

# MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

Munisipale Kantoor/Municipal Office  
Pleinstraat/Plein Street  
Posbus/P.O Box 24  
CALEDON  
7230



Tel. no.: 028 214 3300  
Faks/Fax no.: 028 214 1289  
E-pos/E-mail:twkmun@twk.org.za

Our Reference Number: GRE/20 (App Id: 3397)  
Your Reference Number:  
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 31 May 2021

## REGISTERED MAIL

AG & GA De Gouveia  
37 Caledon Street  
GREYTON  
7233

(Per E-mail: [dene.degouveia@gmail.com](mailto:dene.degouveia@gmail.com) & [alti.gouveia@gmail.com](mailto:alti.gouveia@gmail.com))

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## DECISION LETTER TO APPLICANT

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Dear Mr & Mrs De Gouveia

### APPLICATION FOR DEPARTURE: ERF 20, GREYTON.

1. This application received 18 November 2020, refers.
2. The Authorised Employee, on 26 May 2021 **approved, in whole** your application for the following departures on Erf 20, Greyton as depicted in the Site Development Plan Nr. 1 drawn by D.J Maart dated 18 November 2020 in terms of Section 60 of the Theewaterskloof Municipality: By-Law on Municipal Land Use Planning, 2015.
  - 2.1. **Permanent Departure** from the prescribed street building line (Huys Street) from 4m to 0m.
  - 2.2. **Permanent Departure** from the prescribed street building line (Caledon Street) from 4m to 0m.
  - 2.3. **Permanent Departure** from the prescribed street building line from 4m to 3m.
  - 2.4. **Permanent Departure** from the prescribed side building line from 2m to 0m.
3. **Reasons** for the above decision are as follows:
  - 3.1. It not foreseen that the privacy of the adjacent property will be infringed upon as a result of the approval of the departure application.
  - 3.2. The proposal is consistent with the overlay zone.
  - 3.3. The existing access and parking will not be affected by the proposal.
  - 3.4. Municipal infrastructure will not be negatively affected.
  - 3.5. There is not title deed restrictions that prohibit the approval of the application.
  - 3.6. The proposed application does not contradict any forward planning documents.
  - 3.7. No other development parameters will be contradicted as a result of the proposed application.
  - 3.8. The proposal is deemed desirable in terms of the need and desirability guideline.

4. **The abovementioned approval is subject to the following conditions in terms of Section 66 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning:**
- 4.1. The proposed departure be generally in accordance with Site Development Plan Nr. 1 drawn by D. J Maart dated 18 November 2020;
  - 4.2. The approval is valid for 2 years, after the expiry of the period contemplated in Section 79(2), in terms of Section 18(2) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning (2015);
  - 4.3. No run-off water be discharged onto the neighbouring properties;
  - 4.4. Complete building plans, for any built structure, be submitted to the Department: Town Planning and Building Control for approval, before any construction activities commence;
  - 4.5. The approval of this application does not exempt the applicant/developer from compliance with any other legislation;
  - 4.6. Any service upgrades required be for the cost of the owner; and
  - 4.7. No structures to be erected within 2 meters of existing municipal infrastructure and the proposal should not obstruct the municipal connections.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) and 80 of the said legislation.
- 5.1. The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Theewaterskloof Municipality, 6 Plein Street, Caledon, 7230 telephone: 028 214 3300, within 21 days of notification of this decision together with proof of payment of the appeal fee.
  - 5.2. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
  - 5.3. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
6. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Yours faithfully



**JC PIENAAR**  
**MANAGER: TOWN PLANNING AND BUILDING CONTROL**



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## APPEAL FORM

(Section 79 of the Proposed Standard Draft By-law on Municipal Land Use Planning)

**KINDLY NOTE:** Please complete this form using BLOCK capitals and ticking the appropriate boxes. Append this form to your letter of appeal which must comply with section 80 of the Theewaterskloof Standard By-law on Municipal Land Use Planning.

### PART A: APPEAL

Are you appealing against the decision made by the authorised employee or Tribunal?	Y	N	If Yes, indicate in Part E if the appeal is lodged against the whole decision or part thereof. If the latter applies provide a description of the part.
Are you appealing in respect of the failure of the authorised employee or Tribunal to make a decision within the period contemplated in section 57(1) or (2)?	Y	N	If Yes, provide facts that prove the failure in Part E.
Are you appealing against the condition(s) of approval imposed by the authorised employee or Tribunal?	Y	N	If Yes, list relevant condition(s) and provide a description in Part E.
Is your appeal based on and primarily concerned with the process followed prior to the authorised employee or Tribunal decision?	Y	N	If Yes, specify in Part E.
Is your appeal based on and primarily concerned with the merits of the land development or land use application on which it is believed that the authorised employee or Tribunal erred in coming to the conclusion?	Y	N	If Yes, specify in Part E.
Date of decision		Date receiving notice of decision	
Who took the original decision?	<input checked="" type="checkbox"/>	Authorised employee	<input type="checkbox"/> Tribunal

### PART B: APPELLANT'S DETAILS

First name(s)	
Surname	

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Company or legal person's name <i>(if applicable)</i>					
Postal address					Postal Code
Email					
Tel		Fax		Cell	

**PART C: APPELLANT'S PROPERTY DESCRIPTION** *(Property that is affected by proposed development)*

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.					
Physical Address					
GPS Coordinates		Town/City			

**PART D: PROPERTY DESCRIPTION OF PROPOSED LAND DEVELOPMENT**

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.					
Physical Address					
GPS Coordinates		Town/City			

**PART E: APPEAL MOTIVATION AND REASONS\***

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*\* Appeal motivation, information and reasons may be attached.*

## PART F: APPEAL FEE (for completion and use by official)

<b>Appeal</b>	<b>R</b>
<b>TOTAL APPEAL FEES*</b>	<b>R</b>

*\* Appeal fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.*

## BANKING DETAILS

Name:

Bank:

Branch no.:

Account no.:

**Payment reference:** .....  
 (if applicable)

## PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION

**Complete the following checklist and attach all the information and documentation relevant to the appeal.**

Y	N	Proof of payment of appeal fees (applicant)	Y	N	Proof of serving notice of appeal (applicant)
Y	N	Copy of decision and proof of notification	Y	N	Copy of conditions of approval
Y	N	Motivation and reasons for appeal	Y	N	Other (specify)

## SECTION H: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this appeal form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 85(1)(e) of the said legislation to supply particulars,

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information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.

Appellant's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name: \_\_\_\_\_

## FOR OFFICE USE ONLY

Date received:  
\_\_\_\_\_

Received by:  
\_\_\_\_\_

