

# MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

Munisipale Kantoer/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: FA 72/ 1, 22, 24 32, 72 & 82 (and App Id: 3371)  
Your Reference Number:  
Enquiries: Sunet du Toit, 028 214 3300 / [sunetdu@twk.org.za](mailto:sunetdu@twk.org.za)

Date: 17 March 2021

## REGISTERED MAIL

Urban Dynamics / ASLA  
P O Box 2445  
BELLVILLE  
7535

(Per E-mail: [gerhard@udwc.co.za](mailto:gerhard@udwc.co.za))

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## DECISION LETTER TO APPLICANT

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Dear Sir / Madam

### APPLICATION FOR SUBDIVISION AND CONSENT USE: UNREGISTERED CONSOLIDATED FARM B (PORTION 1, 22, 24, 32, 72 & 82 OF FARM 72 WATERVAL, CALEDON DISTRICT).

1. This Municipality's letter dated 30 November 2020, refers.
2. The Municipal Planning Tribunal, on 25 February 2021 **approved, in whole** the following applications, in terms of section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
  - 2.1. Application for **subdivision** in terms of Section 15(2)(b) of the as per Subdivision Plan No. 3 dated 14 October 2020 drawn by Urban Dynamics.
    - 2.1.1 **Phase 1 A**
      - Single Residential Zone 2: 91 erven
      - Open Space Zone 1: 2 erven
      - Utility Zone: 1 erf
      - Transport Zone 2: 1 erf
    - 2.1.2 **Phase 1B**
      - Single Residential Zone 1: 1 erf
      - Single Residential Zone 2: 160 erven
      - Open Space Zone 1: 2 erven
      - Utility Zone: 1 erf
      - Transport Zone 2: 1 erf

- 2.1.3. **Phase 2**
  - Single Residential Zone 2: 218 erven
  - Transport Zone 2: 1 erf
- 2.1.4. **Phase 3**
  - Single Residential Zone 2: 156 erven
  - Transport Zone 2: 1 erf
- 2.1.5. **Phase 4**
  - Single Residential Zone 2: 280 erven
  - Community Zone 2: 1 erf
  - Business Zone 3: 1 erf
  - Open Space Zone 1: 9 erven
  - Utility Zone: 3 erven
  - Transport Zone 2: 1 erf
- 2.1.6. **Phase 5**
  - Single Residential Zone 2: 255 erven
  - Community Zone 2: 1 erf
  - Open Space Zone 1: 7 erven
  - Transport Zone 2: 1 erf
- 2.1.7. **Phase 6**
  - Single Residential Zone 2: 191 erven
  - Community Zone 1: 3 erven
  - Community Zone 2: 1 erf
  - Community Zone 3: 1 erf
  - Open Space Zone 1: 1 erf
  - Transport Zone 2: 1 erf
- 2.1.8. **Phase 7**
  - Single Residential Zone 2: 243 erven
  - Open Space Zone 1: 4 erven
  - Utility Zone: 2 erven
  - Transport Zone 2: 1 erf
- 2.1.9. **Remainder Phase A**
  - Open Space Zone 1: 1 erf
- 2.1.10. **Remainder Phase B**
  - Open Space Zone 1: 2 erven
  - Open Space Zone 3: 1 erf
- 2.2. **Consent Use** application for urban agriculture for the Open Space Zone 1, on a portion of the site.

3. **Reasons** for the above decision are as follows:

- 3.1. There are no restrictive title deed conditions that prohibits the approval of the application.
- 3.2. The development proposal is regarded as desirable.
- 3.3. The municipal engineering will be upgraded to cater for the needs of the proposed development.
- 3.4. The development proposal is consistent with the provisions of the IDP and MSDF.
- 3.5. The development proposal consistent with the provisions of the PSDF.
- 3.6. The development proposal is consistent with Section 58 of LUPA.
- 3.7. The development proposal is consistent with the objective of the zoning scheme.

