



Coll No: 2155806  
Enquiries: Cornelia van der Bank  
Tel No: (021) 807-4832  
Date: 14 October 2024

CB/JA  
15/4/1 (1594) VDV

TV3  
Thys Walters  
First Floor  
La Gratitude  
97 Dorp Street  
**STELLENBOSCH**  
7600

[Thys@tv3.co.za](mailto:Thys@tv3.co.za)

Sir

**APPLICATION FOR REZONING AND THE APPROVAL OF A SITE DEVELOPMENT PLAN IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 1594 VAL DE VIE**

Your above-mentioned application (Collaborator reference 2155806) 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 Rezoning of Erf 1594 Val de Vie from "Open Space Zone (OS)" limited to use by the Homeowners' Association to "Neighbourhood Business Zone (NB)"
2. The approval mentioned in the above paragraph is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
  - 2.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1 (1594)VDV(1332) dated 29 August 2024, (**Annexure I**);

2./...

2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro Technical Services Division as set out in its memorandum 8/2/5\_1594 dated 5 May 2024 (**Annexure J**) and;

2.3 Adherence to the conditions as set by Land Development Management:

2.3.1 The development shall take place in accordance with the Site Development Plan, drawn by TV3 Project No P3926 dated 27/03/2024, (**Annexure E**) and the development parameters as set out below:

Development Parameter	Required	Proposed
Coverage	80% ( $\pm 2259\text{m}^2$ )	22.92% ( $\pm 648\text{m}^2$ )
Height	8m	8m
Street Building Line	0m	0m
Common Building Lines	4.5m	4.5m
Parking: <u>Store &amp; Showroom:</u> 1/100m <sup>2</sup> GLA <u>Offices:</u> 4/100m <sup>2</sup> GLA <u>Total:</u>	5 5 <u>10</u>	<u>15</u>
Other	Operating hours daily: 8h00-17h00	

2.3.2 Erf 1594 Val de Vie is exempted from transfer to the Homeowners Association as per the conditions of approval dated 31 October 2017, (**Annexure D**).

2.3.3 Erf 1594 Val de Vie shall be a member of the existing homeowners Association for the provision of the required engineering services and access.

2.3.4 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council.

2.3.5 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.

3. The following be regarded as the reasons for the decision:

- 3.1 A transparent and fair process was followed in processing the application in accordance with the Land Use Planning Bylaw, 2018.
- 3.2 The Val de Vie Homeowners Association approved the application as published during the public participation process. It confirms that the Erf 1594 Val de Vie is not required for use by the HOA as per the original rezoning designation and accordingly the transfer of the property from Levendal Development (Pty)Ltd to the Val de Vie Winelands Lifestyle Estate HOA, is no longer required.
- 3.3 The application was circulated to the relevant internal departments and no objections were received against the application.
- 3.4 The proposal conforms to the Spatial Planning Principles, SDF, and policies for the area.
- 3.5 The proposal is seen as compatible with the surrounding urban area and will result in the optimal utilization of existing established infrastructure and the locality of the property. The proposal can therefore be considered as a desirable development from a land development management point of view.

Your attention is drawn to the general right of appeal 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 of an authorized official, within 21 days of notification of the decision.

This approval is therefor suspended until further notice. Please also notify the surrounding property owners, of their general right of appeal – proof of notification must be provided to this department. Note that the 21-day appeal period will commence the day after all the property owners have been notified. The appeal procedures are set out in Section 80 of the abovementioned By-Law.

All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or at [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za).

Yours faithfully



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**H.G. STRIJDOM (PR.PLN A 1058/1998)**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**

Note: Figure a-g Represents Erf 1594, Val de Vie				
Development Rules - Neighbourhood Business Zone				
i.t.o. Drakenstein Municipality Zoning Scheme By-Law, 2018				
	Permissible/ Required		Proposed/ Provided	
Floor Factor	NA		NA	
Coverage	80%	2259m <sup>2</sup>	22.96%	648m <sup>2</sup>
Height (storeys)	8m		8m	
Street Building Line	0m		0m	
Common Building Line	4.5m		4.5m	
Parking @ 1/100m <sup>2</sup> GLA (Store/Showroom)	5		15	
Parking @ 4/100m <sup>2</sup> GLA (Offices)	5			
Total Site Area	2824m <sup>2</sup>			
Building and Parking Layout/Utilisation Schedule				
Notation	Use			Area
A	Pagola Parking			91.47m <sup>2</sup>
B	Store/Showroom			442.17m <sup>2</sup>
C	WC			114.71m <sup>2</sup>
D	Kitchen Area			
E	WC			
F	Office			
G	Entrance			
H	Office			
J	Office			
No. 1-9	Parking			124.00m <sup>2</sup>



**tv3**

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Erf 1594,  
Val de Vie

Drawing:	Plan no.:	
Site Development Plan	2	
Date:	27/03/2024	Scale:
Project no.:	P3926	1:400 (A4)
Drawn:	WH	Checked:
		MW



# Memo

**To:** EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE  
(ATTENTION: C. VAN DER BANK)

**From:** EXECUTIVE DIRECTOR: ENGINEERING SERVICES

**Enquiries:** LH. SMITH

**Collaborator number:** 2155806

**Reference number:** 15/4/1 (1594) VDV (1332)

**Date:** 29 August 2024

**Subject:** APPLICATION FOR REZONING AND SITE DEVELOPMENT PLAN APPROVAL,  
ERF 1594, VAL DE VIE, 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.

