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Date: 16 April 2021

HK/  
15/4/1 (832/2 VdV) P

TV3  
Architects and Town Planners  
97 Dorp Street  
La Gratitude Building  
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7600

Sir

## **APPLICATION FOR AMENDMENT OF APPROVED LEVENDAL MASTER PRECINCT PLAN: FARM 832/2 AND 1566 PAARL DIVISION AND ERVEN 1376-1382 VAL DE VIE**

I refer to your application, Ref: P3223 Levendal Development, Paarl dated 2 September 2019 and have to inform you that Council's Municipal Tribunal on 30 March 2021, resolved as follows, that:

- “1. *Approval be granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the cancellation of the previously approved consolidation of Farms 835/2 and 1566 Paarl Division;*
2. *Amendment/substitution of the previously approved subdivision plans/precinct plans, as indicated on the Levendal Master Precinct Plan (Plan No. 1, Project No. 3223-P dated 27/08/2019) and subsequent precinct plans, as follows:*
  - 2.1 *Precinct 7 (Farms 835/2 and 1566 Paarl Division) to be substituted with a new Subdivision/Precinct 7 Plan: Plan No. 7, Project No. 3223-P dated 23/08/2019 (Annexure J to the departmental report);*
  - 2.2 *Precinct 14 (Farm 1348/2 Paarl Division now Erven 1376-1382 Val de Vie) to be substituted with a new Subdivision/Precinct 14 Plan: Plan No. 14A and 14B, Project No. 3223-P, dated 12/08/2019 (Annexures K and L respectively to the departmental report);*

2/...

3. *Approval be granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the consolidation of the following erven pertaining to Precinct 14, as indicated on the Consolidation Plan: Plan No. 14B, Project No. 3223-P dated 12/08/2019 (**Annexure L to the departmental report**):*
  - 3.1 *Consolidation of Erf 1376 Val de Vie ( $\pm 17823\text{m}^2$ ) and Erf 1377 Val de Vie ( $\pm 9688\text{m}^2$ ) in order to form a single land unit measuring  $\pm 27511\text{m}^2$  in extent; and*
  - 3.2 *Consolidation of Erf 1378 Val de Vie ( $\pm 15097\text{m}^2$ ) and Erf 1379 Val de Vie ( $\pm 4517\text{m}^2$ ) in order to form a single land unit measuring  $\pm 19614\text{m}^2$  in extent.*
  
4. *The approval mentioned in paragraphs 1-3 above be subject to the following conditions laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018 and applicable from a town planning point of view:*
  - 4.1 *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;*
  - 4.2 *Any amendments to the application are subject to the relevant approval;*
  - 4.3 *No new buildings are to be erected or existing structures altered without the approval of building plans by Council;*
  - 4.4 *The subdivisions must takes place largely in accordance with the respective subdivision/precinct plans (Annexures J, K and L to the departmental report);*
  - 4.5 *The proposed Agribella Agricultural Training Facility takes place largely in accordance with the Concept Plan (**Annexure M to the departmental report**);*
  - 4.6 *An updated Levendal Master Precinct Plan be submitted to the Manager: Land Use Planning and Surveying for record keeping purposes, indicating all the latest approved amendments;*
  - 4.7 *The previously approved 120 staff/social/gap residential opportunities to be transferred from Erf 955 Val de Vie to precincts within the Levendal Development, to be allocated to the intended beneficiaries;*
  - 4.8 *The conditions stipulated within the previous approvals remain applicable;*
  - 4.9 *All electrical regulations be adhered to and that the Drakenstein Municipality: Electro Technical Engineering Services give comment with the submission of the detailed Site Development Plan;*
  - 4.10 *Adherence to the following conditions laid down by Drakenstein Municipality: Civil Engineering Services Division:*

#### 4.10.1 Streets

- (a) Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- (b) Access to the various properties is from the R45 provincial Main Road 191 (MR191). The Provincial Roads Engineer's comments and approval is therefore required;
- (c) A local Access Management Plan (AMP) of the R45 (MR191) is currently being drafted for the portion of the road between the MR189 and the municipal urban edge. The developer will be required to implement the findings/recommendations of the final approved AMP in order to obtain access to the individual properties; and
- (d) In addition, a local Access Management Plan has been compiled for the MR301. The proposed development may affect its outcomes and recommendations. The developer will be required to adhere to the findings/recommendations of this plan and its amendments.

