



DRAKENSTEIN

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JD/HK
15/4/1 (3239) P

PJ Le Roux
Town and Regional Planners
262 Main Road
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For Attention:

PJ Le Roux

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APPLICATION FOR PERMANENT DEPARTURE, AMENDMENT OF CONDITIONS OF APPROVAL AND A TECHNICAL APPROVAL: ERF 3239, PAARL (PREVIOUS MONTANA FARM)

Your application dated 11 August 2020, 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 Permanent departure from the parameters of the Drakenstein Zoning Scheme Bylaw, 2018, to permit an additional use right in an existing built structure (wine cellar) for business purposes (bicycle shop), as indicated on the Site Development Plan drawn by P-J Le Roux Town and Regional Planners, Plan No. SDP 3, File No. TA 60-09, dated July 2020 (**Annexure B**);
 - 1.2 For the amendment of conditions of approval, in order to permit the relocation of an existing coffee and curio shop ($\pm 100\text{m}^2$) extension to an adjacent vacant office structure ($\pm 60\text{m}^2$), as indicated on the Site Development Plan drawn by P-J Le Roux Town and Regional Planners, Plan No. SDP 3, File No. TA 60-09, dated July 2020 (**Annexure B**);
 - 1.3 Technical Approval for a visitor's facility, relating to the mountain bike trails with associated business activities inside the existing wine cellar ($\pm 500\text{m}^2$), on Erf 3239

Paarl, as indicated on the Site Development Plan drawn by P-J Le Roux Town and Regional Planners, Plan No. SDP 3, File No. TA 60-09, dated July 2020 (**Annexure B**):

2. That the approval mentioned in Paragraph 1.1 to 1.3 above 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 set by the Drakenstein Municipality: Civil Engineering Services Division, as set out in its memorandum dated 09 November 2020 (reference number 15/4/1 (3239 & 10654) P (1888) (**Annexure D**);
3. Adherence to the following conditions from a town planning point of view:
 - 3.1 This approval applies only to the permanent departure, amendment of approval conditions and technical approval in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2 That any required electrical services extensions and/or upgrades, including all costs related thereto, will be for the account of the applicant;
 - 3.3 Energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
 - 3.4 That the applicant institute water conservation measures such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
 - 3.5 That the proposal complies with all health requirements;
 - 3.6 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council;
 - 3.7 Any amendments to the application are subject to the relevant approval;
 - 3.8 That should the applicant fail to comply with any of the above conditions, the Council reserves the right to impose further conditions in future if deemed necessary;
4. That the following be regarded as the reasons for the decision:
 - 4.1 The development is in keeping with the general tourist facility trend of the area, and the proposal at hand will not detract from that character;
 - 4.2 The proposal is of such a nature that it is not expected to negatively impact on the existing agricultural activities;

- 4.3 The proposal is for the utilization of existing structures and relocation of existing activities without new structures being developed;
- 4.4 The aesthetics of the existing structures will remain intact and no negative visual impact is foreseen;
- 4.5 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding built environment;
- 4.6 Sufficient on-site parking has been provided;
- 4.7 No objections were received during the public participation process;
- 4.8 All relevant internal and external departments consented to the proposal; and
- 4.9 The proposal is line with the Drakenstein Spatial Development Framework.

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 Planning, 2018, by any person whose rights are affected by the decision, within **21 days** from, the date of the registration of the letter. The enclosed appeal procedures are set out in Section 80 of the aforementioned Bylaw of which a copy is attached.

Yours faithfully



H.G. STRIJDOM
MANAGER LAND USE PLANNING AND SURVEYING