

# 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](mailto:twkmun@twk.org.za)

Our Reference Number: B/1537  
Your Reference Number:  
Enquiries: Sunet du Toit, 028 214 3300 / [sunetdu@twk.org.za](mailto:sunetdu@twk.org.za)

Date: 09 October 2019

## REGISTERED MAIL

RD Philpott & PJ Meyer  
P O Box 1061  
HERMANUS  
7200

(Per E-mail: [pirrezy\\_za@mweb.co.za](mailto:pirrezy_za@mweb.co.za) / [rayphil@mweb.co.za](mailto:rayphil@mweb.co.za))

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## DECISION LETTER TO APPLICANT

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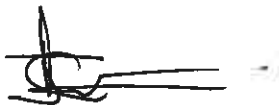
Dear Mr/Mrs/Ms

### APPLICATION FOR DEPARTURE: ERF 1537 BOT RIVER

1. Your application received, 20 March 2019, refers.
2. The Authorised Employee, on 4 October 2019 **approved, in whole** your application for **Permanent Departure**, to relax the southern side building line from 2m to 1m, to accommodate the existing carport, as depicted on Site Development Plan, dated 20 March 2019, drawn by Baden Paulse, in terms of section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
3. **Reasons** for the above decision are as follows:
  - 3.1. The proposal will not impact negatively on the rights and social welfare of the surrounding property owners.
  - 3.2. The proposed carport can be accommodated under the primary land use rights of the existing zoning.
  - 3.3. No other development parameters will be departed from.
  - 3.4. The approval of the application will not establish any additional land use rights that are in contrary to the existing zoning of the property.
  - 3.5. The carport exists for a number of years without any negative impact on surrounding built environment.

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, 2015:**
- 4.1. The approval for the abovementioned application shall lapse if not exercised within 2 years after the expiry of the period contemplated in Section 79(2), subject to Section 18(2) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
  - 4.2. The proposed departure generally be in accordance with Site Development Plan dated 20 March 2019, drawn by Baden Pause.
  - 4.3. Complete building plans, for any built structure, must be submitted to the Department: Town Planning and Building Control for approval, before any construction activities commence.
  - 4.4. The roof water from the structures encroaching the lateral building lines, not be discharged onto the adjacent property, but be directed to the street via the owners own property.
  - 4.5. Any service upgrades required will be for the cost of the owner/applicant.
  - 4.6. The approval of this application does not exempt the applicant/developer from compliance with any other legislation.
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**

DRAWN BY: B PAULSE

*Paulse*

REG NO: PAD 21035

TEL: 073 6460 981

Second Avenue

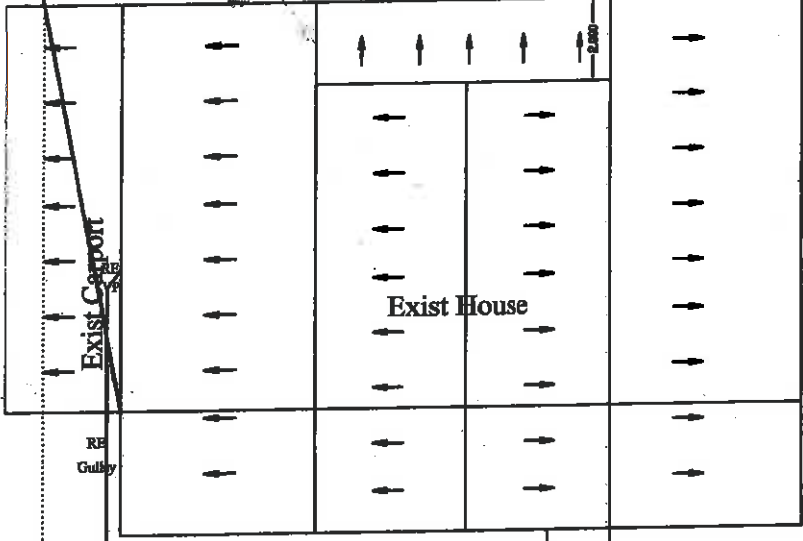
BOUNDARY 21.87

1.0m Water Connection

3.000 Building Line

ERF 1537

1.000 2.850 4.500 7.000 4.500



Exist Carport

Exist House

RE Gully

2.000 Building Line

RE

RE

3.000 Building Line

1.0m Water Connection

RE 12.500

RE

RE

RE

Min. Connection

2.000 Building Line

BOUNDARY 32.18

ERF 1538  
BOUNDARY 31.49

ERF 1550

ERF 1551

AREA CALCULATIONS:

EX HOUSE - 206,40

EX CARPORT - 28,22

TOTAL 234,62

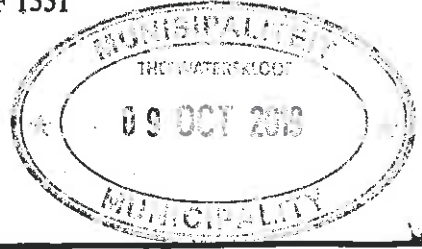
TOTAL SITE 851,00

% COVERED 27,57

Site Plan

*Paulse*

Scale 1/100



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JOB: CONVERTING EXIST GARAGE TO A BEDROOM