#### 4.10.2 Traffic

- (a) 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; and
- (b) This department takes note of the report submitted by ITS dated 5 September 2018. The contents of this report must be approved by the PRE.

#### 4.10.3 Stormwater

- (a) 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;
- (b) Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- (c) Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- (d) 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;
- (e) Prior to the approval of any building or civil plans, a revised Stormwater Management Plan (SWMP) must be submitted to this department for approval with the correct average rainfall (MAP) for the area;
- (f) Provision must be made for effective rainwater harvesting systems 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.

#### 4.10.4 Water

- (a) *Each development portion will be provided with a bulk metered connection at actual cost;*
- (b) *All individual portions (residential units, group housing units, flats, businesses, shops and institutions) must be provided with a separate water connection and a separate water meter to municipal specifications;*
- (c) *The findings of the bulk service capacity analysis carried out by Council's consultant GLS Engineers, needs to be implemented with the development. The timing of the installation of the bulk upgrades must be stipulated in the revised services agreement as referred to in 4.10.8(a) below;*
- (d) *All the metered connections must be installed one meter inside the erf boundary of each portion;*
- (e) *Water saving devices shall be installed in toilets, bathrooms and basins;*
- (f) *A water demand management plan must be submitted to the Civil Engineering Services Division and must include and indicate the measures to be put in place to conserve and manage water; and*
- (g) *Any existing system that is to remain shall be upgraded to minimum municipal standards.*

#### 4.10.5 Wastewater Services

- (a) *All individual portions (residential units, group housing units, flats, businesses, shops and institutions) must be provided with a separate wastewater connection;*
- (b) *The findings of the bulk service capacity analysis carried out by Council's consultant GLS Engineers, needs to be implemented with the development. The timing of the installation of the bulk upgrades must be stipulated in the revised services agreement as referred to in 4.10.8(a) below;*
- (c) *All the connections must be installed one meter inside the erf boundary of each portion;*
- (d) *A connection manhole must be constructed at each connection point to a maximum depth of 1m; and*
- (e) *Any existing system that is to remain shall be upgraded to minimum municipal standards.*

#### 4.10.6 Solid Waste

- (a) *The Municipality undertakes, after the proclamation of the township/development, to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erven/homeowner's organisation/body corporate in the township/development, for the removal of such household refuse;*
- (b) *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;*
- (c) *Such collection shall be from a single centralised waste collection site for the development;*
- (d) *Provision should be made for a waste disposal facility and entrance to the township, with lockable gate for wheelie bins (240l bins) and recyclable bags equal to the number of dwellings per development;*
- (e) *A key should be provided to Drakenstein Municipality to be able to unlock door/gate to garbage area on collection days, from the kerbside; and*
- (f) *The garbage area should be enclosed with a 1.8m high fence and need to consist of the following:*
  - (i) *Tap with running water;*
  - (ii) *A gully which is connected to an approved sewer connection;*
  - (iii) *Concrete floor; and*
  - (iv) *Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days.*

#### 4.10.7 Development Charges

- (a) *Based on the information provided in the application, Development Charges (DCs) are payable by the developer for water, sewer, stormwater, solid waste, roads and electricity. The DCs will be finalised when the outcomes of the study of the greater Val de Vie development infrastructure has been finalised; and*
- (b) *DCs can be discounted against the cost for bulk infrastructure required for the development.*

