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Date: 27 May 2024

JA/CB
15/4/1 (15219) P

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La Gratitude Office Building
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Sir

APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL FOR THE PAARL VALLEIJ LIFESTYLE ESTATE AND FARM ESTABLISHED ON ERF 15219 PAARL

Your above-mentioned application refers.

1. **Approval has been granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the **Amendment of the Conditions of Approval** dated 3 December 2022 for Erf 15219 and others Paarl (Paarl Valleij Lifestyle Estate) with the substitution of the comments from the Civil Engineering Services Division as referred to in Condition 2.21 as follows:
 - 1.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum with reference number 15/4/1(15219) P (175 dated 8 February 2024, (**Annexure D**) specifically pertaining to Solid Waste as stated in Condition 5.1-5.6 for refuse removal within the estate.
2. In terms of Section 24(1)(f) of the Drakenstein Municipality Bylaw on Municipal Land Use Planning, 2018, it **be certified** that the following proposed services servitudes **be exempted** from the provisions of Sections 15 and 20 to 23 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, as indicated in the proposed Exemption Services Servitude Plan, drawn by TV3, Project No. P3354, dated 9 May 2023, (**Annexure E**):
 - 2.1 A Gas Tank Yard and Reticulation Servitude over unregistered Erf 42678 Paarl, measuring 128m² in extent;

2./...

- 2.2 A Gas Reticulation Servitude over unregistered Erf 42680 measuring 61m² in extent;
 - 2.3 A Gas Filling and Reticulation Servitude over unregistered Erf 42675 measuring 45m² in extent.
3. The approvals mentioned in Paragraph 1 above be 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 (F600/2) P (1285) dated 29 August 2023, **(Annexure D)**;
 - 3.2 Adherence to the following conditions from a town planning perspective:
 - 3.2.1 This approval only applies to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2.2 Any amendments to the application are subject to the relevant approval;
 - 3.2.3 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;
4. The following be regarded as the reasons for the decision:
- 4.1 The proposal is of such a nature that it is not expected to have a negative impact on the existing surrounding built and natural environment;
 - 4.2 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding community;
 - 4.3 All relevant internal and external departments consented to the proposal; and
 - 4.4 The proposal is line with the Drakenstein Spatial Development Framework, as well as other forward planning policies and frameworks.

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 Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

This provisional 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 initial public participation process and **objectors** (if any), of their right of appeal – proof of notification **must** be provided.

Should there be any appeals against the decision, **the application title (heading)** must be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (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 (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT MANAGEMENT

Memo

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

From: MANAGER: INFRASTRUCTURE MANAGEMENT

Enquiries: L. SMITH

Collaborator number: N/A

Reference number: 15/4/1 (15219) P (175)

Date: 08 February 2024

Subject: AMENDMENT OF CONDITIONS OF APPROVAL FOR CONSOLIDATION
REZONING AND SUBDIVISION OF ERVEN: 154, 155, 156, 156, 80, 103, 105,
81, 123, 139, 158, 159, 7167, 14747, 24, 152, 15219, AND 8709 - PAARL

These conditions will be subject to review by the Engineering Services Department upon receipt of Civil and/or building plans for approval. This may require all the studies carried out for the proposed development to be updated and revised accordingly, which shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

The aforementioned is based on the possibility of changes in the physical environment in respect of engineering infrastructure between date of issuing of conditions and actual building/construction being imminent, which may impact on available relevant infrastructure capacities as at time of initial issuing of conditions.

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.

This updated memorandum replaces this department's comments as per memorandum 15/4/1 (15219) P (1846) dated 22 October 2021

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;
- 1.2 *The Provincial Roads Engineer has no objection to the land use application for the Paarl Vallei lifestyle village development as described in the application. Note that this approval is subjected to conditions stipulated in the Provincial Roads Engineers letter's with reference 16/9/6/1 – 10/334 (Job 26948) dated 11 August 2021 and revised comments with reference*

16/9/6/1 - 10/334 (Job 26948) dated 6 October 2021 and must be implemented and adhered to; and

- 1.3 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 as detailed in the revised Traffic Impact Assessment (TIA) done by ITS with reference Paarl Valleij Development, Northern Paarl dated April 2021; and***
- 1.4 The Site Development Plan (SDP) may have to be changed to accommodate the approved design of the extension of the Berg River Boulevard.***

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 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;**
- 2.4 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**
- 2.5 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 0.02m³/m² roof area.**

