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Reference: 15/4/1 (F767) P
Date: 05 October 2023
Coll no: 1961498

EC/HK

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APPLICATION FOR REZONING & CONSENT USE: REMAINDER FARM NO. 767 PAARL

1. Approval is hereby granted in terms of Section 60(1)(a) of the Drakenstein Bylaw, on Municipal Land Use Planning, 2018, for the following:
 - 1.1 The Rezoning of the footprint of the existing buildings and immediate surrounds measuring $\pm 2,8$ ha in extent from Agriculture Zone to Neighbourhood Business Zone on the Remainder of Farm No. 767 Paarl.
 - 1.2 Consent Use for a warehouse under Neighbourhood Business Zone to continue utilizing the existing buildings as storage facilities on the Remainder of Farm No. 767 Paarl, as indicated on the site development plan drawn by PJ Le Roux Town and Regional Planners, Drawing No. H 10-169, Drawing Number 3, dated June 2022, (**See Annexure B**).
2. The approvals mentioned in Paragraphs 1.1 and 1.2 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 laid down by the Drakenstein Municipality: Civil Engineering Services Division, in its memorandum dated 8 September 2022 (reference number 15/4/1 (F767/0) P (1129)), (**See Annexure C**);
 - 2.2 The applicant takes note of the letter of the National Department of Agriculture, dated 20 June 2022 (reference H 10-169), (**See Annexure F**);
 - 2.3 The applicant takes note of the conditions laid down by the Western Cape Government: Chief Directorate: Road Planning, in its letter dated 25 May 2023 (reference 16/9/6/1-10 (Job 3842)), (**See Annexure G**);

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- 2.4 This approval only applies to the application in question and shall not be construed as authority to depart from any legal prescriptions or requirements;
 - 2.5 That the proposal take place largely in accordance with the site development plan, (See Annexure B)
 - 2.6 No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
 - 2.7 The building form of the existing chicken houses must be maintained;
 - 2.8 No outdoor signage or advertisements will be permissible, except for the existing one non free-standing sign of the name of the facility,
 - 2.9 Any amendments to the application are subject to the relevant approval; and
 - 2.10 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.
3. The following be regarded as the reasons for the decision:
- 3.1 No objections were received during the public participation and stakeholder engagement processes;
 - 3.2 From a topography perspective, no constraints are foreseen, as the application entails the utilisation of the existing vacant chicken houses and no new structures are proposed;
 - 3.3 No detrimental impact on the natural environment is expected, due to the fact that no new buildings will be constructed. It is also important to note that there are no conservation worthy vegetation or ecological habitats within close proximity to the existing chicken houses;
 - 3.4 The fact that no physical changes to the existing structures are proposed and several other chicken houses exist within the immediate vicinity, confirms that the existing character of the area will not be altered or impacted upon;
 - 3.5 The proposed land use will be confined to the existing decommissioned chicken houses and will not have any detrimental impact on the agricultural viability of the application property;
 - 3.6 The application property is located near the N1 / R44 intersection, which is regarded as an important future node, and is most likely to be incorporated into the larger Klapmuts development area;
 - 3.7 The decommissioned chicken houses are situated approximately 150m away from the centre of the N1 National Road;

- 3.8 No additional services or infrastructure are required for the change in land use;
- 3.9 Sufficient on-site parking will be provided;
- 3.10 The proposal is not expected to have a significant negative traffic impact as the Department of Transport and Public Works and the Drakenstein Civil Engineering Services Division supports the application subject to certain conditions;
- 3.11 No additional civil engineering or infrastructure services are required as the existing chicken houses are already serviced;
- 3.12 The proposal is supported from a heritage and aesthetic perspective as no new buildings will be developed and no changes to the physical appearance of the building is proposed;
- 3.13 The proposed land use, due to its scale and character, can from a land use planning point of view be regarded as a compatible land use in the surrounding area;
- 3.14 The proposed development will create much needed employment opportunities in Drakenstein Municipality; and
- 3.15 All relevant internal departments consented to the proposal.

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 By-Law on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** from the date of registration of the letter. 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 public participation process and **the objectors** of their right of appeal – proof of notification **must** be provided. 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