



# DRAKENSTEIN

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Enquiries: Riyaz Mowzer  
Contact number: (021) 807-4822  
Reference: 15/4/1 (2491) M  
Date: 21 February 2024

JA/

David Hellig & Abahamse  
Land Surveyors  
PO Box 18  
PAARL  
7622

[DAVID@dhaa.co.za](mailto:DAVID@dhaa.co.za)

Sir

## APPLICATION FOR THE AMENDMENT TO THE GENERAL PLAN, REZONING AND CONSOLIDATION: ERF 2491 MBEKWENI

With reference to your above-mentioned application, I have to inform you that the Drakenstein Municipal Planning Tribunal on 16 February 2024 resolved as follows, that:

- "1. **Approval** is hereby granted in terms of Section 60(1)(a) of the Drakenstein Bylaw, on Municipal Land Use Planning, 2018 for the following:
- 1.1 **Amendment** of the General Plan No. 11026/1992 of the Mbekweni Township by the creating one additional erf, being Portion A measuring  $\pm 61m^2$  in extent, as indicated on the Amendment to General Plan No 11028/1992, Closure, Rezoning and Consolidation Plan drawn by David Hellig and Abrahamse Land Surveyors dated October 2022 (Plan No.1 Rev1), (**Annexure D**);
  - 1.2 **Closure** of Portion A, measuring  $\pm 61m^2$  in extent, as a Public Street;
  - 1.3 **Rezoning** of the proposed Portion A from Transport Zone to Conventional Housing Zone in order to create a uniform zoning with the adjacent Erf 2491 Mbekweni; and
  - 1.4 **Consolidation** of Portion A ( $\pm 61m^2$ ) with Erf Erf 2491 Mbekweni ( $\pm 161m^2$ ) in order to form a new land unit measuring  $\pm 222m^2$  in extent, as indicated on the Amendment to General Plan No 11028/1992, Closure, Rezoning and Consolidation Plan drawn by David Hellig and Abrahamse Land Surveyors dated October 2022 (Plan No.1 Rev1), (**Annexure D**);

2./...

2. *The approvals mentioned in Paragraphs 1.1-1.4 above be subject to the conditions laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018.*
  - 2.1 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Department referenced 15/4/1 (2359) P (1624) dated 13 November 2023 (Annexure H);*
  - 2.2 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 8/2/5\_2359 dated 13 August 2023 (Annexure I); and*
  - 2.3 *The following conditions from a town planning point of view be applicable:*
    - 2.3.1 *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;*
    - 2.3.2 *Any amendments to the application are subject to the relevant approval;*
    - 2.3.3 *No new buildings are to be erected or existing structures altered without the approval of building plans by Council;*
    - 2.3.4 *The subdivision takes place largely in accordance with the respective Amendment to General Plan No 11028/1992, Closure, Rezoning and Consolidation Plan drawn by David Hellig and Abrahamse Land Surveyors dated October 2022 (Plan No.1 Rev1), (Annexure D);*
    - 2.3.5 *The property may only be utilised for residential purposes;*
  - 2.4 *Should the applicant fail to comply with any of the conditions laid down, then Council reserves the right to impose further future conditions.*
3. *The following be regarded as the reasons for the decision:*
  - 3.1 *The application stems from a Council Decision to alienate the proposed Portions A and to consolidate it with the adjacent property, being Erf 2491 Mbekweni;*
  - 3.2 *The proposal will not hinder access to the adjacent properties in the immediate vicinity;*
  - 3.3 *The relevant departments consented to the application, subject to certain conditions; and*

3./...

3.4 *No objections were received during the public participation process”.*

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** from the date of registration of the letter. 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** 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).

