

Enquiries: J Meyer
Contact number: (021) 807 4836
Reference: 15/4/1 (F811/38) P
Date: 12 November 2019

HB/rs

TV3
Architects & Town Planners
97 Dorp Street
First Floor
La Gratitude Building
STELLENBOSCH
7600

Sir

**APPLICATION FOR AMENDMENT OF THE LEVENDAL MASTER PRECINCT PLAN AND REZONING:
FARM 811/38 PAARL DIVISION (GREEN SCHOOL)**

I refer to your letter, Ref 3598-P dated 4 February 2019 and have to inform you as follows:

1. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for –
 - 1.1 Amendment of the approved Levendal Master Precinct Plan, in order to change the designated land use of Farm 811/38 Paarl Division from Agriculture and Urban Development, to Educational/School, as indicated on the revised Levendal Master Precinct Plan, Project No: 3223-P dated 17 October 2019 (**Annexure C**); and
 - 1.2 Rezoning of Farm 811/38 Paarl Division from Agriculture Zone and Conventional Housing Zone to Community Use Zone, in order to develop a school on the property, as indicated on the Site Development Plan, compiled by GASS Architecture Studios, Project No: 315, Sheet Number PL100 (**Annexure D**).
2. The approval granted in paragraph 1 above, is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018:

2/...

- 2.1 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Division, in its memorandum 15/4/1 (F811/38) P (2555) dated 23 October 2019 (**Annexure Q**);
- 2.2 Adherence to the conditions laid down by Drakenstein Municipality: Electro-Technical Engineering Services Division, in its memorandum 832_38 dated 22 May 2019 (**Annexure R**);
- 2.3 Adherence to the following condition laid down by Drakenstein Municipality: Spatial Planning (Heritage Sub-Section):
 - 2.3.1 Should any structures older than 60 years are to be demolished, an application in terms of Section 34 of the Heritage Resources Act, 1999 (Act 25 of 1999), must be submitted to Heritage Western Cape for a decision. Such permit must be submitted to Drakenstein Municipality: Spatial Planning (Heritage Sub-Section) for final approval;
- 2.4 The following conditions are applicable from a town planning point of view:
 - 2.4.1 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council;
 - 2.4.2 A land use application in order to exclude Farm 811/38 Paarl Division from the Levendal development, shall be submitted within 6 months of notification of this approval;
 - 2.4.3 The occupancy of the school shall be limited to 125 pupils as part of the first phase;
 - 2.4.4 Operating hours for the school shall be from Monday – Friday, from 08:00 to 15:00;
 - 2.4.5 Only the buildings indicated as part of Phase 01 on the Phasing Plan (**Annexure E**), may be erected. The buildings indicated to be part of Phase 02 (high school, iHub, music and drama building), may only be erected after the approval of a land use application in order to increase the capacity of the school;
 - 2.4.6 Landscaping measures shall be implemented largely in accordance with the Landscaping Plan (**Annexure F**);

- 2.4.7 The applicant shall be responsible for obtaining Heritage Western Cape's approval of the revised development proposal, prior to the commencement of construction and that such approval shall be submitted to Council for record purposes;
 - 2.4.8 This approval applies only to the amendment and rezoning in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements; and
 - 2.4.9 Should the applicant fail to comply with any of the above-mentioned conditions of approval, Council reserves the right to impose further conditions in future if deemed necessary.
3. Kindly takes note of the following:
- 3.1 The comments provided by the Western Cape Department of Environmental Affairs and Development Planning in its letter, 16/3/3/6/1/B3/28/1017/19 dated 21 February 2019 (**Annexure J**);
 - 3.2 The comments provided by the Western Cape Department of Transport and Public Works in its letter, 16/9/6/1-10/322 (Job 26804) dated 18 September 2019 (**Annexure K**); and
 - 3.3 The comments provided by the Cape Winelands District Municipality (Health Department) in its letter, 15/2/6/1 dated 19 March 2019 (**Annexure N**).
4. The following be regarded as the reasons for the decision:
- 4.1 The development proposal seeks to introduce an innovative and environmentally sustainable design concept to the Drakenstein area;
 - 4.2 Given the location of and the context in which the subject property finds itself in, the proposed development will provide an essential community-orientated service to the surrounding area;
 - 4.3 The proposed Green School will alleviate pressure from the existing educational infrastructure in the Paarl and Wellington area;
 - 4.4 Educational infrastructure has been identified as one of the key land uses lacking in the South City Corridor, which the development proposal addresses;
 - 4.5 All relevant internal and external departments consented to the application;

