



DRAKENSTEIN

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Civic Centre, Berg River Boulevard, Paarl 7647

Enquiries: J Daniels
Contact number: 021-8074581
Reference: 15/4/1(17322) P
Date: 21 July 2026

JD/JA

PJ Le Roux Town and Regional Planners
262 Main Street
PAARL
7646

Email: pj@pjleroux.co.za

Sir

APPLICATION FOR DEPARTURE AND PERMISSION FROM COUNCIL: ERF 17322 PAARL

Your above-mentioned application (Collaborator Reference 2295874), refers.

1. **Approval** has been granted in terms of Section 60(1)(a) of the Drakenstein Municipality Bylaw on Municipal Land Use Planning, 2018, for for a permanent land use departure on Erf 17322 Paarl, to allow for the relaxation of the off-street parking provision for 17 bays in lieu of 22 bays, in order to facilitate the conversion of the top three floors from offices into 15 apartments, as indicated on the SDP Drawing, Drawing No. PAARL/01/26, undated (**Annexure B**);
2. Permission to develop within the Special Character Protected Area Overlay Zone and the Road Widening Overlay Zone of Paarl, is hereby accepted and supported;
3. The approval mentioned in Paragraph 1 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 3.1 Adherence to the conditions set by the Drakenstein Municipality: Civil Engineering Services Division as set out in its memorandum with reference 15/4/1 (17322) P (2609) dated 27 May 2026 (**Annexure E**);
 - 3.2 Adherence to the conditions set by the Drakenstein Municipality: Electrical Engineering Services Division as set out in its memorandum with reference 8/2/5_17322 dated 17 September 2025 (**Annexure F**);

- 3.3 Adherence to the conditions set by the Drakenstein Municipality: Spatial Planning Services Section: Heritage Subsection as set out in its memorandum with reference 15/4/1 (17322) P dated 6 November 2025 (**Annexure G**);
 - 3.4 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;
 - 3.5 The applicant takes note of the agreement reached with the adjacent property owner (**Annexure D**) and that it be included/inserted into the lease or sale agreements for potential lessees/buyers of the proposed apartments;
 - 3.6 No new buildings or boundary walls be erected or existing structure altered without the approval of building plans by Council;
 - 3.7 The development takes place largely in accordance with the site development plan (**Annexure B**);
 - 3.8 Energy-saving devices as are contained in the Drakenstein Municipality's Green Building Manual be made of as far as possible;
 - 3.9 The applicant institute water conservation measures such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
 - 3.10 Any further amendments to the application be subject to the relevant approval; and
 - 3.11 Should the applicant fail to comply with the any of the above-mentioned conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;
4. The following be regarded as the reasons for the decision:
- 4.1 The proposal is for a permanent land use departure to allow for the relaxation of off-street parking provision for 17 bays in lieu of 22 bays, in order to facilitate the conversion of the top three floors of an existing building from offices into 15 apartments;
 - 4.2 The proposal is not expected to detract from the character of the area, as existing infrastructure will be retained with proposed internal alterations, save for the demolition of an external structure of which the street facing façade would be retained;

- 4.3 The proposal is not expected to have a significant negative impact on the existing surrounding built and natural environment;
- 4.4 The proposal is not expected to negatively impact on the health, safety and well-being of the surrounding community;
- 4.5 The application is located within the delineated urban edge and Paarl's CBD, encouraging urban compaction and reducing urban sprawl;
- 4.6 All relevant internal and external departments consented to the proposal subject to certain conditions;
- 4.7 Given the fact that the application property is located within the CBD, the opinion is held that a lower parking ratio can be considered. In this regard it needs to be mentioned that there will still be one bay available for each apartment; and
- 4.8 The proposal is in line with the Drakenstein Spatial Development Framework (DSDF), as well as other forward planning policies and frameworks.

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 **provisional 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**, including property owner of Erf 1187 Paarl (L Kapp) of their right of appeal – proof of notification **must** be provided.

