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JD/JA
15/4/1 (13493) W

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Madam

APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL: ERF 13493 WELLINGTON

Your above-mentioned application refers.

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** the Subdivision Plan for Phase 1 of Erf 13493 Wellington, in which the development site is created with the amendment only relating to internal boundary adjustments, as indicated on the Subdivision Plan drawn by Frame Consulting Engineers;
 - 1.2 **Amendment** of the Subdivision Plan of Portion A for Phase 2 of Erf 13493 Wellington, and conditions relating to layout to allow for a more cost effective and sustainable layout for 26 group housing units, as indicated on the Subdivision Plan drawn by Frame Consulting Engineers, Drawing No. F13815-P-002, Rev E, dated 2022/02/09, (**Annexure C**);
 - 1.3 **Site Development Plan** with a gross density of 16.5 du/ha on Erf 13493 Wellington, as indicated in the Site Development Plan drawn by Frame Consulting Engineers, Drawing No. F13815-P-004, Rev F, dated 2022/02/09, (**Annexure D**);
 - 1.4 In terms of Section 24(1) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, it be certified that the proposed internal servitudes as per new layout on the Subdivision Plan of Portion A for Phase 2 on Erf 13493 Wellington, as indicated on Subdivision Plan drawn by Frame Consulting Engineers, Drawing No. F13815-P-002,

2./...

Rev E, dated 2022/02/09, (**Annexure C**), **be exempted** from the provisions of Section 15 and 20 to 23 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018;

2. The approvals mentioned in Paragraphs 1.1 to 1.4 above 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 (13493) W (1203) dated 17 August 2023, (**Annexure H**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division in its memorandum 13493 dated 8 August 2022, (**Annexure I**);
 - 2.3 The phasing of the development to be known as Beaumont Development is supported from a Land Development Management perspective, in accordance with the Phasing Plan, drawn by Frame Consulting Engineers, Drawing No. F13815-P-005 Rev A, dated 2021/02/09, (**Annexure E**);
 - 2.4 An application for the establishment of a Homeowners Association and Constitution name for the group housing development must be submitted to the Manager: Land Development Management, and the Private Road / Private Open Spaces must be registered in the name of the Homeowners Association with the first registration of any erf, prior to the building plan submission stage;
 - 2.5 A detailed landscaping plan, compiled by a registered Landscape Architect, be submitted by the developer for the subject property for approval to the Manager: Environmental Management Services Section, prior to building plan submission stage;
 - 2.6 The detailed landscape plan be implemented by and at the cost of the developer within 3 months after the completion of building works prior to first transfer, whichever may come first;
 - 2.7 The conditions as contained in the previous approval letter with reference 15/4/1 (13493) W, dated 04 August 2021, (**Annexure P**), namely 2.1 – 2.3, 2.4.7, 2.4.9 - 2.4.16 and 3.1 – 3.2 remain applicable;
 - 2.8 The approval only applies to the amendment of conditions application and shall not be construed as authority to depart from any legal prescriptions or requirements;
 - 2.9 The proposal take place largely in accordance with the concept site development plan (**Annexure D**);

- 2.10 An application for the installation of any photo-voltaic (PV) system be submitted to the Manager: Electro-Technical Services Division (Planning and Customer Services Section), prior to building the plan submission stage;
 - 2.11 No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
 - 2.12 Energy-saving devices such as contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
 - 2.13 The applicant must institute water conservation measures such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
 - 2.14 Any amendments to the application be subject to the relevant approval;
 - 2.15 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;
3. The following be regarded as the reasons for the decision:
- 3.1 The proposal is for the amendment of the approved subdivision plan to allow for a more sustainable layout;
 - 3.2 The number of group housing units would remain unchanged as per the approved zoning approval of 26 units;
 - 3.3 The property is located within the delineated urban edge, reducing urban sprawl;
 - 3.4 The application is not expected to negatively impact on the health, safety and wellbeing of the surrounding community;
 - 3.5 All relevant internal departments consented to the proposal; and
 - 3.6 The proposal is in line with the Drakenstein Spatial Development Framework (SDF).

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 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 public participation process and **the objectors** 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 laid down 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 (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT MANAGEMENT