

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/1314 (and App Id: 3466)
Your Reference Number:
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 15 April 2021

REGISTERED MAIL

P Toerien
Two a Day Group Pty Ltd
P O Box 43
GRABOUW
7160

(Per E-mail: phillipt@tad.co.za)

DECISION LETTER TO APPLICANT

Dear Mr/Mrs/Ms

APPLICATION FOR EXTENSION OF THE VALIDITY PERIOD OF AN APPROVAL: ERF 1314, GRABOUW.

1. This application received 09 December 2020, refers.
2. The Authorised Employee, on 09 April 2021 **approved, in whole** your application for an extension of validity period for an approval in respect of Erf 1314, Grabouw, for another five (5) years, calculated from 26 January 2021 and subject to the conditions as set out in approval letter dated 3 February 2016, in terms of Section 60 of the Theewaterskloof Municipality Land Use Planning by-law, 2015.
3. **Reasons** for the above decision are as follows:
 - 3.1. Since the approval, there has been no material changes, which would alter the current application.
 - 3.2. There is no review application pending in court, which may have an effect on the date of implementation of the approval.
 - 3.3. No further conditions are required as the proposed application is still in line with the original approval granted.
 - 3.4. The application for extension was submitted before the lapsing of the original approval.

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 17(5) and Section 22(3) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
 - 4.2. All the development parameters as prescribed in the Theewaterskloof Municipality Zoning Scheme By-law be retained;
 - 4.3. Bulk service contributions be paid to the municipality as per the Theewaterskloof Municipality Tariff structure before development can take place.
 - 4.4. A service level agreement must be entered into between the municipality and the developer with regard to bulk service contribution, before any development may take place;
 - 4.5. Complete building plans be submitted to the Department Town Planning and Building Control for approval, before any construction activities commence;
 - 4.6. That the remainder of the property (proposed portion 1, zoned as Public Open Space) be transferred to the Theewaterskloof Municipality upon registration of the subdivisions within the Deeds Office.
 - 4.7. All conditions that is stipulated by Eskom be accepted in writing by the applicant and adhered to.

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 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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 E-pos/E-mail: twkmun@twk.org.za

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 Stamp