#### 4.10.8 General

- (a) *An amended services agreement shall be entered into, prior to the start of construction, wherein shall be detailed the apportionment of funding of any new works common to the area, including but not limited to road network upgrading, sewerage treatment works upgrading, bulk water supply upgrading, sewage network upgrading;*

- (b) *When any service is to be taken over by Drakenstein Municipality, any damage caused due to the construction of houses or any other construction activity shall be repaired by the developer. Failure to do so will result in clearances and occupation certificates being withheld and remedial works shall be done by Drakenstein Municipality for the cost of the developer;*
- (c) *The developer be responsible for the funding of all connections to the bulk services and all internal works;*
- (d) *All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered person (ECSA registration for the civil works and SACLAP registration for the landscaping) 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;*
- (e) *The whole of the works shall fall under the control of a single project manager;*
- (f) *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 Division;*
- (g) *All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;*
- (h) *Where applicable all water network, sewer network, stormwater network and road network components (downstream of the valve immediately upstream of the bulk water meter, upstream of the connection to the existing system or intersection point with the existing road) shall be a private combined system and shall be indicated as such on all documents and plans;*
- (i) *All private combined systems (including but not limited to water, sewer, stormwater, roads, irrigation, etc.) shall be the joint and severalty responsibility (including but not limited to the administration of the joint account and operation and maintenance of the system) of the members of the homeowners association/body corporate and must be noted as such in any constitution of any such body and any such constitution must be submitted for approval by council. This constitution shall be notarially linked to each separate title deed;*
- (j) *A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Services Standards must be submitted at the practical completion inspection; and*

- (k) *The above conditions are to be complied with in stages:*
  - (i) *Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;*
  - (ii) *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*
  - (iii) *Proof of compliance for the requirements associated with long term operations must be available on request.*

4.11 *Should the applicant fail to comply with any of the conditions laid down, then Council reserves the right to impose further future conditions.*

5. *The following be regarded as the reasons for the decision:*

5.1 *The proposal represents a mere reorganising of already approved uses, which essentially formed part of the approved Levendal Development;*

5.2 *The Levendal Development, as a whole, is aligned with the principle of providing a range of housing opportunities within the Drakenstein municipal area, thereby contributing towards addressing the identified housing shortage within the area;*

5.2 *The proposed amendment will not have an impact on the overall density of the corresponding land parcels nor will it enhance the development rights in terms of the existing and approved land use rights;*

5.3 *The proposal does not impact the surrounding land uses;*

5.4 *The aesthetics and landscape will remain intact and no negative visual impact from the Main Road No. 191 (R45 to Simondium and Franschoek), are foreseen, subject to all mitigation measures and conditions enforced by the Department of Transport and Public Works;*

5.5 *All the relevant departments consented to the application, subject to certain conditions; and*

6. *The proposal represents a mere substitution of approved precinct plans with no additional land use rights being awarded thus having no detrimental impact on the road network with regards to traffic congestion or trip generation."*

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.

