



**Coll no:** 2027746  
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**Date:** 16 October 2023

JP/HK  
15/4/1 (143) W

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Sir

**APPROVAL FOR THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND SUBDIVISION: ERF 143 WELLINGTON, CHURCH STREET**

I refer to your application dated 17 March 2023.

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 removal of restrictive title conditions C. 2. (b), (c), (d) and C. 3. from Title Deed Number T 76335/2006, and
  - 1.2 The subdivision of Erf 143 Wellington into **Portion 1** ( $\pm 536\text{m}^2$ ) and **Remainder** ( $\pm 749\text{m}^2$ ), as shown on Plan of Subdivision No. 23006-001, Revision B, dated 2023-08-08.
2. The approvals granted in paragraphs 1.1 and 1.2 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 subdivision diagram for Portion 1 must be submitted to the municipality.

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- 2.2 The structure erected against the south-western façade of the dwelling house on the Remainder, as indicated on the plan of subdivision, must be demolished.
  - 2.3 Adherence to the conditions laid down by the Acting Manager: Infrastructure Development, Department Civil Engineering Services, Drakenstein Municipality, in his memorandum 15/4/1 (143) W (1142) dated 30 August 2023. (See Annexure A).
  - 2.4 Adherence to the conditions laid down by the Manager: Planning and Customer Services, Drakenstein Municipality: Electro Technical Engineering Services Department, in his memorandum referenced 8/2/5\_481 dated 13 August 2023 (See Annexure B).
  - 2.5 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.
  - 2.6 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, greywater recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens.
  - 2.7 That the applicant be responsible for the publication, in the Provincial Gazette, of the final notice regarding the removal of the restrictive conditions, which should be attended to prior to the issuing of the final letter of approval.
  - 2.8 The original title deed of Erf 143 Wellington must be submitted to 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 as proof.
  - 2.9 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 No clearance for the registration of the Portion 1 will be issued by municipality until conditions 2.1 to 2.9 above, where applicable, have been complied with to the satisfaction of the municipality.
  - 3.2 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.

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- 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 The street address for Portion 1 will be: No. 100A Church Street.
4. The following are regarded as the reasons for the above approval decisions:
- 4.1 The proposal is consistent with the development principals of the Drakenstein Spatial Development Framework and the municipality's densification policy;
- 4.2 The proposed development will not detract from the character of the surrounding area;
- 4.3 The property is located within the urban edge, thereby eliminating urban sprawl;
- 4.4 The development promotes higher densities in urban areas;
- 4.5 No land use foreign to the area is being proposed;
- 4.6 The level of densification proposed is low and contextually appropriate.

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.

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