

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/497
Your Reference Number:
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 11 December 2019

REGISTERED MAIL

DC Swart
Smart Solution Architecture
Mail Collection 104
Hemel and Aarde
HERMANUS
7200

(Per Email: dian@ssarc.co.za)

DECISION LETTER TO APPLICANT

Dear Mr/Mrs/Ms

APPLICATION FOR DEPARTURE: ERF 497, GREYTON

1. This Municipality's letter dated 25 September 2019, refers.
2. The Authorised Employee, on 09 December 2019 **approved, in whole** your application for a **series of permanent departures**, in terms of section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning (2015), as follows:
 - 2.1. Permanent Departure from the Street building line (Nerina Street) from 4,0 metres to 1,742 metres and 2,675 metres respectively to accommodate the existing building and new alterations and additions;
 - 2.2. Permanent Departure from the Street building line (Main Street) from 4,0 metres to 3,171 metres and 3,844 metres respectively to accommodate the existing building and new alterations and additions;
 - 2.3. Permanent Departure from the Southern common building line from 1,5 metres to 0,258 metres and 0,144 metres respectively to accommodate the existing room and;
 - 2.4. Permanent Departure from the Southern common building line from 1,5 metres to 0,637 metres and 0,255 metres respectively to accommodate the existing main dwelling; and
 - 2.5. Permanent Departure from the development rules to allow windows within the 1,5 meter side building lines of the existing main dwelling.

3. **Reasons** for the above decision are as follows:
 - 3.1. The proposed development is in line with the applicable Development Principles as contained in SPLUMA and LUPA.
 - 3.2. No objection was received against the proposal.
 - 3.3. The proposal is consistent with the Theewaterskloof Municipal Spatial Development Framework.
 - 3.4. The existing streetscape justifies the proposed departures which will have a minimal impact on the surrounding built environment.
 - 3.5. Pedestrian movement is not limited along Park and Nerina Street.

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. This approval is valid for 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 development is generally in accordance with Site Development Plans No I 0309/A/102 Dated 17/07/2019 drawn by Smart Solution;
 - 4.3. Complete building plans must be submitted to the Department: Building Control and Town Planning for consideration before any construction activities commence;
 - 4.4. Damaging of any municipal infrastructure will be for the account of the Developer/ Owner;
 - 4.5. No rainwater from the roof shall be discharged directly onto an adjoining land unit;
 - 4.6. No construction allowed within 3 meters of municipal infrastructure;
 - 4.7. No on-street parking be allowed; and
 - 4.8. The approval of this application does not exempt the applicant/developer from compliance of 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

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE KEPT IN CONFIDENCE. NO PART OF THESE PLANS OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT INCLUDE THE CONSTRUCTION OF THE WORK OR THE FITNESS OF THE MATERIALS OR THE WORKMANSHIP OF THE CONTRACTOR. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT INCLUDE THE CONSTRUCTION OF THE WORK OR THE FITNESS OF THE MATERIALS OR THE WORKMANSHIP OF THE CONTRACTOR.

