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RM/HK
15/4/1 (2481) P

Drakenstein Municipality
Berg River Boulevard
PAARL
7646

Sir

APPLICATION FOR THE SUBDIVISION, CLOSURE OF A PUBLIC SPACE AND A PUBLIC ROAD, CONSOLIDATION AND REZONING: ERVEN 2481 AND 2389 PAARL

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 ***Subdivision** of Erf 2389 Paarl into two portions, namely Portion A ($\pm 492m^2$) and Remainder Erf 2389 Paarl, as indicated on the Subdivision Plan drawn by J Adams dated April 2016, (See Annexure D);*
 - 1.2 ***Closure** of Portion A of Erf 2389 Paarl as a public road and Erf 2481 Paarl a public place in order to allow for the establishment of a Mixed-Use Zoned Property;*
 - 1.3 ***Consolidation** of Erf 2481 Paarl ($\pm 969.9m^2$) and Portion A of Erf 2389 Paarl ($\pm 492m^2$) in order to form a new land unit measuring $\pm 1461.9m^2$ in extent, as indicated on the Consolidation Plan drawn by J Adams dated April 2016, (See Annexure E);*
 - 1.4 ***Rezoning** of the newly consolidated Erf from Open Space Zone and Transport Zone to Mixed-Use Zone for the purposes of establishing a use that is in line with zoning;*
- 2./...*

2. *The approval mentioned in Paragraphs 1.1 to 1.4 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 *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 drawn by J Adams dated April 2016, (See Annexure D);*
 - 2.5 *That the consolidation takes place largely in accordance with the respective Consolidation Plan drawn by J Adams dated April 2016, (See Annexure E);*
 - 2.6 *That the uses on the property be limited to professional offices, medical consulting rooms and/or residential units;*
 - 2.7 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Division referenced 15/4/1 (2481 and 2389) P (1253) dated 20 September 2022, (See Annexure I);*
 - 2.8 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 2481 & 2389 dated 15 October 2022, (See Annexure J); and*
 - 2.9 *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 application stems from a Council Decision to change the zoning of the application property as part of Councils land releasing strategy;*

- 3.2 *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 a zoning that is compatible with properties situated along the Berg River Boulevard;*
- 3.3 *The proposal represents the optimal utilisation of a piece of property that has been vacant and underutilised;*
- 3.4 *The proposal will allow development of the property to commence much faster in future as the relevant land use rights would already be in place;*
- 3.5 *The proposal is consistent with the principles and objectives of the SDF; and*
- 3.6 *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