



Enquiries: C. van der Bank
Contact number: 021 807 4832
Reference: 15/4/1 (782) VDV
Date: 02 March 2023

CB/JA
15/4/1(782) VDV

TV3 Architects
97 Dorp Street
STELLENBOSCH
7600

thys@tv3.co.za

Sir

APPLICATION FOR PERMANENT DEPARTURE AND APPROVAL OF A SITE DEVELOPMENT PLAN: ERF 782 VAL DE VIE

Your above mentioned application refers.

1. Approval has been granted in terms of Section 60(1)(a) of the Municipal Land Use Planning Bylaw, 2018 Erf 782 Val De Vie, which is zoned "Agriculture Zone" for the permanent departure from the maximum prescribed floor area restrictions in order to develop three (3) new buildings ($\pm 4000\text{m}^2$ in total) within a demarcated area, measuring $\pm 1.3\text{ha}$, as follows:
 - 1.1 Main dwelling floor area to be relaxed from $\pm 500\text{m}^2$ to $\pm 2000\text{m}^2$;
 - 1.2 Second dwelling floor area to be relaxed from $\pm 500\text{m}^2$ to $\pm 1500\text{m}^2$; and
 - 1.3 Employee housing unit floor area to be relaxed from $\pm 120\text{m}^2$ to $\pm 500\text{m}^2$.
2. Approval has been granted in terms of Section 60(1)(a) of Municipal Land Use Planning Bylaw, 2018, for the approval of the Site Development Plan for Erf 782 Val De Vie, attached as Annexure B (drawn by TV3 Town Planners, dated 17 January 2023 Project No P3689).
3. The approvals mentioned above paragraphs are subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 3.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1 (782) P (802) dated 7 June 2022, (**Annexure C**);

2./...

- 3.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro Technical Services in its memorandum dated 4 October 2021, **(Annexure D)**;
- 3.3 Adherence to the conditions laid down by the Drakenstein Municipality: Environmental Management Services in its memorandum dated 14 June 2022, **(Annexure E)**;
- 3.4 Adherence to the following conditions laid down by Land Development Management:
 - 3.4.1. A detailed Site Development Plan must be submitted for approval before the submission of building plans indicating the following detail:
 - 3.4.1.1 The position of all stormwater services, - detention facilities and infrastructure.
 - 3.4.1.2 The position of the rainwater harvesting system and storage facilities.
 - 3.4.1.3 The position of wastewater connection points.
 - 3.4.1.4 The position of the bulk water connection point.
 - 3.4.1.5 The proximity of new buildings and structures to the overhead electrical lines.
 - 3.4.2 Removal of household refuse shall take place in accordance with the municipal bylaws.
 - 3.4.3 The property owner shall take the necessary measures to ensure that stormwater be relayed and not discharged directly into the Berg River, in order to prevent possible pesticides and herbicides from entering the water system.
 - 3.4.4 The property owners shall ensure that all invasive alien vegetation in the riparian area of the Berg River be removed and managed continuously.
 - 3.4.5 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council. The following conditions must be adhered to before the approval of building plans:
 - 3.4.5.1 The property owner shall obtain and submit approval from the Department of Water and Sanitation for the pump station indicated on the Site Development Plan (Annexure B) situated within the Berg River.
 - 3.4.5.2 The property owners shall obtain and submit approval from Eskom for the construction of any dwellings in close proximity to the existing 132kV overhead electrical line, prior the approval of building plans.

3.4.6 Should the applicant fail to comply with the any of the above-mentioned conditions of approval, the Council reserves the right to impose further conditions in future if deemed necessary.

4. The following reasons shall be regarded as the considerations for the decision:

- 4.1 A transparent and fair process was followed in processing the application in accordance with the Land Use Planning Bylaw, 2018.
- 4.2 The departure from the maximum floor area for the proposed building structures is considered to be compatible with the immediate abutting Gentlemen's Estate Development Precinct context where extensive dwellings have been developed.
- 4.3 Application is made for the development of a main dwelling, second dwelling and employee housing unit which is in line with the permitted land uses for properties zoned "Agriculture Zone".
- 4.4 The application was circulated to all the internal departments as well as certain external departments for comments. The comments received were scrutinized and considered in evaluating the application.
- 4.5 The proposed departure from the land use parameters and restrictions for "Agriculture Zone" is supported from a land use planning point of view due to the physical constraints of the site and seeing that it has no negative impact on the natural and built environment.

