



DRAKENSTEIN

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Reference: 15/4/1(29112) P
Date: 30 May 2025

RM/JA

P-J Le Roux Town and Regional Planner (PTY) Ltd
262 Main Road
PAARL
7622

pi@pjlroux.co.za

Sir

APPLICATION FOR EXTENSION OF THE VALIDITY PERIOD FOR A TEMPORARY DEPARTURE APPROVAL: ERF 29112 PAARL

Your above-mentioned application (Collaborator Reference 2219231) refers.

1. Approval has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for extension of the validity period of the temporary departure approval granted by Councils Land Use Planning Appeal Authority on 20 December 2019, with the new lapsing date being 20 January 2030, with no further extensions thereto.
2. The approval mentioned in Paragraphs 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:
 - 2.1. Compliance with the following general conditions:
 - 2.1.1 The relevant conditions contained in the approval letter referenced 15/4/1 (15005) P dated 20 January 2020 continue to be adhered to; and
 - 2.1.2 Should the applicant fail to comply with any of the conditions laid down in the previous approval letter, then Council reserves the right to impose further future conditions.

3. The following be regarded as the reasons for the decision:

- 3.1 The application merely involves the extension of the validity period of an existing approved land use right;
- 3.2 The existing place of instruction (preparatory school) has been successfully operated since the initial approval with limited to no negative impact on the surrounding property owners;
- 3.3 The application merely serves as an extension to award the applicant sufficient time pending the outcome of the application submitted to obtain permanent land use rights for the existing place of instruction (preparatory school); and
- 3.4 No additional land use rights are awarded and no expansion of the existing place of instruction (preparatory school) is proposed as part of this application.

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 public participation process and the objectors, 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
MANAGER: LAND DEVELOPMENT MANAGEMENT

- (1) Planning (C van der Bank)
(Erven 15005 & 29112 Paarl)
(2) Engineering (L Pienaar)
(3) Electro-Technical (L Laing)

Coll: 1619027

Coll no: 1293821^x
Enquiries: C van der Bank
Tel no: (021) 807-4832
Date: 20 January 2020

HB/
15/4/1 (15005) P

Family Tree
Leadership Academy
14 Napier Street
PAARL
7646
Sir

APPEAL: APPLICATION FOR CONSENT USE AND TEMPORARY DEPARTURE: ERVEN 15005 AND 29112 PAARL

I refer to your letter in the above regard and have to inform you that Council's Land Use Planning Appeal Authority on 20 December 2019, upheld the appeal by the applicant and dismissed the appeals submitted by the objectors. The previous comments from Civil Engineering Services be replaced with the revised memorandum 15/4/1 (15005 & 29112) P (1374) dated 5 June 2019 (**Annexure VIII**).

In light of the above I confirm hereby as follows:

1. **Final** approval has now been granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for consent use on Erf 15005 Paarl for a "Place of Instruction" (pre-school) and for a temporary departure on Erf 29112 Paarl for a "Place of Instruction" (preparatory school) for five (5) years, as indicated on the Site Development Plan, Plan No JB-001 dated 18 January 2019 (**Annexure VI**);
2. The approval granted in paragraph 1 above, is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018:
 - 2.1 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Division, in its memorandum 15/4/1 (15005 & 29112) P (1374) dated 5 June 2019 (**Annexure VIII**);

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- 2.2 Adherence to the conditions laid down by Drakenstein Municipality: Electro Technical Services Division, in its memorandum 15/4/1 (15005 & 29112) dated 31 August 2018 (**Annexure XI**);
- 2.3 Adherence to the conditions laid down by the Cape Winelands District Municipality: Environmental Health, in its letter 17/1/1/4/6 dated 31 July 2018 (**Annexure X**);
- 2.4 The following conditions are applicable from a town planning point of view:
 - 2.4.1 Erven 15005 and 29112 Paarl be notarially tied, to secure access and egress, as well as parking, in favour of Erf 15005 Paarl on Erf 29112 Paarl, as indicated on the Site Development Plan, Plan No JB-001 dated 18 January 2019 (**Annexure VI**);
 - 2.4.2 No direct access to or egress from Erf 15005 Paarl to Napier Street and Malan Street shall be allowed;
 - 2.4.3 The existing vehicle and pedestrian access gates to Erf 15005 Paarl be permanently closed for access purposes;
 - 2.4.4 Secondary access to Erf 15005 Paarl, the school entrance gate and parking area shall be via notarially tied Erf 29112 Paarl;
 - 2.4.5 The occupancy ratio for the proposed facilities be determined by the Cape Winelands District Municipality: Environmental Health Section, with the submission of detailed building plans;
 - 2.4.6 Subject to 2.4.5, the maximum number of pupils shall not exceed ± 77 learners for Erf 15005 Paarl and ± 60 learners for Erf 29112 Paarl (± 137 learners in total), in accordance with the approved Traffic Impact Assessment (**Annexure VII**);
 - 2.4.7 The proposed pre-school on Erf 15005 Paarl and preparatory school on Erf 29112 Paarl, shall be restricted to standard operating hours from 7:15 to 17:30, Mondays to Fridays; and
 - 2.4.8 Should the applicant fail to comply with any of the above-mentioned conditions of approval, Council reserves the right to impose further conditions in future if deemed necessary.

3. The reasons for the decision are as follows:

- 3.1 The appellants' did not present new information or supportive evidence in the submissions received, to re-consider the approval of the application;
- 3.2 The application contributes to the efficient increase of socio-economic opportunities and supports Drakenstein unique sense of place, in order to encourage investment;
- 3.3 The application capitalises on the well-established educational facilities and education history of Paarl and will support the development of vibrant complete neighbourhoods;
- 3.4 The revised Site Development Plan (**Annexure VI**) provides sufficient detail for the management and control of the overall development of Erven 15005 and 29112 Paarl;
- 3.5 The Civil Engineering Services Division scrutinised and accepted the findings of the Traffic Impact Assessment which concluded that the road network can accommodate the total expected traffic demand; and
- 3.6 Notice of the approval of the application was given prior to the holiday period and in accordance with the applicable legislation.

Kindly note that the above-mentioned approval shall lapse if it is not exercised, including compliance with all relevant conditions, within five years from the date hereof.

Yours faithfully



S JOHAAR

EXECUTIVE DIRECTOR: CORPORATE SERVICES

LUPAA (3) – 20/12/2019