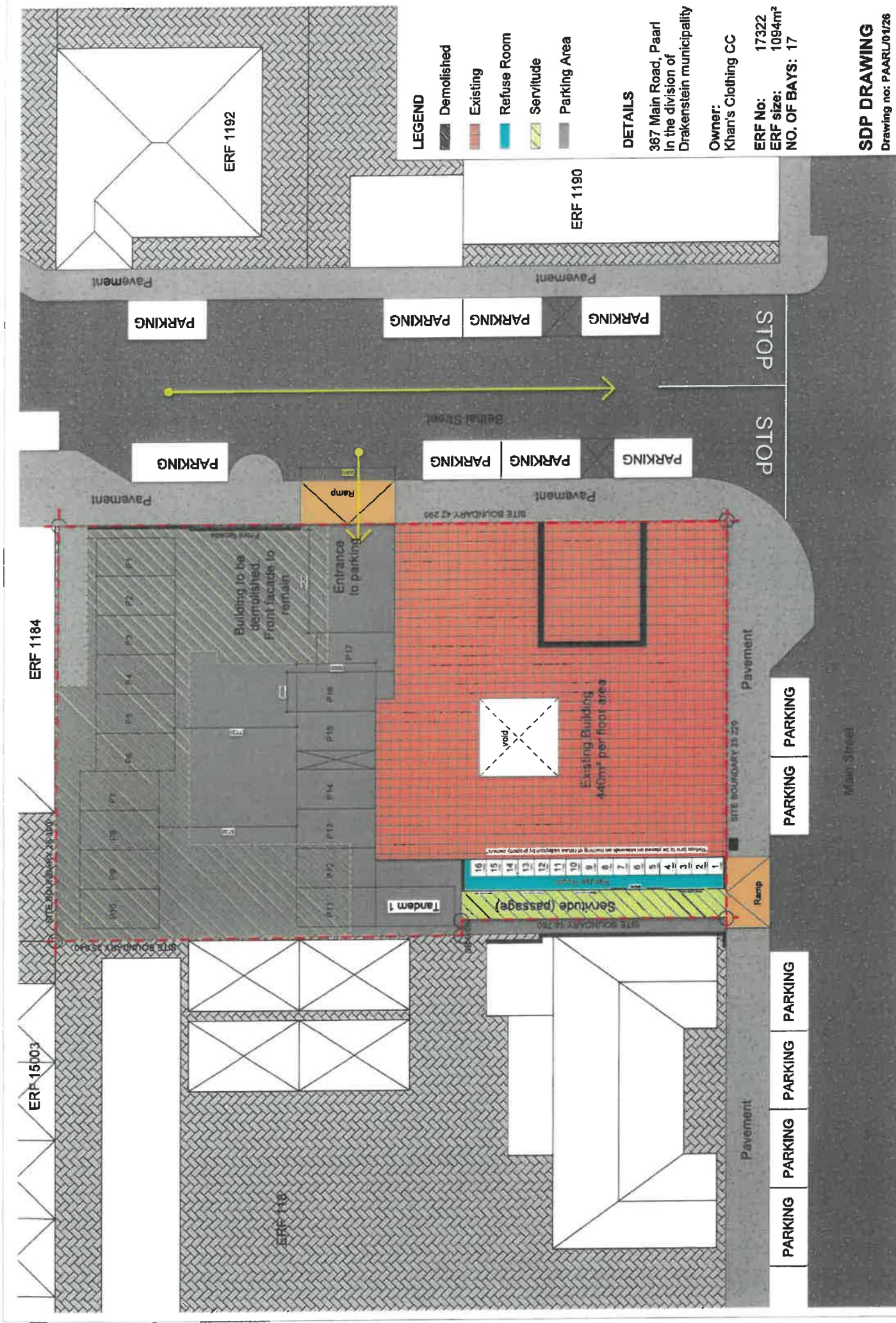
Should there be any appeals against the decision, **the application title (heading) must** be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

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)
SENIOR MANAGER: LAND DEVELOPMENT PLANNING





RE: Application for departure and permission from Council: erf 17322 Paarl

From PJ le Roux <pj@pjlroux.co.za>

Date Tue 2025-11-11 8:36 AM

To Jason Daniels <Jason.Daniels@drakenstein.gov.za>; info@pjlroux.co.za <info@pjlroux.co.za>

Cc Jaime Meyer <Jaime.Meyer@drakenstein.gov.za>; Registry <Registry@drakenstein.gov.za>

 1 attachment (389 KB)

Response on concern.pdf;

Jason,

Further to the email message from the abutting neighbour regarding the application on Erf 17322 Paarl, please find herewith the signed confirmation and acceptance of their request by the applicants.

I trust this conclude this matter and please provide me with an update on the status of this application.

Please acknowledge receipt hereof.

Kindest Regards

Pierre-Jean le Roux

Pr. Pln A/803/1995

Ba Hons, M (TRP)

(MSAPI)



Pty Reg. No.: 2015 / 058583 / 07

262 Main Road / P.O.Box 3457

Paarl Paarl

7646 7620

Tel: 021-8722499

Sel: 0760317607

Spreuke 3:5-6/Proverbs 3:5-6

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word nie. Die e-pos is ook onderhewig aan kopiereg en geen gedeelte daarvan mag gekopieer, gewysig of versend word sonder die geskrewe toestemming van die kopieregeleenaar nie.

