



DRAKENSTEIN

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Date: 2 August 2023

RM/HK
15/4/1 (11466) P

Drakenstein Municipality
Berg River Boulevard
PAARL
7646

Sir

APPLICATION FOR THE CLOSURE OF A PUBLIC SPACE, REZONING AND SUBDIVISION: ERF 11466

I refer to your application, dated September 2022 and have to inform you that Council's Municipal Planning Tribunal on 24 May 2023, resolved as follows, that:

"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 **Closure** of Erf 11466 Paarl as a public place;

1.2 **Rezoning** of Erf 11466 Paarl from Open Space Zone to Industrial Zone in order to allow for industrial development; and

1.3 **Subdivision** of Erf 11466 Paarl into two portions namely Portion A measuring $\pm 1250\text{m}^2$ in extent and the Remainder measuring $\pm 1250\text{m}^2$ in extent, as indicated on the Subdivision Plan drawn by L Schlechter dated 30 June 2022, (See Annexure D).

2. *The approval mentioned in Paragraphs 1.1 to 1.3 above, is subject to the conditions laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018 and applicable from a town planning point of view:*

2.1 *This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;*

2./...

2.2 *Any amendments to the application are subject to the relevant approval;*

- 2.3 *No new buildings are to be erected or existing structures altered without the approval of building plans by Council;*
 - 2.4 *That the subdivision takes place largely in accordance with the respective subdivision plan, (See Annexure D);*
 - 2.5 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Division referenced 15/4/1 (11466) P (1258) dated 30 November 2022, (See Annexure J);*
 - 2.6 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 11466 dated 10 October 2022, (See Annexure K); and*
 - 2.7 *Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.*
3. *The following will be regarded as the reasons for decisions:*
- 3.1 *The proposal supports the character of the surrounding area;*
 - 3.2 *The proposal will achieve the desired urban fabric for this specific area being industrial;*
 - 3.3 *The proposal will not detract from the surrounding character of the area as the sole intention of the application is to change the zoning of the application property to the same zoning of the surrounding area;*
 - 3.4 *The proposal represents the optimal utilisation of a piece of property that has been vacant and underutilised;*
 - 3.5 *The proposal represents a logical zoning change best fit to the well-established industrial area;*
 - 3.6 *The proposal is consistent with the principles and objectives of the SDF; and*
 - 3.7 *The relevant departments consented to the application, subject to certain conditions.”*

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(2) of the Drakenstein Bylaw on Municipal Land Use Planning 2018, excluding the decision for a Technical Approval, by any person whose rights are affected by the decision of an authorized official, within 21 days of notification of the decision. This approval is therefore suspended until further notice.

the application during the public participation process and the objectors (if applicable), of their general right of appeal – proof of notification must be provided. The appeal procedures are set out in Section 80 of the above-mentioned Bylaw (attached).

All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O. Box 1, Paarl, 7622 or on customercare@drakenstein.gov.za.

Yours faithfully



H.G. STRIJDOM
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, and Henk Strijdom, henks@drakenstein.gov.za