

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/2791 (and App. Id: 3190)
Your Reference Number:
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 26 August 2020

REGISTERED MAIL

B Blount
Diesel & Munns Inc.
P O Box 475
SOMERSET WEST
7129

(Per E-mail: planning@dieselandmunns.co.za)

DECISION LETTER TO APPLICANT

Dear Mr Blount

APPLICATION FOR SUBDIVISION: ERF 2791, GRABOUW.

1. This Municipality's letter dated 18 December 2019, refers.
2. The Authorised Employee, on 24 August 2020 **approved, in whole** your application for **Subdivision** of Erf 2791, Grabouw into two (2) portions, namely Portion 1 and the Remainder, in terms of Section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
3. **Reasons** for the above decision are as follows:
 - 3.1. The proposed development is in line with the applicable principles stipulated in SPLUMA (Act 16 of 2013 and LUPA (Act 3 of 2014);
 - 3.2. The proposed development complies with the Theewaterskloof Municipality Spatial Development Framework, 2020.
 - 3.3. The proposal is regarded as desirable.
 - 3.4. The proposal will not detract from the surrounding character of the area.
 - 3.5. The proposed development will not impact negatively on the existing access arrangements and existing municipal engineering services

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 from the date of final notification, after which it shall lapse if not exercised in terms of Section 22 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015;
 - 4.2. The applicant submits a general plan or diagram to the Surveyor-General for approval within a period of five (5) years after approval of this application.
 - 4.3. The proposed development should generally be in accordance with the detailed Subdivision Plan No. C2410/Sub, drawn by Diesel and Munns Land Surveyors and Town Planners dated November 2019.
 - 4.5. All the development parameters in terms of Single Residential Zone 1: Dwellings, as prescribed within the Theewaterskloof Municipality Zoning Scheme Regulations be adhered to;
 - 4.6. Development Charge levy be paid by the Developer towards the provision of bulk municipal services, in accordance with the relevant legislation and as determined by Council's Policy. The development charges will be subject to annual escalation up to date of payment;
 - 4.7. All the development parameters in terms of Single Residential Zone 1: Dwellings, as prescribed within the Theewaterskloof Municipality Zoning Scheme Regulations be adhered to;
 - 4.8. Complete building plans, for any built structure, be submitted to the Department: Town Planning and Building Control for approval, before any construction activities commence and that all prescriptions in terms of the National Building Regulations, must be adhered to;
 - 4.9. The approval of this application does not exempt the applicant/developer from compliance with any other legislation; and
 - 4.10. If any municipal services/infrastructure are required, it will be for the account of the owner/applicant;
 - 4.11. Eskom
 - 4.11.1. Adherence to the conditions as set out in their letter dated 17 March 2020.
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

A handwritten signature in black ink, appearing to be 'JC Pienaar', written over a horizontal line.

JC PIENAAR
MANAGER TOWN PLANNING: DEVELOPMENT SERVICES

**PROPOSED SUBDIVISION OF
ERF 2791 GRABOUW**

Theewaterskloof Municipality
Administrative District of Caledon
Province Western Cape.

SUBDIVISION PLAN

LEGEND:
 ABCDEFGH ——— ERF 2791 GRABOUW
 ABCDEFGH ——— REMAINDER ERF 2791
 KLMNOPQRST ——— PROPOSED PORTION 1

SCALE 1/500 (A3)