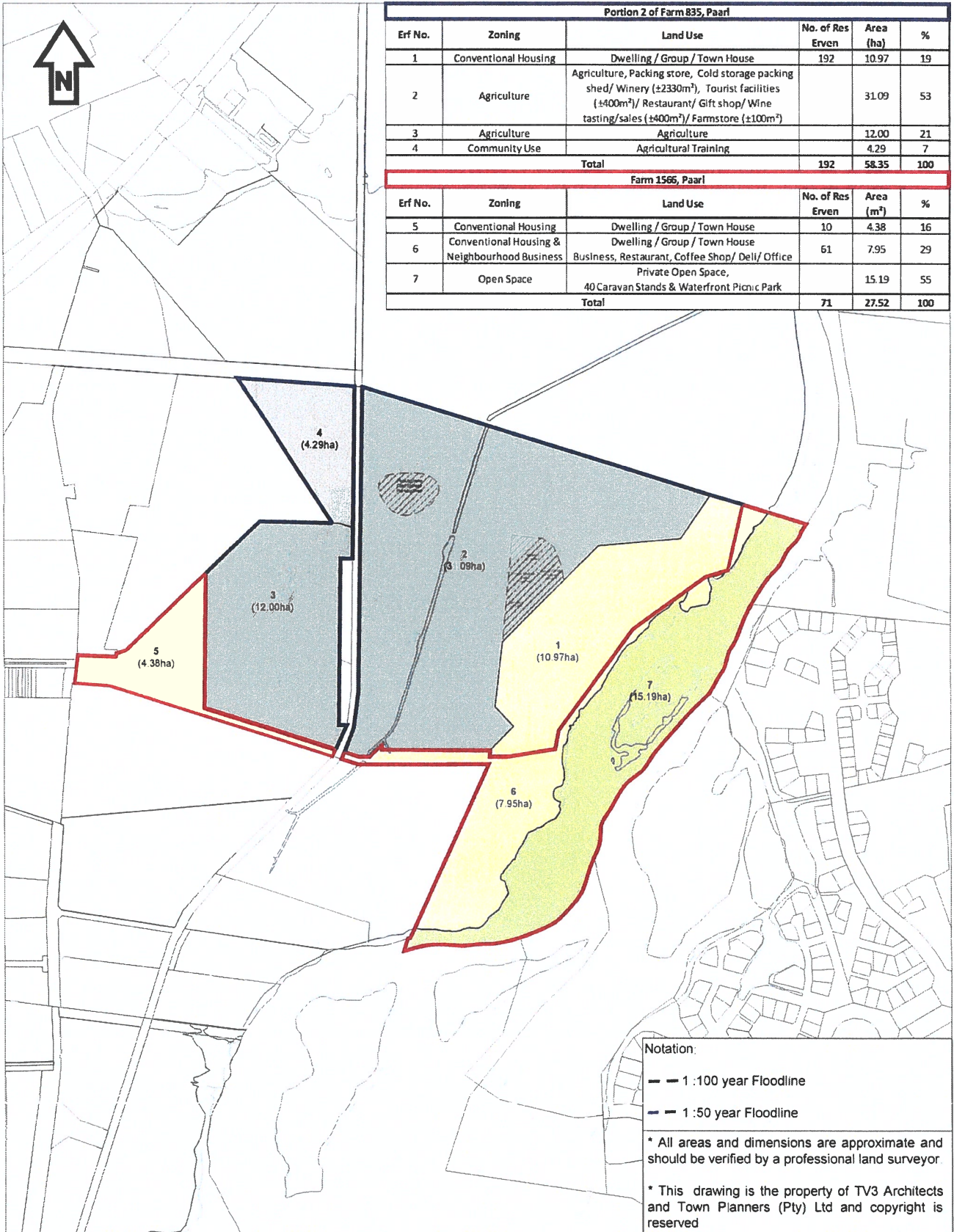
Yours faithfully

A handwritten signature in black ink, appearing to read 'H Strijdom', written in a cursive style.

**H STRIJDOM**

**MANAGER: LAND USE PLANNING & SURVEYING**





Portion 2 of Farm 835, Paarl					
Erf No.	Zoning	Land Use	No. of Res Erven	Area (ha)	%
1	Conventional Housing	Dwelling / Group / Town House	192	10.97	19
2	Agriculture	Agriculture, Packing store, Cold storage packing shed/ Winery (±2330m <sup>2</sup> ), Tourist facilities (±400m <sup>2</sup> )/ Restaurant/ Gift shop/ Wine tasting/sales (±400m <sup>2</sup> )/ Farmstore (±100m <sup>2</sup> )		31.09	53
3	Agriculture	Agriculture		12.00	21
4	Community Use	Agricultural Training		4.29	7
<b>Total</b>			<b>192</b>	<b>58.35</b>	<b>100</b>