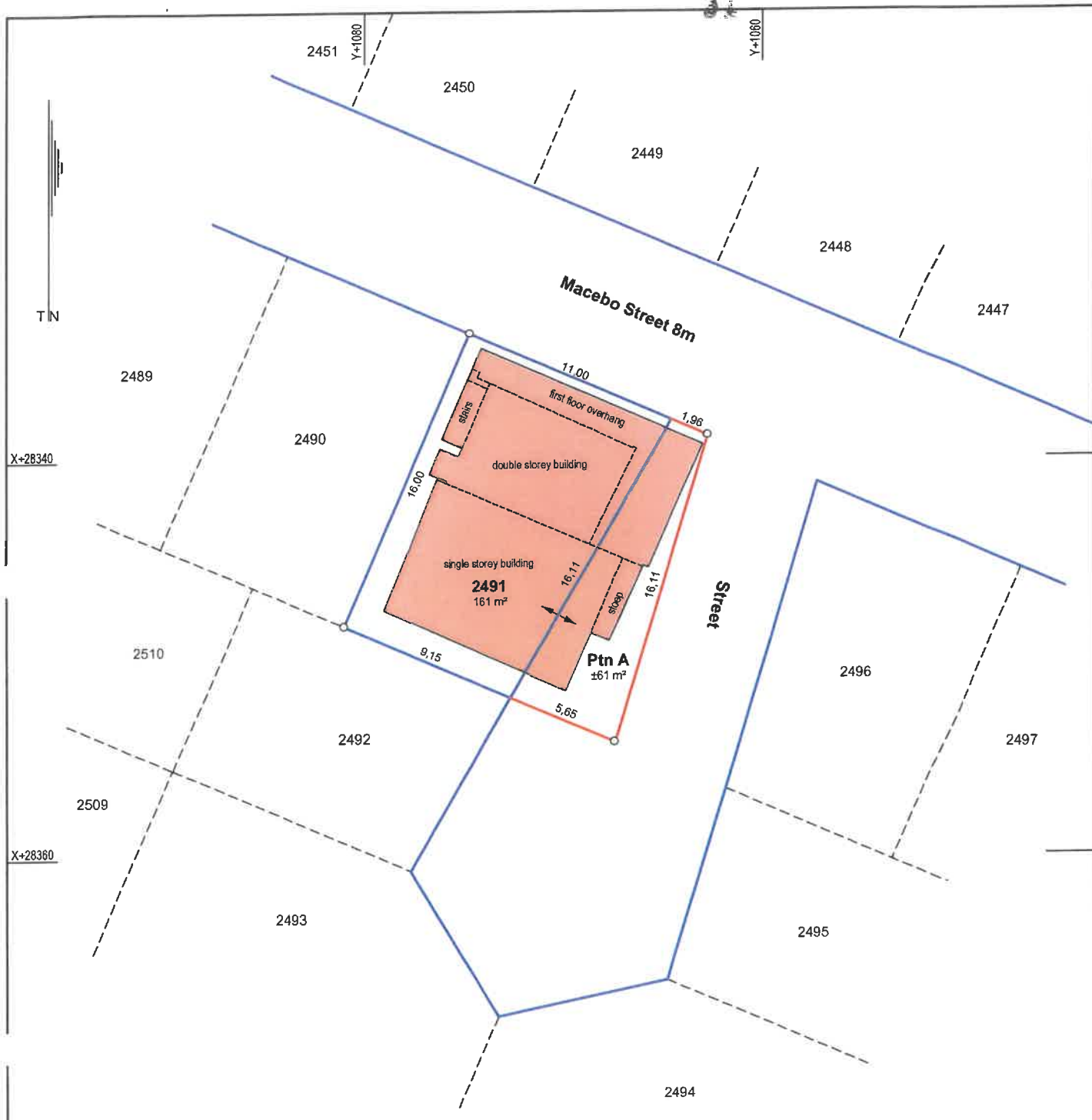
Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



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



Ref: 1) Co-ordinate System WGS 84/19°  
 2) S. G. Noting M2906

**Notes :**

**1) Amendment to General Plan No 11026/1992**

Application in terms of Section 15(2)(j) of the Drakenstein Municipal Land Use Planning By-Law, 2018 for the Amendment to General Plan No 11026/1992 by the creation of one additional erf viz Ptn A measuring ±61 square metres in extent