From: Jason Daniels <Jason.Daniels@drakenstein.gov.za>
Sent: 08/10/2025 12:43
To: PJ le Roux <pj@pjleroux.co.za>; info@pjleroux.co.za
Cc: Jaime Meyer <Jaime.Meyer@drakenstein.gov.za>; Registry <Registry@drakenstein.gov.za>
Subject: Fw: Application for departure and permission from Council: erf 17322 Paarl

Good day PJ.

The subject application, refers.

Below email has been received from an adjacent property owner, who has a concern regarding his operation and the impact thereof on future owners/lessees to the proposed units, on the subject application.

It should be noted that he has no objection to the proposal and requests as highlighted below in yellow.

Regards

Jason Daniels
Corporate and Planning Services

t: +27 21 807 4581
e: Jason.Daniels@drakenstein.gov.za
a: Civic Centre, Berg River Boulevard, Paarl, 7646



Drakenstein Municipality Email Disclaimer and Confidentiality Note

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From: Llewellyn Kapp <franchise@dekelderrestaurant.com>
Sent: Wednesday, October 8, 2025 12:22 PM
To: Jason Daniels <jason.Daniels@drakenstein.gov.za>
Subject: Application for departure and permission from Council: erf 17322 Paarl

[You don't often get email from franchise@dekelderrestaurant.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good day Mr. Daniels

I refer to the email regarding the above matter as well as my visit to you and would like to reply as follows.

We are the owners of the adjacent premises 371 Main Road, Paarl and have been trading a restaurant/ bar/club with an entertainment license for the past five years. We have DJ's and live music performances on a regular basis and also run fund raisers on request in assisting the local schools and community to raise funds.

We also accept that Paarl is a fast growing town and thus not against development. We also strive for good neighborliness.

Can you please confirm in writing and also get the necessary consent from Drakenstein Municipality and Liquor Authority that our licenses will not, at any stage be in jeopardy and no possible complaints will be entertained as we have been operating since 2020 with all valid licenses in place. We have a vested right which was confirmed by Sergeant Joseph, our liquor officer in Paarl and yourself. I would like to request that the above be included in all sales and rental agreements of the proposed change in land use application for the 15 units as well as in any future changes on the erf 17322. If our vested rights cannot be guaranteed we definitely object to the above application for departure. I trust you understand our concerns and kindly await your response.

Regards.

Llewellyn Kapp
Cell no 0834526447

CC RESOLUTION

At a recent meeting of KHAN'S CLOTHING CC held on 13/10/2025 at Constantia it was resolved as follows:

As owners of Erf 17322 PAARL Situated within the area of jurisdiction of the Drakenstein Municipality, Division, Paarl, Province of the Western Cape. We do not object to the below request from Mr Kapp.

Good day Mr Daniels

I refer to the email regarding the above matter as well as my visit to you and would like to reply as follows.

We are the owners of the adjacent premises 371 Main Road, Paarl and have been trading a restaurant/ bar/club with an entertainment license for the past five years. We have DJ's and live music performances on a regular basis and also run fund raisers on request in assisting the local schools and community to raise funds.

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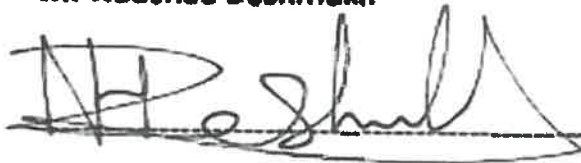
Regards.

Llewellyn Kapp

Cell no 0834526447

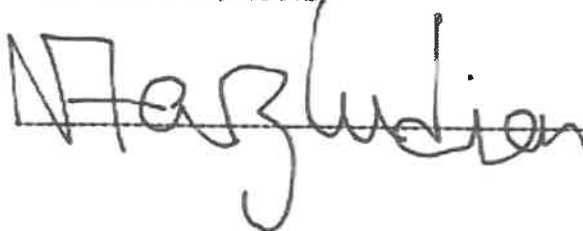
DIRECTORS

Mr Naushad Deshmukh



Signed 13/10/2025

Mrs Nafeesa Fazludien



Signed 13/10/2025



Memo

To: EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE DEPARTMENT
(ATTENTION: C. VAN DER BANK)
From: EXECUTIVE DIRECTOR: ENGINEERING SERVICES
Enquiries: LH SMITH
Collaborator number:
Reference number: 15/4/1 (17322) P (2609)
Date: 27 May 2026
Subject: APPLICATION FOR PERMANENT DEPARTURE, APPROVAL OF SDP AND
PERMISSION FROM COUNCIL, ERF 17322 PAARL.

