

# 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: 2808 & 263, Villiersdorp  
Your Reference Number:  
Enquiries: **Eleanor Moolman, 028 214 3300 / [eleanorpa@twk.org.za](mailto:eleanorpa@twk.org.za)**

Date: 18 June 2019

**Anna-Christa Redelinghuys**

**P. O. BOX 649**

**ROBERTSON**

**6705**

Per E-pos: [annachris@mweb.co.za](mailto:annachris@mweb.co.za)

**REGISTERED MAIL**

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## DECISION LETTER TO APPLICANT

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Dear Mr/Mrs/Ms

### APPLICATION FOR DEPARTURE: 2808 & 263, VILLIERSDORP

1. Your application dated **08 November 2018** refers.
2. The **Authorised Official** on 18 June 2019 **approved** the following series of applications on Erf 2808 & 263, Villiersdorp in terms of Section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning; 2015:
  - 2.1 A **subdivision** of Erf 2808, Villiersdorp, into two (2) portions, namely: Portion A ( $\pm 242.88\text{m}^2$ ) and Remainder ( $\pm 2754.12\text{m}^2$ );
  - 2.2 A **consolidation** of Erf 263, Villiersdorp ( $1274\text{m}^2$ ) with Portion A, Villiersdorp ( $\pm 242.88\text{m}^2$ ) to create a newly consolidated erf  $\pm 1516.88\text{m}^2$ ;
  - 2.3 A **permanent departure** from the 1,5m window and door restriction to regularize the existing windows on the common boundary line on the common boundary of the newly created erf.
3. **The reasons for the above approval are:**
  - 3.1 The proposed use will have no detrimental impact on the character of the surrounding land uses.
  - 3.2 The proposal will not negatively impact on the engineering services.
  - 3.3 Access and parking will not be negatively affected by the proposal.
  - 3.4 The proposal conforms to forward planning documents.
  - 3.5 The proposal will not have a negative visual impact on the surrounding properties.
  - 3.6 The window is not facing directly onto the neighbouring property.

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 5 years after the expiry of the period contemplated in Section 79(2), subject to Section 32(1) and 18(2) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning;
  - 4.2 The applicant must cause the registration of the subdivision and consolidation at the Surveyor General Office within the validity period of this approval, in accordance with Consolidation and Subdivision Plan, nr. 1 dated 3 December 2018 drawn by Umsiza Planning;
  - 4.3 No run-off water must be discharged onto the neighbouring properties;
  - 4.4 No structures to be erected within 2 meters of existing municipal infrastructure; and
  - 4.5 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) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning ("the By-law") against the above decision. The appeal application must adhere to the provisions referred to in Section 80 of the By-law.
- 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 Should the municipality receive an appeal a 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.
7. Complete building plans, for any built structure and a site development plan must be submitted to the Department: Town Planning and Building Control for approval, before any construction activities commence.

