

29 SEPTEMBER 2017

Email: Tim@planpart.co.za

Dear Sir / Madam

APPLICATION FOR: Cape Town Municipal Planning BY LAW: SECTION 42(O) - CORRECTION OF A ZONING MAP: ERF 1181, MATROOSFONTEIN, 92 PALOTTI ROAD KING DAVID COUNTRY CLUB

This letter is addressed to the applicant or to an objector in the case where there has been an objection to the above application.

The application with reference 70357325 in the above regard, accepted on 02 AUGUST 2017, refers.

The authorised official on 26 September 2017 **approved** in terms of section 98 of the City of Cape Town Municipal Planning By-Law, 2015 (MPBL), the application for the correction of the zoning map applicable to Erf 1181 from OS 2 to OS3.

Kindly also note where applicable, the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Should the reasons for the above decision not be contained in this notification you are advised in terms of section 104(2)(c) of the MPBL and section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

In terms of section 108(1) of the City of Cape Town Municipal Planning By-Law, 2015, you may appeal to the Appeal Authority against the above decision by giving written notice of such appeal and the grounds of appeal.

An appeal, including the written notice and the grounds of appeal (and not only the intention to appeal), must be lodged with the City Manager, c/o the Tygerberg District Manager, at the following email address: [\[appeals.tygerberg@capetown.gov.za\]](mailto:appeals.tygerberg@capetown.gov.za) within **21 days of the date of notification of the decision**. If the appeal cannot be lodged by email it may be hand delivered to the Tygerberg District Secretary **within 21 days of the date of notification of the decision**. See definition of notification date in footnote below to determine the closing date for submission. If this letter has been sent to you by registered mail, then it is your responsibility to establish the date stamped upon the receipt for registration issued by the post office when accepting this notice from the City of Cape Town. You will need to contact the post office and use the tracker number on the envelope for this purpose.

Failure to comply with the above requirements and provisions within section 108 of the MPBL will result in the appeal being ruled invalid.

Kindly note that the operation of the approval of this application is suspended and may therefore not be acted on until such time as the City gives notice that no appeal has been lodged and the decision

is effective or the date that the appeal is decided by the appeal authority. If an appeal is lodged against a condition of approval the City may determine that the operation of the approval of the application is not suspended.

Yours faithfully



Erhard Pienaar
for **DIRECTOR : DEVELOPMENT MANAGEMENT**

CC: GIS office

Notes and extracts from sections of the City of Cape Town Municipal Planning By-Law, 2015

105 Effective date of decision

- (2) The effective date of a decision in terms of this By-Law is –
- (a) the date that the City gives notice that no appeal has been timeously lodged and that the decision is accordingly effective; or
 - (b) subject to subsection (3), if an appeal is timeously lodged, the date that the appeal is decided by the appeal authority.
- (3) If an appeal is lodged only against a condition imposed in terms of section 100, the City may determine that the operation of the approval of the application is not suspended

Method and date of notification

The date of notification is determined as follows:
if the notification is provided –

- (a) orally, it is the date of oral communication;
- (b) by hand, it is the date of delivery or collection;
- (c) by registered post, it is regarded as the fourth day after the date stamped upon the receipt for registration issued by the post office which accepted the notice; or
- (d) by email or fax, it is the date that the email or fax