



Col no: 1700288  
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Tel no: (021) 807 4832  
Date: 01 June 2021

CvdB/GS  
15/4/1 (F410) P

David Hellig and Abrahamse  
Land Surveyors  
Main Street  
Paarl  
7646

Sir / Madam

**APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL, APPROVAL OF A SITE DEVELOPMENT PLAN AND TECHICAL APPROVAL: FARM 410 PAARL**

I refer to your application dated 12 October 2020 and have to inform you as follow:

1. **Approval be granted** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the following:
  - 1.1 Amendment of condition 3, as contained in the letter of approval dated 19-12-2002, for Consent Use for a Visitors Facility for wine tasting and sales, from  $\pm 123m^2$  to  $181m^2$ ;
  - 1.2 Technical Approval in order to allow a Visitors' Facility for a restaurant, measuring  $\pm 310m^2$  in extent, as indicated on of the Site Development Plan dated March 2020 (**Annexure C**);
2. The approvals mentioned in Paragraph 1 above are 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 The approvals above shall be subject to the condition 4 contained in the letter of approval dated 19 December 2002 (**Annexure B**);
  - 2.2 Adherence to the conditions set by the Department of Transport and Public Works: Road Network Management as set out in its memorandum TPW/CFS/RP/LUD/REZ/SUB-10/414 (Job 28054) dated 10 December 2020 (**Annexure D**);

- 2.3 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services Division laid down in its memorandum 15/4/1 (410)P (0540) dated 30 March 2021 **(Annexure E)**;
- 2.4 The following conditions are applicable from a town planning point of view:
- a) No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council;
  - b) The development take place largely in accordance with the site development plan **(Annexure C)**;
  - c) Any electrical services extensions and/or upgrades will be for the cost of the developer, including any payable network recovery costs;
  - d) This approval applies only to the technical approval for visitors facilities as indicated on the Site Development Plan **(Annexure C)**, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
  - e) The visitors' facilities shall always remain subservient to the primary agricultural activities and shall not interfere with the agricultural land uses on the property;
  - f) The total floor area for all buildings used for visitors' facilities and visitors' accommodation may not exceed 5% per hectare of the land unit up to a maximum of 1500m<sup>2</sup>;
  - g) Development Charges are payable and the exact amount will be calculated when a detailed SDP is provided to the department; and
  - h) 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. That the following be regarded as the reasons for the decision:
- 3.1 The total floor areas for all buildings used for the abovementioned purposes are less than 1 500m<sup>2</sup> and therefore in adherence to the threshold requirement for Technical Approvals in respect of Visitors' Facilities;
- 3.2 The application proposal complies with the above building development parameters / restrictions and sufficient parking can be provided on site;

- 3.3 The proposal can be regarded as a means to promote and enhance tourism within the Drakenstein area which is listed in terms of the SDF as an overarching theme and a key priority sector to create jobs and grow the local economy;
- 3.4 The existing wine tasting and sales facility is not listed as a heritage resource and the proposed amendment is supported from a heritage point of view;
- 3.5 The Western Cape Department of Agriculture has no objection against the application; and
- 3.6 All relevant internal and external departments consented to the application.

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 Land Use Planning, 2018, by any person whose rights are effected by the decision, within **21 days** from the date of registration of the letter. This approval is therefore suspended until further notice.

Yours faithfully



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**H. G. STRIJDOM (PR. PLN A/1058/1998)**  
**MANAGER: LAND USE PLANNING AND SURVEYING**



YVDB/cs  
15/4/1 (F410)P

19 December 2002

Mr D Hellig  
David Hellig and Abrahamse  
Land Surveyors  
P O Box 18  
Main Street  
**PAARL**  
7622

Sir

## **APPLICATION FOR REZONING AND CONSENT USE OF THE FARM LANGVERWACHT NO. 410, PAARL DIVISION**

With reference to your letter P3015/02 dated 25 April 2002 in the above regard, I have to inform you that the Executive Committee, on 10 December 2002, resolved as follows:-

