

Civic Centre, Berg River Boulevard, Paarl 7646

Enquiries: Riyaaz Mowzer
Contact number: (021) 807-4822
Reference: 15/4/1 (42378) P
Date: 17 October 2024

JA/RM

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

Email: Thys@tv3.co.za

Sir

APPLICATION FOR THE AMENDMENT OF APPROVAL CONDITIONS: REMAINDER ERF 42378 PAARL (PAARL VALLEIJ NORTH LIFESTYLE ESTATE)

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 following:
 - 1.1 Amendment of the following conditions pertaining to the approval letter referenced 15/4/1 (15219) P dated 02 December 2022:
 - 1.1.1 Amendment of approval mentioned in Paragraph 1.3 to read as follows: Rezoning of the consolidated properties from Agriculture Zone to Subdivisional Area, in order to make provision for the Residential Lifestyle Estate with a gross density of 18.2 du/ha;

1.1.2 Amendment of approval mentioned in Paragraph 1.5 to read as follows: Subdivision of Erf 1 (±20.88ha) into 408 erven/portions in order to allow for Paarl Valleij Lifestyle Estate precinct to be developed at a gross density of ±19.5 du/ha, as indicated on the amended Erf 1 Zoning and Subdivision Plan, drawn by TV3 Architects and Town Planners (Plan No. 1 dated 15/08/2023), (Annexure B):

Erf	Zone	Land Use	Area (ha)	No. of units/erve n	Nett Density (Units/h a)
1-368	Conventio	Dwelling House	11.6	368	32
	nal		0		
	Housing				
369-399	Open	Private Open	3.34		
	Space	Space			
400	Communit	Estate	0.41		
	y Use	Facilities/Clubho			
		use			
401	Communit	Crèche	0.22		
	y Use				
402-408	Transport	Private Road	5.31		
Total				368	
iotai			8		

- 1.1.3 Amendment of approval mentioned in Paragraph 1.10 to read as follows: It is herewith certified in terms of Section 24 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, that the following servitudes be exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein By-law on Municipal Land Use Planning, 2018, as indicated on Erf 1 Zoning and Subdivision Plan drawn by TV3 Architects and Town Planners (Plan No. 1 dated 15/08/2023), (Annexure B), and Exemptions Plan (Plan No. 7 dated 25/11/2019) respectively, for the following:
 - Internal storm water servitudes over Erf 1; and
 - The subdivision of Remainder Erf 8709 into two portions, Erf 24 into two portions and 152 into two portions, being Portions A, B and C respectively for public road purposes;
- 1.1.4 Amendment of approval condition 2.5 as follows: The phasing of the development shall take place in accordance with the Phasing Master Plan drawn by TV3 Architects and Town Planners (Plan No.3 dated 15/08/2023), (Annexure C);

- 1.2 Substitution of Paragraph 1 as per approval letter referenced 15/4/1 (15219) P dated 10 April 2024 to read as follows: That approval be granted in terms of Section 100(1) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, for the approval of the respective street names, together with the proposed numbering of individual erven, pertaining to the Paarl Valleij Lifestyle Estate, as indicated on the Paarl Valleij Lifestyle Estate Street Name and Numbering Plan drawn by TV3 Architects and Town Planners (Plan No. 4 dated 15/08/2023), (Annexure D).
- 2. The approvals mentioned in Paragraphs 1.1 and 1.2 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 2.1 Compliance with the following general conditions:
 - 2.1.1 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;
 - 2.1.2 Any amendments to the application are subject to the relevant approval;
 - 2.1.3 No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
 - 2.1.4 That all other relevant conditions in all previous approvals still be adhered to as stipulated;
 - 2.1.5 The subdivision of Erf 42378 Paarl takes place largely in accordance with zoning and subdivision plan (Plan No. 1 and 2 dated 15/08/2023), (Annexure B);
 - 2.1.6 Adherence to the conditions set out in the memorandum of the Drakenstein Municipality: Civil Engineering Services Department referenced 5/4/1 (42378) P (0578) dated 19 April 2024, (Annexure H);
 - 2.1.7 Adherence to the conditions set out in the memorandums of the Drakenstein Municipality: Electro Technical Engineering Services referenced 8/2/5 42378 dated 11 December 2023. (Annexure I):
 - 2.1.8 Adherence to the conditions set out in the memorandums of the Drakenstein Municipality: Environmental Management Department referenced 15/4/1 (42378) P dated 11 December 2023, (Annexure J);