Farm 1566, Paarl					
Erf No.	Zoning	Land Use	No. of Res Erven	Area (m <sup>2</sup> )	%
5	Conventional Housing	Dwelling / Group / Town House	10	4.38	16
6	Conventional Housing & Neighbourhood Business	Business, Restaurant, Coffee Shop/ Deli/ Office	61	7.95	29
7	Open Space	Private Open Space, 40 Caravan Stands & Waterfront Picnic Park		15.19	55
<b>Total</b>			<b>71</b>	<b>27.52</b>	<b>100</b>

Notation:

- 1 :100 year Floodline
- 1 :50 year Floodline

\* All areas and dimensions are approximate and should be verified by a professional land surveyor.

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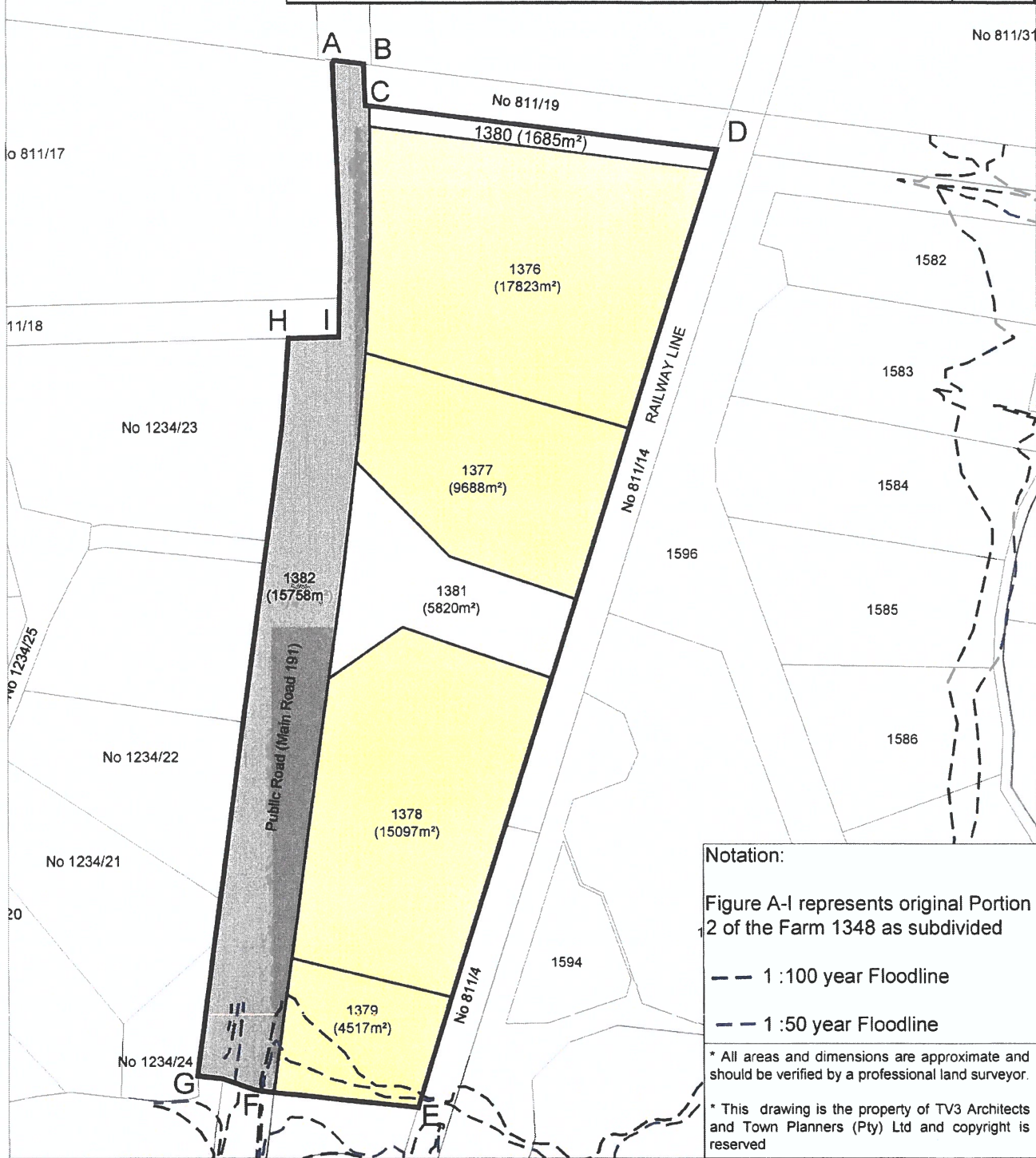
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**Levaldal  
Precinct 7**

