



Enquiries: C. van der Bank
Contact number: 021 807 4832
Reference: 15/4/1 (101) S
Date: 08 August 2023

CB/JA
15/4/1(101) S

Pierre Jordaan
Active Planning Solutions
activeplanningsolutions@gmail.com

Sir

APPLICATION FOR SUBDIVISION AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS FOR ERF 101 SARON

Your above mentioned application refers.

1. **Approval** has been granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, as follows:
 - 1.1 The subdivision of Erf 101 Saron (measuring $\pm 1859\text{m}^2$) into two portions as indicated on the subdivision plan, (**Annexure B**)
 - 1.1.1 Portion 1 of Erf 101 Saron, measuring $\pm 995\text{m}^2$; and
 - 1.1.2 The Remainder of Erf 101 Saron, measuring $\pm 864\text{m}^2$.
 - 1.2 The removal of condition 3(d) and 3(f) from Title Deed T81531/2006 for Erf 101 Saron and any portions thereof.
2. The approvals mentioned above paragraphs 1.1 – 1.2 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 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1(101)S (1548) dated 2 December 2022, (**Annexure F**).

2./...

2.2 Adherence to the conditions laid down by Land Development Management:

- 2.2.1 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council;
- 2.2.2 The approved Surveyor-General Diagrams shall be submitted to Council for record purposes prior to building plan submission.
- 2.2.3 The subdivision shall take place in accordance with the Subdivision Plan drawn by Jan Rens (**Annexure B**).
- 2.2.4 A detailed plan for the parking area on Portion 1 of Erf 101 Saron, shall be submitted for approval to the department prior to the approval of building plans.
- 2.2.5 The existing pedestrian crossing and signage in Main Street will be relocated, prior to transfer. All cost involved for the relocation of the pedestrian crossing and signage will be for the account of the developer.
- 2.2.6 A detailed plan for the parking area on Portion 1 of Erf 101 Saron, shall be submitted for approval to the department prior to the approval of building plans or civil engineering plans.
- 2.2.7 A new access shall be constructed for the Remainder of Erf 101 Saron, prior to transfer. The cost of this new access shall be for the account of the developer.
- 2.2.8 The existing water meter will be retained on Portion 1 of Erf 101 Saron.
- 2.2.9 The Remainder of Erf 101 Saron shall be provided with a new water connection and meter, prior to transfer, at actual cost to the developer.
- 2.2.10 The private water systems of Portion 1 and the Remainder of Erf 101 Saron must be separated, prior to transfer. The cost for the separation of private water systems shall be for the account of the developer.
- 2.2.11 The wastewater system is to remain as a private combined system and both owners must take joint responsibility for maintenance work, prior to transfer.
- 2.2.12 The private combined wastewater system must be indicated on the title deeds of both properties.
- 2.2.13 All electrical equipment shall comply with the Drakenstein Municipality standards. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.

- 2.2.14 Only one electrical service connection per erf is allowed. The applicant shall be responsible for all cost for the electrical installation of electrical service connection to the subdivided portion, prior to transfer.
- 2.2.15 The developer shall erect a wall along the northern boundary of proposed portion 1 of Erf 101 Saron, for his account, prior to the approval of building plans.
- 2.2.16 No door, or window which opens is permitted on any wall facing a common boundary between Portion 1 and the Remainder of Erf 101 Saron as well as Portion 1 and Erf 103 Saron.
- 2.2.17 The existing buildings on Portion 1 and the Remainder of Erf 101 Saron, are subject to the applicable building and fire regulations which may impose more restrictive requirements.
- 2.2.18 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.
- 2.3 The applicant/owner shall be responsible for the cost of the publication, in the Provincial Gazette, of the final notice regarding the removal of restrictive title deed condition, which should be attended to by the applicant, prior to the submission of building plans for approval.
- 2.4 The applicant shall be responsible for the submission of the original title deed at the Cape Town Deeds Office for the necessary endorsement by the Registrar of Deeds, together with a copy of the final removal notice as published in the Provincial Gazette. A copy of the endorsed title deed must be supplied to the municipality for record keeping purposes.
3. The following be regarded as the reasons for the decision:
- 3.1 Section 51(2) of the Zoning Scheme Bylaw, 2018 makes provision for a wall to act as a visual screen measure between the adjoining Erf 103 and the existing buildings, storage area and private combined engineering services along the northern boundary of Portion 1 of Erf 101 Saron. A common boundary wall can be erected in instances where business zoned properties abut onto a residential use zone. It will mitigate the adverse impact that that the proposed intensification of land uses on Erf 101 Saron may have on the residents of Erf 103 Saron.
- 3.2 A transparent and fair process was followed in processing the application in accordance with the Land Use Planning Bylaw, 2018.

- 3.3 The application was circulated to the relevant internal departments for comments. The application is supported subject to conditions from the Civil Engineering Services Department and the Electro Technical Services Departments.
- 3.4 The proposal conforms to the Spatial planning principals, SDF, and policies for the area.
- 3.5 The proposed removal of certain restrictive Title Deed Conditions is supported, seeing that the development parameters will be superseded by the Zoning Scheme Bylaw, 2018.