- 3. That the following be regarded as the reasons for the decision:
 - 3.1 The proposed amendments results in a significant reduction with reference to infrastructure services and traffic impact when compared to the existing approval for 320 apartments;
 - 3.2 The amendment represents a significant reduction in the amount of dwelling units proposed which in return makes it a less dense development in its entirety;
 - 3.3 The proposed development will have no impact on the existing character of the area, but will should be more accepted by the surrounding owners when compared to the approved apartments;
 - 3.4 The newly created erven will form part of the larger Paarl Valleij Lifestyle Estate, as well as be governed by the their respective HOA constitution, architectural guidelines and landscaping provisions;
 - 3.5 The proposal will not negatively impact the rights of any of the surrounding land owners; and
 - 3.6 All the relevant departments consented to the application, subject to certain conditions.
- 4. The applicant <u>must</u> take cognisance of the conditions laid down by the Western Cape Government Department of Infrastructure in their letter (Annexure G);

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 <u>surrounding property owners</u> who were notified of the application during the public participation process and <u>objectors</u> (if any), of their right of appeal – proof of notification <u>must</u> be provided. Should there be any appeals against the decision, the application title (heading) <u>must</u> 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

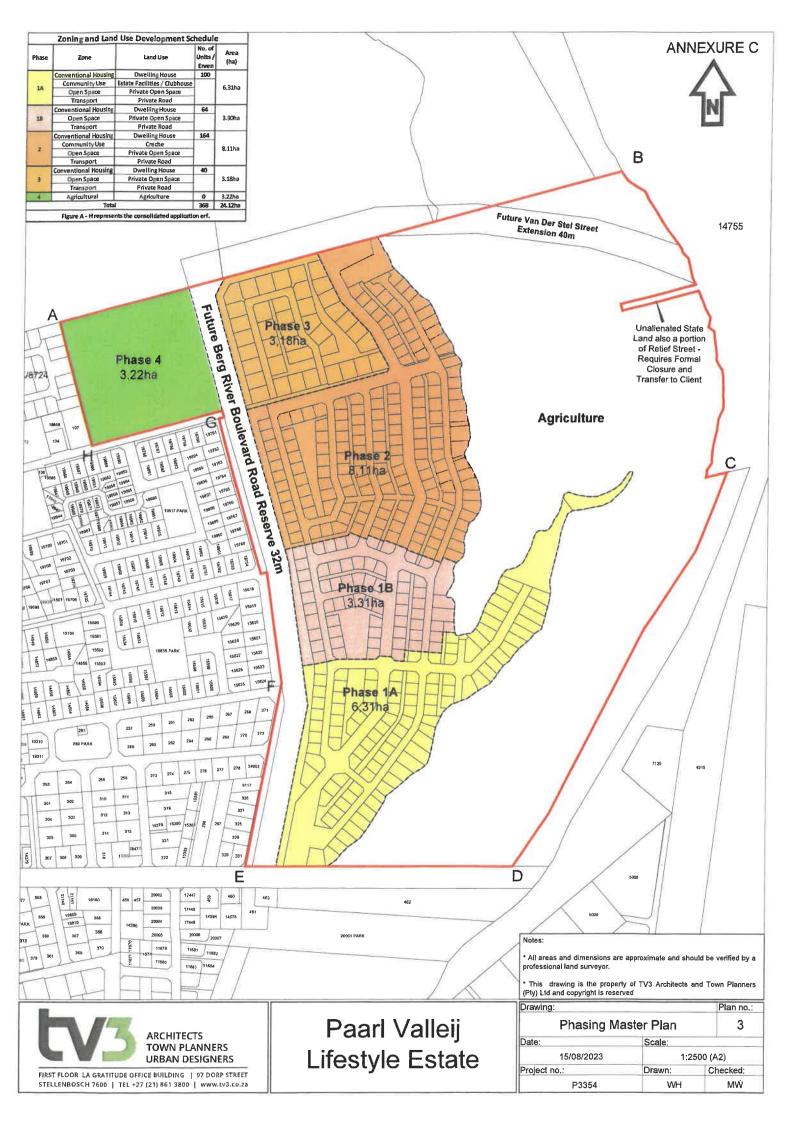
H. G. STRIJDOM (PR. PLN A/1058/1998)

