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Reference: 15/4/1 (787/16) P
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Sir

APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL AND SUBDIVISION OF PORTION 16 FARM 787 PAARL DIVISION

I refer to your land use application (collaborator reference 2030411) refers.

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 the conditions of approval dated 3 May 2017 as laid down in respect of Portion 4 of Fam 787, now known as Portion 16 of Farm 787 Paarl Division, as follows:
 - 1.1 The rezoning and subdivision of Farm 787/16 Paarl Division from "Agricultural Zone" (A) to "Subdivisional Area" for an industrial business park which will include the following zonings and land uses as indicated on the Subdivisional Plan dated March 2024 as prepared by David Hellig & Abrahamse (Plan No 1 Rev 6) (See Annexure D):

Portion	Zoning	Extent
1-23	"Industrial Zone"	5.975ha
24	"Open Space Zone"	0.1553ha
25	"Utility Zone"	24m ²
26	"Transport Zone"	1.0508ha
26 (Total)		4,2141ha total)

2. In terms of Section 24(1)(f) of the Drakenstein Municipality Bylaw on Municipal Land Use Planning, 2018, it is hereby certified that the following proposed services servitudes be exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, as indicated in the Subdivisional Plan dated March 2024 as prepared by David Hellig & Abrahamse (Plan No 1 Rev 6) (See Annexure D):
 - 2.1 The cancellation of Servitude Note 1. on SG diagram 2826/2018 being a Servitude of Right of Way, 15m wide over Portion 16 of Farm 787 Paarl.
 - 2.2 The cancellation of Servitude Note 3. on SG diagram 2826/2018 being a Servitude of Right of Way, 15m wide over Erf 41493 Paarl in favour of Portion 16 of Farm 787 Paarl.
 - 2.3 The registration of proposed Water Pipeline Servitude, 2m wide over the southeastern boundaries of Portions 6, 7, 8, 9, 10, 11, 23 and 24 in favour of the Drakenstein Municipality.
 - 2.4 The registration of an internal service servitude, 3m wide, over the northern boundaries of proposed Portions 2, 3, 4 and 5.
 - 2.5 The registration of an internal service servitude Area, $\pm 284\text{m}^2$ in extent, over the northern boundary of proposed Portions 6.
3. The approvals mentioned in the above paragraphs shall be subject to the following conditions laid down by Land Development Management, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 3.1 Adherence to the conditions laid down by the Drakenstein Civil Engineering Services in its letter 15/4/1(JF787/16) dated 17 July 2024, (See Annexure F);
 - 3.2 Adherence to the conditions Laid down by the Drakenstein Electro Technical Services:
 - 3.2.1 The developer shall provide a location for an electrical substation.
 - 3.2.2 The developer shall contact the department regarding the requirements for the upgrading of the electrical power network.
 - 3.2.3 Only one electrical service connection per land unit is allowed.
 - 3.2.4 All work must comply with OHS, SANS10142 in accordance with the Drakenstein Municipal Bylaw and standards.
 - 3.2.5 Network recovery cost will have to be paid by the developer.

4. Adherence to the conditions as set by Land Development Management as follows:
 - 4.1 The applicant is required to submit an amended detailed Site Development Plan prior to the submission of building plans for approval by the Manager, Land Development Management. The following minimum detail must be depicted for evaluation: Position of the gatehouse, the 5m building line along MR 189 (R101), the private on-site wastewater infrastructure, the detail of the solid waste collection site and capacity for bins.
 - 4.2 No services or buildings shall be allowed within the 5m building line along the northern boundary abutting the Old Paarl Road, MR189 (R101) without the consent from the Provincial Roads Engineer.
 - 4.3 Portions 9, 10, 11 and 23 shall be limited to light industrial activities only.
 - 4.3.1 The activities may not exceed the maximum allowable noise level for “business premises with workshops” in accordance with Table 2 of SANS 10103.
 - 4.3.2 The operating hours for industrial activities on Portions 9, 10, 11 and 23 shall be limited to business hours.
 - 4.3.3 Should the applicant wish to amend these conditions in future, a Noise Impact Assessment may be required in accordance with regulation 4 of the Western Cape Noise Control Regulations of 2013.
 - 4.4 No advertisements or any other signs (flags or banners, etc) visible from MR189, may be erected without approval in terms of the Drakenstein Municipality Bylaw on Outdoor Advertisement and the written consent of the relevant Road Authority.
 - 4.5 The developer shall submit an application for the establishment of a Property Owners Association prior to the transfer of erven:
 - 4.5.1 The members of the association shall be jointly and several responsible for management and maintenance of all private combined engineering services.
 - 4.5.2 The association shall be responsible for the implementation and management of the architectural and landscape guidelines to mitigate the visual impact of the development.
 - 4.5.3 The developer or association will be responsible for the cost and connection of the Property Owners Association’s network to future civil engineering municipal networks, when it is provided and becomes available.

- 4.5.4 The "Open Space" (OS), "Transport" (T) and "Utility Zone" (U) shall be transferred by the developer to the Property Owners Association or Municipality, with the first transfer of a registered erf, to anyone other than the developer.
- 4.5.5 The developer shall submit an application for the approval of the internal street name and street numbers.
- 4.5.6 The developer shall submit an amended design manual, architectural guidelines as well as landscape guidelines (landscape and maintenance plan) prior to the submission of building plans to the Manager Land Development Management for approval, indicating the following:
 - 4.5.6.1 The conserved and retained existing tree line along the length R101 (Old Paarl Road).
 - 4.5.6.2 A landscape buffer to be introduced between the tree line and the site boundary.
- 4.6 Development Contributions shall be payable by the developer.
- 4.7 Should the applicant fail to comply with any of the above-mentioned conditions of approval, the Municipality reserves the right to impose further conditions in future if deemed necessary.
- 5. The following be regarded as the reasons for the decision:
 - 5.1 A transparent and fair process was followed in processing the application in accordance with the Drakenstein Land Use Planning Bylaw, 2018.
 - 5.2 The application is supported due to the change in the market demand, for the industrial business parks.
 - 5.3 The application was circulated to various internal and external departments for comments and input. No objections to the amendment of the approved conditions for subdivision of Portion 16 of Farm 787 Paarl Division were received from the mentioned departments.
 - 5.4 The proposal conforms to the Spatial Planning Principles, SDF, and policies for the area.
 - 5.5 The Heritage Section indicated that the submitted architectural design and landscape guideline document for the Simonsvlei Business Park, dated February 2023 is not in order for approval purposes. The applicant is therefore requested to submit the mentioned document prior to the submission of building plans to the Manager Land Development

Management for approval. It should address the existing tree line and a landscape buffer along the R101. This document must also address effective rainwater harvesting, water saving devices, the management of the solid waste management plan and a restriction on use of advertisements, signs, flags or banners along the R101.

5.6 The Environmental Management Section requested that a restriction be placed on the operating hours of Portions 9, 10,11 and 23 with regard to industrial uses that generate noise. Complaints from residents of dwellings in the Ben Bernhard area have been investigated by this section in response to surrounding industrial activities in the past.

5.7 Environmental Authorization was granted by the Department of Environmental Affairs and Development Planning on 13 May 2025.

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.

The applicant shall be required to notify (**by email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **objectors**, 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