These conditions will be subject to review by the Engineering Services Department upon receipt of Civil and/or building plans for approval. This may require all the studies carried out for the proposed development to be updated and revised accordingly, which shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

The aforementioned is based on the possibility of changes in the physical environment in respect of engineering infrastructure between date of issuing of conditions and actual building/construction being imminent, which may impact on available relevant infrastructure capacities as at time of initial issuing of conditions.

NOTE: This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants.

THE FOLLOWING CONDITIONS WILL APPLY

1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures; and

- 1.3 *Prior to the approval of any building or civil engineering plans, the developer shall submit an amended Traffic Impact Statement (TIS) to this department for approval.***

2 STORM WATER

- 2.1** Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.2** Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 2.3** Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event; and
- 2.4** Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on $0.02\text{m}^3/\text{m}^2$ roof area.

3 WATER

- 3.1 *The developer shall adhere to the findings of the GLS report dated 5 December 2024;***
- 3.2** The development will retain their existing water connection. If a bigger application is required, the applicant shall apply to this department at their own cost;
- 3.3** All individual units must be provided with a separate water meter to municipal specifications;
- 3.4** Water saving devices shall be installed in toilets, bathrooms and basins;
- 3.5** A water demand management plan must be submitted to the Civil Engineering Department and must include and indicate the measures to be put in place to conserve and manage water; and
- 3.6** Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 *The developer shall adhere to the findings of the GLS report dated 5 December 2024;***
- 4.2** The development will retain their existing wastewater connection; and
- 4.3** Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

- 5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of home owner's organisation/body corporate, for the removal of such household refuse;
- 5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out;
- 5.3 *Such collection shall be from individual a single centralised waste collection site for the development as per drawing PAARL/02/2026;*
- 5.4 Provision should be made for a waste disposal facility and entrance to the township, with lockable gate for wheelie bins (240l bins) and recyclable bags equal to the number of dwellings per development;
- 5.5 A key should be provided to Drakenstein Municipality to be able to unlock the door/gate to garbage area on collection days, from the kerbside;
- 5.6 The garbage area should be enclosed with a 1.8m high fence and need to provided with the following;
- Tap with running water;
 - A gully which is connected to an approved sewer connection;
 - Concrete floor;
- 5.7 Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days; and
- 5.8 The Developer shall indemnify the Municipality from any damages caused as a result in rendering the refuse removal service.

6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, no Development Charges are payable by the developer.

7 GENERAL

- 7.1 *Depending on the scale of expansion in future, additional Civil Engineering Specialist Reports may be requested by this department when the developer wishes to increase the GLA;*

- 7.2 *When at any stage in future the municipality is required to take over ownership and maintenance of civil infrastructure, it will be the responsibility of the property owners to ensure all water and waste water connections adhere to municipal standards and by-laws;***
- 7.3 A services agreement may be required, prior to the start of construction, where in shall be detailed the apportionment of funding of any new works common to the area, including but not limited to road network upgrading, sewerage treatment works upgrading, bulk water supply upgrading, sewage network upgrading;**
- 7.4 When any service is to be taken over by Drakenstein Municipality, any damage caused due to the construction of houses or any other construction activity shall be repaired by the Developer. Failure to do so will result in clearances and occupation certificates being withheld and remedial works shall be done by Drakenstein Municipality for the cost of the developer;**
- 7.5 The developer is responsible for the funding of all connections to the bulk services and all internal works;**
- 7.6 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;**
- 7.7 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;**
- 7.8 The whole of the works shall fall under the control of a single project manager;**
- 7.9 The municipality shall be represented at all site meetings for the duration of the construction of the works and to this end timeous notification of such meetings shall be supplied to the Engineering Services Department;**
- 7.10 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;**
- 7.11 Where applicable all water network, (downstream of the valve immediately upstream of the bulk water meter, upstream of the connection to the existing system or intersection point with the existing road), sewer network, stormwater network and road network components shall be a private combined system and shall be indicated as such on all documents and plans;**
- 7.12 All private combined systems (including but not limited to water, sewer, stormwater, roads, irrigation, etc.) shall be the joint and several responsibility (including but not limited to the**

administration of the joint account and operation and maintenance of the system) of the members of the homeowners association/body corporate and must be noted as such in any constitution of any such body and any such constitution must be submitted for approval by council. This constitution shall be notarially linked to each separate title deed;

7.13 A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection;

7.14 The above conditions are to be complied with in stages.

7.14.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;

7.14.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any subdivided erf within the development property or occupation of any property/building in the phase; and