1. that a zoning of Agricultural Zone I be determined for the Farm Langverwacht No 410, Paarl Division, in terms of Section 14(1) of the Land Use Planning Ordinance, No 15 of 1985;
2. that approval be granted in terms of Section 16(1) of the Land Use Planning Ordinance, No 15 of 1985; for the rezoning of a  $\pm 1310$  m<sup>2</sup> of the Farm Langverwacht No 410, Paarl Division, from Agricultural Zone I to Agricultural Zone II for the establishment of a 200 ton winery;
3. that approval be granted for a Consent Use in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, No 15 of 1985, and promulgated under PN1048/1988 for a Tourist Facility (Wine Tasting and Sales of  $\pm 123$  m<sup>2</sup>) on the Farm Langverwacht No 410, Paarl Division;
4. that the approval be subject to the following conditions in terms of Section 42(1) of the Land Use Planning Ordinance, No 15 of 1985:-
  - 4.1 the adherence of the conditions of approval set by the Department of Environmental Affairs and Development Planning as set out in paragraph G (Conditions of Authorisation) of their letter with reference E12/2/1-87-Farm 410, Paarl, dated 14 November 2002;

2/.....

Address all correspondence to  
THE MUNICIPAL MANAGER

Rig alle korrespondensie aan  
DIE MUNISIPALE BESTUURDER

Lonke uqhakamshelwano  
THE MUNICIPAL MANAGER

2.

- 4.2 the adherence of the requirements set by the Department of Water Affairs and Forestry as contained in their letter with reference 16/2/7/G100/A/8 & 27/2/1/G10D dated 8 October 2002;
- 4.3 the adherence of the following conditions contained in the District Roads Engineer's (Department of Transport & Public Works) letter with reference PR22/29/87 and dated 4 September 2002:
- 4.3.1 the existing servitude access off Main Road 218 is to be used to access the proposed development on Farm No 410. The owner, however, is to confirm his right to use the servitude road to access his newly acquired rezoned rights on the farm in writing prior to implementation of the acquired zoning rights;
- 4.3.2 no advertisement or any other signs visible from the proclaimed road may be erected without the prior written approval of the District Roads Engineer, Paarl;
- 4.4 the adherence of the following conditions contained in the Chief Engineer of the Boland District Municipality's letter with reference 15/4/1 (IP/02/08/00087) and dated 20 August 2002:-
- 4.4.1 full compliance of the conditions set by the District Roads Engineer, Paarl, in terms of Act 21/1940;
- 4.4.2 the owner is to submit a Water Quality Management Plan to the Department of Water Affairs and Forestry as well as the Chief Engineer of the Boland District Municipality for approval. Only on receipt of the approval by the Department of Water Affairs and Forestry for the Water Quality Management Plan, will any building plans be considered for approval. The owner is to attach a site development plan to his building plan submission indicating the on-site parking as well as effluent disposal method as approved by the Department of Water Affairs and Forestry;
- 4.4.3 the owner of Farm No 410 is to confirm his right to use the existing access road over Farms No. 395 and 396/1 to access his proposed rezoned area in writing prior to the implementation of his rezoned rights;
- 4.5 the adherence of the following conditions contained in the Chief: Health Services of the Boland District Municipality's letter with reference Farm No 410 and dated 29 August 2002:-
- 4.5.1 the disposal of all solid and liquid waste from the cellar comply with the standards of the Department of water Affairs and Forestry;
- 4.5.2 sufficient toilet facilities be provided at the wine tasting facility for the general public;

3.

