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Reference: 15/4/1 (957) P  
Date: 04 May 2023  
Coll no: 1948626

EC/HK

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### APPLICATION FOR AMENDMENT OF APPROVAL FARM NO.957 PAARL (DAWN MOUNTAIN)

1. **Approval is hereby granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw, on Municipal Land Use Planning, 2018 for the amendment of conditions of approval applicable to Dawn Mountain (Farm 957 Paarl Division), in order to allow a larger footprint from 1162,7m<sup>2</sup> to 1406,8m<sup>2</sup> to be utilized for the extension of the approved function venue, as indicated on the Site Development Plan drawn by I Jacobs and associates dated April 2019, **(Annexure B)**.
2. The approvals mentioned in Paragraphs 1 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 15/4/1 (F957) P (1430) dated 02 December 2022, **(Annexure D)**;
  - 2.2 That the applicant takes note of the conditions set by the Cape Winelands District Municipality: Health Services, as set out in its letter dated 26 August 2022 (reference 14/1/2/1), **(Annexure F)**;
  - 2.3 That the applicant takes note of the conditions set by the Western Cape Department of Transport and Public Works: Road Network Management Division, as set out in its letter dated 29 May 2020 (reference 16/9/6/1-10/213 (Job 25110), **(Annexure G)**.
3. Adherence to the following conditions from a town planning point of view:
  - 3.1 The increase in footprint from 1162,7m<sup>2</sup> to 1406,8m<sup>2</sup> to be utilized for the extension of the approved function venue;

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- 3.2 No further expansion of the visitors facility area onto productive agricultural land, shall be allowed for parking areas, picnic areas, children play areas petting zoo pens or bike tracks;
  - 3.3 No additional productive agricultural land may be converted or sacrificed for additional visitors activities or the expansion of existing uses;
  - 3.1 No new structures to be erected without the prior approval of building plans by Council;
  - 3.2 This approval only applies to the amendment of conditions in question 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 will be operated from Mondays to Thursdays between the hours of 08:00 am to 00:00 pm including public holidays;
  - 3.6 No more than 600 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 precedent for tourism facilities has been set for this area, which forms part of the popular Wine Route;
  - 4.2 Countless examples of such activities can be found within the Drakenstein area, as well as in the Cape Winelands District;
  - 4.3 The proposal will provide employment and training opportunities for the local workforce;
  - 4.4 The expansion is insignificant in nature and does not pose any negative impact;
  - 4.5 The proposal will not be out of scale, nor character within the surrounding built and natural environment, due to the utilization of existing infrastructure;
  - 4.6 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding built and natural environment;
  - 4.7 All relevant internal and external departments consented to the application; and
  - 4.8 The application 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



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**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](mailto:customercare@drakenstein.gov.za), and Henk Strijdom, [henks@drakenstein.gov.za](mailto:henks@drakenstein.gov.za)