

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/328
Your Reference Number:
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 28 May 2019

REGISTERED MAIL

ACF Elisabettini
1 Market Street
GREYTON
7233

(Per E-mail: info@annasplace.co.za / meplanners@telkomsa.net / admin@wrapgroup.co.za)

DECISION LETTER TO APPLICANT

Dear Mrs Elisabettini

APPLICATION FOR REZONING: ERF 328 GREYTON

1. This Municipality's letter dated 13 March 2019, refers.
2. The Municipal Planning Tribunal, on 24 April 2019, **approved** the application for **Rezoning** from **Single Residential Zone 1 to Special Zone 1** in line with the development parameters and Site Development plan No 1 by WRAP Consultancy dated February 2019 drawn by Reattlehile Jankie, in terms of Section 60 of the Theewaterskloof Municipality By-law on Municipal Land Use Planning (2015). The approval is subject to the amended conditions of approval.
3. **Reasons** for the above decision are as follows:
 - 3.1. The proposed limited development is in line with the applicable Development Principles as contained in SPLUMA and LUPA.
 - 3.2. The amended proposal is compatible with the Theewaterskloof Spatial Development Framework.
 - 3.3. Merits to rezone to Special Zone 1 with the proposed development parameters and existing land use justify the creation of such a special zone.
 - 3.4. The existing land use of Erf 328 Greyton is harmonious with the surrounding neighbourhood.
 - 3.5. Provision is made for onsite parking linked to the exclusive use of the subject property.
 - 3.6. The proposal will strengthen the Greyton tourism sector.
 - 3.7. Intrusion will be kept to a minimum by existing trees on site.

- 3.8. Existing density is limited to 25 dwelling units per hectare only to accommodate the proposed 4 dwelling units.
 - 3.9. The MPT is satisfied that given the identified peripheral economic zone and proposed target density, adequate site specific circumstances exist to support the approval of the amended development proposal.
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 is valid for 5 years, after and the expiry of the period contemplated in Section 79(2), subject to Section 17(5) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning (2015).
 - 4.2. The approval is linked to Special Zone 1 Development Parameters and Site Development plan No 1 by WRAP Consultancy dated February 2019 drawn by Reatlehile Jankie, as amended as follow:
 - 4.2.1. The maximum permissible density is 25 dwelling units per hectare.
 - 4.2.2. The street building line is 1.5m for all existing structures and 4m for any new structures.
 - 4.2.3. The side building line is 0m for existing buildings and 2m for any new structures.
 - 4.2.4. Rear building lines 2m.
 - 4.3. A revised site development plan must be submitted with the submission of buildings plans.
 - 4.4. As built plans be submitted to the Department: Building Control and Town Planning for approval, for all existing dwellings in terms of the National Building Regulations.
 - 4.5. Before construction commence, complete building plans be submitted to the Department: Building Control and Town Planning for approval in terms of the National Building Regulations.
 - 4.6. The approval of this application does not exempt the applicant from compliance with any other legislation.
 - 4.7. No construction is permitted within 2 meters of any municipal underground service without approval by the municipality.
 - 4.8. The applicant to pay a development contribution for one (1) parking bay in terms of Section 17.1.3 – 17.1.5 of the Integrated Zoning Scheme Regulations.
 - 4.9. Proposed parking area must be provided on site to the satisfaction of the Manager: Town Planning and Building Control.
 - 4.10. The number of units on site be restricted to the existing dwelling unit and 3 tourist accommodation dwelling units.
5. Kindly note that the Theewaterskloof Municipal Zoning Scheme must be amended to include the approved special note.
6. 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.
- 6.1. 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.
 - 6.2. 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.

6.3. 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.

7. 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

A handwritten signature in black ink, consisting of a series of loops and a horizontal line, enclosed within a hand-drawn oval border.

J JANSEN VAN RENSBURG
ACTING MANAGER TOWN PLANNING AND BUILDING CONTROL

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APPEAL FORM

(Section 79 of the Proposed Standard Draff 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 <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