipal Manager / Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala

17 August 2020

The Municipal Manager  
Drakenstein Municipality  
PO Box 1  
Main Road  
Paarl  
7622

**ATTENTION: Mr E J Cyster**

Sir

**APPLICATION FOR TECHNICAL APPROVAL AND PERMANENT DEPARTURE: FARM 216 /1  
PAARL DIVISION**

Your letter dated 4 November 2019 in the above regard refers.

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

- 1 Environmental pollution
  - 1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the construction or renovation phase. Proper preventative measures must be put in place beforehand.
2. Sewerage/Sanitary facilities
  - 2.1 Sewage disposal on the premises must at all-time take place in a nuisance-free manner and shall be the owner's responsibility.
3. Potable water/Storm water
  - 3.1 The quality of the potable water on the premises must at all times comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.

4. Solid waste disposal

- 4.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.
- 4.2 The proposed industry must be provided with a refuse area that complies with the following:
  - 4.2.1 Large enough to store all the refuse generated on the premises;
  - 4.2.2 Inaccessible to the public, i.e equipped with a lockable door or gate;
  - 4.2.3 A smooth, washable floor surface, constructed at an angle to direct drainage to a specific point;
  - 4.2.4 A catchment pit connected to the sewerage system;
  - 4.2.5 A cold water tap for washing up purposes;
  - 4.2.6 Rodent and insect proof according to the best available method.

5. Food handling

- 5.1 All areas where food is handled must comply with the minimum requirements for food handling premises.
- 5.2 Said food handling areas may in no circumstances be operated without application being made to the Environmental Health Department of the Cape Winelands District Municipality for a Certificate of Acceptability

6. General conditions

- 6.1 The requirements for smoking in public places as contained in Regulation 975 – Notice Relating to Smoking of Tobacco Products in Public Places, issued in terms of the Tobacco Products Control Act, 1993 (Act 83 of 1993) as amended, must be complied with at all times.
- 6.2 This Department reserves the right to set further requirements during the running of the business.

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

Yours faithfully



**KD ESAU**  
**ENVIRONMENTAL HEALTH PRACTITIONER**



**DRAKENSTEIN**

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# Memo

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

**From:** MANAGER: INFRASTRUCTURE MANAGEMENT

**Enquiries:** L. PIENAAR

**Collaborator number:** 1577048

**Reference number:** 15/4/1 (F216/1) P (1947)

**Date:** 06 November 2020

**Subject:** TECHNICAL APPROVAL AND PERMANENT DEPARTURE OF FARM 216  
PORTION 1 PAARL DIVISION

**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

- 1.1. Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors; and
- 1.2. Access is onto a proclaimed road. The Provincial Road Engineer's approval is required.

### 2. TRAFFIC

- 2.1. 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.

### **3. STORMWATER**

- 3.1. Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 3.2. Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 3.3. Contaminated run-off (washing water, storm water, etc) must be disposed of in such a manner so as not to cause any pollution to surface, ground water or create a nuisance;
- 3.4. Any organic waste (manure, compost, etc.) must be stored in such a way so that between removals there shall be no chance of polluted storm water run-off taking place, especially during the rainy season; and
- 3.5. 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.

### **4. WATER**

- 4.1 ***No water connection is available;***
- 4.2 All potable water supplied to consumers on the farm 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;
- 4.3 The developer will be required to connect to future Drakenstein Municipal networks when it is provided;
- 4.4 Water saving devices shall be installed in toilets, bathrooms and basins;
- 4.5 Any existing system that is to remain shall be upgraded to minimum municipal standards; and
- 4.6 Any upsizing and/or upgrading required will be for the developer account.

### **5. WASTE WATER SERVICES**

- 5.1. The developer will be responsible to connect to future municipal networks when it is provided;
- 5.2. 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;
- 5.3. 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;
- 5.4. ***Approval from the Dept. of Water Affairs and Sanitation (DWS) is required for the discharge of the industrial effluent from the processing plant;***
- 5.5. Any upsizing and/or upgrading required will be for the developer account; and
- 5.6. Any existing system that is to remain shall be upgraded to minimum municipal standards.



## 6. SOLID WASTE

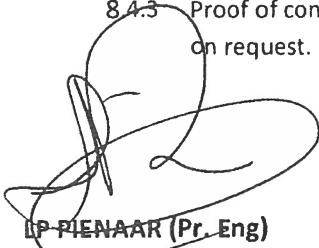
- 6.1. All solid waste disposal shall comply with, the National Environmental Management Waste Act 59 of 2008. Proof of compliance must be available on request; and
- 6.2. A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out.

## 7 DEVELOPMENT CHARGES

- 7.1 Based on the information provided in the application, no Development Charge are payable by the developer.

## 8 GENERAL

- 8.1 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 8.2 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;
- 8.3 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 8.4 The above conditions are to be complied with in stages;
  - 8.4.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
  - 8.4.2 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
  - 8.4.3 Proof of compliance for the requirements associated with long term operations must be available on request.



**LP PIENAAR (Pr. Eng)**

**MANAGER: INFRASTRUCTURE MANAGEMENT**

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