

# 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: GRA/1603  
Your Reference Number:  
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 22 August 2019

## REGISTERED MAIL

M & S Goeieman  
115 Caraway Street  
Pineview North  
GRABOUW  
7160

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### DECISION LETTER TO APPLICANT

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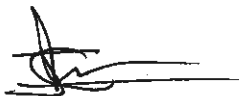
Dear Mr & Mrs Goeieman

#### APPLICATION FOR DEPARTURE: ERF 1603 GRABOUW

1. This Municipality's letter dated 15 April 2019, refers.
2. The Authorised Employee, on 13 August 2019 **approved, in whole** your application for the following departures on Erf 1603, Grabouw, as depicted on Site Development Plan dated 16 January 2019, drawn by Derick Lakey, in terms of section 60 of the Theewaterskloof Municipality Land Use Planning by-law, 2015.
  - 2.1. **Permanent Departure** to relax the prescribed side building line, abutting Erf 1602, from 1.5m to 1m, to accommodate the new lounge and pantry;
  - 2.2. **Permanent Departure** to relax the prescribed side building line, abutting Erf 1604, from 1.5m to 0m, to accommodate the new bedroom with en-suite; and
  - 2.3. **Permanent Departure** to allow the window placement 1m from the boundary, abutting Erf 1602.
3. **Reasons** for the above decision are as follows:
  - 3.1. The proposal is considered to be desirable within the local context.
  - 3.2. The proposal will not impact negatively on the existing engineering services.
  - 3.3. The zoning will remain Single Residential Zone 1 and will not detract from the residential character.
  - 3.4. The adjacent property owners to which the encroachments will have a possible direct impact on (Erven 1602 and 1604), did not object to the proposed development.

- 3.5. No windows or doors is proposed on the side facing Erf 1604, therefore no negative impact foreseen on the rights and privacy of the neighbouring property owners.
- 3.6. The existing access to the property is sufficient and the proposed departures will not limit access to the property or parts thereof.
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 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 16 January 2019, drawn by Derick Lakey.
- 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 line, not be discharged onto the adjacent property, but be directed to the street via the owners own property.
- 4.5. No structure/s or buildings be located closer than 2m from municipal services.
- 4.6. Any service upgrades required will be for the cost of the owner/applicant.
- 4.7. 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: DEVELOPMENT SERVICES**

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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 Sstandard 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	DD/MM/YYYY
Who took the original decision?	<input checked="" type="checkbox"/>	Authorised employee	<input checked="" 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: \_\_\_\_\_

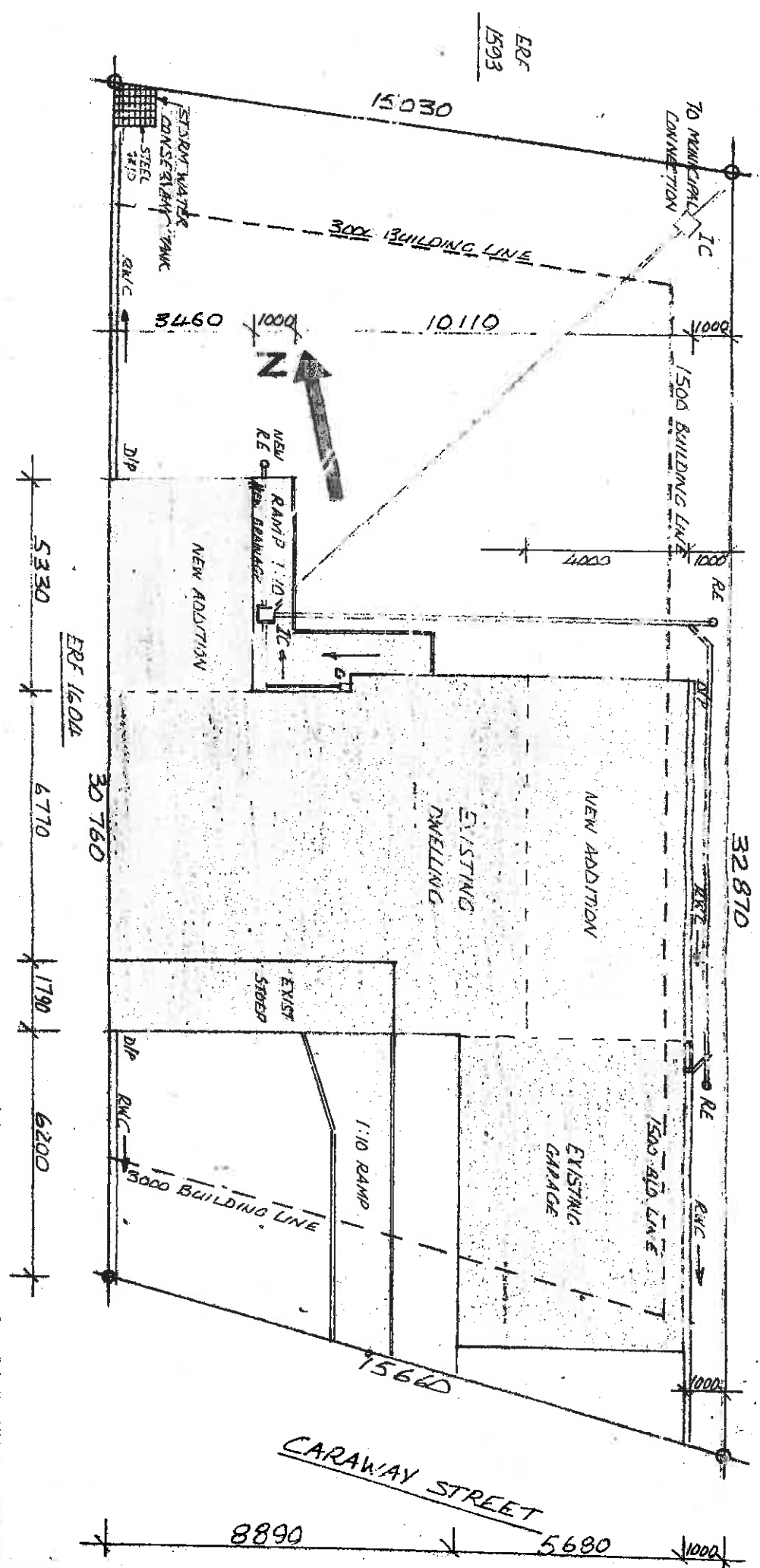
## FOR OFFICE USE ONLY

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

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

Municipal Stamp

ERF 1602 0916 0508 10092



SITE PLAN & DRAINAGE PLAN SCALE 1:100

ERF 1603 CARAROOM  
 PROPOSED NEW ADDITIONS AND INTERIORS  
 TO THE EXISTING DWELLING ON ERF 1603  
 CARAWAY STR. CARAROOM FOR  
 SUBMITTED BY: DEBOK LARKY (D 2280)  
 12 TRAILOS CLOSE. CELL: 072 900 2334  
 THE RIDGE  
 STELLENBOSCH