DATE: NOV. 2019

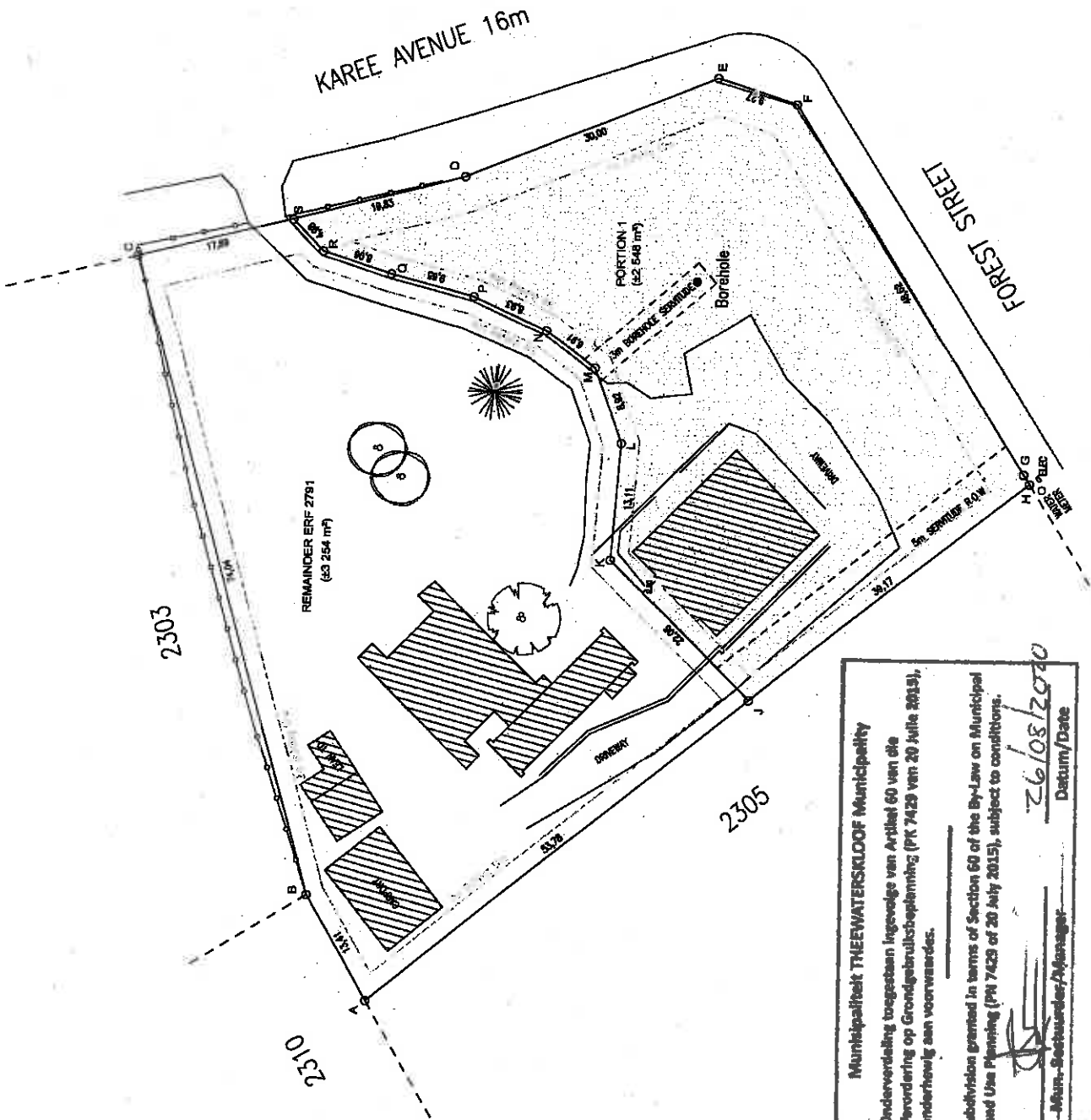
PLAN NO: C24.10/Sub



NOTES:

- 1) ALL AREAS AND DIMENSIONS ARE APPROXIMATE
- 2) COMPLIATION SHEET: AI - 1CA/M14 (381)
- 3) ZONING: SINGLE RESIDENTIAL ZONE 1 (SR1)

DIESEL & MUNN'S Inc
 PROFESSIONAL LAND SURVEYORS & ENGINEERS
 25 FT. JANS STREET (PREV. 100) WILLOWDALE CR - BUREAU 7027 7128
 TEL: (021) 852-4000/852-7228



Municipaliteit THEEWATERSKLOOF Municipality
 Ondervinding toegestaan ingevolge van Artikel 60 van die
 Verordening op Grondgebruiksbeplanning (PN 7429 van 20 Julie 2015),
 onderhewig aan voorwaardes.

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

Mun. - Sekretaris/Manager _____ Datum/Date 26/08/2020

THEEWATERSKLOOF MUNICIPALITY
o.b.o. Barry Blount, Diesel & Munns Inc.
Per email: sunetdu@twk.org.za

Date:
17 March 2020

Enquiries:
Shaun Swanepoel
Tel 021 980-3913
Fax 086 660 0941

Attention: Sunet du Toit

Dear Sir / Madame

RE: SUBDIVISION: ERF 2791 GRABOUW

OUR REF: 00261-20
YOUR REF: GRA/2791

This application affects the following Eskom power line:

- **GROENLAND F4 OVERHEAD FEEDER**

Eskom has no objection to the abovementioned application, provided the following conditions are adhered to:

- a) The following building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11kV	9.0 m
66 kV	11.0 m
132 kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following **distances from the conductors**:

Voltage	Not closer than:
11kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11kV	6.3 m
66kV	6.9 m



132kV	7.5 m
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- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) **DIRK SWART, CALEDON CNC** must be contacted on **+27 28 214 5710** before working in close proximity to the overhead power lines.

Kindly contact **Shaun Swanepoel** at Tel: 021 980 3913, should you require any further information.

Yours sincerely

Shaun Swanepoel
LAND DEVELOPMENT (BRACKENFELL)
(Transmitted electronically and thus not signed)

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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 Standard 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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Tel. no.: 028 214 3300
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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: _____

MunicipalStamp