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 initial public participation process as well as **Mr. Jaime from Erf 103 Saron**, 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 USE PLANNING AND SURVEYING

ANNEXURE B

SKETCH PLAN OF PROPOSED SUBDIVISION OF ERF 101 SARON Situating in the Administrative District of Tulbagh

Province Western Cape

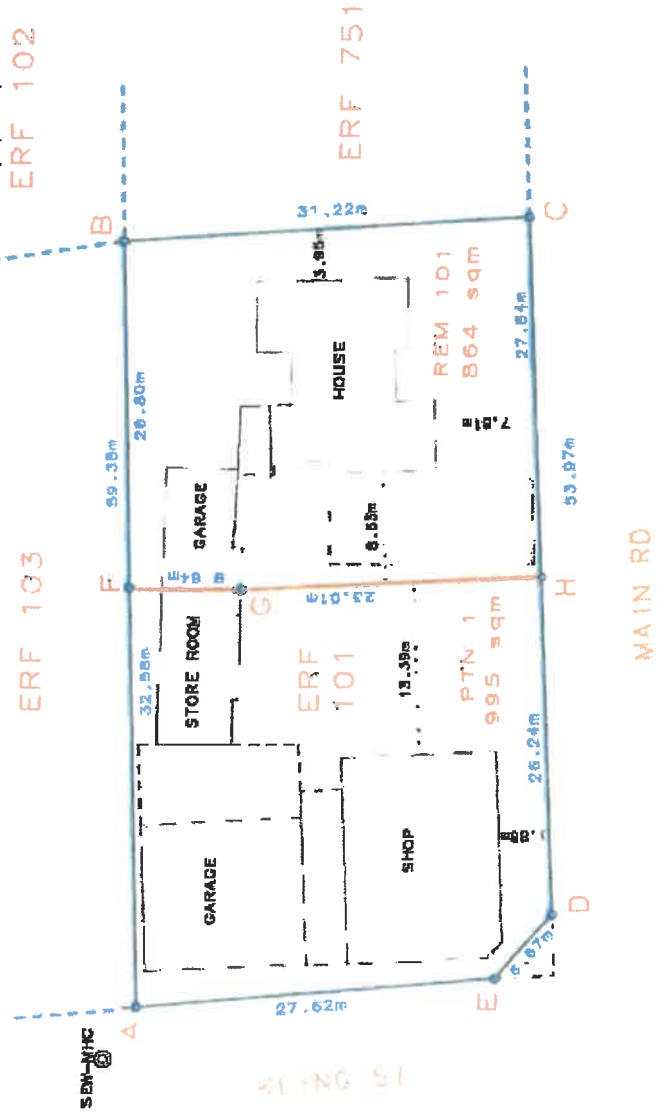
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- Notes**
1. The figure ABCDE represents Erf 101 Saron
 2. The figure AFCHDE represents the proposed Portion 1
 3. The figure FBCHG represents the Remainder of Erf 101.
 4. The buildings were surveyed for depiction on the plan.
 5. We found one sewer manhole in Killing Road as shown.
 6. The line of division is proposed to run midway along an existing wall dividing two parts of a garage/atare room as shown.
 7. Dimensions are approximate and subject to final survey.
 8. The owner has mentioned that the boundary walls and fences will be changed to suit the entrance driveways for both new portions from the MAIN Road

Jan Rens PLS0517
2 August 2022
0722228412



Scale 1:500
@ A3 size

ANNEXURE F



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Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: E.CYSTER)

From: MANAGER: INFRASTRUCTURE MANAGEMENT

Enquiries: L. PIENAAR

Collaborator number:

Reference number: 15/4/1 (101) S (1548)

Date: 02 December 2022

Subject: APPLICATION FOR SUBDIVISION AND REMOVAL OF RESTRICTIVE DEED
CONDITIONS: ERF 101 SARON

Time Limit on Conditions: These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced (this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

NOTE: This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants

THE FOLLOWING CONDITIONS WILL APPLY

1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2 *All costs involved in the relocation of the existing pedestrian crossing and signage will be for the account of the developer;*
- 1.3 *Prior to building/civil plan approval, the parking area must be clarified on Portion 1;*
- 1.4 *The cost of the new access for the Remainder will be for the account of the developer; and*
- 1.5 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures.

2 STORMWATER

- 2.1 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors; and
- 2.2 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³/m² roof area.

3 WATER

- 3.1 *The existing water meter will be retained on portion 1 and the remainder must be provided with a new water connection at actual cost;*
- 3.2 *The private water systems of portion 1 and the remainder must be separated at the applicant's cost;*
- 3.3 The meter connection must be installed one meter inside the erf boundary;
- 3.4 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 *The wastewater system is to remain as a private combined system, and both owner's must take joint responsibility for maintenance work;*
- 4.2 *The private combined wastewater system must be indicated on the title deeds of both properties;*
- 4.3 The connection must be installed one meter inside the erf boundary;
- 4.4 A connection manhole must be constructed to a maximum depth of 1m; and
- 4.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

- 5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements for the removal of such household refuse. Such collection shall be as a kerbside service;
- 5.2 An application for an additional bin must be submitted; and
- 5.3 On refuse removal days, the resident will be responsible to ensure that their bin is placed on the sidewalk to be serviced.

6 DEVELOPMENT CHARGES

6.1 Based on the information provided in the application, no Development Charge payable by the developer.

7 GENERAL

7.1 The developer is responsible for the funding of all connections to the bulk services and all internal works;

7.2 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;

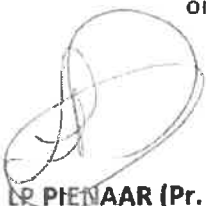
7.3 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;

7.4 The above conditions are to be complied with in stages.

7.4.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;

7.4.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and

7.4.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LP PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE MANAGEMENT

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