



**Coll no:** 1821513  
**Enquiries:** J Pekeur  
**Tell no:** (021) 807 4808  
**Date:** 11 July 2022

JP/SM  
15/4/1 (889) W

Willie Steyn  
Land Use Planner  
1 Flambeau Street  
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Sir

**SUBDIVISION OF THE REMAINDER OF ERF 889 WELLINGTON, CORNER OF BAIN AND MALAN STREETS**

I refer to your application dated January 2022.

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 889 Wellington into **Portion A** ( $\pm 467\text{m}^2$ ), **Portion B** ( $\pm 6\text{m}^2$ ) and **Remainder** ( $\pm 396\text{m}^2$ ), as depicted on Plan of Subdivision Ref. PG1 dated 6/5/2022;
2. Approval has been granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning 2018, for the following permanent departures from the provisions of the Drakenstein Zoning Scheme By-Law, 2018:
  - 2.1 The relaxation of the north-western common boundary building line of Portion A from 1.5m to 0m in order to accommodate the footprint of the existing braai room;
  - 2.2 The relaxation of the common boundary building line applicable to the party wall between Portion A and the Remainder of Erf 889 Wellington from 1,5m to 0m;

- 2.3 The relaxation of the eastern common boundary building line of the Remainder of Erf 889 Wellington from 1.5m to 0m in order to accommodate the footprint of the existing braai room and garage;
3. Approval has been granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning, 2018, for the registration of a 1m wide roof gutter and maintenance reciprocal servitude over Portion A and the Remainder of Erf 889 Wellington respectively, as depicted on the Plan of Subdivision Ref. PG1 dated 6/5/2022.
4. The approvals granted in paragraphs 1 to 3 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 diagrams for Portions A and B must be provided to the municipality.
  - 4.2 The roof gutter and maintenance reciprocal servitudes, as indicated on the Plan of Subdivision, must also be indicated on the diagram of Portion A and registered against the title deeds of both Portion A and the Remainder.
  - 4.3 The prospective owners of Portion A and the Remainder of Erf 889 Wellington, and their successors in title, must accept joint responsibility for the use and maintenance of the roof gutters and outer building walls of the two braai rooms as well as the garage. This condition must be recorded in their title deeds and / or deeds of sale.
  - 4.4 Portion B must be registered into the name of the municipality at the cost of the owner of Erf 889 Wellington.
  - 4.5 Firewalls in terms of SANS 10400 - T: 2020 of the National Building Regulations must be constructed, where necessary, along the line of subdivision to the satisfaction of the municipality.
  - 4.6 Each registered erf must have its own separate electricity service connection from the street boundary. A formal application in this regard, must be submitted to the Electro-Technical Services Department. All upgrading and services cost to be for the owner or developer's account.
  - 4.7 Updated building plans for both Portion A and the Remainder, reflecting the subdivisional changes, as well as all other unauthorised building work (deviations to previously approved plans), must be submitted to the municipality's Building Control section for consideration by the Building Control Officer.

- 4.8 A Completion Inspection must be requested for approved Building Plan No 3803/2011.
  - 4.9 An occupation certificate for the respective structures on each of the newly created portions must be obtained and submitted to the Department Planning Services.
  - 4.10 Adherence to the conditions set out by the Senior Manager: Civil Engineering Services, Drakenstein Municipality, in his memorandum 15/4/1 (889) W (890) dated 10 June 2022 **(See Annexure A)**.
  - 4.11 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 4.11 above, where applicable, have been satisfactorily complied with.
  - 5.2 No building plan will be approved unless each portion has a separate 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, storm water connections and new vehicle access points.
  - 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 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 There is adequate infrastructural capacity for the proposal.
  - 6.4 The proposed subdivision will enable the existing two dwelling units on the property to be accommodated on separate erven with its own title.
  - 6.5 The property is located within the urban edge, thereby eliminating urban sprawl.

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 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



**H.G STRIJDOM**  
**MANAGER: LAND DEVELOPMENT 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)



# Memo

**To:** EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT  
(ATTENTION: J.Pekeur)  
**From:** MANAGER: INFRASTRUCTURE MANAGEMENT  
**Enquiries:** L. PIENAAR  
**Collaborator number:**  
**Reference number:** 15/4/1 (889) W (890)  
**Date:** 10 June 2022  
**Subject:** APPLICATION FOR SUBDIVISION OF ERF 889, WELLINGTON

**Time Limit on Conditions:** These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced ( this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

**NOTE:** This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants.

**Note that this memo will supersede the previous two memos with reference 15/4/1 (889) W (0304) dated 18 March 2022 and 15/4/1 (889) W (0367) dated 12 May 2022.**

## THE FOLLOWING CONDITIONS WILL APPLY

### 1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors; and
- 1.2 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures.

### 2 STORMWATER

- 2.1 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;

2.2 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m<sup>3</sup>/m<sup>2</sup> roof area.

### **3 WATER**

3.1 *The Remainder has to retain its existing water connection;*

3.2 *Portion A must be provided with a separate water connection at actual cost;*

3.3 *The internal water system shall be separated by the developer;*

3.4 The metered connection must be installed one meter inside the erf boundary;

3.5 Water saving devices shall be installed in toilets, bathrooms and basins; and

3.6 Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **4 WASTEWATER SERVICES**

4.1 *The Remainder must be provided with a separate wastewater connection at actual cost;*

4.2 *The internal wastewater system shall be separated by the developer;*

4.3 The connection must be installed one meter inside the erf boundary; and

4.4 Any existing system that is to remain shall be upgraded to minimum municipal standards.

### **5 SOLID WASTE**

5.1 The Municipality undertakes, to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of the erf, for the removal of such household refuse;

5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out;

5.3 *An application must be made to source an additional wheelie bin for the Remainder; and*

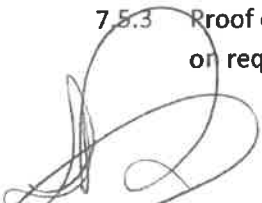
5.4 On refuse removal days, the residents will be responsible to ensure that their bins are placed on the sidewalks to be serviced.

### **6 DEVELOPMENT CHARGES**

6.1 Based on the information provided in the application, no Development Charges are payable by the developer.

## **7 GENERAL**

- 7.1 The developer is responsible for the payment of a Developers Charge (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;
- 7.2 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.3 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;
- 7.4 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards; and
- 7.5 The above conditions are to be complied with in stages.
- 7.5.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.5.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and
- 7.5.3 Proof of compliance for the requirements associated with long term operations must be available on request.



**P. PIENAAR (Pr. Eng)**

**MANAGER: INFRASTRUCTURE MANAGEMENT**

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