



Coll no: 2053085
Enquiries: J Pekeur
Tell no: (021) 807 4808
Date: 1 November 2023

JP/HK
15/4/1 (103) W

PJ le Roux
262 Main Road
Paarl
7646

pi@pjlroux.co.za

Sir

SUBDIVISION OF ERF 103 WELLINGTON, MARAIS STREET

Your letter under reference O 20-84 dated 30 May 2023, refers.

1. Approval is hereby granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning 2018, for the following:
 - 1.1 The application for consent in respect of condition C."3, as set out in title deed number T24191/2016, for the subdivision of Erf 103 Wellington, as indicated on Plan of Subdivision No. 230504-00, Revision C, dated 10 July 2023;
 - 1.2 The application for the subdivision of Erf 103 Wellington into **Portion 1** ($\pm 466\text{m}^2$) and **Remainder** ($\pm 422\text{m}^2$), as depicted on Plan of Subdivision No. 230504-00, Revision C, dated 10 July 2023;
 - 1.3 The application for the amendment of Condition C."2.(d), as set out in title deed number T24191/2016, for:
 - 1.3.1 The relaxation of the western common boundary building line of the Remainder of Erf 103 Wellington, from 1.57m to 0m, as indicated on Plan of Subdivision No. 230504-00, Revision C, dated, 10 July 2023, in order to accommodate the footprint of the existing 3m wide second dwelling on the Remainder;

2./...

- 1.3.2 The relaxation of the street boundary building line of the Remainder of Erf 103 Wellington, from 4.72m to 2.0m, as indicated on Plan of Subdivision No. 230504-00, Revision C, dated, 10 July 2023, in order to accommodate the footprint of the existing 3m wide second dwelling on the Remainder.
 - 1.4 The application for the following departure from the development parameters of the Drakenstein Zoning Scheme By-Law, 2018:
 - 1.4.1 The relaxation of the western common boundary building line of the Remainder of Erf 103 Wellington from 1,5m to 0m, in order to accommodate the footprint of the existing 3m wide second dwelling, as indicated on Plan of Subdivision No. 230504-00, Revision C, dated 10 July 2023.
 - 1.5 In terms of Section 24(1) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, it is hereby certified that the proposed 3m wide right of way access and services servitude, as indicated on Plan of Subdivision No. 230504-00, Revision C, dated 10 July 2023, is exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
2. The approvals granted in paragraphs 1.1 to 1.4 above, are subject to the following conditions imposed in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 2.1 A copy of the approved diagram for Portion 1 must be provided to the municipality.
 - 2.2 The western façade of the second dwelling on the Remainder of Erf 103 Wellington must be a fire wall, i.e., no openings in the wall or roof overhangs are permitted.
 - 2.3 The existing dwelling must comply with the fire safety distances of SANS 10400-T:2020, in relation to the new proposed boundary.
 - 2.4 Adherence to the conditions laid down by the Acting Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum referenced 15/4/1 (1030) W (1383) dated 04 October 2023 (See Annexure A).
 - 2.5 Adherence to the following conditions laid down by the Manager: Planning and Customer Services, Electro Technical Engineering Services, Drakenstein Municipality:

3./...

- 2.5.1 Network upgrading required.
- 2.5.2 One service connection per erf is allowed.
- 2.5.3 Network cost and service connection cost are applicable.
- 3.5.4 Service servitude must be registered
- 3.5.5 The owner will be responsible for all related costs.
- 3.5.6 The electrical services crossing the proposed subdivision must be removed or relocated.
- 3.5.7 Contact the Electro-Technical Services Department for information regarding the subdivision.
- 2.6 Building Plans for all unauthorised building work on the Remainder of Erf 103 Wellington must be submitted to the municipality's Building Control section for consideration by the Building Control Officer. Alternatively, all unauthorised building work must be demolished.
- 2.7 If approval were to be obtained for the unauthorised building work on the Remainder of Erf 103 Wellington, an application for the issuing of an Occupation Certificate also must also be submitted.
- 2.8 The above ground concrete stormwater channels in the servitude area hampering/obstructing vehicular access must be removed and an alternative means of stormwater disposal must be provided.
- 2.9 The right of way access and services servitude must be shown on the diagram of Portion 1 and registered against the title deeds of both Portion 1 and the Remainder of Erf 103 Wellington.
- 3.10 Energy-saving devices such as contained in the Drakenstein Municipality Green Building Manual, available at the Spatial Planning Section, must be made use of as far as possible.
- 2.11 For the proposed development, the developer must institute water conservation measures such as only using non-potable water for on-site construction activities, Sustainable Drainage Systems for controlling surface runoff water, rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens.

4./...

- 2.12 This approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements.
3. The owner's attention must be drawn to the following:
- 3.1 Authority for the separate registration of the newly created erf will not be issued by the municipality unless conditions 2.1 to 2.12 above, where applicable, have been satisfactorily complied with.
- 3.2 The owner is responsible for all engineering installation, alteration and upgrading costs including the costs for new municipal connections, storm water connections and new vehicle access points.
- 3.3 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.
- 3.4 The future street addresses for Portion A and the Remainder will be: Nos. 1A and 1 Marais Street respectively.
4. The following are regarded as the reasons for the above approval decisions:
- 4.1 The proposal is in line with the Drakenstein Municipality densification policy;
- 4.2 The level of densification provided in this context is moderate;
- 4.3 The proposal provides for optimal utilisation of existing services and infrastructure;
- 4.4 The proposed subdivision is considered compatible with surrounding land uses; and
- 4.5 The creation of another residential opportunity will contribute to the alleviation of scarcity of erven in Wellington.

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(2) of the Drakenstein Bylaw on Municipal Land Use Planning 2018, by any person whose rights are affected by the decision of an authorised official, within **21 days** of notification of the decision. This approval is therefore suspended until further notice.

Please notify (**email or per hand**) the surrounding property owners who were notified of the application during the public participation process and the **objectors (if applicable)**, of their general right of appeal – proof of notification **must** be provided. Note that the 21-day appeal period will commence the day after all the property owners have been notified.

5./...

The appeal procedures are set out in Section 80 of the abovementioned By-Law (attached). 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 (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT AND MANAGEMENT

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, Henk Strijdom, henks@drakenstein.gov.za