



DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

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Civic Centre, Berg River Boulevard, Paarl 7646

Col no: 1819771
Enquiries: C. van der Bank
Contact number: (021) 807-4832
Reference: 15/4/1(F482) P
Date: 14 February 2024

JA
15/4/1 (F482) P

Louna Truter
PO BOX 1085
BREDASDORP
7280

Email: towncountry@vodamail.co.za

Madam

APPLICATION FOR CONSENT USE: FARM 482 PAARL DIVISION

Your land use application (Collaborator reference no. 1819771) dated 25 January 2022 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 **Consent Use** in order to convert an existing building, $\pm 255\text{m}^2$ in extent and the surrounding gardens, $\pm 1200\text{m}^2$ in extent, into a Visitors Facility to operate as a function venue, as follows:
 - 1.1.1 Inside seating area: ± 110 seats
 - 1.1.2 Outside seating area: ± 190 seats
2. The approvals mentioned above paragraphs are 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 Department of Transport and Public Works dated 22 January 2024 in the memorandum TPW/CFS/RP/LUD/Rez/Sub-10/490 (Job 29615), (**Annexure D**).
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1(F482/0) P (237) dated 23 February 2023 (**Annexure F**).

2./...

- 2.3 Adherence to the conditions laid down by the Drakenstein Municipality: Environmental Management dated 29 November 2022 (**Annexure H**).
- 2.4 Adherence to the conditions as laid down by Land Development Management:
 - 2.4.1 The development shall take place in accordance with the Site Development Plan (**Annexure B**). Any amendment to the approved Site Development Plan shall be subject to approval.
 - 2.4.2 Any additional uses which exceed the area limitation for visitor capacity and demarcated werf boundary area, specified in terms of this approval, shall be subject to a consent use application to the satisfaction of the Municipality.
 - 2.4.3 The visitors' facilities shall always remain subservient to the primary agricultural activities and shall not interfere with the agricultural land uses on the property.
 - 2.4.4 The visitors' facilities shall be contained within the demarcated ±2.26ha farm werf area boundary as indicated on the Site Development Plan attached as Annexure B. No visitors' facilities, visitors parking or visitors' activities shall encroach onto productive agricultural land without the approval of the Municipality.
 - 2.4.5 Sufficient on-site visitor's parking, in line with the parking ratio as stipulated in the Zoning Scheme Bylaw, 2018 shall be provided within the demarcated boundary of the farm werf, to the satisfaction of the Municipality.
 - 2.4.6 The proposed outside area to be used for functions may include general circulation areas, play areas for kids and landscaped spaces.
 - 2.4.7 Access to and egress from the Farm 482 Paarl Division shall be to the satisfaction of the Provincial Roads Engineer, Department of Transport.
 - 2.4.8 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council.
 - 2.4.9 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.
 - 2.4.10 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.
3. The following be regarded as the reasons for the decision:
 - 3.1 The proposed wine cellar, wine tasting and sales as well as the function venue will contribute towards sustainability of the farm.
 - 3.2 Farm 482 Paarl Division is situated within the Eenzaamheid Road Scenic Route Overlay Zone as determines by the Drakenstein Heritage Section. A land use of this nature will contribute towards strengthening the tourist orientated character of the area and will attract more visitors to the *Eenzaamheid Road Scenic Route*.

- 3.3 The proposed consent use and technical approval is regarded as a low impact development as it is making use of buildings, infrastructure and resources that are already available and in place.
- 3.4 The proposal is in line with national and provincial legislation, as well as policy documents and is acceptable in terms of desirability.
- 3.5 The proposed development has access to the required engineering services.

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

ANNEXURE D



Infrastructure
Vanessa Stoffels
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: TPW/CFS/RP/LUD/REZ/SUB-10/490 (Job 29615)

Town & Country
PO Box 1085
BREDASDORP
7280

Attention: Ms L Truter

Dear Madam

DIVISIONAL ROAD 1109: PROPOSED CONSENT USE: FARM EENZAAMHEID NO 482 PAARL

1. The following refers:
 - 1.1. Your application to This Branch, dated 10 June 2022; and
 - 1.2. Your Motivation Report, undated and referenced #2715; and
 - 1.3. Drawing Site Parking Plan Dated November 2021.
2. Farm 482, Paarl (Eenzaamheid) is located approximately 12 km West of Paarl and takes access off Divisional Road 1109.
3. This application is for a Consent Use for a function venue and a Technical Approval for a winery and wine tasting and sales.
4. This Branch offers **no objection** to this application on condition that:
 - 4.1. Access at \pm km0.5 and the access at \pm km0.53 will be closed, and the fence reinstated.
 - 4.2. The access \pm km0.44 will be the only access used for all purposes of Farm 482.