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 the expiry of the period contemplated in Section 79(2), in terms of Section 22(1) of the Theewaterskloof Municipality: Bylaw on Municipal Land Use Planning (2015).
  - 4.2. The municipality cause the registration of the various subdivisions plans at the Surveyor General Office within the validity period of this approval, generally in accordance with Subdivision Plan, Plan Number 3 drawn by Urban Dynamics, dated 7 October 2020.
  - 4.3. The approval of the application does not exempt the applicant/landowner from compliance of any other legislation.
  - 4.4. All road signs and markings (to comply with the South African Road Traffic Signs Manual (SARTSM))
  - 4.5. All street name signs (to comply with the South African Road Traffic Signs Manual (SARTSM))
  - 4.6. Provision be made for lay-bays re. Public Transport (Busses & MBTS) not be restricted to the positions mentioned in the TIA but also at other strategic places
  - 4.7. Provision of an informal MBT / Minibus Facility within the business node within walking distance from the boarding hostel / public library/ hospital/ clinic
  - 4.8. TIA be completed on submission of the building plan and recommendations be included in the design of the school sites.
  - 4.9. Any service upgrades required will be in accordance with the contract or any addendums concluded with the Implementing Agent and Municipality, for the cost of the owner/applicant.
  - 4.10. Complete building plans be submitted to the Building Control Department for approval.
  - 4.11. The previous conditions of approval listed in the letter dated 28 February 2019 remain in force.
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**

# VILLIERSDORP DESTINY FARMS

Farm 72 Portions 1, 22, 24, 32, 72 & 92

## SUBDIVISION & REZONING PLAN

- Application Area (±85.51ha)
- Existing SGO Cadastral
- Proposed Layout
- Detention Ponds
- Flood Plain
- Floodline 1:100 Years
- Contour Lines
- Original Farm House (to be retained)
- Phase Lines

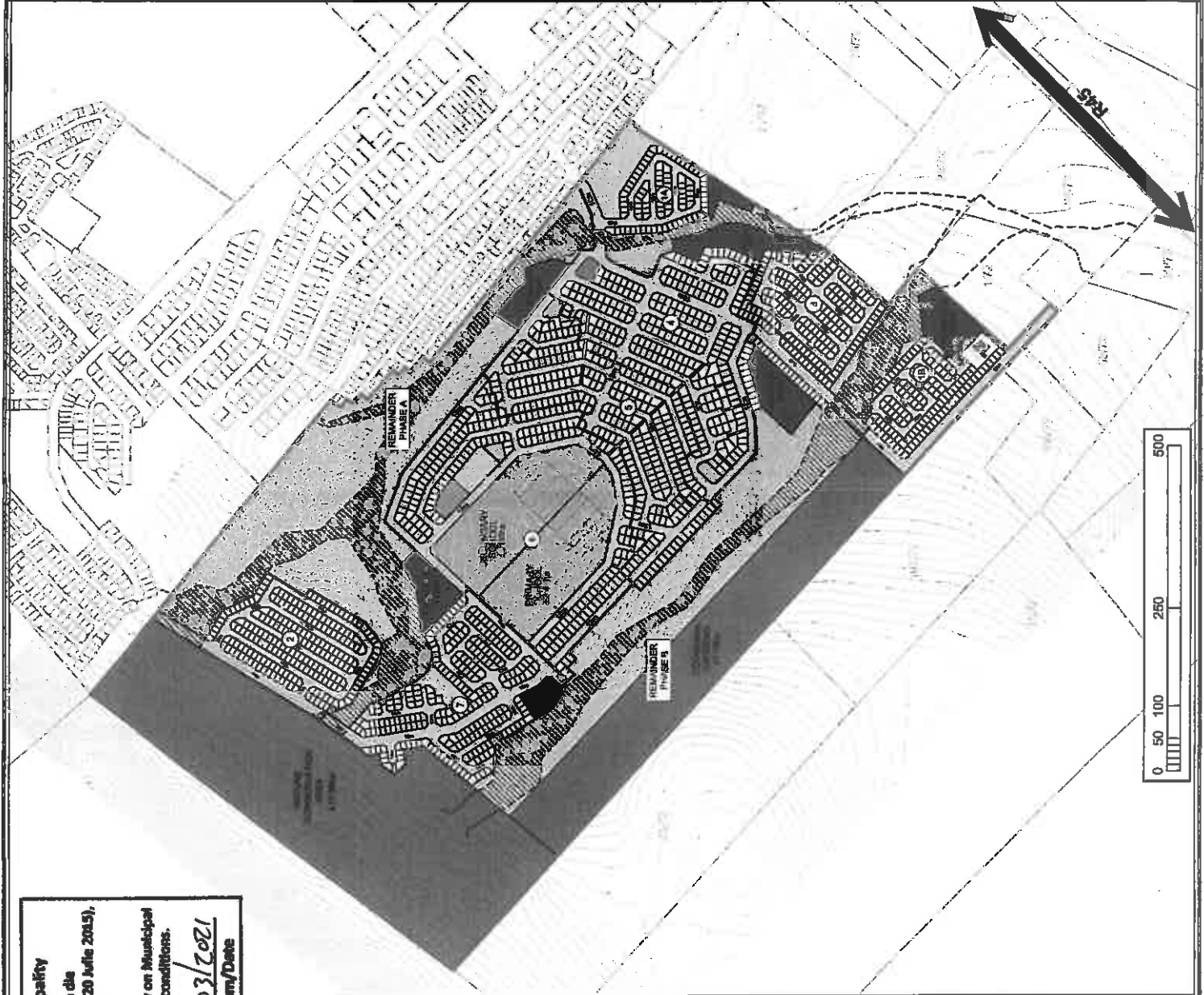
**PLEASE NOTE:**  
All boundary line positions, distances and property sizes need to be verified by a Professional Land Surveyor.