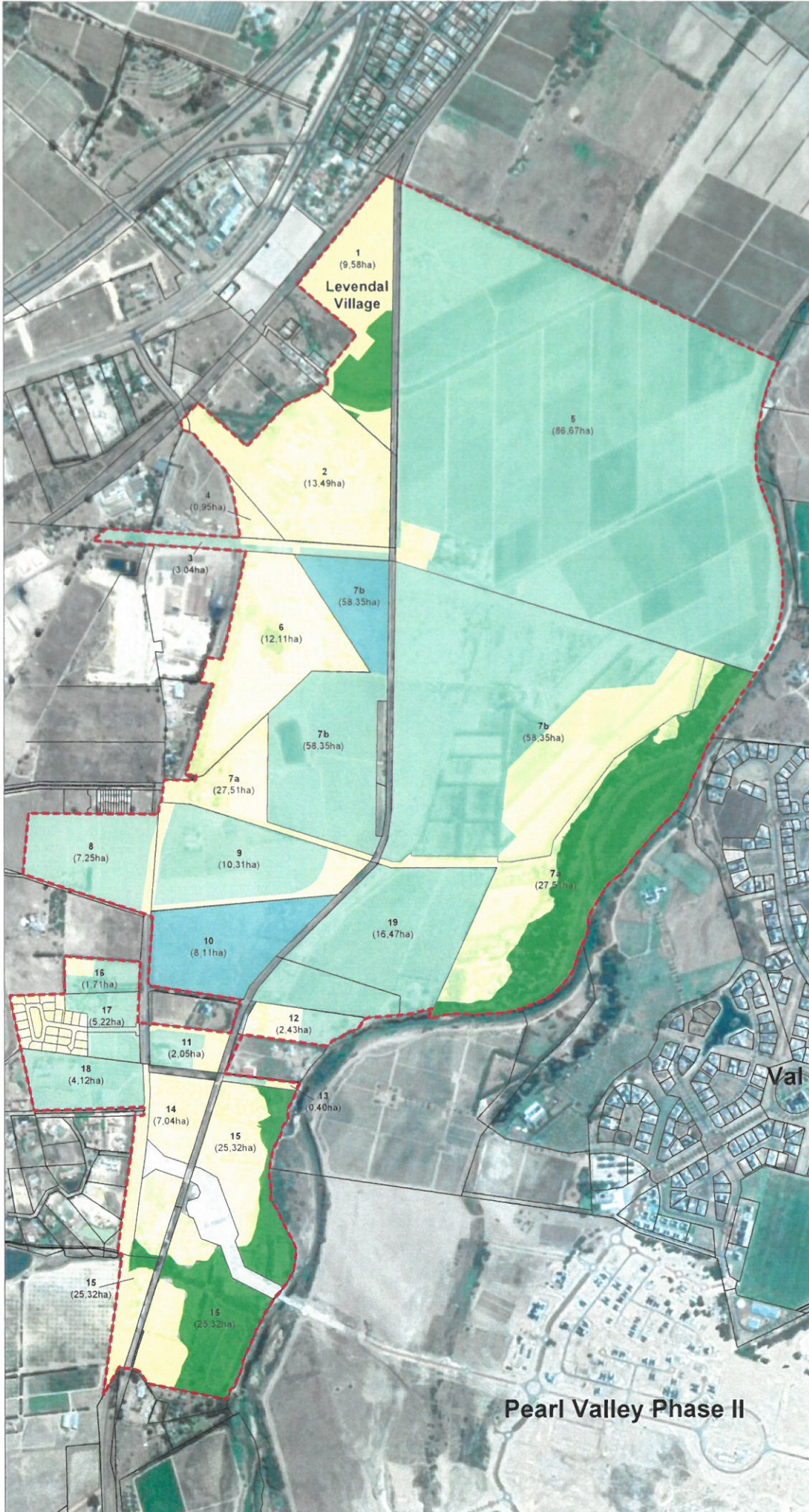
- 4.6 The provision of the Drakenstein Zoning Scheme By-law is being complied with; and
- 4.7 The proposal is considered to be consistent with the Drakenstein Spatial Development Framework.