- 4.6 the following conditions from a planning point of view:-
- 4.6.1 the approval applies only to the rezoning and consent use in question, and will not be construed as authority to depart from any other legal prescriptions or requirements;
  - 4.6.2 any extension to the winery and/or wine tasting and sales facility is subject to the relevant approval;
  - 4.6.3 no structures are to be erected without the approval of building plans by the Council;
  - 4.6.4 no pollution, including noise pollution, may take place on the property. All health regulations will be complied with. Where noise is concerned, the Environmental Conservation Act, No 73 of 1989, as well as the SABS code of conduct 0103/1994, must be used as a guideline and will be the owner's responsibility;
  - 4.6.5 the requirements of the National Water Act, 1998, the Water Services Act, 1997, and the Environment Conservation Act, 1989, must be adhered to at all times;
  - 4.6.6 no pollution/effluent from the cellar may affect the adjacent and/or lower-lying properties. The owner will be responsible for containing and clearing of all pollution on any adjacent property as a result of the proposed cellar;
  - 4.6.7 skins, stalks and other waste from the cellar must be disposed of in a manner which will not create a nuisance; and
  - 4.6.8 the required licence as stipulated in the Liquor Act, No 27 of 1989, must be obtained if the applicant is not already in possession thereof."

Kindly note that the rezoning will only come into effect once all the conditions of approval have been met. (It is the responsibility of the owner/developer to inform Council when all the conditions of approval have been met. Once the Department of Planning and Economic Development has been informed by the owner/developer that all the conditions have been met, a site inspection will take place by the Town Planning Inspector of the Department of Planning and Economic Development and only then the records of Council with regard to zoning will be amended and a zoning certificate will be issued to the owner of the property).

Yours faithfully



**HEAD: CORPORATE SERVICES**







FOR COUNCIL APPROVAL

**IMPORTANT NOTES:**

- The site plan shows the proposed layout of the building and the location of the existing structures. The site plan also shows the location of the existing structures and the location of the proposed structures.
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**WINDOWS:**

Area	Window Type	Size	Material
Living Room	Double Glazed	1200 x 1500	Alu/Clad
Dining Room	Double Glazed	1200 x 1500	Alu/Clad
Kitchen	Double Glazed	1200 x 1500	Alu/Clad
Bedroom 1	Double Glazed	1200 x 1500	Alu/Clad
Bedroom 2	Double Glazed	1200 x 1500	Alu/Clad
Bathroom	Double Glazed	1200 x 1500	Alu/Clad
Garage	Double Glazed	1200 x 1500	Alu/Clad