**INDemnITY**  
URBAN DYNAMICS WAIVES AND REPRESENTS NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, WITH REGARD TO THE DATA AND SHALL NOT BE HELD LIABLE IN ANY EVENT FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND OR NATURE, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE DATA HEREON OR FROM THE USE OF THIS DATA. THE DATA HEREON ARE AS SHOWN AND ARE NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY A PROFESSIONAL LAND SURVEYOR'S APPROVAL OF THE CLIENT.

DATE: 07 October 2020  
 SCALE: See Linescale  
 PLAN NO.: 3

CLIENT:  
 URBAN DYNAMICS WESTERN CAPE  
 T 2 2 0 9 N  
 2nd Floor, Technology Centre  
 100 Main Road, 7800  
 PO Box 2445  
 7800

FILE NAME:  
 1810317021



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

18/03/2021  
 Datum/Date

Mun. Bestuurder/Manager

LAND USE TABLE									
PHASE 1A					PHASE 1B				
LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA	LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA
		1	2	3			1	2	3
RESIDENTIAL	Single Residential	1	1	1	RESIDENTIAL	Single Residential	1	1	1
TOTAL		1	1	1	TOTAL		1	1	1
PHASE 2					PHASE 3				
LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA	LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA
		1	2	3			1	2	3
RESIDENTIAL	Single Residential	1	1	1	RESIDENTIAL	Single Residential	1	1	1
TOTAL		1	1	1	TOTAL		1	1	1
PHASE 4					PHASE 5				
LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA	LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA
		1	2	3			1	2	3
RESIDENTIAL	Single Residential	1	1	1	RESIDENTIAL	Single Residential	1	1	1
TOTAL		1	1	1	TOTAL		1	1	1
PHASE 6					PHASE 7				
LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA	LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA
		1	2	3			1	2	3
RESIDENTIAL	Single Residential	1	1	1	RESIDENTIAL	Single Residential	1	1	1
TOTAL		1	1	1	TOTAL		1	1	1
REMAINING PHASE A					REMAINING PHASE B				
LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA	LAND USE	DESCRIPTION	AMOUNT OF RIGHTS	AMOUNT OF RIGHTS	USE PA
		1	2	3			1	2	3
RESIDENTIAL	Single Residential	1	1	1	RESIDENTIAL	Single Residential	1	1	1
TOTAL		1	1	1	TOTAL		1	1	1

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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 <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: \_\_\_\_\_

Munisipale Kantoor