MAIN DWELLING	
DESCRIPTION	TOTAL
GROUND FLOOR	21.00m ²
1st FLOOR	21.00m ²
2nd FLOOR	21.00m ²
3rd FLOOR	21.00m ²
4th FLOOR	21.00m ²
5th FLOOR	21.00m ²
6th FLOOR	21.00m ²
7th FLOOR	21.00m ²
8th FLOOR	21.00m ²
9th FLOOR	21.00m ²
10th FLOOR	21.00m ²
11th FLOOR	21.00m ²
12th FLOOR	21.00m ²
13th FLOOR	21.00m ²
14th FLOOR	21.00m ²
15th FLOOR	21.00m ²
16th FLOOR	21.00m ²
17th FLOOR	21.00m ²
18th FLOOR	21.00m ²
19th FLOOR	21.00m ²
20th FLOOR	21.00m ²
21st FLOOR	21.00m ²
22nd FLOOR	21.00m ²
23rd FLOOR	21.00m ²
24th FLOOR	21.00m ²
25th FLOOR	21.00m ²
26th FLOOR	21.00m ²
27th FLOOR	21.00m ²
28th FLOOR	21.00m ²
29th FLOOR	21.00m ²
30th FLOOR	21.00m ²
31st FLOOR	21.00m ²
32nd FLOOR	21.00m ²
33rd FLOOR	21.00m ²
34th FLOOR	21.00m ²
35th FLOOR	21.00m ²
36th FLOOR	21.00m ²
37th FLOOR	21.00m ²
38th FLOOR	21.00m ²
39th FLOOR	21.00m ²
40th FLOOR	21.00m ²
41st FLOOR	21.00m ²
42nd FLOOR	21.00m ²
43rd FLOOR	21.00m ²
44th FLOOR	21.00m ²
45th FLOOR	21.00m ²
46th FLOOR	21.00m ²
47th FLOOR	21.00m ²
48th FLOOR	21.00m ²
49th FLOOR	21.00m ²
50th FLOOR	21.00m ²
51st FLOOR	21.00m ²
52nd FLOOR	21.00m ²
53rd FLOOR	21.00m ²
54th FLOOR	21.00m ²
55th FLOOR	21.00m ²
56th FLOOR	21.00m ²
57th FLOOR	21.00m ²
58th FLOOR	21.00m ²
59th FLOOR	21.00m ²
60th FLOOR	21.00m ²
61st FLOOR	21.00m ²
62nd FLOOR	21.00m ²
63rd FLOOR	21.00m ²
64th FLOOR	21.00m ²
65th FLOOR	21.00m ²
66th FLOOR	21.00m ²
67th FLOOR	21.00m ²
68th FLOOR	21.00m ²
69th FLOOR	21.00m ²
70th FLOOR	21.00m ²
71st FLOOR	21.00m ²
72nd FLOOR	21.00m ²
73rd FLOOR	21.00m ²
74th FLOOR	21.00m ²
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77th FLOOR	21.00m ²
78th FLOOR	21.00m ²
79th FLOOR	21.00m ²
80th FLOOR	21.00m ²
81st FLOOR	21.00m ²
82nd FLOOR	21.00m ²
83rd FLOOR	21.00m ²
84th FLOOR	21.00m ²
85th FLOOR	21.00m ²
86th FLOOR	21.00m ²
87th FLOOR	21.00m ²
88th FLOOR	21.00m ²
89th FLOOR	21.00m ²
90th FLOOR	21.00m ²
91st FLOOR	21.00m ²
92nd FLOOR	21.00m ²
93rd FLOOR	21.00m ²
94th FLOOR	21.00m ²
95th FLOOR	21.00m ²
96th FLOOR	21.00m ²
97th FLOOR	21.00m ²
98th FLOOR	21.00m ²
99th FLOOR	21.00m ²
100th FLOOR	21.00m ²

CHANGING TYPE
 CONSULT WITH THE LOCAL AUTHORITY FOR THE CHANGING TYPE APPLICATION.
 SKETCH PROPOSAL
 TECHNICAL DRAWINGS
 WORKING DRAWINGS

THE SITE
 SITE AREA: 1000m²
 COVERED AREA: 40% OF 5000m²
 PROPOSED COVERAGE: 33.7%

CHANGING TYPE
 CONSULT WITH THE LOCAL AUTHORITY FOR THE CHANGING TYPE APPLICATION.
 SKETCH PROPOSAL
 TECHNICAL DRAWINGS
 WORKING DRAWINGS

STREET BUILDING LINE: 1.500m
 LATERAL BUILDING LINE: 1.500m
 REAR BUILDING LINE: 1.500m
 HEIGHT RESTRICTION: 25.00m max. EOB to the top
 TITLE: ERF 497 100 PARK STREET (see drawing) (1:100)
 RESIDENTIAL ZONE: APPL. (R) (1:100)
 SINGLE RESIDENTIAL (SRL)
 TOWN HOUSING - ZONE 1 (TH1)
 TOWN HOUSING - ZONE 2 (TH2)
 LEASING HOUSING (LH)
 LESS FORMAL DEVELOPMENT (LFD)