**GENERAL NOTE:**

1. All dimensions are in millimeters unless otherwise stated.

2. All materials are to be of a standard approved by the Council.

3. All work is to be done in accordance with the Building Code of Australia.

4. All work is to be done in accordance with the relevant standards.

5. All work is to be done in accordance with the relevant standards.

**CONCRETE:**

1. All concrete is to be of a standard approved by the Council.

2. All concrete is to be done in accordance with the Building Code of Australia.

3. All concrete is to be done in accordance with the relevant standards.

**ROOFING:**

1. All roofing is to be of a standard approved by the Council.

2. All roofing is to be done in accordance with the Building Code of Australia.

3. All roofing is to be done in accordance with the relevant standards.

**MECHANICAL:**

1. All mechanical work is to be done in accordance with the Building Code of Australia.

2. All mechanical work is to be done in accordance with the relevant standards.

**ELECTRICAL:**

1. All electrical work is to be done in accordance with the Building Code of Australia.

2. All electrical work is to be done in accordance with the relevant standards.

**PLUMBING:**

1. All plumbing work is to be done in accordance with the Building Code of Australia.

2. All plumbing work is to be done in accordance with the relevant standards.

**PAINTING:**

1. All painting is to be done in accordance with the Building Code of Australia.

2. All painting is to be done in accordance with the relevant standards.

**GLAZING:**

1. All glazing is to be done in accordance with the Building Code of Australia.

2. All glazing is to be done in accordance with the relevant standards.

**LANDSCAPE:**

1. All landscape work is to be done in accordance with the Building Code of Australia.

2. All landscape work is to be done in accordance with the relevant standards.

**OTHER:**

1. All other work is to be done in accordance with the Building Code of Australia.

2. All other work is to be done in accordance with the relevant standards.

**Ridgeback Wines**

Winehs Farming (Pty) Ltd

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021 123 4567

www.ridgebackwines.co.za

123 Main Street, Cape Town

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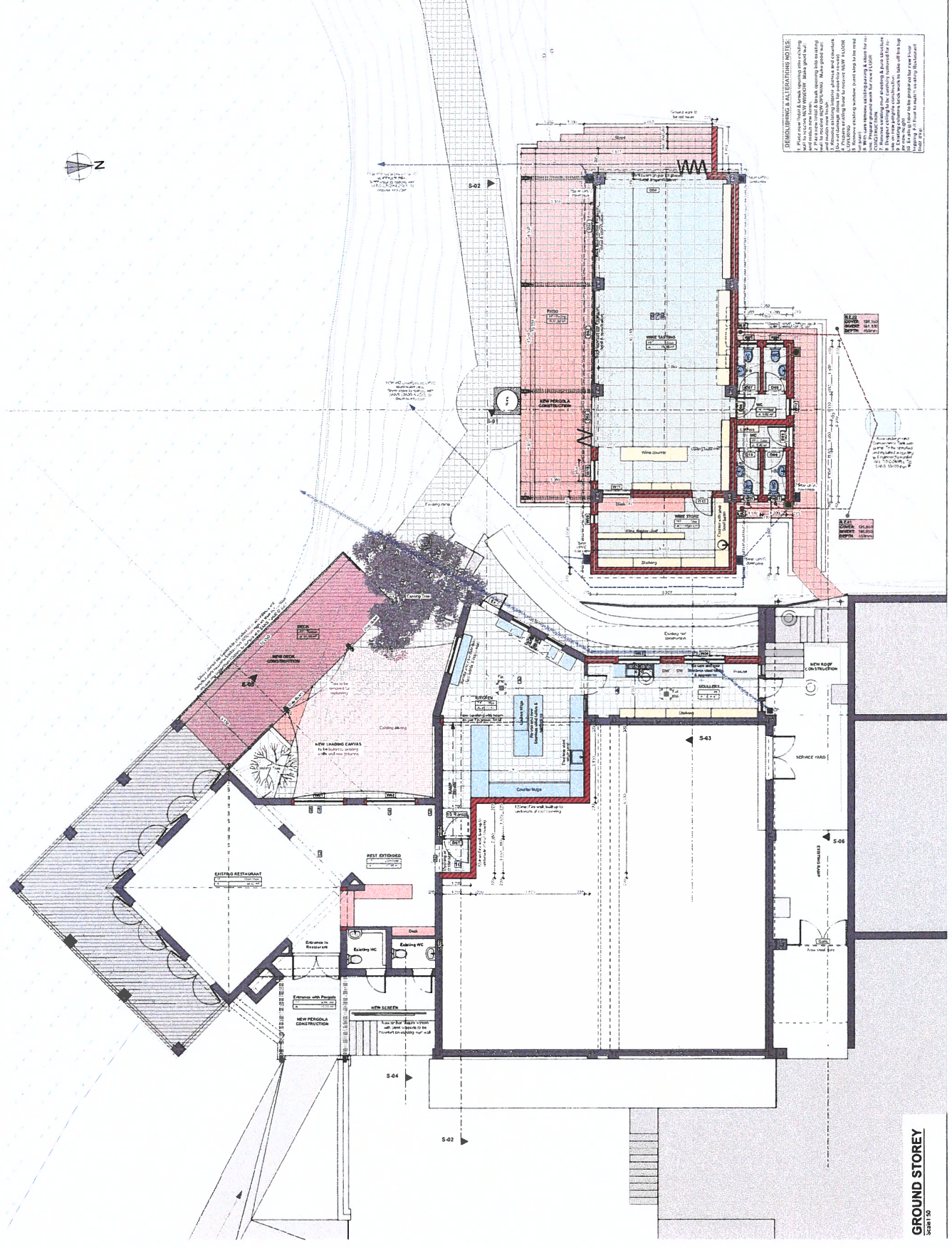
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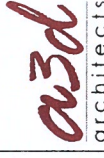


**GENERAL NOTES:**

1. All dimensions are in millimeters unless otherwise stated.
2. All materials are to be of a standard approved by the Council.
3. All work is to be done in accordance with the Building Code of Australia.
4. All work is to be done in accordance with the relevant standards.
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10. All work is to be done in accordance with the relevant standards.

