



Enquiries: Jeremy Pekeur
Contact number: 021 807 4808
Reference: Collaborator 2223589 (15/4/1 -19175)
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JP/HK

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SUBDIVISION OF ERF 19175 PAARL, MONTE CHRISTO AVENUE

Your application under reference P3698/22(24)A2 dated 22 November 2024, refers.

1. Approval is hereby granted in terms of Section 60 of the Drakenstein Municipality Land Use Planning By-Law, 2018, for the Subdivision of Erf 19175 Paarl into **Portion A** ($\pm 1395\text{m}^2$) and **Remainder Erf 19175 Paarl** ($\pm 1506\text{m}^2$), as shown on Plan of Subdivision No. 2 Rev3 dated November 2024 – April 2025.
2. Approval is hereby granted in terms of Section 60 of the Drakenstein Municipality Land Use Planning By-Law, 2018, for the following permanent departures from the land use 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, in respect of the line of subdivision lettered “g-z” on Plan of Subdivision No. 2 Rev3 dated November 2024 – April 2025, from 1,5m to 0m, in order to accommodate the existing dwelling house on the Remainder.
 - 2.2 The relaxation of the street boundary building line from 4.50m to 2.18m over Portion A, in respect of the southern boundary abutting Van der Poels Doordrift, in order to accommodate the footprint of the new dwelling house.
 - 2.3 The relaxation of the street boundary building line from 4.50m to 4.33m over Portion A, in respect of the northern boundary abutting Monte Christo Avenue, in order to accommodate the footprint of the new dwelling house.
 - 2.4 The increase of the permissible building coverage ratio, applicable to Portion A, from 50% to 59% in order to accommodate the (new) dwelling house.

3. The approvals granted in paragraphs 1 and 2, above, are subject to the following conditions imposed in terms of Section 66 of the Drakenstein Municipality Land Use Planning By-Law, 2018:
- 3.1 A copy of the approved subdivision diagram for Portion A must be provided to the municipality.
 - 3.2 Updated building plans for all unauthorised building work located on Portion A must be submitted to the municipality's Building Control section for consideration by the Building Control Officer.
 - 3.3 An Occupancy Certificate for the building on Portion A must be obtained from the municipality's Building Control section and a copy thereof provided to the municipality's Land Development Management division.
 - 3.4 Adherence to the conditions laid down by the Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum 15/4/1 (19175) P (477) dated 17 April 2025 (**See Annexure A**).
 - 3.5 The servitude referred to in item 3.6 of Annexure A, above, must be indicated on a Surveyor-General diagram and registered against the title deed of the Remainder.
 - 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_19175 dated 19 January 2025 (**See Annexure B**).
 - 3.7 For any proposed development, the developer must institute water conservation measures such as only using non-potable water for on-site construction activities, rainwater harvesting, greywater recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens.
 - 3.8 Energy-saving devices such as contained in the Drakenstein Municipality Green Building Manual (document available at the Spatial Planning Section) must be made use of as far as possible.
 - 3.9 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.
 - 3.10 This approval lapses unless separate registration of Portion A is affected in the Deeds Registry within five years of the date of the final approval letter, subject to compliance with section 21(1) of the Drakenstein By-law on Municipal Land Use Planning, 2018, read together with Section 22 of the aforementioned by-law.


4. The owner's attention must be drawn to the following:
- 4.1 No clearance for the separate registration of any subdivided portion will be issued by Council until conditions 3.1 to 3.9 above (where applicable), have been complied with to the satisfaction of the municipality.
 - 4.2 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.
 - 4.3 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.
 - 4.4 The new street address for Portion A will be: No. 11 Monte Cristo Avenue.
5. The following are regarded as the reasons for the above approval decisions:
- 5.1 The proposal is in line with the Drakenstein Municipality densification policy.
 - 5.2 The proposal is merely a reversion to the property's original state of two erven.
 - 5.3 The precedent of two residential dwellings has already been established and the proposal will enable the new dwelling to be registered separately without necessarily changing the character of the area or having a negative impact on neighbouring properties.
 - 5.4 The level of densification proposed is low and contextually appropriate.

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 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, 762 2 or at customercare@drakenstein.gov.za

Yours faithfully



PR

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