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 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



S JOHAAR
EXECUTIVE DIRECTOR: CORPORATE SERVICES



Levendal					
Pre-empt	Property Description	Zoning	Use	Area (sqm)	No of Res Units
1	Portion 8 of Farm 833	Conventional Housing Zone	Group housing - Flats	9 58ha	188
		Multi-Unit Housing Zone	Includes 40 Care Housing Units		
		Multi-Unit Housing Zone	Superette / Shop		
		Transport Zone	Public Transport & Interchange		
		Transport Zone	Public Road		
			Private Open Space		
				9 58ha	188
2	Portion 54 of Farm 832	Multi-Unit Housing Zone	Bank of Flats	13 49ha	162
		Conventional Housing Zone	Single Residential		
		Community Use Zone	School, Educational		
		Community Use Zone	Church, Clubhouse, Church Community Hall (Community Use)		
		Community Use Zone	Frail Care Facility		
Open Space Zone	Sportsfield, Clubhouse, Private Open Space				
Transport Zone	Community Hall, Private Road				
			Public Road		
				13 49ha	162
3	Farm 827	Transport Zone	Public Road	0 58ha	
		Agriculture Zone	Remainder Farm	2 48ha	
				3 04ha	
4	Portion 58 of Farm 832	Multi-Unit Housing Zone	Craft Centre, Coffee shop	0 85ha	
5	Farm 1312	Conventional Housing Zone	Single Residential	0 56ha	12
		Agriculture Zone	Remainder Farm	85 71ha	
				86 27ha	12
6	Farm 819	Conventional Housing Zone	Group Housing	12 11ha	110
		Open Space Zone	Recreational open space	12 11ha	110
7a	Farm 1966	Conventional Housing Zone	Single Residential	27 52ha	71
		Open Space Zone	Caravan Park, 40 Cottages		
		Neighbourhood Business Zone	Business, Restaurant, Coffee Shop, Deli, Office		
		Conventional Housing Zone	Townhouse		
			Private Open Space, Waterfront Plaza, Private Road		
7b	Portion 2 of Farm 835	Conventional Housing Zone	Single Residential	58 35ha	192
		Conventional Housing Zone	Group Housing		
		Multi-Unit Housing Zone	Staff Housing		
		Multi-Unit Housing Zone	Guesthouse		
		Open Space Zone	Private Open Space		
Community Use Zone	Agricultural Training Facility with ancillary uses (i.e. in Commission, admin etc.)				
Industrial Zone	Packing store, Coal storage, packing shed, Winery (4230m ²)				
Agriculture Zone	Remainder Farm, Tourist Cottages, 400m ² Restaurant, Gift shop, Wine tasting sales (400m ²), Farmstore (100m ²)				
				58 35ha	192
8	Portion 27 of Farm 811	Transport Zone	Public Road	0 43ha	
		Agriculture Zone	Remainder Farm	6 85ha	
				7 28ha	
9	Portion 37 of Farm 811	Conventional Housing Zone	Single Residential	2 09ha	4
		Open Space Zone	Private Road		
		Transport Zone	Private Open Space		
		Agriculture Zone	Public Road		
				8 29ha	
				10 31ha	12
10	Portion 38 of Farm 811	Community Use Zone	Educational/School	8 11ha	0
				8 11ha	0
11	Portion 32 of Farm 811	Conventional Housing Zone	Single Residential	0 87ha	4
		Open Space Zone	Private Road		
		Agriculture Zone	Remainder Farm, Tourist Facility		
		Industrial Zone	Distillery		
				2 05ha	4
12	Portion 36 of Farm 811	Conventional Housing Zone	Single Residential	1 27ha	6
		Open Space Zone	Private Road		
		Agriculture Zone	Remainder Farm		
				1 27ha	
				2 43ha	8
13	Portion 20 of Farm 811	Multi-Unit Housing Zone	Guesthouse	0 18ha	1
		Agriculture Zone	Remainder Farm	0 22ha	
				0 40ha	1
14	Portion 2 of Farm 1348	Multi-Unit Housing Zone	3 Storey Walk-Up Units	7 05ha	138
		Transport Zone	Public Road		
			Private Road		
				7 05ha	138
15	Remainder Farm 1348	Conventional Housing Zone	Single Residential	25 32ha	17
		Multi-Unit Housing Zone	Group / Town / Staff Housing		
		Transport Zone	Public Road		
			Private Road		
				25 32ha	17
16	Portion 26 of Farm 811	Conventional Housing Zone	Single Residential	0 35ha	2
		Agriculture Zone	Remainder Farm	1 36ha	
				1 71ha	2
17	Portion 24 of Farm 811	Conventional Housing Zone	Single Residential	2 54ha	42
		Agriculture Zone	Remainder Farm	1 36ha	
				3 92ha	42
18	Portion 17 of Farm 811	Agriculture Zone	Service Trade	4 21ha	
19	Portions 2 & 29 of Farm 811	Agriculture Zone	Remainder Farm	16 47ha	
				302 25ha	957

