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Reference: 15/4/1 (1597/1) P
Date: 18 April 2023
Coll no: 1795334

EC/HK

PJ le Roux Town and Regional Planner (Pty) Ltd
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APPLICATION FOR AMENDMENT OF APPROVAL, CONSENT USE AND TECHNICAL APPROVAL PORTION 1 OF FARM NO.1597 PAARL, SOUTH OF PAARL AND WEST OF MAIN ROAD 191 (R45)

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 Site Development Plan by replacing it with the new Site Development Plan to facilitate the minor amendments thereto, as indicated on the Site Development Plan drawn by PJ Le Roux Town and Regional Planner dated October 2021, **(Annexure B)**;
 - 1.2 The extension of the approved tourist facility areas from $\pm 680\text{m}^2$ to $\pm 919\text{m}^2$ (excluding sheds), as indicated on the Site Development Plan drawn by PJ Le Roux Town and Regional Planner dated October 2021, **(Annexure B)**; and
 - 1.3 Technical Approval visitors' facility to utilize a portion of the outside lawn area ($\pm 1100\text{m}^2$) for an outdoor market/picnic area and visitors' accommodation (<14 guests) inside the new proposed primary dwelling comprising a communal building with 7 separate bedrooms ($\pm 406\text{m}^2$) on the subject property, as indicated on the Site Development Plan drawn by PJ Le Roux Town and Regional Planner dated October 2021, **(Annexure B)**.
2. The approvals mentioned in Paragraphs 1.1 to 1.3 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 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1 (1597/1) P (1260) dated 17 November 2022, **(Annexure D)**.

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- 2.2 The applicant takes note of the conditions laid down by the Cape Winelands District Municipality: Health Services, in its letter dated 24 March 2018 (reference 15/2/6/1), **(Annexure G)**.
 - 2.3 The applicant takes note of the conditions laid down by the Western Cape Department of Transport and Public Works: Road Network Management Division, in its letter dated 29 May 2020 (reference 16/9/6/1-10/117 (Job 23521), **(Annexure H)**.
3. Adherence to the following conditions from a town planning point of view:
- 3.1 No new structures to be erected without the prior approval of building plans by Council;
 - 3.2 This approval applies only to the application at hand, and shall not be construed as authority to depart from any legal prescriptions or requirements;
 - 3.3 Any further amendments to the application are subject to the relevant approval;
 - 3.4 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;
 - 3.5 The proposed tourist facilities and the new picnic area will be operated from Mondays to Thursdays between the hours of 10:00 am to 21:00 pm and weekends between the hours of 10:00 am to 24:00 pm;
 - 3.6 The proposed visitors' accommodation facility will be limited to a communal building with 7 rooms, with a maximum capacity of 14 guest; and
 - 3.7 No more than 120 guests shall be accommodated at one time on the subject property.
4. The following be regarded as the reasons for the decision:
- 4.1 The proposal is in keeping with the general development trend of the area, and the proposal at hand will not detract from that character;
 - 4.2 Tourist facility and visitors' facility are considered to be a suitable secondary land use to that of agriculture;
 - 4.3 Countless examples of such activities can be found within the Drakenstein area, as well as in the Cape Winelands District;
 - 4.4 The proposal will strengthen the agri-tourism character of the property;
 - 4.5 The development proposal will not lead to a loss in viable agricultural land;

- 4.6 The proposal will not negatively impact on the existing agricultural activities on the property;
- 4.7 The proposal is of such a nature that it is not expected to negatively impact on the health, safety and wellbeing of the surrounding built environment or community;
- 4.8 All relevant internal and external departments consented to the application; and
- 4.9 The proposal is considered to be consistent 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 Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

This 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 **the 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