60 SECOND AVENUE  
ERF NO: 1537 BOT RIVIER

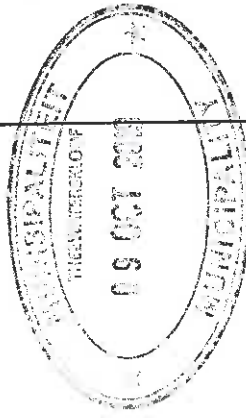
OWNER: RD PHIL POT & PJ MEYER

DRAWN BY: B PAULSE

REG NO: PAD 21035

TEL: 073 6460 981

*Paulse*

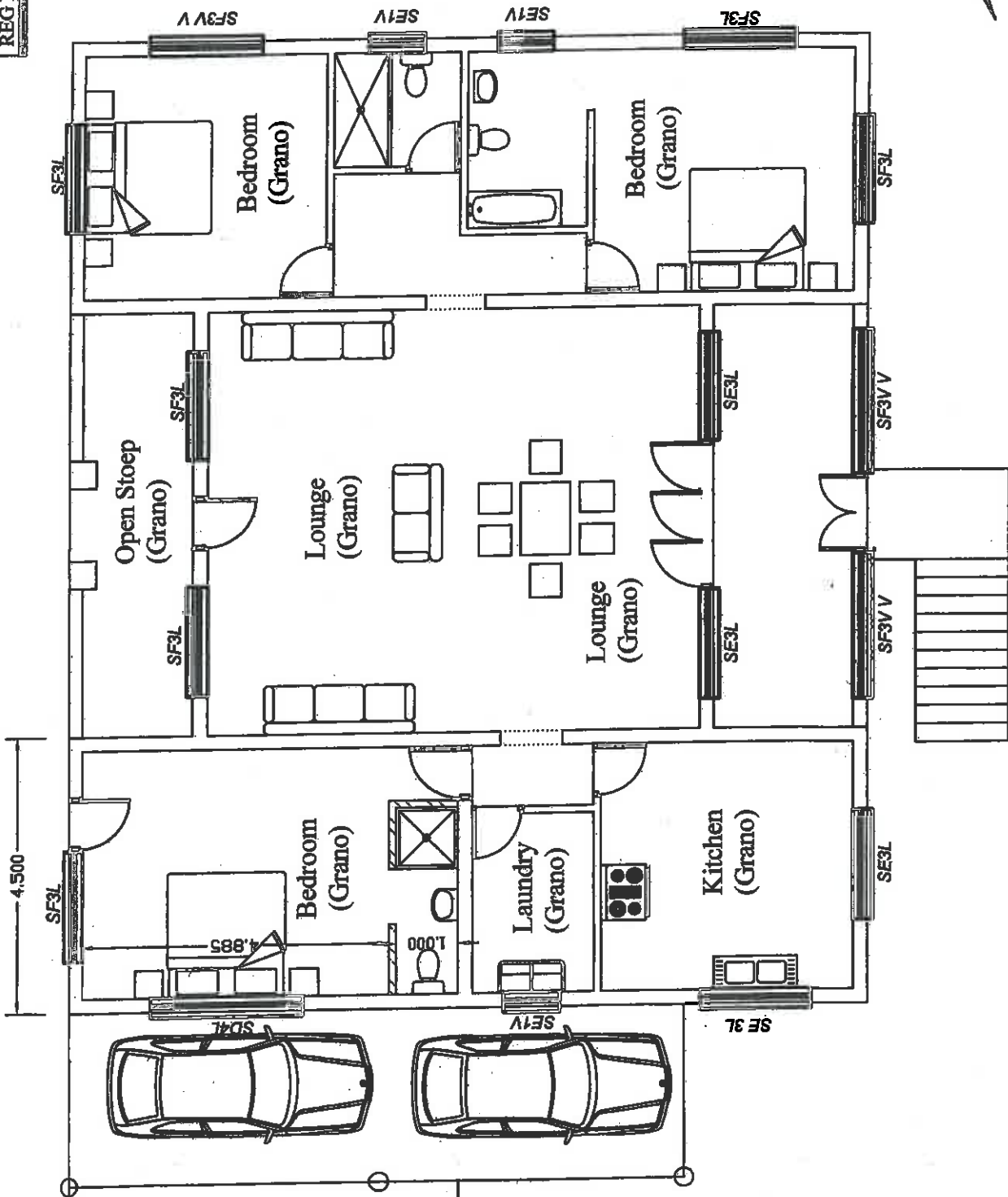


*[Handwritten signature]*

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JOB: CONVERTING EXIST GARAGE TO A BEDROOM

OWNER: RD PHILPOT & PJ MEYER



4.500

SD4L

SE1V

SE 3L

Floor Plan  
Scale 1/100

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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	DD/MM/YYYY		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>	R
<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:

\_\_\_\_\_

Municipal Stamp