From:

To: *00218832062

21/02/2019 12:45

#774 P.001/002



Directorate: Development Management
(Region 1)

REFERENCE: 16/3/3/6/1/B3/28/1017/19
ENQUIRIES: Ms. Arabel McClelland
DATE: 2019-02-21

Unit 14, Old College Building
35 Church Street
STELLENBOSCH
7600

Attention: Ms. Alba Brandt

Cell: 082 612 8172
Email: Alba.brandt@fec.co.za

Dear Madam

RE: APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED DEVELOPMENT OF A GREEN SCHOOL ON PORTION 38 OF FARM NO. 811, PAARL

1. The abovementioned document, dated 25 January 2019, received by this Department on the same day, refers.
2. Further to review of the information submitted to this Department, the following is noted:
 - 2.1. The proposal entails the development of a Green School on Portion 38 of Farm No. 811, Paarl.
 - 2.2. The proposal consists of the development of school buildings with an extent of approximately 5000m². Associated facilities, land uses and infrastructure required for the development will cover an additional area of approximately 20 000m². The development will also include an agricultural component, with agricultural buildings covering approximately 700m². A vegetable garden, fruit orchard and grain field are also proposed.
 - 2.3. The total development footprint of the Green School component is approximately 2.6ha, excluding the agricultural fields.
 - 2.4. Road access in the area will need to be upgraded in a phased approach.
 - 2.5. The property is currently zoned Sub-divisional Area and is situated within an urban area.
 - 2.6. A dwelling and outbuildings are present on the site with the remainder of the property used for equestrian purposes, where the land has been divided into a number of paddocks.
 - 2.7. The property has been transformed for agricultural purposes, with ground cover mainly comprising a mixture of planted pasture grasses. According to available imagery, the property has been subject to ploughing within the last ten years.

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- 2.8. There are no watercourses or wetlands present on site. The Berg River is situated approximately 250m south east of the site.
3. On 7 April 2017 the Minister of Environmental Affairs promulgated amendments to the regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz. the Environmental Impact Assessment ("EIA") Regulations, 2014 and Listing Notices 1, 2 and 3. These regulations came into effect on 7 April 2017.
 4. In light of the above, your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices 1, 2 and 3. Please be advised that the proposed development of a Green School on the subject property does not constitute any listed activities in terms of the NEMA EIA Regulations, 2014 (as amended), as the site is located within an urban area and does not contain indigenous vegetation, watercourses or wetlands. Environmental authorisation is therefore not required from this Department prior to the proposed development thereof.
 5. Please note that should any revision of the proposal constitute a listed activity(ies) in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices 1, 2 and/or 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
 6. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*
 7. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
 8. Your interest in the future of our environment is greatly appreciated.
 9. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Ms. K. Neethling (Withers Environmental Consultants)

Fax: (021) 883 2952



ROAD NETWORK MANAGEMENT
 Email: Grace.Swanepoel@westerncape.gov.za
 tel: +27 21 483 4669
 Rm 335, 9 Dorp Street, Cape Town, 8001
 PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-10/322 (Job 26804)

