



Coll: 1489/2019
Enquiries: R Mowzer
Tel no: 021 807 4822
Date: 2 August 2023

RM/HK
15/4/1 (39379) P

Drakenstein Municipality
Berg River Boulevard
PAARL
7646

Sir

APPLICATION FOR THE EXTENSION OF TIME AND SUBDIVISION: UNREGISTERED ERF 39379 PAARL

I refer to your application, dated August 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 ***Extension** of the validity period for the approval granted for the subdivision and consolidation of Erven 29136 and 29137 Paarl dated 21 November 2018, (See **Annexure D**), until 21 November 2028);*
 - 1.2 ***Subdivision** of the Unregistered Erf 39379 Paarl (±6.26ha) into two portions namely Portion 1 (±1.2ha) and the Remainder (±5.0ha), as indicated on the Subdivision Plan/diagram illustration, (See **Annexure E**);*
2. *The approval mentioned in Paragraphs 1.1 to 1.2 above, be 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 *Any amendments to the application are subject to the relevant approval;*

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- 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/Diagram Illustration, (See Annexure E);*
- 2.5 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Division referenced 15/4/1 (29136 & 29137) P (1352) 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 29136 & 29137 dated 15 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 opinion is held that the circumstances surrounding the initial application has not changed;*
- 3.2 *The new planning legislation makes provision for an extended validity period of up to 10 years.*
- 3.3 *With regard to the subdivision of unregistered Erf 39379 Paarl:*
 - 3.3.1 *The proposal will not detract from the surrounding character of the area as the sole intention of the application is to create two industrial zoned properties similar to the surrounding area;*
 - 3.3.2 *The proposal represents the optimal utilisation of a piece of property that has been vacant and underutilised;*
 - 3.3.3 *The proposal will expedite the development of the property as the relevant land use rights would already be in place;*
 - 3.3.4 *The proposal is consistent with the principles and objectives of the SDF; and*

3.3.5 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