Property Description:  
 Portion 2 of Farm 835 and Farm 1566, Paarl

Drawing:	Rezoning & Subdivision Plan		Plan no.:	7
Date:	23/08/2019	Scale:	1 :10 000 (A4)	
Project no.:	3223-P	Drawn:	WH	Checked: MW

Erf No.	Zoning	Land Use	No. of Res Erven	Area (m <sup>2</sup> )	%
1376-1377	Multi-Unit Housing	Group / Town House, Flats	80	27511	39
1378-1379	Multi-Unit Housing	Group / Town House, Flats	58	19614	28
1380-1381	Transport	Private Road		7505	11
1382	Transport	Public Road		15758	22
<b>Total</b>			<b>138</b>	<b>70388</b>	<b>100</b>



**Notation:**

Figure A-I represents original Portion 2 of the Farm 1348 as subdivided

--- 1 :100 year Floodline

--- 1 :50 year Floodline

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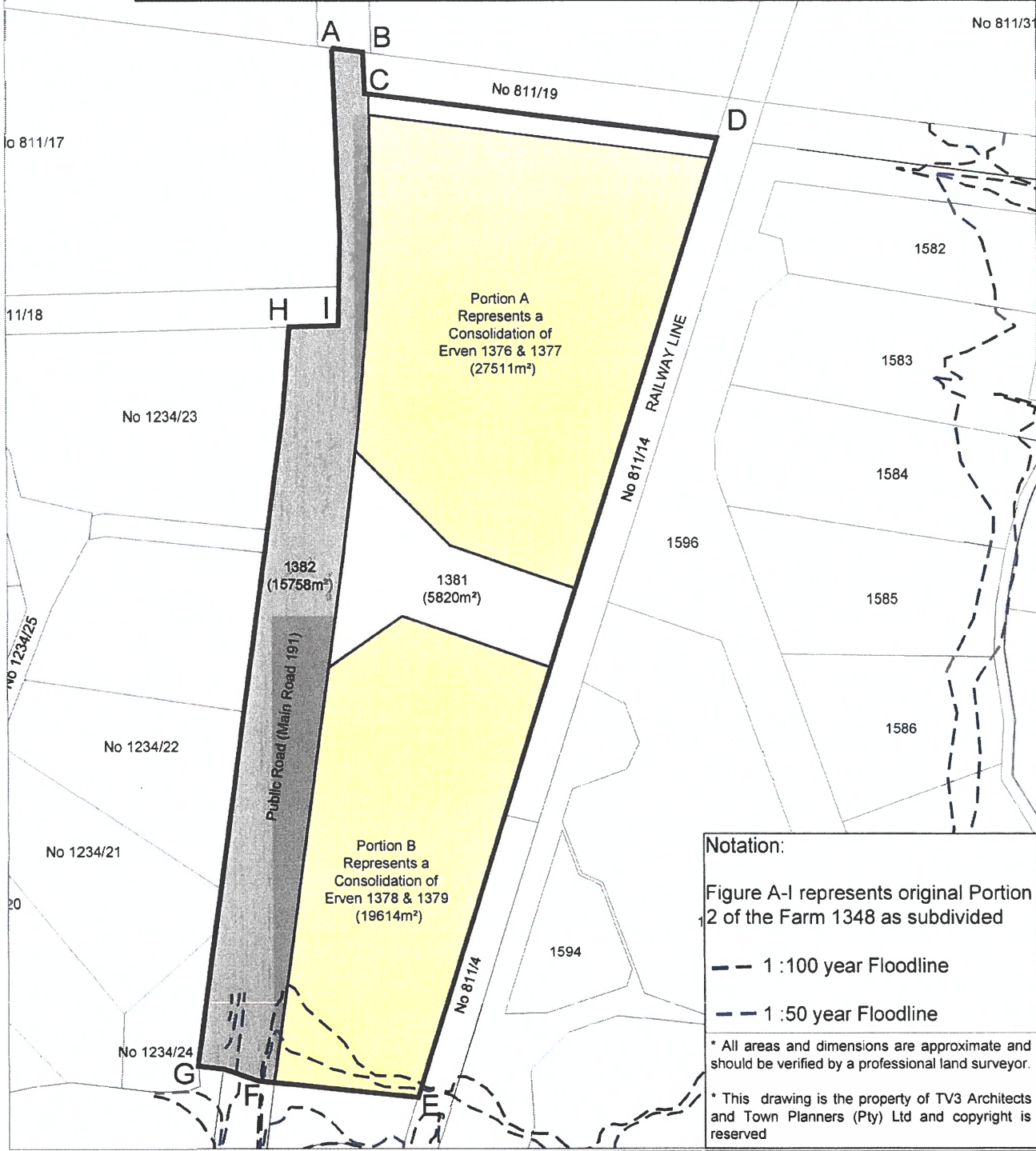
**Levendal  
 Precinct 14**