ENQUIRIES: Ms G D Swanepoel

DATE: 18 September 2019

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

Attention: Earl Cyster

Dear Sir

MAIN ROAD 191 (R45): FARM KUNNENBURG 811/38, PAARL: APPLICATION FOR REZONING

1. The following refer:
 - 1.1 Your letter of 28 February 2019 with attached land use application, reference 15/4/1 (F811/38) P;
 - 1.2 This Branch's letter ref. 16/9/6/1-10/322 (Job 26804) dated 21 June 2019;
 - 1.3 Technical memorandum by ITS Global, traffic engineers for the Applicant, ref. ITS 4033 dated 13 August 2019;
 - 1.4 E-mail from Johan Brink of ITS to Harry Thompson of this Branch dated 6 September 2019 with additional traffic analysis.
2. The application for the rezoning of the subject property from Agriculture Zone and Conventional Housing Zone to Community Use Zone in order to erect a school accommodating 125 children (see 1.1 above) was not supported due to concerns about access in the long term. The documents supporting the application indicated the intention to ultimately provide a school for 500 learners, but there was no plan for access to support this growth. Also, the proposed access point was not suitably spaced relative to adjacent accesses in terms of access management principles.
3. The current proposal has the initial unsignalised access relocated from the south side of the property to the north side, at \pm km 1.62 LHS on Main Road 191 (the R45), opposite an existing access to the west.

4. A preliminary review of accesses and intersections along Main Road 191 proposes major intersections at the Brickfields (south of the School of Skills) and at the Val de Vie access. The space between these accesses is 1630m. Assuming a transition over time from semi-rural to suburban, an additional major intersection could be provided roughly midway between these two intersections. While not perfect in terms of spacing, it appears that the most suitable points taking into account existing property boundaries and accesses/intersections, would be either at the Contractor Road / Berg River Resort access at \pm km 1.27, or at the northern edge of Farm 811/38 (the Green School site) at \pm km 1.62, where there is also an existing access on the west side of Main Road 191 serving a number of properties. An intersection at the Contractor Road / Berg River Resort access at \pm km 1.27 would seem to be the more suitable, since it would be better placed relative to the proposed major mixed use developments on the brickfields site to the west. The Contractor Road / Berg River Resort access is 660m from the potential northern Brickfields major intersection, while the proposed access at the northern edge of the Green School site would be 635m from the Val de Vie intersection, so neither fully meets the Access Management Guidelines recommendation of 800m. However, it appears that either location would work as a compromise location for a major intersection (signals or roundabout).
5. Should it be decided that the proposed major intersection would be best located at the northern end of the subject property, rather than at the Contractor Road / Berg River Resort access, a servitude road or (preferably) a public street would be needed, extending west-east across Farm 811/38 to facilitate access to other developments located between the Berg River and Main Road 191, to supplement a priority controlled intersection with lower capacity at the Contractor Road / Berg River Resort intersection.
6. If the Contractor Road / Berg River Resort intersection is selected as a major intersection location, a road link (servitude or public street) across the adjacent property (Farm 811/37 Paarl) would be needed for full development of a 500-learner school to be supported.
7. An unsignalised intersection in a semi-rural environment should be at least 305m from the nearest major intersection in terms of the Access Management Guidelines (AMG), or 270m in a suburban environment. As the Contractor Road / Berg River Resort access and the proposed access to Farm 811/38 are \pm 335m apart, a major and a priority controlled intersection would be well spaced, whichever ultimately serves the major intersection role. A decision on this can therefore be deferred until further land use and road network planning has been carried out.
8. The proclaimed road reserve width of Main Road 191 is 40m. While this would be adequate for a single carriageway road with shoulders, turn lanes and NMT facilities, it is likely that a dual carriageway will be required in the future, at least between Main Road 189 Old Paarl Road and the Val de Vie intersection. In that event, 40m may not be sufficient, allowing for turn lanes, localised widening required by topography (cut and fill) and services. Existing development may also result in the road being widened asymmetrically relative to the existing road centre line in order to reduce property acquisition costs, services relocation, etc. Additional space should therefore be reserved adjacent to the existing road in order to allow for this until more detailed information is available.

