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Sir

SUBDIVISION OF REMAINDER OF ERF 2243 WELLINGTON, SAND STREET.

Your letter dated on the 11 February 2021 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 the Remainder of Erf 2243 Wellington into **Portion A** ($\pm 348\text{m}^2$), **Portion B** ($\pm 348\text{m}^2$) and **Remainder** ($\pm 671\text{m}^2$), as depicted on Plan of Subdivision No. 2 dated November 2019;
2. Approval granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning 2018, for the following permanent departure from the land use development parameters of the the Drakenstein Zoning Scheme By-Law, 2018:
 - 2.1 The relaxation of the common building line between the northern boundary of the Remainder of Erf 2243 Wellington and the northern façade of the existing building, as depicted on Plan of Subdivision No. 2 dated November 2019, from 1.5m to 1m;
3. 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. 2 dated November 2019, are exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
 - 3.1 A reciprocal services servitude 3m wide over Portion B and the Remainder of Erf 2243 Wellington in favour of Portions A and B as the case may be;

- 3.2 A reciprocal servitude road 5m wide over Portion B and the Remainder of Erf 2243 Wellington in favour of Portions A and B as the case may be;
4. The approvals granted in paragraphs 1 and 2 above, are subject to the following conditions imposed 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 submitted to the municipality;
 - 4.2 The proposed servitudes indicated on the Plan of Subdivision must also be indicated on the newly created diagrams and registered against their respective title deeds;
 - 4.3 Adherence to the conditions laid down by the Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum referenced 15/4/1 (2243) W (0707) dated 27 May 2021 (**Annexure A**);
 - 4.4 Adherence to the conditions laid down by the Manager: Planning and Customer Services, Drakenstein Municipality: Electro Technical Engineering Services Department, in his memorandum referenced 2243 dated 23 December 2020 (**Annexure B**);
 - 4.5 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;
 - 4.6 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, grey water recycling and similar technical advancements such as low flow showerheads, dual flush toilets and water-wise gardens;
 - 4.7 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 owner's attention must be drawn to the following:
 - 5.1 Authority for the separate registration of any newly created erf will not be issued by the municipality unless conditions 4.1 to 4.7, where applicable, have been satisfactorily complied with;
 - 5.2 No building plans for any newly created portion will be approved unless it has a separate water and sewer connection;
 - 5.3 No direct access to Main Road 201 will be permitted;

- 5.4 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;
- 5.5 The future addresses for the newly created portions will be as follows:
- 5.5.1 Rem Erf 2243 - No. 86 Sand Street;
 - 5.5.2 Portion A - No. 86B Sand Street;
 - 5.5.3 Portion B - No. 86A Sand Street.
6. The following are regarded as the reasons for the above approval decisions:
- 6.1 The proposed subdivision is consistent with the principals and objectives of the SDF with respect to densification;
 - 6.2 The level of densification proposed is low and contextually appropriate;
 - 6.3 The proposal will create two residential opportunities;
 - 6.4 The proposal makes optimal use of presently underutilized land in terms of its development potential;

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 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 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, 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.

Yours faithfully



HS STRIJDOM (Pr. PIn A/1058/1998)
MANAGER: LAND USE PLANNING & SURVEYING