Yours Sincerely

A handwritten signature in black ink, appearing to read "SW Carstens".

SW CARSTENS
For **DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE**
DATE: 22 JANUARY 2024

ENDORSEMENTS

1. Town & Country
Attention: Ms Louna Truter (e-mail: Towncountry@vodamail.co.za);
2. District Roads Engineer Paarl
3. Mr E Smith (e-mail)
4. Ms S du Preez (e-mail)
5. Mr S Carstens (e-mail)



Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: C. van der Bank)
From: MANAGER: INFRASTRUCTURE DEVELOPMENT
Enquiries: L. PIENAAR
Collaborator number:
Reference number: 15/4/1 (F482/0) P (237)
Date: 23 February 2023
Subject: PROPOSED CONSENT USE: FARM EENZAAMHEID, NO 482, 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 & TRAFFIC

- 1.1. *As access is off a proclaimed road, approval from the Provincial Roads Engineer is required; and*
- 1.2. 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.

2. STORM WATER

- 2.1. Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.2. 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;

- 2.3. 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 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;
- 3.2 The developer will be required to connect to future Drakenstein Municipal networks when it is provided;
- 3.3 Water saving devices shall be installed in toilets, bathrooms and basins;
- 3.4 Any existing system that is to remain shall be upgraded to minimum municipal standards; and
- 3.5 *Water services intermediary agreement to be entered into with Drakenstein Municipality.*

4. WASTEWATER SERVICES

- 4.1 The developer will be responsible to connect to future municipal networks when it is provided;
- 4.2 The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law (2014);
- 4.3 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;
- 4.4 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;
- 4.5 No raw effluent may be sent to the WWTW in bulk. A maximum of 500L daily can be accepted but the quality of the effluent is to be as stated in the municipal by-law; and
- 4.6 Any existing system that is to remain shall be upgraded to minimum municipal standards;

5. SOLID WASTE

- 5.1 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
- 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.

6 DEVELOPMENT CHARGES

- 6.1 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.

7 GENERAL

- 7.1 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;
- 7.2 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;
- 7.3 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.4 The above conditions are to be complied with in stages;
- 7.4.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.4.2 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
- 7.4.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LP PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE DEVELOPMENT

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LP/lhs

Memo

To: **Manager: Land Use Planning
(Attention: C van der Bank)**

From: **Environmental Management**

Enquiries: **C. Winter**

Collaborator number: **1819771**

Reference number: **15/4/1 F(482)P**

Date: **29 November 2022**

Subject: **COMMENTS – APPLICATION FOR CONSENT USE AND TECHNICAL APPROVAL
ON FARM 482, PAARL**

Reference is made to the application in terms of Section 15 of the Drakenstein Municipality: Bylaw on Municipal Land Use Planning, 2018. The application covers the following aspects:

- A Consent Use contemplated in the zoning scheme in terms of Section 15(2)(n) of the Drakenstein Municipal By-Law on Municipal Land Use Planning for a function venue, inside an existing building;
- A Technical approval for Agricultural Processing, to allow for a winery of approximately 1000m², mostly inside an existing shed; and
- A Technical approval for a visitors' facility for purposes of wine tasting and sales.

It is noted that the proposed development will not require environmental authorisation in terms of the National Environmental Management Act (107 1998) as the applicant provided clarity around each of the potential Listed Activities.

The applicant states that excess water from the wine production activity will be re-used in the surrounding garden. Please note that the re-use of effluent water from winery production might potentially require a General Authorisation from the Department of Water and Sanitation (DWS). The applicant should obtain confirmation from DWS in terms of this.

The Environmental Management Section has no objection to the proposed development.



Yours faithfully



C. WINTER
MANAGER: ENVIRONMENTAL MANAGEMENT

NOTES

This drawing is for Liquor license application. It is, consequently not to be used for submission to municipality as a working drawing or to be used for construction purposes.