9. Traffic analyses were carried out by ITS for various development scenarios, time horizons and school attendee numbers. These were as follows:

9.1 Scenario 1A: 2-year horizon, with 3.5% per annum background traffic growth on Main Road 191 and 100% development of Val de Vie, and with Main Road 191 remaining a single carriageway road. This scenario covers Phase 1 of the School development, with 170 to 225 learners, generating 136 to 180 trips in the AM peak and 51 to 79 in the PM peak. The trip distribution assumed 60% of vehicle trips arrived from and left towards the south (presumably largely from Val de Vie and Pearl Valley), with the balance from/to the north on Main Road 191. It was concluded that the proposed unsignalised full intersection could accommodate the 180 trips of the School plus full development of Val de Vie in the AM peak, with the critical movement (westbound right turn out of the subject property) being at level of service (LOS) D and a volume/capacity (v/c) ratio of 0.32.

Scenario 1B: If the distribution is changed, with more trips arriving from and leaving to the north, 65 right turns out can be accommodated at LOS E, with a v/c ratio of 0.60. Total vehicle trips would be 200.

9.2 Scenario 2A: 5-year horizon, 3.5% p.a. traffic growth + 100% of Val de Vie, Brickfields and Levendal. This scenario assumes that a dual carriageway will be required, and that right turners from the school cross in two stages, with storage in the median for 2 vehicles. With the 60/40 north/south directional distribution, the forecast traffic can be accommodated with LOS E, and a v/c ratio of 0.42.

Scenario 2B: With the distribution being more oriented to the north, 50 right turns out can be accommodated, with a total of 180 vehicles (ie. 225 learners).

9.3 Scenario 3: 10-year horizon with 3.5% p.a. background traffic growth + Val de Vie, Brickfields and Levendal. Here LOS F is experienced. Traffic would need to be accommodated by a full signalised intersection or roundabout.

9.4 The Technical Memorandum concluded that full development of the school to accommodate 500 learners would require access to utilise a major intersection on Main Road 191, with traffic signals or a roundabout located either at the school's northern boundary or at the Contractor Road / Berg River Resort access.

10. As the delayed upgrading of Main Road 191 is based on a single carriageway road, and significant funding has been allocated by the Western Cape Government to the dualling and upgrading of Main Road 201 to accommodate growth on the east side of the Berg River south of the N1, it is unlikely that Main Road 191 will be dualled for some years. If traffic on Main Road 191 grows beyond that forecast in Scenario 2, whether due to development or background growth, without the dualling of Main Road 191, operational and safety problems may arise. School learner numbers should therefore be limited to 170 (or 136 peak hour trips) while the proposed unsignalised access at ±km 1.62 LHS on Main Road 191 (the R45) is the only access serving the property. (It is noted that the original application for the school assumed only 125 learners.)

11. With sustainability being a core value of the Green School, it is likely that ride sharing and the use of public transport (possibly contracted by the school) will be encouraged. This may lead to a significant reduction in the number of vehicles accessing the school property from Main Road 191. A review of vehicle movements and potential capacity of the proposed unsignalised intersection accessing the school could therefore be considered once the school had reached a reasonable size – say, 100 learners. If it is established that trip rates, and therefore vehicle numbers, are lower than was assumed in the traffic analyses, new limits in learner numbers might be agreed without further infrastructure upgrades being required. It is also likely that by the time 100 learners are regularly attending the school, there will be greater clarity regarding land use development and access management, including the likely location and form of major intersections.
12. The Technical Memorandum (ref. 1.3 above) indicated that a northbound right turn lane was required to provide for safe access to the school for vehicles arriving from the south. With some clearance of vegetation in the verge, there is adequate sight distance from the access for vehicles turning out from the site into Main Road 191.
13. In light of the above, this Branch rescinds its objection to the proposed rezoning of Farm 811/38 Paarl as contained in paragraph 8 of its 21 June 2019 letter (ref. para. 1.2 above).
14. This Branch offers no objection to the proposed rezoning of Farm 811/38, Paarl from Agricultural Zone and Conventional Housing Zone to Community Use Zone in order to erect a school, subject to the following conditions:
 - 14.1 Learner numbers will be limited to 170. This may be reviewed upon submission of a fresh traffic study conducted when learner numbers exceed 100, and taking into account greater clarity regarding background traffic growth, development plans and access management proposals for Main Road 191;
 - 14.2 The Applicant shall register a public servitude road 15m in width from the access at \pm km 1.62 across the property to its north-eastern corner to serve through traffic in the event that a future major intersection on Main Road 191 is at some future date located at the access to the subject property;
 - 14.3 In terms of the Advertising on Roads and Ribbon Development Act, 21 of 1940, the applicant shall maintain a building line of at least 15m from the proclaimed 40m road reserve. This may in the future be reduced once a survey and preliminary design for a future dual carriageway road has been carried out;
 - 14.4 The installation of a right turn lane on Main Road 191 (the R45) northbound serving the access at \pm km 1.62, with the road widened to retain a constant width shoulder;
 - 14.5 The Applicant shall accept in writing to be responsible for all costs associated with the design and implementation of the required road upgrades;
 - 14.6 The design of the road widening, right turn lane and access road bell mouth shall be carried out by an appropriately registered person in accordance with this Department's design guidelines and requirements, and shall be coordinated with