7.14.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LH Smith

SENIOR MANAGER: INFRASTRUCTURE MANAGEMENT

\\Fseng\eng\DATA\INFRASTRUCTURE MANAGEMENT\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2026\Comments\Erf 17322 Paarl - Application for permanent departure, approval of SDP and permission from council Final.docx
LHS/

Memo

To:	Senior Manager: Land Development Management For attention: H Strijdom/C van der Bank/E Cyster
From:	Chief Engineering Technician: Planning and Design
Enquiries:	R Abrahams
Reference number:	8/2/5_17322
Date:	17 September 2025
Subject:	APPLICATION FOR PERMANENT DEPARTURE, APPROVAL OF SDP AND PERMISSION FROM COUNCIL: ERF 17322 PAARL

Time Limit on Conditions: These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must be submitted for approval by this department.

1. INFORMATION REQUIRED/OUTSTANDING

1.1. None.

2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty-four-hour access for maintenance purposes.
- 2.4. The developer will be responsible for all cost in the case where he or she request any infrastructure situated in the road reserve to be moved or relocated to new proposed positions.
- 2.5. The developer is required to include measures to improve energy efficiency for any additional load requirement to the existing electrical supply.
- 2.6. It may be requested to register service servitudes where existing and or new infrastructure will or have been installed.
- 2.7. A service level agreement between the municipality and the owner or developer of above-mentioned erf must be arrange at Electro-Technical Engineering Department (Planning and Design Section - Chief Engineering Technician) for any additional load requirement.

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply for any additional load requirement and will be calculated according to the following as indicated in approved tariffs: **R4,537.02 per kVA (V.A.T. excluded)**. The cost as mentioned above is valid until 30 June 2026 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.2. The developer will be responsible to carry all cost of the electrical installation.
- 3.3. All upgrade and service costs must be paid at the Financial Services Section in cash before any service connection may be rendered.
- 3.4. A private registered electrical installation electrician shall be used to do all installations and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal by-laws prior to the development.
- 3.5. A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Engineering Department (Service Section) on the day the service is rendered or as the case may be.
- 3.6. Electro-Technical Engineering: Planning and Design with reference to the services and conditions has no objection to this application.

Yours faithfully



R. Abrahams

Chief Engineering Technician: PLANNING AND DESIGN

I:\BEPLAN_3\Sub_Divisions_Rezoning\202526\17322

Memo

To: LAND DEVELOPMENT PROCESSING AND FACILITATION SECTION
J MEYER (EXT: x4836)

From: HERITAGE SERVICES SUB-SECTION

Enquiries: CLIVE THEUNISSEN (EXT: x4818)

Collaborator number: 2295874

Reference number: 15/4/1 (17322)P

Date: 6 NOVEMBER 2025

Subject: APPLICATION FOR DEPARTURE, APPROVAL OF SITE DEVELOPMENT PLAN AND PERMISSION FROM COUNCIL IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING 2018: ERF 17322, PAARL

RECEIVED APPLICATION ON 5 NOVEMBER 2025

1. PROPOSAL

The proposal entails a departure, approval of site development plan and permission on Erf 17322, Paarl, in order to redevelop the existing offices into apartment units.

2. EVALUATION

2.1 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal falls within the proposed Paarl Heritage Overlay Zone. Although the site was not graded in the survey, the Municipality recommends a grading of Grade 3B for the site.

2.2 NATIONAL HERITAGE RESOURCES ACT NO. 25 OF 1999

In terms of section 34(1) of the National Heritage Resources Act No. 25 of 1999, no person may alter or demolish any structure or part of a structure, which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

Therefore, section 34 of the National Heritage Resources Act (Act 25 of 1999) will potentially be triggered by the proposal, and the applicant is advised to consult with Heritage Western Cape.

2.2 DRAKENSTEIN MUNICIPAL ZONING SCHEME BYLAW 2018

In terms of the Drakenstein Municipal Zoning Scheme Bylaw 2018, the proposal is located within the Paarl Special Character Protected Area Overlay Zone. However, it is located outside any Scenic Route Overlay Zone.

3. CONCLUSION

The proposed departure, approval of site development plan and permission on Erf 17322, Paarl, in order to redevelop the existing offices into apartment units is supported, on condition that the following is provided at building plan stage:

- A heritage statement must be provided, which assesses the significance of the heritage resource, proposed alterations, demolitions and any work already completed;
- All previous unauthorised work must be clearly indicated on plans;
- Details of the retained facade along Bethal Street, must be provided;
- A final Site Development Plan, building plans and demolition plans must be provided; and
- A Heritage Western Cape permit for demolitions and alterations on site, must be provided.



.....
W HENDRICKS
MANAGER: SPATIAL PLANNING