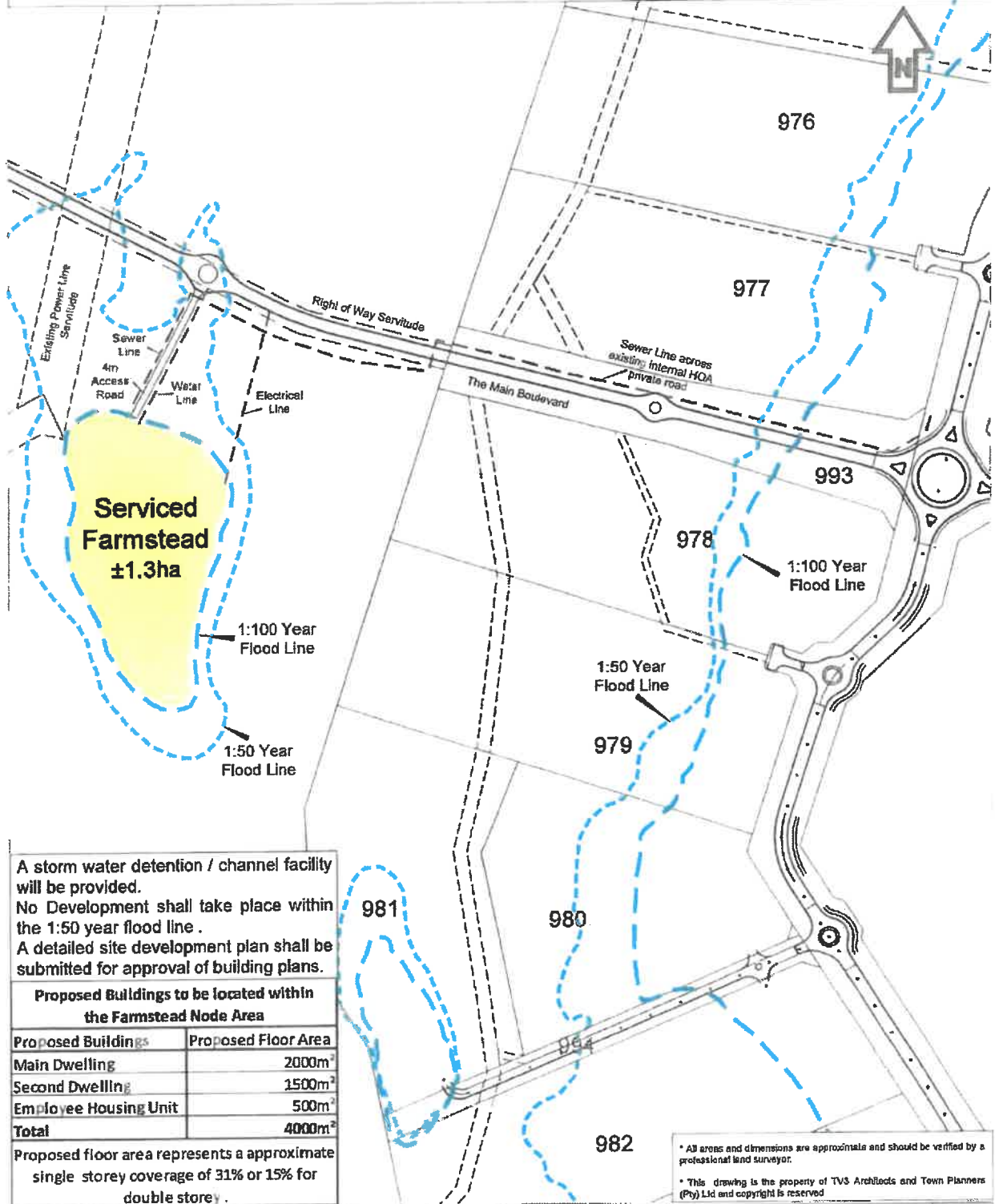
Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** from the date of registration of the letter. This 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 the Val de Vie Home Owners Association of their right of appeal – proof of notification **must** be provided. The appeal procedures are set out in Section 80 of the above-mentioned by-law (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
MANAGER: LAND USE DEVELOPMENT MANAGEMENT



A storm water detention / channel facility will be provided.
No Development shall take place within the 1:50 year flood line .
A detailed site development plan shall be submitted for approval of building plans.

Proposed Buildings to be located within the Farmstead Node Area	
Proposed Buildings	Proposed Floor Area
Main Dwelling	2000m ²
Second Dwelling	1500m ²
Employee Housing Unit	500m ²
Total	4000m²

Proposed floor area represents a approximate single storey coverage of 31% or 15% for double storey .