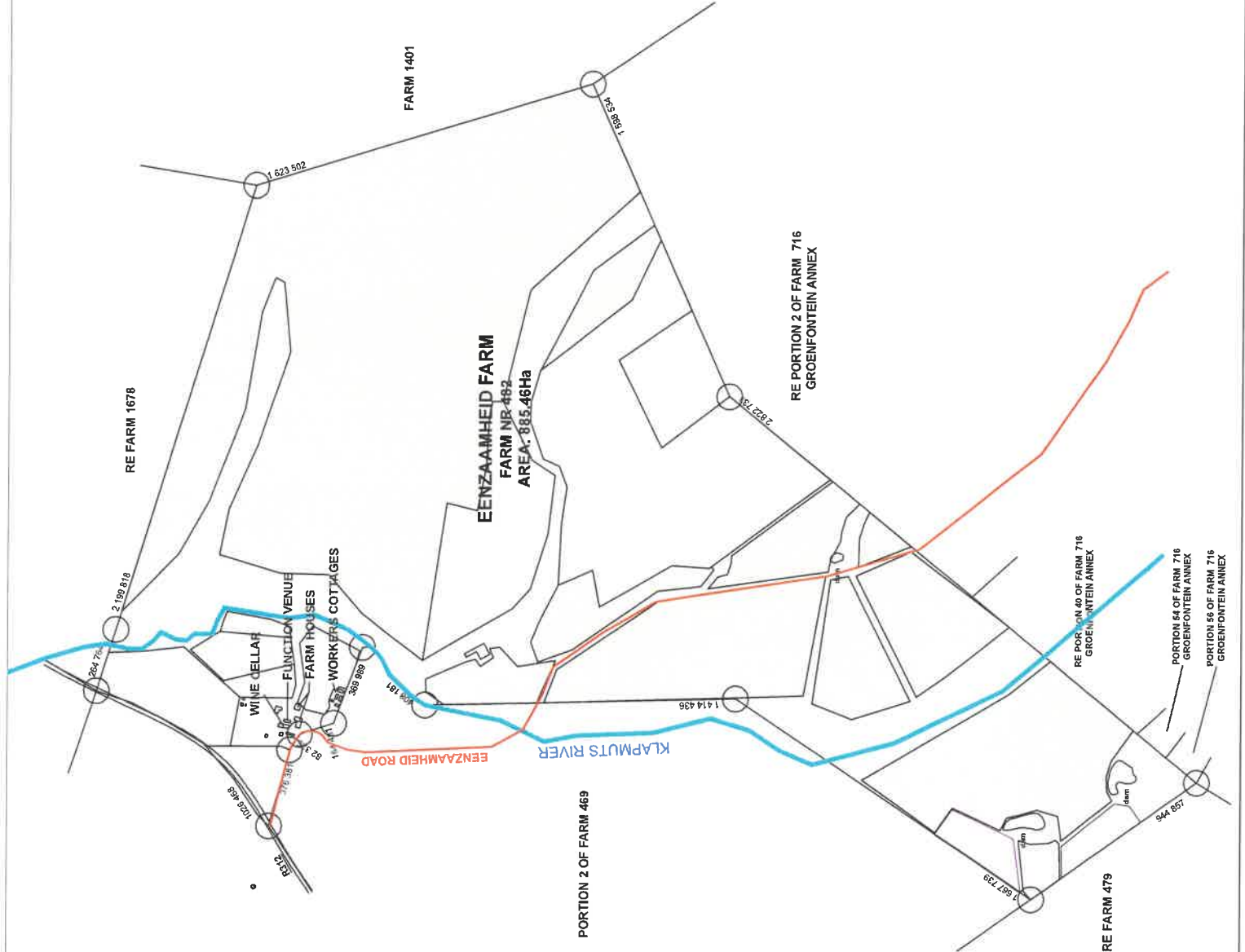
-  Cultivated lands / Wheatland
-  Wine grapes

