



DRAKENSTEIN

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Date: 28 June 2021

JP/GS

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Sir

SUBDIVISION OF ERF 2511 WELLINGTON, CORNER OF KANAAL AND AURORA STREET

Your letter dated 22 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 2511 Wellington into **Portion A** ($\pm 317\text{m}^2$) and **Remainder** ($\pm 534\text{m}^2$), as depicted on Subdivision Plan No.2 Rev1, dated June 2021;
2. Approval has been granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning 2018, for the following departure from the development parameters of the Drakenstein Zoning Scheme By-Law, 2018:
 - 2.1 The relaxation of the common boundary building line between Portion A and the Remainder of Erf 2511 Wellington from 1,5m to 1m in order to accommodate the southern footprint of the existing building (kitchen) on the Remainder of Erf 2511 Wellington.
3. In terms of Section 24(1) of the Drakenstein By-Law on Municipal Land Use Planning, 2018, it is certified that the proposed sewer pipeline servitude 1,2m wide, as indicated on Plan of Subdivision No. 2 Rev1 dated June 2021, be exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
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 A copy of the approved diagram for Portion A must be provided to the municipality;
 - 4.2 The proposed 1,2m sewer pipeline servitude must be indicated on the diagram of Portion A and registered against the title deeds of both newly created portions by means of a notarial deed of servitude which must stipulate that the existing sewer system is a private combined system, and that the owners of Portion A and the Remainder of Erf 2511 Wellington must accept joint responsibility for the upkeep and maintenance thereof;
 - 4.3 Window and door openings should be a safe distance away from boundaries in order to comply with SANS 10400 -T: 2020 Regulations;
 - 4.4 Updated building plans for the building structures located on the two portions must be submitted to the municipality's Building Control section for consideration by the Building Control Officer;
 - 4.5 Adherence to the conditions laid down by the Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum referenced 15/4/1 (2511) W (2070) dated 17 December 2020 (**Annexure A**);
 - 4.6 Adherence to the conditions laid down by the Manager: Planning and Customer Services, Electro Technical Engineering Services, Drakenstein Municipality, in its memorandum referenced 2511 dated 23 December 2020 (**Annexure B**);
 - 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 above, where applicable, have been satisfactorily complied with;
 - 5.2 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;
 - 5.3 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction;
 - 5.4 The onus rests on the prospective owners of Portion A and the Remainder to ensure that the correct amount of toilets on each portion is provided the municipality's Finance Department;
 - 5.5 The future street address for Portion A is:

No. 68 Aurora Street.

6. The following are regarded as the reasons for the above approval decisions:
- 6.1 The proposal is in line with the Drakenstein Municipality densification policy;
 - 6.2 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;
 - 6.3 The proposal provides for optimal utilisation of existing services and infrastructure;
 - 6.4 There is adequate municipal infrastructural capacity for the proposal.

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



H.G STRIJDOM
MANAGER: LAND USE PLANNING & SURVEYING