Property Description:  
 Portion 2 of Farm 1348, Paarl

Drawing:	Plan no.:	
Rezoning & Subdivision Plan	14 A	
Date:	Scale:	
12/08/2019	1:2500 (A4)	
Project no.:	Drawn:	Checked:
3223-P	WH	MW



Erf No.	Consolidated Portion	Zoning	Land Use	No. of Res Erven	Area (m <sup>2</sup> )	%
1376-1377	Portion A	Multi-Unit Housing	Group / Town House, Flats	80	27511	39
1378-1379	Portion B	Multi-Unit Housing	Group / Town House, Flats	58	19614	28
1380-1381		Transport	Private Road		7505	11
1382		Transport	Public Road		15758	22
<b>Total</b>				<b>138</b>	<b>70388</b>	<b>100</b>



**Notation:**

Figure A-I represents original Portion 2 of the Farm 1348 as subdivided

--- 1 :100 year Floodline

--- 1 :50 year Floodline

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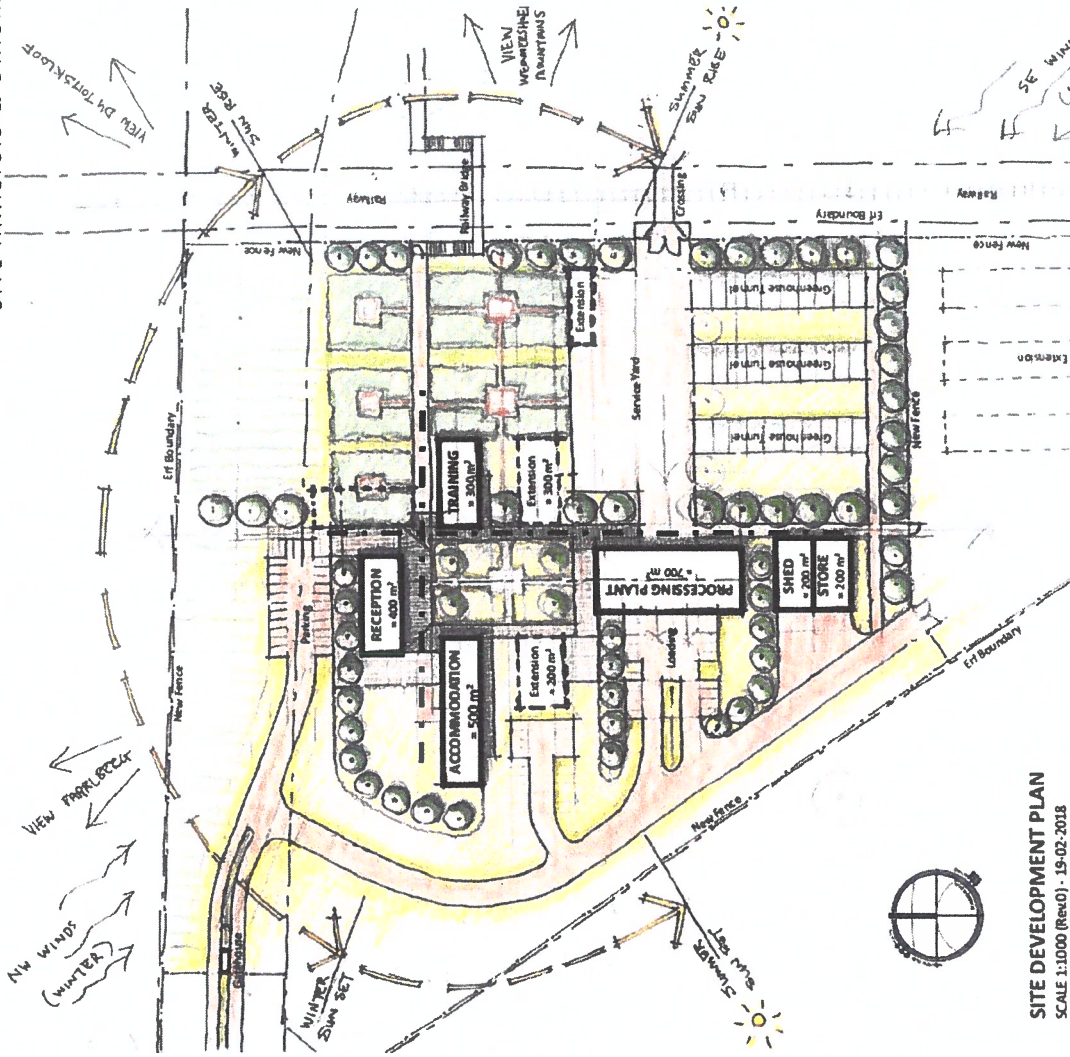
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**Levendal  
 Precinct 14**

Property Description:  
 Portion 2 of Farm 1348, Paarl

Drawing	Consolidation Plan		Plan no.:	14 B
Date:	12/08/2019	Scale:	1:2500 (A4)	
Project no.:	3223-P	Drawn:	WH	Checked: MW



**SITE DEVELOPMENT PLAN**  
SCALE 1:1000 (Rev0) - 19-02-2018

SITE ANALYSIS  
30.03.2018  
10

AGRI BELLA C B Model Development  
Leverdani, Val de Vye

**REQUIRED BUILDINGS:**

- Reception, Offices, Meeting Rooms & investor presentation facilities
- Agricultural Training Facility (Theory & Practical training rooms)
- Accommodation (FF) & Cafeteria (GF)
- Process Plant, shed & store
- Greenhouse Tunnels & Gardens

	Proposed Areas (m <sup>2</sup> )	Future Extension
AgriBella Building: (Reception & meeting rooms) Training & Offices	400	200
Accommodation	300	300
Processing Plant	500	200
Shed (14m x 25m x 6m)	700	400
Stores	350	150
<b>TOTAL</b>	<b>350</b>	<b>150</b>
Parking	<b>2600</b>	<b>1400</b>
	25 (FOH),	
	15 (EOH)	

