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**Date:** 6 September 2023

JP/HK  
15/4/1 (29138) P

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Sir

**APPROVAL FOR THE SUBDIVISION OF ERF 29138 PAARL, BETWEEN JAN VAN RIEBEECK DRIVE AND DONKERVLIET STREET**

Your letter under reference O 20-83 dated 17 May 2023, 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 29138 Paarl into Portion A ( $\pm 1,2935$  ha), Portion B ( $\pm 0.0032$  ha) and Remainder ( $\pm 0.7033$  ha) as depicted on Subdivision Plan No. O 20-83 REV 8 dated Aug 2023.
2. It be certified that the registration of the following proposed servitudes, as indicated on Subdivision Plan No. O 20-83 REV 8 dated Aug 2023, be exempted from the provisions of Sections 15 and 20 to 23 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
  - 2.1 The registration of an electrical cable servitude, 3m wide, over Portion A in favour of the Remainder; and
  - 2.2 The registration of an electrical services servitude area, 10m x 6m in extent, over Portion A in favour of the Remainder.
3. The approval granted in paragraph 1 above, is subject to the following conditions imposed in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:

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- 3.1 Copies of the newly approved Surveyor-General diagrams for Portions A and B must be provided to the municipality.
  - 3.2 Portion B must be registered into the name of the municipality at the cost of the owner of the Remainder.
  - 3.3 All servitudes indicated on the Subdivision Plan must also be indicated on the diagram of Portion A and must be registered against the title deeds of Portion A and the Remainder.
  - 3.4 Along the southern façade of the guard house, all openings must be bricked up and any roof overhangs (eaves) must be cut off flush with the wall.
  - 3.5 Adherence to the conditions laid down by the Acting Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum 15/4/1 (29138) P (1095) dated 7 August 2023 (**See Annexure A**).
  - 3.6 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\_29138 dated 13 August 2023 (**See Annexure B**).
  - 3.7 Adherence to the contents of, in particular paragraphs 6 to 9, the electricity services report by DKE Engineers, referenced DKEE 230503/K3 – Revised and dated 25 August 2023 (**See Annexure C**).
  - 3.8 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 Authority for the separate registration of any newly created erf will not be issued by the municipality unless conditions 3.1 to 3.8, where applicable, have been satisfactorily complied with.
  - 3.2 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.
  - 3.3 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.

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4. The following are regarded as the reasons for the above approval decisions:
- 4.1 The proposed subdivision does not cause any departure from the Drakenstein Zoning Scheme By-Law;
  - 4.2 The proposal will not have any negative impact on the surrounding area or detract from its character;
  - 4.3 No insurmountable problems with regards to the provision of services are expected; and
  - 4.4 The proposal is in line with the municipality's densification policy with respect to infill development on underutilised land.

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 also 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



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**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)