* All areas and dimensions are approximate and should be verified by a professional land surveyor.
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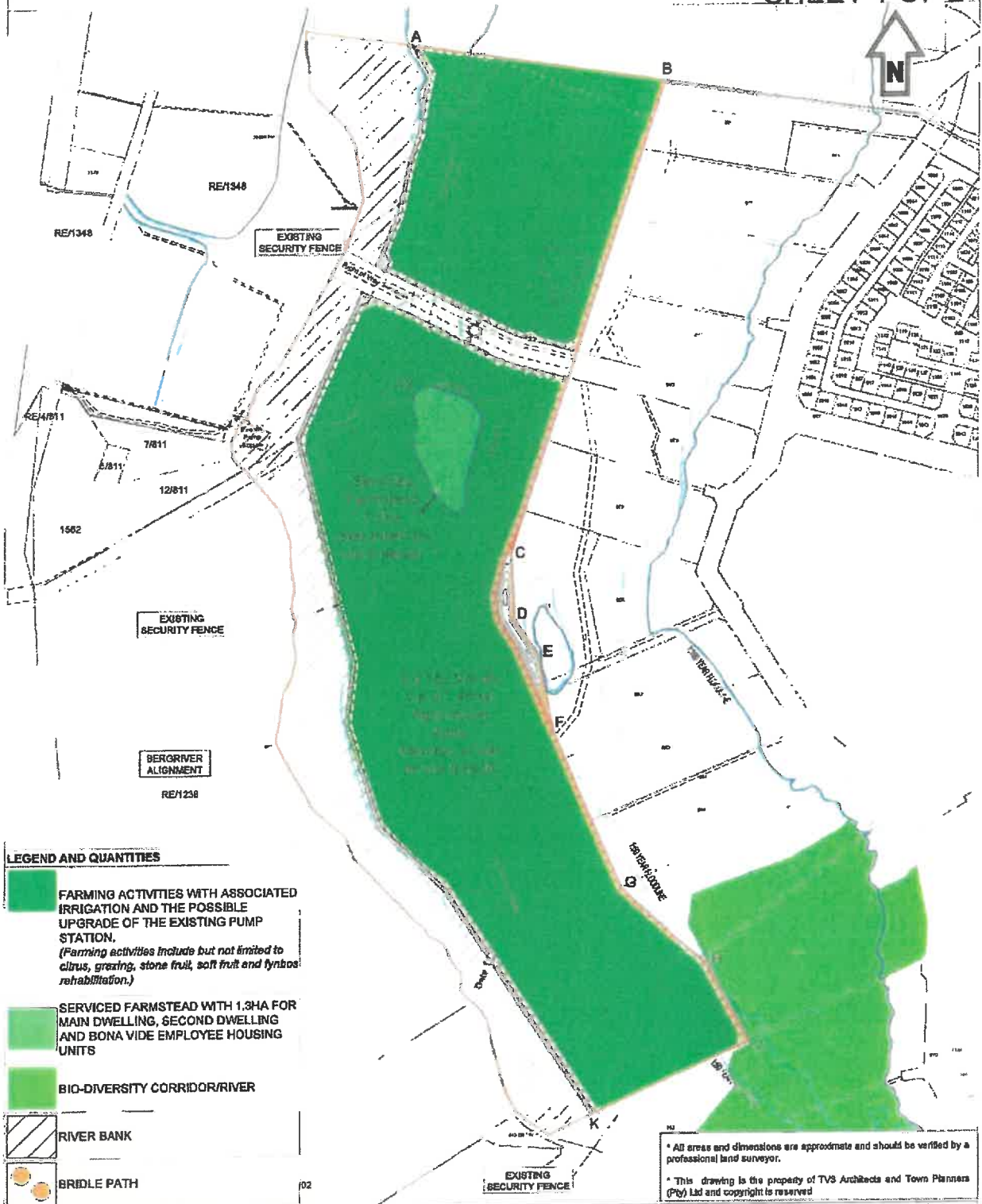
FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 851 3800 www.tv3.co.za

Erf 782,
Val de Vie

Drawing:	Site Development Plan	Plan no.:	3B
Date:	17/01/2023	Scale:	1:3000 (A4)
Project no.:	P3889	Drawn:	WH
		Checked:	MW

SITE DEVELOPMENT PLAN: PLAN 1 |

ANNEXURE B SHEET 1 OF 2



**tv3 ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS**

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STELLENBOSCH 7609 | TEL: +27 (21) 451 3800 | www.tv3.co.za

Erf 782, Val de Vie

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Drawing: _____ Plan no.: _____
Site Development Plan 3A
 Date: 17/01/2023 Scale: 1:3000 (A4)
 Project no.: P3689 Drawn: WH Checked: MW

Memo

To:	EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT (ATTENTION: C VAN DER BANK)
From:	MANAGER: INFRASTRUCTURE MANAGEMENT
Enquiries:	L. PIENAAR
Collaborator number:	
Reference number:	15/4/1 (782) P (802)
Date:	07 June 2022
Subject:	LAND USE DEPARTURES OF ERF 782 VAL DE VIE

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; and
- 1.2 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures.

