



DRAKENSTEIN

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Date: 7 July 2020

HK/
15/4/1 (1115) W
David Hellig & Abrahamse
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Sir

PROPOSED SUBDIVISION: ERF 1115 WELLINGTON, CORNER OF CHURCH AND BERG STREETS.

Your letter under reference P3603/187, dated 12 December 2019 refers,

1. Approval has been granted as follows:
 - 1.1 In terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for the subdivision of Erf 1115 Wellington into into Portion A ($\pm 818\text{m}^2$), Portion B ($\pm 436\text{m}^2$) and Portion C (street) ($\pm 12\text{m}^2$), as indicated on Plan of Subdivision No. 2 Rev 1, dated June 2020.
2. The approval granted in paragraph 1 above, is subject to the following conditions laid down in terms of Section 66 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
 - 2.1 Copies of the approved diagrams for Portions A, B and C must be provided to the municipality.
 - 2.2 All the Portions, A, B and C, must be registered, leaving no remainder
 - 2.3 Portion C must be transferred to and registered into the name of the municipality free of charge.
 - 2.4 An encroachment permit must be obtained for the encroachment of the boundary wall over the northern boundary and splay corner of Portion A.

- 2.5 The proposed Servitude Right of Way must be indicated on the diagrams of Portions A and B and registered against the title deeds of both portions.
 - 2.6 The concrete wash basin partially obstructing parking bays 1 and 2 on Portion A and the two trees obstructing parking bays 1 and 2 respectively on Portion B, must be removed.
 - 2.7 The parking bays, indicated on the Plan of Subdivision, for Portions A and B respectively, must be clearly demarcated.
 - 2.8 Updated building plans for all building structures located on Portions A and B must be submitted to the municipality's Building Control section for consideration by the Building Control Officer.
 - 2.9 The illegal lean-to on the southern section of Portion A, which does not comply with fire and safety regulations, must be demolished or, alternatively, it must be made compliant by addressing all fire and safety concerns in accordance with approved building plans.
 - 2.10 Window and door openings should be a safe distance away from boundaries in order to comply with SANS 10400-T:2011 Regulations.
 - 2.11 An occupation certificate for the building(s) located on Portions A and B must be obtained and submitted to the Department: Planning Services.
 - 2.12 Adherence to the conditions laid down by the Senior Manager: Civil Engineering Services, Drakenstein Municipality, in its memorandum 15/4/1 (1115) W (0489) dated 12 March 2020 (**See Annexure A**).
 - 2.13 Adherence to the conditions laid down by the Manager: Planning and Customer Services, Drakenstein Municipality: Electro Technical Engineering Services Department, in its memorandum referenced 1115 dated 1 July 2020 (**See Annexure B**).
 - 2.14 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 applicant must be requested to draw the owner's attention to the following:
- 3.1 Authority for the separate registration of any newly created erf will not be issued by the municipality unless conditions 2.1 to 2.14 above, where applicable, have been satisfactorily complied with.
 - 3.2 No building plan will be approved unless each portion has a separate water and sewer connection.

- 3.3 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.
- 3.4 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.
- 3.5 The onus rests on the prospective owners of Portions A and B to ensure that the correct amount of toilets on each portion is provided the municipality's Finance Department.

4. The following are regarded as the reasons for the above approval decision:

- The proposal is in line with the Drakenstein Municipality densification policy.
- The proposal is merely a formalization of an existing situation and will not change the character of the area or have a negative impact on neighbouring properties.
- There is adequate infrastructural capacity for the proposal.
- The proposal will have a positive socio-economic impact.

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 By-law on the Land Use Planning, 2018, by any person whose rights are effected by the decision, within **21 days** from the date of registration of the letter. The approval is therefore suspended until further notice.

Yours faithfully



HS STRIJDOM (Pr. PIn A/1058/1998)

MANAGER: LAND USE PLANNING & SURVEYING