MANAGER: LAND DEVELOPMENT MANAGEMENT

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, customercare@drakenstein.gov.za, and Henk Strijdom, henks@drakenstein.gov.za









FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

Lifestyle Estate

Drawing:	Plan no.:		
Street Naming &	4		
Date:	Scale:		
15/08/2023	NTS		
Project no.:	Drawn: C	hecked:	
P3354	WH	MW	



Department of Infrastructure

Vanessa Stoffels
Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: 16/9/6/1-10/334 (Job 26948)

The Municipal Manager
Drakenstein Municipality
P.O. Box 1
PAARL
7622

Attention: Mr E Cyster

Dear Sir

REMAINDER UNREGISTERED ERF 42378: MAIN ROAD 208: APPLICATION FOR AMENDMENT OF THE REZONING AND SUBDIVISION APPROVAL FOR THE PAARL VALLEIJ NORTH LIFESTYLE ESTATE

- 1. The following refer:
- 1.1. The application received from Messrs TV3 dated 5 October 2023;
- 1.2. This Branch's even numbered letters dated Body of letter 11 August 2021 and 6 October 2021.
- 2. The subject property forms part of the Paarl Valleij North Lifestyle development, which is located in northern Paarl, west of the Berg River and east of the future Berg River Boulevard extension. Interim access will be off Skool Street.
- 3. This application is to amend the existing applicable conditions of approval so as to allow for the subdivision and development of 40 Conventional Housing Zone erven on Remainder Erf 42378, as opposed to the development of the approved 320 three storey apartments, resulting in 280 less residential units being developed.
- 4. Cognisance is taken of the assessment of the land use change by the traffic engineers for the project, ITS, in its letter 3898.1 dated 12 May 2023.
- 5. This Branch offers no objection to the application in terms of the Land Use Planning Act, No. 3 of 2014.
- 6. Please note that this Branch's conditions for the development as a whole as set out in its letters referenced in 1.2) above, are still applicable.

Yours Sincerely

SW CARSTENS

FOR DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 2 APRIL 2024





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Civic Centre, Berg River Boulevard, Paarl 7646

To:

EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE

(ATTENTION: J. MEYER)

From:

EXECUTIVE DIRECTOR: ENGINEERING SERVICES

Enquiries:

LH. SMITH

Collaborator number:

Reference number:

15/4/1 (42378) P (0578)

Date:

19 April 2024

Subject:

APPLICATION FOR AMENDMENT OF THE REZONING & SUBDIVISION

APPROVAL PAARL VALLEIJ LIFESTYLE ESTATE REMAINDER UNREGISTERED

ERF 42378, 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 Adherence to all conditions as per the Provincial Roads Engineer letter reference 16/9/6/1-10/334 (Job 26948) dated 2 April 2024; 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.

2 STORM WATER

- 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 storm water 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 The development will be provided with a bulk metered connection at actual cost;
- 3.2 All individual portions must be provided with a separate water connection and a separate water meter to municipal specifications;
- 3.3 All the metered connections must be installed one meter inside the erf boundary of each portion;
- 3.4 Water saving devices shall be installed in toilets, bathrooms and basins;
- 3.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 All individual portions must be provided with a separate wastewater connection;
- 4.2 All the connections must be installed one meter inside the erf boundary of each portion; and
- 4.3 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 home owner'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 in rendering the refuse removal service; and
- 5.9 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.