the design of the upgrading of Main Road 191 by the Western Cape Government's appointed consulting engineers, iX Engineers (Mr S. Steenkamp, ph. 021 912 3000). Detailed drawings of the road geometry, pavement / materials, drainage and road markings shall be submitted to this Branch's Design Directorate for approval prior to the commencement of construction (Ms MK Hofmeyr, ph. 021 483 5713);

- 14.7 In the event that a lengthy delay in the Main Road 191 upgrading project is likely, the Applicant's contractor shall submit detailed construction drawings and proposals for traffic accommodation during construction for approval to the District Roads Engineer prior to construction;
- 14.8 In the above circumstance, the Applicant's contractor shall accept the handing over of the site in writing from the Road Authority prior to construction. In the event that the Department's project is likely to proceed to construction within six months of the design of the upgrades required for the school access, the additional cost of the works required for the school access (right turn lane, bell mouth to road reserve boundary) shall be determined by the Department's consulting engineers in consultation with the Design Directorate, and shall be to the Applicant's account, with the construction carried out by the Department's contractor;
- 14.9 Should the additional works be carried out by the Applicant's contractor (see 14.7 above), then after completion of the construction phases to the satisfaction of the District Roads Engineer, the Road Authority shall accept in writing the handing over of the site from the Applicant's contractor.
- 14.10 As built drawings shall be sent to this Branch (Ms GD Swanepoel 021 483 2009), the District Roads Engineer (Mr S Bain) - 021 863 2020) and the Roads Department of Cape Winelands District Municipality (Mr ACA Stevens - 086 126 5263).

Yours faithfully



SW CARSTENS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

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STELLENBOSCH
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19 March 2019

The Municipal Manager
Drakenstein Municipality
P O Box 1
Main Road
Paarl
7622

ATTENTION: E. Cyster

Sir/Madam

APPLICATION FOR REZONING: FARM 811/38 PAARL DIVISION.

Your letter dated 28 February 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 phase of the building 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 and within the Guide for utilisation and disposal of treated sewage effluent as attach.
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.

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/

All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala
Telefoon/Telephone/Umnxeba: 0861 265 263 • E-pos/E-mail/iE-mail: admin@capewinelands.gov.za • Faks/Fax/iFeksi: 023 342 8442

- 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 Refuse removal must comply with the specifications of Drakenstein Municipality's By-law No 17/2007 – Refuse Removal, i.e. obligatory use of the municipal service.
- 4.3 The proposed industry must be provided with a refuse area that complies with the following:
- 4.3.1 Large enough to store all the refuse generated on the premises;
- 4.3.2 Inaccessible to the public, ie equipped with a lockable door or gate;
- 4.3.3 A smooth, washable floor surface, constructed at an angle to direct drainage to a specific point;
5. Food handling
- 5.1 All areas where food is handled if any must comply with the minimum requirements for food handling premises as determined in Regulation R638 (General Hygiene Requirements for Food Premises Regulations) in terms of the Foodstuffs, Cosmetics and Disinfectants Act, Act 54 of 1972.
6. General conditions
- 6.1 The operation of school may not result in a "disturbance" or a "noise nuisance" as defined in the Western Cape Noise Control Regulations, P.N. 200 van 20 Junie 2013, in terms of the Environmental Conservation Act (Act 73 of 1989), as well as the provisions of SABS Code 0103 – 1994.
- 6.2 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.
- 6.3 Because the planned development is situated adjacent to an agricultural use zone area, the premises of the planned development will be exposed to normal agricultural activities and effects. Occupants may be inconvenienced by the agricultural activities.