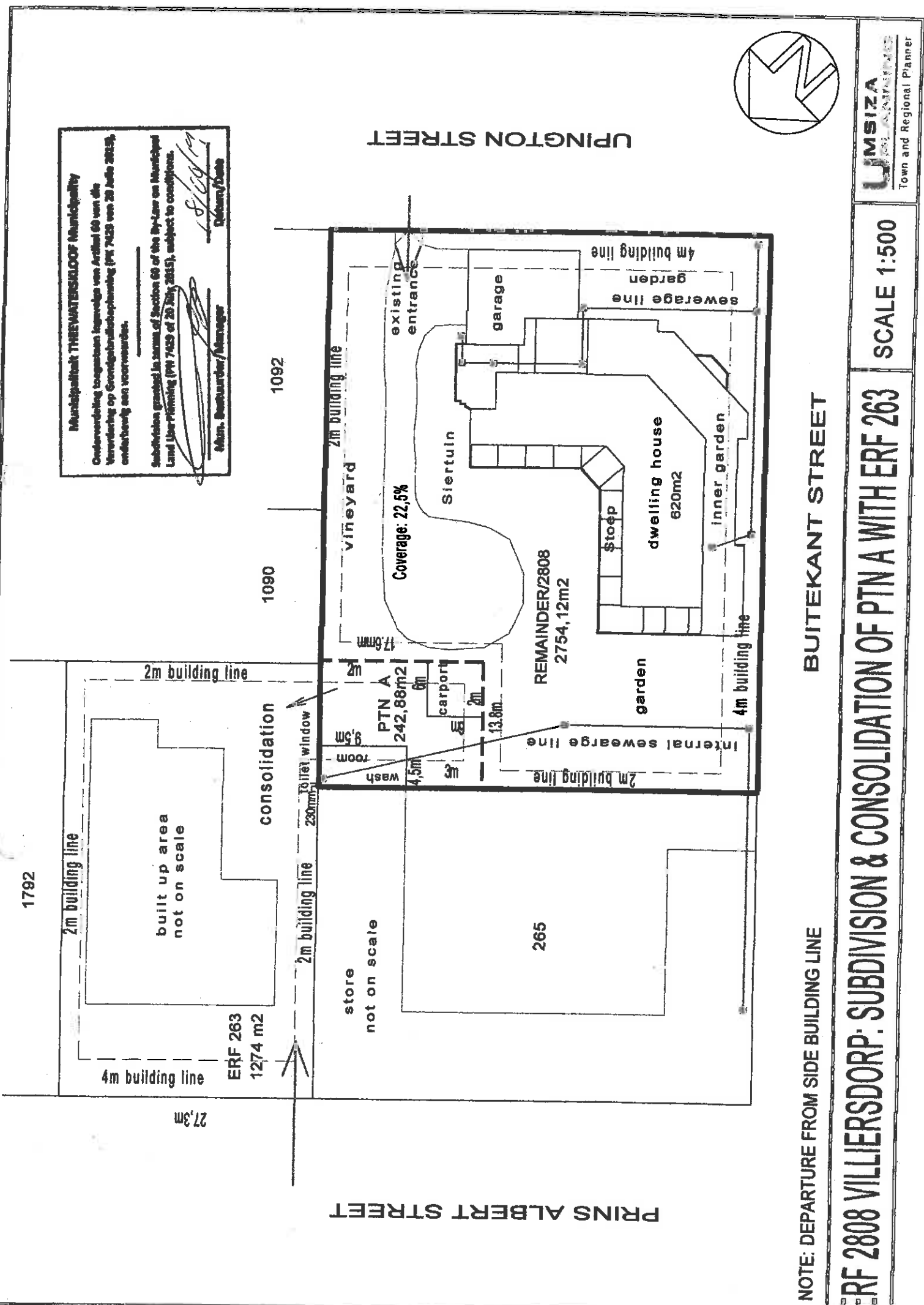
Regards

  
**J JANSEN VAN RENSBURG**  
**ACTING MANAGER: TOWN PLANNING & BUILDING CONTROL**

Munisipaliteit THEWATERSLOOF Municipality  
 Omskrywing toegestaan ingevolge van Artikel 60 van die  
 Verordening op Grondwetlikeplanning (PM 7429 van 20 Julie 2015),  
 onderhewig aan voorwaardes.

Subdivision granted in terms of Section 60 of the By-Laws on Municipal  
 Land Use Planning (PM 7429 of 20 July 2015), subject to conditions.

*[Signature]*  
 Mun. Bestuurder/Manager  
 Datum/Date



UPINGTON STREET

1092  
 1090

1792

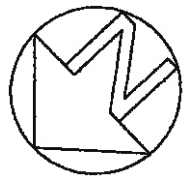
PRINS ALBERT STREET

NOTE: DEPARTURE FROM SIDE BUILDING LINE

BUITEKANT STREET

ERF 2808 VILLIERSDORP: SUBDIVISION & CONSOLIDATION OF PTN A WITH ERF 263

SCALE 1:500



UMSIZA  
 Town and Regional Planner

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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 type="checkbox"/> Tribunal   |

### PART B: APPELLANT'S DETAILS

|               |  |
|---------------|--|
| First name(s) |  |
| Surname       |  |

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|  |  |     |  |             |
|--|--|-----|--|-------------|
| Company or legal person's name<br><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> |               | R |

\* 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