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Date: 12 June 2023  
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JD/JA  
15/4/1(14490) P

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Sir

**APPLICATION FOR REZONING, DEPARTURE, TECHNICAL APPROVAL AND PERMISSION WITHIN A SPECIAL CHARACTER PROTECTED AREA OVERLAY ZONE: ERF 14490 PAARL**

Your above mentioned application refers.

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 **Rezoning** of Erf 14490 Paarl, from Multi-Unit Housing Zone to Neighbourhood Business Zone for business purposes, as indicated on the site plan drawn by Willie Steyn Land Use Planner, Ref. MW1, dated 2/4/2021, (**Annexure B**);
  - 1.2 **Departure** from the building line parameters from 4.5m to 0.0m along the eastern property boundary on Erf 14490 Paarl, to accommodate the position of the existing built structure, as indicated on the site plan drawn by Willie Steyn Land Use Planner, Ref. MW1, dated 2/4/2021, (**Annexure B**);
  - 1.3 **Technical approval** for the reduction in parking provision from 8 bays / 100m<sup>2</sup> GLA to 6 bays / 100m<sup>2</sup> GLA for business purposes and permission for the rezoning and departure within a Special Character Protected Area Overlay Zone on Erf 14490 Paarl, as indicated on the site plan drawn by Willie Steyn Land Use Planner, Ref. MW1, dated 2/4/2021, (**Annexure B**);

2./...

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, in its letter dated 15 September 2021 (reference 15/4/1/ (14490) P (1305), (Annexure E);
3. Adherence to the following conditions from a town planning point of view:
  - 3.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;
  - 3.2 No new buildings are to be erected or existing buildings be converted without the prior approval of building plans by Council;
  - 3.3 The proposed restaurant's GLA not exceed 330m<sup>2</sup>;
  - 3.4 Any amendments to the application are subject to the relevant approval;
  - 3.5 The proposal complies with all respective health requirements;
  - 3.6 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;
4. The following be regarded as the reasons for the decision:
  - 4.1 The proposed rezoning, departure, technical approval and permission within a Special Character Protected Area Overlay Zone is considered compatible with the development trend in the area;
  - 4.2 The proposal will not be out of scale, nor character within the surrounding built environment, due to the utilization of existing infrastructure;
  - 4.3 The proposal is not expected to have a negative traffic impact;
  - 4.4 The application is not expected to negatively impact on the health, safety and wellbeing of the immediate and surrounding area;
  - 4.5 Sufficient on-site parking provision has been provided;

- 4.6 All internal departments support the proposal, subject to certain conditions; and
- 4.7 The proposal is in-line 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 public participation process and **the objector** including property owners situated along the eastern side of De Jongs Street, namely Erven 17278, 17301, 14502, 7030, 19861 and 13027 Paarl, of their right of appeal against the rezoning and departure only - 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**