



# DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

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[customer care@drakenstein.gov.za](mailto:customer care@drakenstein.gov.za)

Civic Centre, Berg River Boulevard, Paarl 7646

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Enquiries: C v/d Bank  
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Date: 03 September 2021

CVB/GS  
15/4/1 (F811/24) P

TV3 Architects and Townplanners (Pty) Ltd  
La Gratitude Office  
97 Dorp Street  
Stellenbosch  
7600

Email: [Thys@tv3.co.za](mailto:Thys@tv3.co.za)

Dear Mr Walters

## APPLICATION FOR REZONING AND SUBDIVISION: PORTION 24 OF FARM 811 PAARL DIVISION

I refer to your application in the above mentioned regard:

1. The application for the rezoning and subdivision of Portion 24 of Farm 811 Paarl Division, has been **refused** in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018.
2. The following can be regarded as the reasons for the decision:
  - 2.1 The applicant failed to obtain the consent from the HOA and subsequently the Uitgezoght Home Owners Association objected to the application for the subdivision of the remainder into four (4) portions. The conditions of approval for the Uitgezoght Estate, the sales agreement and title deeds of properties, stipulated that all property owners shall be members of the HOA and shall be subject to its governance document and decision making procedures.
  - 2.2 The proposed development will impose an unbidden managerial burden on the HOA with respect to the provision of day-to-day services and the administration of engineering services.

- 2.3 The development will detract from the rural ambiance of the estate and the experience of a sense of place, within the Estate.
- 2.4 The proposed new erven are situated adjacent to existing erven which enjoyed a sense of openness due to it being located directly next to Portion 24, currently developed with vineyards. The opinion is thus held, that the development will have a direct negative impact on the existing adjacent residential erven and the development as such cannot be supported.
3. Your attention is drawn to the general right of appeal in terms of Section 79(3) of Drakenstein 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 therefor suspended until further notice.**
4. You are required to make the necessary arrangements to notify the six (6) objectors including the Uitgezoght Home Owners Association as well as the surrounding property owners who were notified of the application during the public participation process, of the decision in clause 1 -3 above. Please take note of the following:
- 4.1 Proof of this notification must be submitted to this department for record purposes.
- 4.2 The 21-day appeal period will commence on the day after all the objectors and surrounding property owners have been notified.
- 4.3 Appeals should be addressed to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or send via email to [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za)
- 4.4 For more information regarding the appeal procedures, please refer to Section 80 of the abovementioned Bylaw.

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](mailto:customercare@drakenstein.gov.za) and Henk Strijdom, [henks@drakenstein.gov.za](mailto:henks@drakenstein.gov.za)