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Contact number: (021) 807-4581  
Reference: 15/4/1 (F832/91)  
Date: 17 March 2023  
Coll no: 1947645

JD/HK

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## APPLICATION FOR AMENDMENT OF APPROVAL CONDITION: PORTION 91 OF FARM ZANDWYK 832 PAARL DIVISION (PAARLVIEW DEVELOPMENT)

1. **Approval has been granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, that the condition of approval with specific reference to the designation of certain buildings, in terms of the initial approval letter with reference 15/4/1 (F832/88) P dated 09 December 2019, be cancelled and substituted to read as follows: designation be approved as indicated on the Site Development Plan drawn by Niemann Architects and Associates, Drawing No. SDP\_001, Project Number NAA\_10\_20, Rev 01, dated 20 September 2021, (**See Annexure B**);
2. The approval mentioned in Paragraph 1 above, is 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 Division, in its memorandum 15/4/1 (F832/91) P (1432) dated 25 November 2022, (**See Annexure D**);
  - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division, in its memorandum dated 15 December 2021 (reference 8/2/5/202122/499) (**See Annexure E**);
  - 2.3 That the applicant takes note of the conditions laid down by the Western Cape Department of Transport and Public Works: Roads, in its letter dated 14 September 2022 (reference 16/9/6/1-10/180 (Job 24562)) (**See Annexure G**);
3. Adherence to the following conditions from a town planning point of view:
  - 3.1 No new structures to be erected without the prior approval of building plans by Council;
  - 3.2 This approval applies only to the application at hand, and shall not be construed as authority to depart from any legal prescriptions or requirements;

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- 3.3 Any further amendments to the application are subject to the relevant approval; and;
- 3.4 Should the applicant fail to comply with the any of the above-mentioned conditions of approval, 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 proposal is merely for an amendment of an approval condition, in order to change existing developments building designation;
- 4.2 No proposed structures will be altered, thus the proposal will retain the existing development envelope in the area, and the proposal at hand will not detract from that character;
- 4.3 The proposal is of such a nature that it will bring the existing developed structures in-line with its current zoning of Mixed-Use Zoning;
- 4.4 All relevant internal departments consented to the application; and
- 4.5 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding built environment or community.

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 initial public participation process and **the objectors** (if any), 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**