



**DRAKENSTEIN**

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

+27 21 807 4500 +27 21 872 8054  
www.drakenstein.gov.za  
customercare@drakenstein.gov.za  
Civic Centre, Berg River Boulevard, Paarl 7646

Enquiries: Cole Petersen  
Contact number: 021 807- 6351  
Reference: 15/4/1 (8426) P  
Date: 09 October 2024  
Col No: 1813475

CP/HK  
15/4/1 (8426) P

Dennis Moss Partnership  
P.O Box 371  
STELLENBOSCH  
7599

[jacques@dmp.co.za](mailto:jacques@dmp.co.za)

**APPLICATION FOR PERMANENT DEPARTURE AND AMENDMENT OF CONDITIONS IN TERM OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 8436 PAARL**

1. Approval be granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:
  - 1.1 **Permanent departure** from development parameters in order to relax the western proclaimed 5.0m street boundary building line to 3.0m, as indicated on the site development plan drawn by Dennis Moss Partnership, Drawing No: SDP001, dated 15/12/2021 (**See Annexure B**)
  - 1.2 Amendment condition 3.2 stated in the approval letter with reference 15/4/1 (8426) P, dated 26 November 2020, in order to amend the approved site development plan.
2. The approvals mentioned above shall 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 This approval only applies to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
  - 2.2 The proposal take place largely in accordance with the site development plan drawn by Dennis Moss Partnership, Drawing No: SDP001, dated 15/12/2021 (**Annexure B**);

2./...

- 2.3 Any required electrical services extensions and/or upgrades, including all costs related thereto, will be for the account of the applicant;
  - 2.4 Energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
  - 2.5 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;
  - 2.6 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council;
  - 2.7 Any amendments to the application are subject to the relevant approval;
  - 2.8 The proposal complies with all health requirements; and
  - 2.9 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;
3. The following considerations can be regarded as the reasons for the decision:
- 3.1 The Drakenstein Municipal Spatial Development Framework identifies the subject property as "Urban Infill", which allows for urban development, such as is here concerned which therefore makes the proposed development consistent with prescriptions of the SDF;
  - 3.2 Little to no negative impacts to the natural environment is foreseen by this application;
  - 3.3 The application will not have a significant impact on the visual character of the area;
  - 3.4 The development furthermore is seen as a natural extension to the existing urban area, thus making it more reconcilable with the surrounding area;
  - 3.5 The property is well located and easily accessible;
  - 3.6 The application property size is way too small to fully operate as a sustainable and profitable farming entity and thus the need for the owner to seek other forms of income or uses;

- 3.7 The traffic impact of the development is considered to be minimal, and was confirmed as such by the Western Cape Department of Transport and Public Works;
- 3.8 The departures applied for are seen as being minor when compared to the development parameters allowed for group housing within the new Drakenstein Zoning Scheme Bylaw; and
- 3.9 All 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(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.

The applicant shall be required to notify **(by email or per hand)** the **surrounding property owners** who were notified of the application during the initial public participation process and **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 (PR. PLN A/1058/1998)**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**