



**Coll no:** 2145726  
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**Date:** 5 August 2024

JP/HK  
15/4/1 (5821) P

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Sir

**REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND SUBDIVISION: ERF 5821 PAARL, CORNER OF TENNANT AND PLAY STREETS**

I refer to your application under reference P3692/22, dated 6 March 2024.

1. Approval is hereby granted in terms of Section 60 of the Drakenstein Municipality Land Use Planning By-Law, 2018, for the following;
  - 1.1 Removal of restrictive title conditions: B.3(a), (b), (c) and (d) from Title Deed Number T20534/1971;
  - 1.2 Subdivision of Erf 5821 Paarl into **Portion A** ( $\pm 358\text{m}^2$ ) and **Remainder** ( $\pm 550\text{m}^2$ ), as shown on Plan of Subdivision No. 1 Rev2 dated Jan. 2023; July 2024.
2. The approvals granted in paragraphs 1.1 and 1.2 above, are subject to the following conditions imposed in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
  - 2.1 A copy of the approved subdivision diagram for Portion A must be submitted to the municipality.
  - 2.2 Building plans for all unauthorised building work on Portion A must be submitted to the municipality's Building Control section for consideration by the Building Control Officer.

- 2.3 The wooden structure attached to the back of the house on Portion A, must be demolished.
- 2.4 The steps leading to the stoep at the back of the house on the Remainder, next to the line of subdivision, must be realigned to make access to the stoep safe and practical.
- 2.5 Adherence to the conditions laid down by the Manager: Infrastructure Management, Department Civil Engineering Services, Drakenstein Municipality, in his memorandum 15/4/1 (5821) P (961) dated 19 June 2024. **(See Annexure A)**.
- 2.6 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\_5821 dated 5 May 2024 **(See Annexure B)**.
- 2.7 The applicant is responsible for the cost of the publication, in the Provincial Gazette, of the final notice regarding the removal of the restrictive conditions, which should be attended to prior to transfer and building plan approval of Portion A.
- 2.8 The original title deed of Erf 5821 Paarl must be submitted to the Cape Town Deeds Office for the necessary endorsement by the Registrar of Deeds, together with a copy of the final removal notice as published in the Provincial Gazette. A copy of the endorsed title deed must be supplied to the municipality as proof.
- 2.9 Energy-saving devices such as contained in the Drakenstein Municipality Green Building Manual, available at the Spatial Planning Section, must be made use of as far as possible.
- 2.10 For the proposed development, the developer must institute water conservation measures such as only using non- potable water for on-site construction activities, Sustainable Drainage Systems for controlling surface runoff water, rainwater harvesting, greywater recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens.
- 2.11 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.
- 2.12 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.

3. The owner's attention must be drawn to the following:

- 3.1 No clearance for the registration of the Portion A will be issued by municipality until conditions 2.1 to 2.12 above, where applicable, have been complied with to the satisfaction of the municipality.
- 3.2 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.
- 3.3 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.
- 3.4 The street address for Portion A will be: No. 21 Play Street.

4. The following are regarded as the reasons for the above approval decisions:

- 4.1 The proposed subdivision is consistent with the principals and objectives of the SDF with respect to densification;
- 4.2 The level of densification proposed is low and contextually appropriate;
- 4.3 The proposal will create another industrial opportunity in the area; and
- 4.4 The proposal makes optimal use of presently underutilized land in terms of its development potential.

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, 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)