



DRAKENSTEIN

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Date: 16 August 2021

JP/GS
15/4/1 (14383) W

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Sir

SUBDIVISION OF ERF 14383 WELLINGTON, DIEMERSFONTEIN

Your letter under reference P2611/93(A15)(14383) dated 6 October 2020 refers;

1. Approval has been granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning, 2018, for the subdivision of Erf 14383 Wellington into **Portion A** ($\pm 403\text{m}^2$), **Portion B** ($\pm 412\text{m}^2$) and **Remainder** ($\pm 1250\text{m}^2$), as indicated on the Plan of Subdivision No. 53 REV3 dated Sept 2020 – May 2021.
2. In terms of Section 24(1) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, it is certified that the registration of the following proposed servitudes, as indicated on Plan of Subdivision No. 53 REV3 dated Sept 2020 – May 2021, are exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
 - 2.1 A servitude borehole 2m in diameter over Portion B in favour of the Remainder of Erf 14383 Wellington;
 - 2.2 A servitude pipeline 2m wide over Portion B in favour of the Remainder of Erf 14383 Wellington.
3. The application for the relaxation of the common boundary building lines of the subdivided portions, from 1.5m to 0m, is **not** approved.

4. 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:

- 4.1 Copies of the approved subdivision diagrams for Portions A and B must be provided to the municipality;
- 4.2 The prospective owners of Portions A and B must automatically become a members of the Home Owners' Association upon registration of the erven in the Deeds Office;
- 4.3 Updated building plans must be submitted for all building work that deviates from the approved building plan;
- 4.4 The pond straddling the line of subdivision between Portion B and the Remainder of Erf 14383 Wellington, must be demolished and filled up;
- 4.5 The borehole and pipeline servitudes must be shown on the diagram of Portion B and registered against the title deeds of Portion B and the Remainder of Erf 14383 Wellington respectively;
- 4.6 Adherence to the conditions laid down by the Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum referenced 15/4/1 (14383) W (2228) dated 18 February 2021 (**Annexure A**).
- 4.7 Energy-saving devices such as contained in the Drakenstein Municipality Green Building Manual (document available at the Spatial Planning Section) must be made use of;
- 4.8 For the proposed development, the developer must institute water conservation measures such as only using non-potable water for on-site construction activities, rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
- 4.9 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.

5. The applicant must be requested to draw the owner's attention to the following:

- 5.1 No clearance for the registration of the newly created portions will be issued by the municipality until conditions 4.1 to 4.9, where applicable, have been complied with;
- 5.2 No building plan will be approved unless each portion has been provided with a metered water and sewer connection;
- 5.3 The owner is responsible for all engineering installation, alteration and upgrading costs including the costs for new municipal connections (stormwater connections included);

- 5.4 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.
6. The following are regarded as the reasons for the decision in paragraph 1:
- 6.1 The proposal is in line with the Drakenstein Municipality densification policy;
- 6.2 The proposal is not inconsistent with the character of the area;
- 6.3 The proposal does not represent an increase in residential density over and above what was originally planned for the area.
7. The following is regarded as the reason for the decision in paragraph 3 above:
- 7.1 No definitive building plan was presented with the departure application. The prospective owners of the subdivided portions may resubmit departure applications once a definitive building plans are available, noting that no openings are allowed on boundaries.

Your attention is drawn to the general right of appeal in terms of Section 79(3) of Drakenstein By-law on Municipal Land Use Planning 2018, by any person whose rights are affected by the decision of an authorized official, within 21 days of notification of the decision. This approval is there for suspended until further notice. Please also notify the surrounding property owners within a radius of 50 meters from the application property, 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 Bylaw. 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
MANAGER: LAND USE PLANNING & SURVEYING

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