**GROUND STOREY**

Sheet 10



architects

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**ROAD NETWORK MANAGEMENT**

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PO Box 2603, Cape Town, 8000

**REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-10/414 (Job 28054)**

**ENQUIRIES: Ms G D Swanepoel**

**DATE: 10 December 2020**

The Municipal Manager  
Drakenstein Municipality  
PO Box 1  
Main Street  
**PAARL**  
7622

Attention: Mr E Cyster

Dear Sir

**FARM 410, PAARL DIVISION (WINDMEUL): MAIN ROAD 218 (NOORD AGTER-PAARL ROAD):  
APPLICATION FOR AMENDMENT OF PREVIOUS APPROVAL, TECHNICAL APPROVALS AND  
APPROVAL OF SITE DEVELOPMENT PLAN**

1. Letter to this Branch, ref. P3015/02(10) dated 6 October 2020 from Marnus Botha of David Hellig & Abrahamse and attached application documentation refer.
2. Farm 410 Paarl is located in the village of Windmeul, ±9km north-west of the centre of Paarl. The property, known as Ridgeback Winery, is a short distance south of Main Road 218, the Noord Agter-Paarl Road and is accessed through Farm 395.
3. This application is for:
  - 3.1 Amendment of previous approval: cancellation of the current consent use approval for a wine tasting and sales facility measuring ±123m<sup>2</sup>;
  - 3.2 Technical Approvals for the following Visitors' Facilities:
    - (a) A restaurant measuring ±310m<sup>2</sup> in extent;
    - (b) A new wine tasting and sales facility, measuring ±181m<sup>2</sup> in extent; and
  - 3.3 Approval of site development plan.
4. The earlier land use approvals included as a condition, confirmation of the right to use the servitude road for access. As the title deed for Farm 410 made no mention of a servitude in its favour through Farm 395 and possibly also through Farm 396/1, and the title deed for Farm 395 was not readily available, this should be confirmed.


**DRAKENSTEIN**

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# Memo

**To:** EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT  
 (ATTENTION: E CYSTER)  
**From:** MANAGER: INFRASTRUCTURE MANAGEMENT  
**Enquiries:** L. PIENAAR  
**Collaborator number:** 994771\_554822  
**Reference number:** 15/4/1 (410) P (0540)  
**Date:** 30 March 2021  
**Subject:** AMENDMENT OF PREVIOUS APPROVAL, TECHNICAL APPROVAL AND  
 APPROVAL OF SITE DEVELOPMENT PLAN OF FARM 410 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 several 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

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 authorisation 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. Only pre-development run-off of a 1:5 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,
- 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 stormwater 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 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;
- 4.2 The developer will be required to connect to future Drakenstein Municipal networks when it is provided;
- 4.3 Water saving devices shall be installed in toilets, bathrooms and basins;
- 4.4 Any existing system that is to remain shall be upgraded to minimum municipal standards;
- 4.5 Any upsizing and/or upgrading required will be for the developer account;
- 4.6 Any abstraction from any natural water source on the property must be metered (type of meter to be confirmed by the Department of Water and Sanitation).

## **5. WASTEWATER SERVICES**

- 5.1 The developer will be responsible to connect to future municipal networks when it is provided;
- 5.2 An adequately sized fat trap is required;

- 5.3 No new septic tanks will be 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;
- 5.4 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 monthly to the Wastewater Services section as proof of compliance;
- 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, Development Charges are payable by the developer. The exact amount to be calculated when a detailed Site Development Plan is provided

## **8 GENERAL**

- 8.1 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 8.2 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;
- 8.3 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;
- 8.4 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 8.5 The above conditions are to be complied with in stages;
- 8.5.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 8.5.2 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

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



LP PIENAAR (Pr. Eng)

MANAGER, INFRASTRUCTURE MANAGEMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2021\comments\Farm 410 Paarl - Amendment of Previous Approvals, Technical Approval and Approval of Site Development Plan.docx

LP/rv