ANNEXURE B

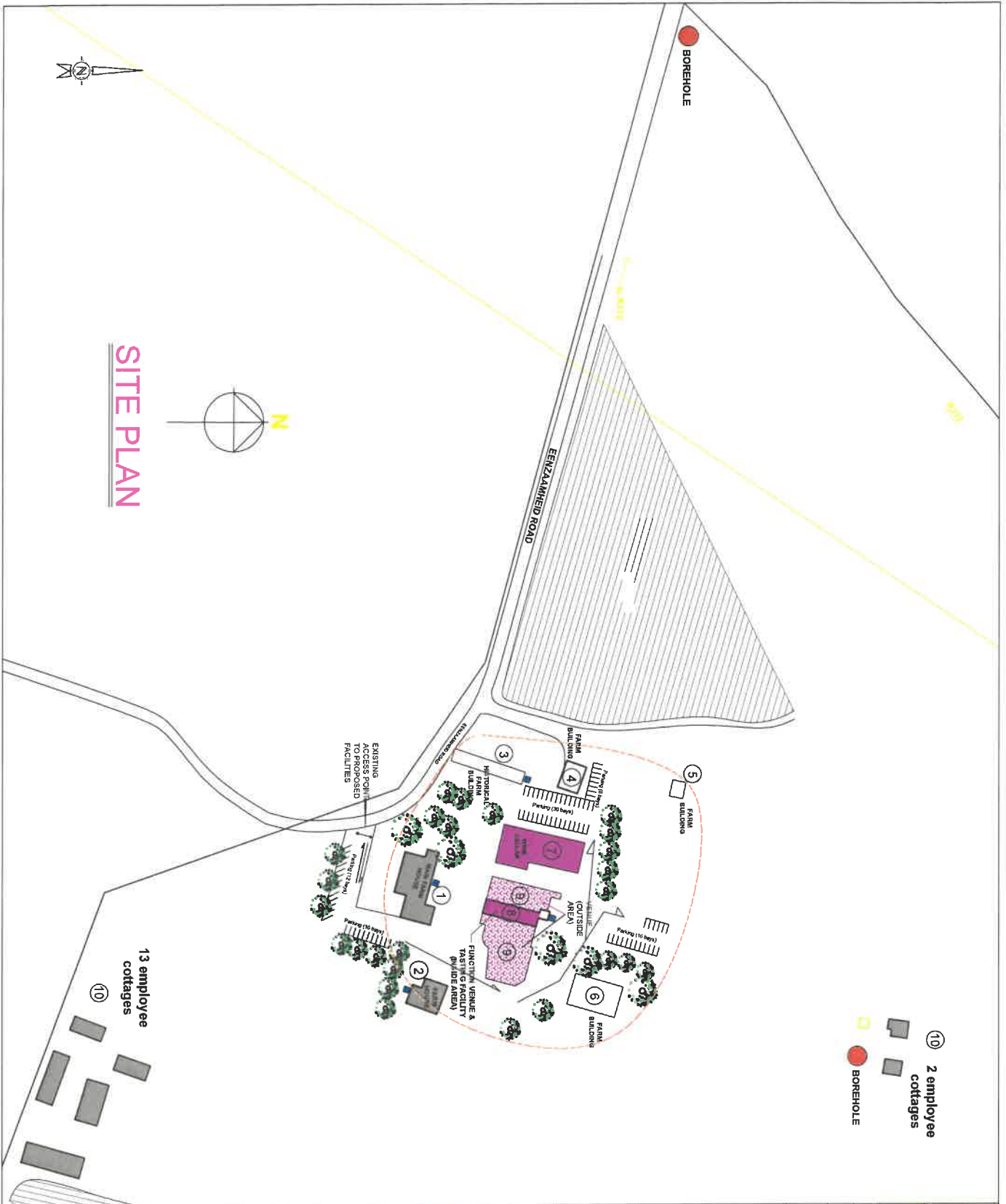
EENZAAMHEID WINES

FARM 482
c/o R312 & EENZAAMHEID RD
AGTER PAARL
KLAPMUTS
7625

SITE DEVELOPMENT PLAN 1 OF 2



SITE PLAN



10 2 employee cottages

 10 10 employee cottages

 BOREHOLE

 Land Designers • Asset Managers		date
surveyed	init.	
drawn	LT	DEC 2021
checked		
scale	1:2000 (A3)	

TOWN & COUNTRY
Creative Land Solutions
 P.O. Box 1085, Beddington, 7280
 Tel: 028 424 1545; Fax: 028 425 2085
 E-mail: towncountry@vodamail.co.za

Title
SITE DEVELOPMENT PLAN
FARM 482 PAARL
DRAKENSTEIN MUNICIPALITY
 dwg no. 2715 rev. 2

- WERE AREA: 2.28HA
- BOREHOLES
 - CONSERVANCY TANKS
 - PARKING BAYS (80 BAYS PROVIDED)
 - MAIN HOUSE
 - SECOND DWELLING
 - FARM BUILDINGS (SHEDS, ETC)
 - EXISTING SHED TO BE CONVERTED INTO A WINE CELLAR (±1000m²)
 - EXISTING BUILDING CONVERTED INTO A FUNCTION VENUE AND VISITORS FACILITY FOR WINE TASTING AND SALES(±255m²)
 - VENUE OUTSIDE SEATING AREA (1200m²)
 - EMPLOYEE HOUSES
- SITE PLAN 2 OF 2**