7 GENERAL

- 7.1 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;
- 7.2 A services agreement shall be entered into, prior to the start of construction, where in 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;
- 7.3 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 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;
- 7.6 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;
- 7.7 The whole of the works shall fall under the control of a single project manager;
- 7.8 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;
- 7.9 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.10 Where applicable all water network, (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), sewer network, stormwater network and road network components shall be a private combined system and shall be indicated as such on all documents and plans;
- 7.11 All private combined systems (including but not limited to water, sewer, stormwater, roads, irrigation, etc.) shall be the joint and several 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;
- 7.12 A comprehensive operational infrastructure management plan shall be drawn up and submitted for approval by the Civil Services Department;
- 7.13 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

- 7.14 The above conditions are to be complied with in stages.
 - 7.14.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
 - 7.14.2 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
 - 7.14.3 Proof of compliance for the requirements associated with long term operations must be available on request.

LP PIENAAR Pr Eng.

EXECUTIVE DIRECTOR: ENGINEERING SERVICES

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Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To: Senior Manager: Land Development Management

For attention: H Strijdom/C van der Bank/E Cyster

From: Manager: Planning and Customer Services

Enquiries: L Laing

Reference number: 8/2/5 42378

Date: 11 December 2023

Subject: APPLICATION FOR AMENDMENT OF THE REZONING AND SUBDIVISION

APPROVAL FOR THE PAARL VALLEIJ NORTH LIF STYLE ESTATE IN RESPECT

OF REMAINDER UNREGISTERED ERF 42378, PAARL

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. 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. 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. Provision must be made by the developer for the existing electrical infrastructure situated within the road reserve, prior to the upgrading of Bergriver Blv., to be relocated and upgraded according to Drakenstein Municipality standards.

2.8. A service level agreement between the municipality and the owner or developer of abovementioned erf must be arrange at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

- 3.1. Excessive network upgrading is required to provide the development of additional power. The previous mentioned entails upgrading Dalweiding 66/11kV substation, the 11kV ring feeds to Retief, Berlyn and Dalwes 11kV switching stations.
- 3.2. 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.
- 3.3. A single bulk supply will be provided that shall serve as mains to the development.
- 3.4. The reticulation after the municipal metering facility will be regarded as private.
- 3.5. The developer will be responsible to carry all cost of the electrical installation.
- 3.6. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.7. Your attention is drawn to the following electricity by-law should the development be serviced and managed by means of private reticulation:
 - 3.7..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.
 - 3.7..2. A reseller must comply with the licensing and registration requirements set out in the
 - 3.7..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.
 - 3.7..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.
 - 3.7..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.

- 3.7..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.
- 3.8. 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.
- 3.9. 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.
- 3.10. The Manager: Planning and Customer Services with reference to the services and conditions, has no objection, but cannot support the application due to the excessive network upgrading required in order to provide the development of power.

Yours faithfully

L LAING

MANAGER: PLANNING AND CUSTOMER SERVICES

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Civic Centre, Berg River Boulevard, Paarl 7646

Memo

То:	Manager: Land Use Planning
	(Attention: E Cyster)
From:	Environmental Officer: Environmental Management
Enquiries:	S. Reece
Collaborator number:	2115669
Reference number:	15/4/1 (42378) P
Date:	11 December 2023
Subject:	COMMENTS — APPLICATION FOR AMENDMENT OF THE REZONING AND SUBDIVISION APPROVAL FOR THE PAARL VALLEIJ NORTH LIFESTYLE ESTATE IN RESPECT OF REMAINDER UNREGISTERED ERF 42378 PAARL

Reference is made to the above application to amend the existing rezoning and subdivision approval for the Paarl Valleij North Lifestyle Estate to allow for the subdivision of Erf 42378 into 40 Conventional Housing erven, instead of the approved 320 three storey apartments.

The Environmental Management Division finds the above application in order, subject to the following:

- 1. The conditions of the Environmental Authorisation and Construction EMP remain applicable and must be complied with.
- 2. The comments from the Environmental Management Section as per memo 15/4/1 (15219) P dated 4 August 2020 remains applicable.

Yours faithfully

C. WINTER

MANAGER: ENVIRONMENTAL MANAGEMENT