3 WATER

- 3.1 All recommendations as per GLS report dated 21 January 2019 shall be implemented by the developer at their cost;***
- 3.2 The development will be provided with a bulk metered connection at actual cost as per GLS report dated 21 January 2019;**
- 3.3 All individual portions must be provided with a separate water connection and a separate water meter to municipal specifications;**
- 3.4 All the metered connections must be installed one meter inside the erf boundary of each portion;**
- 3.5 Water saving devices shall be installed in toilets, bathrooms and basins;**

- 3.6 A water demand management plan must be submitted to the Civil Engineering Department and must include and indicate the measures to be put in place to conserve and manage water; and
- 3.7 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 The development will be provided with a bulk wastewater connection at actual cost as per GLS report dated 21 January 2019;
- 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, after the proclamation of the development, to remove household refuse in accordance with its by-laws and shall make its own arrangements with the homeowner's organisation/body corporate in the development, for the removal of such household refuse;
 - 5.2 ***Municipal refuse trucks will enter the development to collect wheelie bins on collection days in accordance with refuse removal cluster layout plan, dated 15 November 2023. All internal roads are to be designed to allow safe turning movements of the refuse trucks.***
 - 5.3 ***Residents of the development must manage the internal waste removal amongst themselves;***
 - 5.4 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;
 - 5.5 ***The developer shall indemnify the Municipality from any damages caused as a result of rendering the refuse removal service; and***
 - 5.6 The developer shall submit an Integrated Solid Waste Management Plan for approval by the department before the completion of the civil works.
- #### **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 indicating each phase with its land uses as discussed and agreed on.***

7. GENERAL

- 7.1 A 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;**
- 7.2 When at any stage in the future the Municipality is required to take over ownership and maintenance of civil infrastructure, it will be the responsibility of the property owners to ensure all water and waste water connections adhere to municipal standards and by-laws;**
- 7.3 When any service is to be taken over by Drakenstein Municipality, any damaged 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;**
- 7.4 The developer is responsible for the payment of a Development Charge (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;**
- 7.5 The developer is responsible for the funding of all connections to the bulk services and all internal works;**
- 7.6 The findings of the bulk service capacity analysis carried out by Councils consultant GLS Engineers, need to be implemented simultaneously with the development;**
- 7.7 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;**
- 7.8 The whole of the works shall fall under the control of a single project manager;**
- 7.9 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;**
- 7.10 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;**
- 7.11 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;

7.12 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;

7.13 A comprehensive operational infrastructure management plan shall be drawn up and submitted for approval by the Civil Services Department;

7.14 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and

7.15 The above conditions are to be complied with in stages.

7.15.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;

7.15.2 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

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



L. SMITH

ACT MANAGER: INFRASTRUCTURE MANAGEMENT

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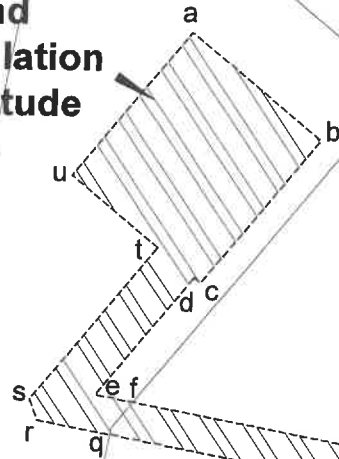
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**Gas Tank Yard
and
Reticulation
Servitude**



42619

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**Gas
Reticulation
Servitude**

**Gas Filling
and
Reticulation
Servitude**

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Servitude Notes:

Figure a,b,c,d,e,f,g,q,r,s,t,u represents a Gas Tank Yard and Reticulation Servitude over unregistered Erf 42678 measuring 128m² in extent.

Figure f,g,p,q represents a Gas Reticulation Servitude over unregistered Erf 42680 measuring 61m² in extent.

Figure g,h,i,j,k,l,m,n,o,p represents a Gas Filling and Reticulation Servitude over unregistered Erf 42675 measuring 45m² in extent.

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

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**Paarl Valleij
Lifestyle Estate**

Drawing:	Plan no.:	
Exempted Services Servitude Plan	2	
Date:	09/05/2023	Scale:
		1:2000 (A2)
Project no.:	P3354	Drawn:
		Checked:
	WH	MW



Refuse Removal Cluster Layout

Drawn: **Date:**

CR **15-11-2023**

Scale: **Plan No:**

1:2 100 (A3) **1**