PROJECT PROBE:
ALTERATIONS AND ADDITIONS
 ON ERF 497, 100 PARK STREET,
 GREYTON FOR
S FREEMAN

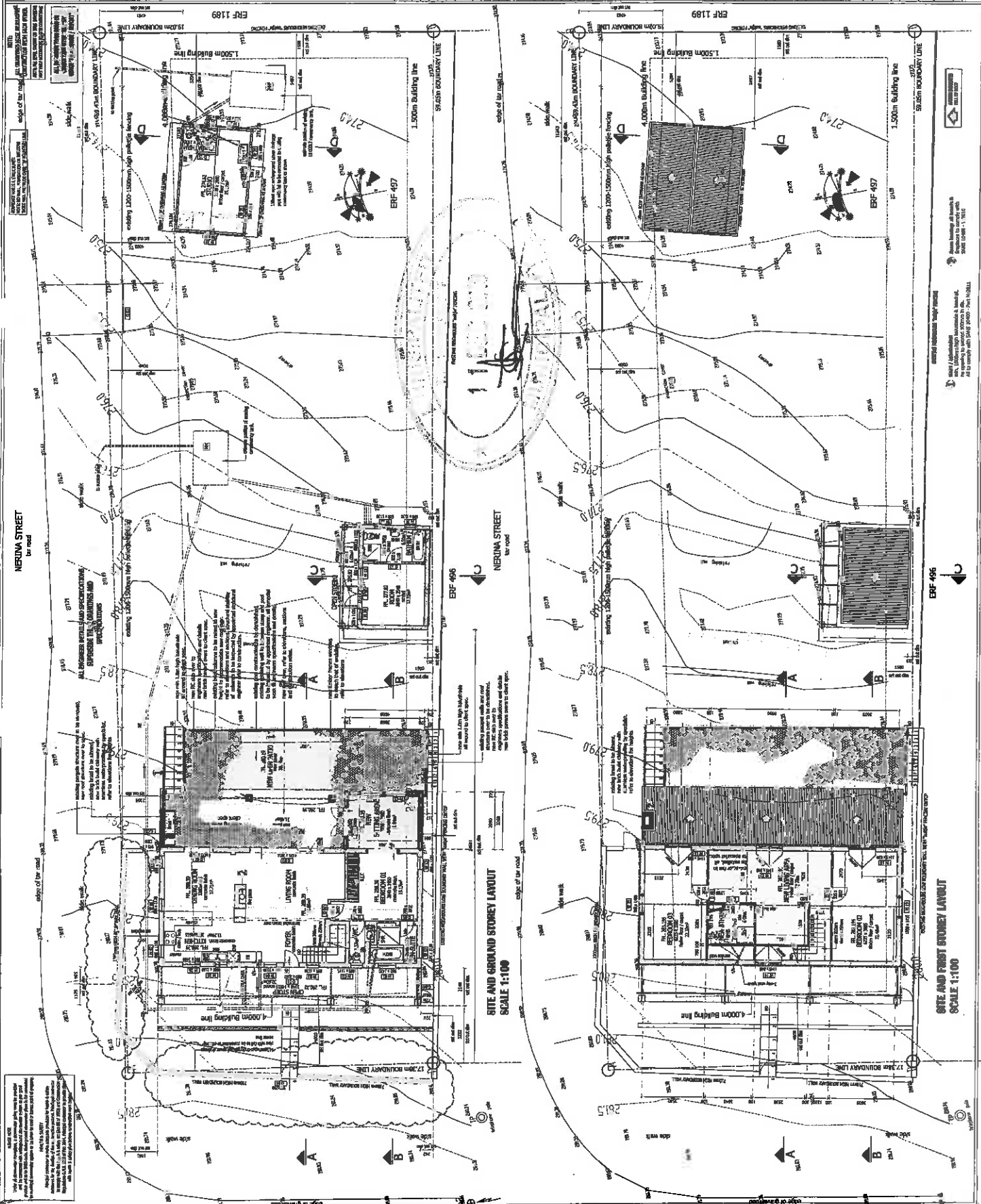
DRAWING / REVISION:
 SITE, GROUND AND
 FIRST
 STOREY LAYOUTS

DRAWN BY: D SWART
CHECKED BY: D SWART
SCALE: AS SHOWN
DATE: 17-07-2019
ARCHITECT: ARCHITECT TECH. ASSISTANTS
CLIENT: S FREEMAN
GENERAL: PSAT 24749037
ADDRESS: 100 PARK STREET, GREYTON, 6511
PHONE: 0431 931 1111
FAX: 0431 931 1112
EMAIL: info@psat.co.za
WEBSITE: www.psat.co.za
REGISTRATION NO.: 10308/1102
REVISED: 10/07/2019

SMART SOLUTION ARCHITECTURE CONSULTANTS
 Mail Collection Box
 Home & Annis Estate
 Hermanus, 7200
 T: 427 28 23 0008
 F: 427 26 72 4763
 C: 427 00 69 6749
 Email: info@smart.co.za
 www.smart.co.za

PSAT 24749037
 100 PARK STREET, GREYTON, 6511
 0431 931 1111
 0431 931 1112
 info@psat.co.za
 www.psat.co.za

10308/1102
 REVISED: 10/07/2019



NOTES:
 1. The drawings are prepared in accordance with the requirements of the relevant legislation and regulations.
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 9. The drawings are prepared in accordance with the requirements of the relevant legislation and regulations.
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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)

	Appeal	R
	TOTAL APPEAL FEES*	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 OFFICE