## 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 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 STORM WATER**

- 2.1** *A stormwater management and parking layout plan will be required prior to approval of any building plan;*
- 2.2** Any new storm water 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 0.02m<sup>3</sup>/m<sup>2</sup> roof area.

## **3 WATER**

- 3.1** The existing water metered connection to remain;
- 3.2** Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.3** Any existing system that is to remain shall be upgraded to minimum municipal standards.

## **4 WASTEWATER SERVICES**

- 4.1** The existing wastewater connection to remain; and
- 4.2** 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 occupants of erven/home owner's organisation in the development, for the removal of such household refuse;
- 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;
- 5.3** *The development to tie-in with the existing Val De Vie's refuse removal service agreement;*
- 5.4** Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days; and



- 5.5 The Developer shall indemnify the Municipality from any damages caused as a result in rendering the refuse removal service.

## **6 DEVELOPMENT CHARGES**

- 6.1 *Based on the information provided in the application, Development Charges are payable by the developer. The Development Charges will be verified with the auditing process of the exempted erven for the Greater Val De Vie/ Levendal development;*

## **7 GENERAL**

- 7.1 *Depending on the scale of expansion in future, additional Civil Engineering Specialist Reports may be requested by this department when the developer wishes to increase the GLA;*
- 7.2 *When at any stage in 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 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;
- 7.4 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.5 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;
- 7.6 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.7 The above conditions are to be complied with in stages.
- 7.7.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.7.2 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 subdivided erf within the development property or occupation of any property/building in the phase; and

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

GCM



**LP Pienaar Pr Eng,**

**EXECUTIVE DIRECTOR: ENGINEERING SERVICES**

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LP/ls



# Memo

<b>To:</b>	Senior Manager: Land Development Management For attention: H Strijdom/C van der Bank/E Cyster
<b>From:</b>	Manager: Planning and Customer Services
<b>Enquiries:</b>	L Laing
<b>Reference number:</b>	8/2/5_1594
<b>Date:</b>	5 Mei 2024
<b>Subject:</b>	<b>APPLICATION FOR REZONING AND SDP APPROVAL, VAL DE VIE (RIVER CLUB), ERF 1594, PAARL</b>

Time Limit on Conditions: These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must be submitted for approval by this department.

## 1. INFORMATION REQUIRED/OUTSTANDING

1.1. Reticulation layout of the private development.

## 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 belonging to council shall comply with Drakenstein Municipality standards and have twenty-four-hour access for maintenance purposes.
- 2.4. The developer will be responsible for all cost in the case where he or she request or required by the municipality to relocate any infrastructure situated in the road reserve or withing the development to be moved or relocated to new proposed positions.
- 2.5. The developer is required to include measures to improve energy efficiency for any additional load requirement to the existing electrical supply.
- 2.6. Register service servitudes where existing and or new infrastructure will or have been installed.
- 2.7. All photo voltaic (PV) systems must be submitted by the appointed service provider to the municipality.

- 2.8. A service level agreement between the municipality and the owner or developer of above-mentioned erf must be arranged at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician) should the developer have a request to upgrade the existing medium voltage bulk supply.

### 3. GENERAL

- 3.1. NRS069 Network recovery cost will apply for any additional load requirement and will be calculated according to the following as indicated in approved tariffs: **R5 180.00 per kVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2024 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.2. A single bulk supply has been provided that serves as mains to the development.
- 3.3. The reticulation after the municipal metering facility will be regarded as private.
- 3.4. The developer will be responsible to carry all cost of the electrical installation.
- 3.5. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.6. Your attention is drawn to the following electricity by-law should the development be serviced and managed by means of private reticulation:
- 3.6..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.
  - 3.6..2. A reseller must comply with the licensing and registration requirements set out in the ERA.
  - 3.6..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.
  - 3.6..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.
  - 3.6..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.
  - 3.6..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.

- 3.7. A private registered consultant and 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), the regulations made thereunder and Drakenstein Municipal by-laws prior to the development.
- 3.8. A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Services 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, consisting of a series of loops and a long horizontal stroke, positioned above the printed name.

**L LAING**

**MANAGER: PLANNING AND CUSTOMER SERVICES**

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