2 STORMWATER

- 2.1 No development is allowed within the 1:50 year flood line and any construction within the 1:100 year flood line must be 1m above the 1:100 year flood line.
- 2.2 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;

2.3 Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event; and

2.4 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³/m² roof area.

3 WATER

3.1 The development will be provided with a bulk metered connection at actual cost;

3.2 All the metered connections must be installed one meter inside the erf boundary of each portion;

3.3 Water saving devices shall be installed in toilets, bathrooms and basins;

3.4 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

4.1 *Water Affairs approval is required for the pump station prior to building or civil plan approval;*

4.2 All individual portions must be provided with a separate wastewater connection;

4.3 All the connections must be installed one meter inside the erf boundary of each portion; and

4.4 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erven for the removal of such household refuse; and

5.2 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.

6 DEVELOPMENT CHARGES

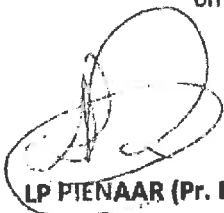
6.1 Based on the information provided in the application, Development Charges are payable by the developer. Development Charges will be calculated when a more detailed SDP is submitted.

6.2 The developer is required to contribute an additional 10% of the Development Contribution towards the upgrading of R301.

7 GENERAL

7.1 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;

- 7.2 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.3 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;
- 7.4 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.5 The above conditions are to be complied with in stages.
- 7.5.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.5.2 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
- 7.5.3 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\2022\comments\Erf 782 Val de Vie - Land Use Departure amended.docx
LP/cb



Memo

To: Senior Manager: Spatial Planning & Development
For attention: W Hendricks/H Strijdom/C van der Bank

From: Manager: Planning and Customer Services

Enquiries: L Laing

Reference number: 782

Date: 4 October 2021

Subject: APPLICATION FOR DEPARTURE, ERF 782, PAARL

Time Limit on Conditions: These conditions will be limited to a period of one (2) years from the date as on the covering memo from this department. After this period a re-application has to be submitted for approval by this department.

1. INFORMATION REQUIRED/OUTSTANDING

1.1. None.

2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty four hour access for maintenance purposes.
- 2.4. Existing and or new electrical services must be allocated in a registered services servitude or as the case may be.
- 2.5. In the case where existing services crosses the adjacent erf, it will have to be removed or relocate at the cost of the owner.
- 2.6. The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.
- 2.7. Applications for the installation of any photo voltaic (PV) systems must be submitted to the Electro-Technical Services Department (Energy and Efficiency Section).
- 2.8. Eskom must be contacted for approval prior to the construction of dwellings close to the existing 132kV overhead line.

2.9. A service level agreement between the municipality and the owner or developer of the development have to be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

3.1. NRS069 Network recovery cost will apply for this development and will be calculated according to the following as indicated in approved tariffs: **R 4 294.00 per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2022 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. Authorization to re-sell electricity can be obtained by council approval only.

3.6. Applications to be submitted in writing to the Senior Manager: Electro-Technical Services indicating the following:

- The application must also include a load profile to indicate the power usage per month with peak, standards, off peak loads, etc.

3.7. 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.

3.8. A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical department (Service section) on the day the service is rendered or as the case may be.

The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully



LLAING

MANAGER: PLANNING AND CUSTOMER SERVICES

#BEPLAN_3\Sub_Divisions_Rezoning\202122\782



Memo

To: Manager: Land Use Planning and Surveying
(Attention: Earl Cyster)

From: Manager: Environmental Management

Enquiries: C. Cupido

Collaborator number: Not applicable

Reference number: 15/4/1 (782)P

Date: 14 June 2022

Subject: COMMENT:APPLICATION FOR LAND USE DEPARTURES: ERF 782 VAL DE VIE, PAARL

It is noted that the application is for the following:

- A permanent departure from the 500m² floor area provision for a Main and Second Dwelling in the Agriculture Zone so as to allow for a Main Dwelling of 2000m² and a Second Dwelling of 1500m² in extent;
- A permanent departure from the 120m² floor area provision for an employee housing unit in the Agriculture Zone so as to allow for an employee housing unit of 500m² in extent; and
- Application for the approval of the accompanying Farmstead Node Concept Site Development Plan

It is noted that the subject site is transformed and the botanical specialist report confirmed that no botanical constraints could be identified for the site.

Stormwater shall be relayed and not directly discharged into the Berg River, to prevent possible pesticides and herbicides from entering this water system.

Invasive alien vegetation in the riparian area of the Berg River shall be removed and managed continuously.

Yours faithfully

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C. WINTER
MANAGER: ENVIRONMENTAL MANAGEMENT