**2) Street Closure**

Application in terms of Section 15(2)(m) of the Drakenstein Municipal Land Use Planning By-Law, 2018 for the closure of Ptn A being Public Street

**3) Rezoning**

Application in terms of Section 15(2)(a) of the Drakenstein Municipal Land Use Planning By-Law, 2018 for the rezoning of Ptn A from Transport Zone to Conventional Housing Zone

**4) Consolidation**

Application in terms of Section 15(2)(e) of the Drakenstein Municipal Land Use Planning By-Law, 2018 for the consolidation of Ptn A and Erf 2491 Mbekweni measuring 161 square metres in extent are to form a land unit measuring ±222 square metres in extent

**dh&a**

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project  
**AMENDMENT TO GENERAL PLAN NO 11026/1992  
 CLOSURE, REZONING AND CONSOLIDATION**

Scale	1 / 200 @ A3
Date	October 2022
File No	P3688/22
Plan No	1 Rev 1



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# Memo

<b>To:</b>	EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE DEPARTMENT (ATTENTION: H. LOUW)
<b>From:</b>	ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT
<b>Enquiries:</b>	L.H. SMITH
<b>Collaborator number:</b>	2042155
<b>Reference number:</b>	15/4/1 (2359) M (1624)
<b>Date:</b>	13 November 2023
<b>Subject:</b>	APPLICATION FOR PROPOSED AMENDMENT TO GENERAL PLAN, CLOSURE, REZONING AND CONSOLIDATION OF A PORTION OF THE REMAINDER OF ERF 2359, MBEKWENI

**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.

## 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.

### 2 STORM WATER

2.1 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors.

### 3 WATER

3.1 Existing metered connection must be installed one meter inside the erf boundary;

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

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

#### **4 WASTEWATER SERVICES**

4.1 The connection must be installed 1 meter inside the erf boundary and no deeper than 1 meter; and

4.2 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 occupant(s) of the erf for the removal of such household refuse.

#### **6 DEVELOPMENT CHARGES**

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

#### **7 GENERAL**

7.1 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards.



**LH SMITH**

**ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT**

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LHS/sw



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# Memo

**To:** Senior Manager: Land Development Management  
For attention: H Strijdom/C van der Bank/E Cyster

**From:** Manager: Planning and Customer Services

**Enquiries:** L Laing

**Reference number:** 8/2/5\_2359

**Date:** 13 August 2023

**Subject:** APPLICATION FOR AMENDMENT TO GENERAL PLAN, CLOSURE, REZONING AND CONSOLIDATION OF A PORTION OF ERF 2359, MBEKWENI

**Time Limit on Conditions:** These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must be submitted for approval by this department.

## 1. INFORMATION REQUIRED/OUTSTANDING

1.1. The current distance from the existing pole to the boundary and dwelling wall. The minimum clearance must 3m taken inconsideration that no scaffolding will be erected within the minimum clearance distance.

## 2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty-four-hour access for maintenance purposes.
- 2.4. The developer will be responsible for all cost in the case where he or she request any infrastructure situated in the road reserve to be moved or relocated to new proposed positions.
- 2.5. The developer is required to include measures to improve energy efficiency for any additional load requirement to the existing electrical supply.
- 2.6. A service level agreement between the municipality and the owner or developer of above-mentioned erf must be arrange at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician) in the case where a request for a new, the change and or upgrade of the existing supply is required.

### 3. GENERAL

- 3.1. NRS069 Network recovery cost will apply for any additional load requirement and will be calculated according to the following as indicated in approved tariffs: **R4 317.00 per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2024 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.2. The developer will be responsible to carry all cost of the electrical installation.
- 3.3. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.4. A private registered electrical installation electrician shall be used to do all installations and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal by-laws prior to the development.
- 3.5. A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered or as the case may be.
- 3.6. The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully



**L. LAING**

**MANAGER: PLANNING AND CUSTOMER SERVICES**

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