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Reference: 15/4/1 (31371) P
Date: 28 June 2023
Coll no: 1977007

JD/JA

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Sir

**APPLICATION FOR SUBDIVISION AND AMENDMENT OF CONDITIONS OF APPROVAL:
ERF 31371 PAARL**

Your above-mentioned application refers.

1. **Approval** has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1 **Subdivision** of Erf 31371 Paarl, into two (2) cadastral land units, namely Portion A ($\pm 887\text{m}^2$) and Portion B ($\pm 3244\text{m}^2$), as indicated on the Plan of Subdivision drawn by David Hellig & Abrahamse Professional Land Surveyors, Plan No. 7 Rev 2, File No. P3402/10(A), dated April - October 2022) (**see Annexure B**);
 - 1.2 **Amendment of rezoning and subdivision approval** to facilitate two dwelling units, one on each proposed land unit, as indicated on the Site Development Plan drawn by Pureobject Architects, Drawing No. 2023/LP/108, dated 12 May 2023, (**see Annexure C**);

2./...

2. The approvals mentioned in Paragraphs 1.1 to 1.2 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 2.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1 (31371) P (1594) dated 18 January 2023, (**see Annexure D**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division in its memorandum 31371 dated 3 May 2023, (**see Annexure E**);

3. The following conditions from a town planning point of view, are applicable:
 - 3.1 This approval applies only to the subdivision and amendment of approval conditions application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2 The approved Surveyor-General diagrams be submitted to Council for record purposes prior to building plan submission;
 - 3.3 No new structures are to be erected without prior approval of building plans by Council;
 - 3.4 The subdivision take place largely in accordance with the Plan of Subdivision, Plan No. 7 Rev 2, File No. P3402/10(A), dated April – October 2022, (**see Annexure B**);
 - 3.5 The second dwelling units on Portions A and B be prohibited;
 - 3.6 Roof pitches may not be higher than 7.5m above natural ground level;
 - 3.7 The development within the building restriction servitude be prohibited and that no more than 300m² of indigenous vegetation may be cleared for the proposed development, as contained in the detailed botanical assessment (**see Annexure M**);
 - 3.8 Any further amendments to the application are subject to the relevant approval;
 - 3.9 Energy-saving devices such as contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
 - 3.10 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary;

4. The following be regarded as the reasons for the decision:
 - 4.1 The proposal is to subdivide the existing properties into two cadastral land units, which will not detract from the existing urban footprint;
 - 4.2 The property is located within the delineated urban edge, reducing urban sprawl;
 - 4.3 The proposal is to facilitate two dwelling units, one on each proposed land unit, which is permissible on Conventional Housing zoned properties, in accordance with the Drakenstein Municipality Zoning Scheme Bylaw, 2018;
 - 4.4 The application is not expected to negatively impact on the health, safety and well-being of the surrounding community;
 - 4.5 No objections were received during the public participation process;
 - 4.6 All relevant internal and external departments consented to the proposal; and
 - 4.7 The proposal is in line with the Drakenstein Spatial Development Framework (SDF).

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

This provisional 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 initial public participation process and **objectors** (if any), of their right of appeal – proof of notification **must** be provided. Should there be any appeals against the decision, the application title (heading) must be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



H. G. STRIJDOM (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT MANAGEMENT