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Date: 04 August 2021

EC/GS
15/4/1 (156/5) P

David Hellig and Abrahamse
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Sir

THE REMAINDER OF PORTION 5 OF THE FARM SCHOON OORT NO. 156 PAARL

I refer to your application in the above mentioned regard:

1. Approval has been granted in terms of Section 60(1) (a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1 Amendment of approval conditions on the Remainder of Portion 5 of the Farm Schoon Oort no 156 Paarl, to be amended to make provision for construction of a wine cellar with a capacity of 5 000 tons of grapes per, as indicated on the Topographical Plan / Site Development Plan drawn by David Hellig and Abrahamse Professional Land Surveyors, File No. P1910/84(10)A, Plans No. 11 and 12, dated Sept-Oct 2020, **(Annexure C)**, which includes the amendment to Council's previous letter of approval with reference 15/4/1 (F156P) P dated 27 August 2001, **(Annexure B)**;
 - 1.2 Amendment of approval conditions on the Remainder of Portion 5 of the Farm Schoon Oort no 156 Paarl, in order to reflect the land use rights in accordance with the actual as built infrastructure as indicated on the Zoning Plan drawn by David Hellig and Abrahamse Professional Land Surveyors, File No. P1910/84(10)A, Plans No. 14, dated Sept-Oct 2020, **(Annexure C1)**, which includes the amendment to Council's previous letter of approval with reference 15/4/1 (F156P) P dated 27 August 2001, **(Annexure B)**;

2. The approval mentioned in Paragraphs 1.1 and 1.2 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 set by the Drakenstein Municipality: Civil Engineering Services Division as set out in its memorandum 15/4/1 (F156/5) P (00213) dated 19 February 2021, **(Annexure D)**.
3. The following conditions are applicable from a town planning point of view:
 - 3.1 This approval applies only to the application for amendment of approval conditions in question, and shall not be construed as authority to depart from any legal prescriptions or requirements;
 - 3.2 No new structures to be erected without the prior approval of building plans by Council;
 - 3.3 The proposal take place largely in accordance with the Topographical Plan / Site Development Plan, **(Annexure C)**;
 - 3.4 A Record of Decision from Department of Water and Sanitation be submitted to the satisfaction of the Manager: Environmental Management;
 - 3.5 Any further amendments to the application are subject to the relevant approval;
 - 3.6 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; and
 - 3.7 An Environment Authorization be obtained regarding the re-positioning of the berm and being provided to this department for record purposes;
4. The following be regarded as the reasons for the decision:
 - 4.1 In evaluating the merits of the application, it is important to keep in mind that the land use rights has already been granted in respect of the property;
 - 4.2 The proposal is well within the development parameters for Agriculture Zone zoned properties;
 - 4.3 The proposal is in keeping with the general development trend in the area, and the proposal at hand will not detract from that character;
 - 4.4 The proposal is of such a nature that it is not expected to negatively impact the existing surrounding land use activities;
 - 4.5 All relevant internal departments consented to the application;

- 4.6 The proposal is of such a nature that it is not expected to negatively impact the existing surrounding land use activities;
- 4.7 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding built environment or community;
- 4.8 The proposal will strengthen the agri-tourism character of the property
- 4.9 The development proposal will not result in the erection of any new buildings;
- 4.10 The development proposal will not lead to a loss in viable agricultural land;
- 4.11 The proposal is considered to be consistent with the Drakenstein Spatial Development Framework.

Your attention is drawn to the general right of appeal in terms of Section 79(3) of Drakenstien ByLaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision of an authorized official, within 21 days of notification of the decision. This approval is there for suspended until further notice. Please also notify the surrounding property owners by hand within a radius of 200 meters from the application property, of their general right of appeal – proof of notification must be provided to this department. Note that the 21 day appeal period will commence the day after all the property owners have been notified. The appeal procedures are set out in Section 80 of the abovementioned bylaw. All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or at customercare@drakenstein.gov.za.

Yours faithfully



H.G. STRIJDOM
MANAGER LAND USE PLANNING AND SURVEYING

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail customercare@drakenstein.gov.za and Henk Strijdom, henks@drakenstein.gov.za