6.4 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



for MUNICIPAL MANAGER



Memo

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

From: MANAGER: INFRASTRUCTURE MANAGEMENT

Enquiries: L. PIENAAR

Collaborator number: 1456001

Reference number: 15/4/1 (F811/38) P (2555)

Date: 23 October 2019

Subject: GREEN SCHOOL: REZONING OF FARM 811/38, 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

- 1.1. Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors; and
- 1.2. *Conditions from the Provincial Roads Engineer as stated in the letter referenced 16/9/6/1-10/322 (Job 26804) dated 18 September 2019 must be adhered to, with specific reference to clause 14.2, relating to the 15m public servitude road, before the approval of any civil or building plans.*
- 1.3. *The Roads, Stormwater and Traffic Department is currently busy with an access study for all new developments in the vicinity of the R45/MR191. This study may recommend alternative access arrangements than what is proposed under 1.2 above. The developer will therefore be required to adhere at his own cost to any alternative recommendations emanating from this study.*

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 1:2 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;
- 3.4. 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; 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 $0.02\text{m}^3/\text{m}^2$ roof area.

4. WATER

- 4.1 *Department of Water and Sanitation (DWS) comments and approval are required for the proposed treatment works prior to approval of any civil or building plans;*
- 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 *In the case where water sources are depleted, the developer will cart portable water to the development on his own cost.*
- 4.4 *The developer must enter into an intermediary agreement with Drakenstein Municipality with relation to the water supplied on site;*
- 4.5 *The development must be provided with a 48 hour fire storage capacity;*
- 4.6 *All above ground storage tanks to be covered with a roof structure;*
- 4.7 The developer will be required to connect to future Drakenstein Municipal networks when it is provided; and
- 4.8 Water saving devices shall be installed in toilets, bathrooms and basins.

5. WASTEWATER SERVICES

5.1 *Department of Water and Sanitation (DWS) comments and approval are required for the proposed Package Treatment plant prior to approval of any civil or building plans;*

5.2 The developer will be responsible to connect to future municipal networks when it is provided;

5.3 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;

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 on a monthly basis to the Waste Water Services section as proof of compliance;

5.5 The Operation and Management system must be discussed with and approved by Drakenstein Municipality Civil Engineering Services Department; and

5.6 Any upsizing and/or upgrading required will be for the developer account.

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, the Development Charge are payable by the developer. Development Charges will be calculated when a more detailed SDP is submitted.

8 GENERAL


8.1 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;

8.2 The developer is responsible for the funding of all connections to the bulk services and all internal works;

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 The whole of the works shall fall under the control of a single project manager;

- 8.5 The municipality shall be represented at all site meetings for the duration of the construction of the works and to this end timeous notification of such meetings shall be supplied to the Civil Engineering Services Department;
- 8.6 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 8.7 A comprehensive operational infrastructure management plan shall be drawn up and submitted for approval by the Civil Services Department;
- 8.8 A set of accurate as built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection;
- 8.9 The above conditions are to be complied with in stages;
- 8.9.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 8.9.2 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
- 8.9.3 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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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: 832_38

Date: 22 May 2019

Subject: **APPLICATION FOR SUBDIVISION, ERF 832/38, 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 (3m).
- 2.5. In the case where existing services crosses the adjacent proposed subdivided 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. Upgrade to the existing infrastructure will be required for any additional load requirement prior to the existing notified maximum demand of the proposed subdivision.
- 2.8. A service level agreement between the municipality and the owner or developer of the development have to be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply for any additional upgrade to the existing and or new supply(s) and will be calculated according to the following as indicated in approved tariffs:
R 6 027.20 per KVA (V.A.T. included). The cost as mentioned above is valid until 30 June 2019 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.
- 3.9. The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully

A handwritten signature in black ink, appearing to be 'L LAING', is written over a circular stamp or seal.

L LAING
MANAGER: PLANNING AND CUSTOMER SERVICES

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