

# 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](mailto:twkmun@twk.org.za)

Our Reference Number: GRE/161 (App Id:3115/2019)  
Your Reference Number:  
Enquiries: Sunet du Toit, 028 214 3300 / [sunetdu@twk.org.za](mailto:sunetdu@twk.org.za)

Date: 5 March 2020

## REGISTERED MAIL

A Redelinguys  
Umsiza Planning  
P O Box 649  
ROBERTSON  
6705

(Per E-mail: [annachris@mweb.co.za](mailto:annachris@mweb.co.za))

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## DECISION LETTER TO APPLICANT

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Dear Mrs/Ms Redelinguys

### APPLICATION FOR SUBDIVISION, CONSENT USE AND DEPARTURE: ERF 161 GREYTON

1. This Municipality's letter dated 02 August 2019, refers.
2. The Authorised Employee, on 02 March 2020 **approved, in whole** your application for the following series of applications, in terms of section 60 of the By-law on Municipal Land Use Planning:
  - 2.1. **Subdivision** into two portions, namely Portion A ( $\pm 2104\text{m}^2$ ) and the Remainder ( $\pm 1754\text{m}^2$ ), as depicted on Subdivision Plan E161GR\_1oct19, dated 01 October 2019, drawn by Umsiza Planning Town and Regional Planner;
  - 2.2. **Consent Use** to enable the owner to erect a second dwelling unit; and
  - 2.3. A series of **Permanent Departures** which include the following:
    - 2.3.1. Departure from the Street building line (Mays lane) from 4m to 0m to legalize the closed passage and proposed extension of a store;
    - 2.3.2. Departure from the street building line (Mays lane) from 4,0 metres to 0,5m to legalize the existing shed;
    - 2.3.3. Departure from the street building line (Mays lane) from 4,0 metres to 1,8m to legalize the existing carport;
    - 2.3.4. Departure from the street building line (Mays lane) from 4,0 metres to 3,6m to legalize the existing house; and

2.3.5. Departure from the street building line (Erf 1340/Kort Street) from 2,0 metres to 1,0 metre to legalize the existing store and shed.

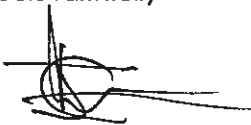
3. **Reasons** for the above decision are as follows:
- 3.1. The proposed development is in line with the applicable principles stipulated in SPLUMA (Act 16 of 2013 and LUPA (Act 3 of 2014);
  - 3.2. The site specific circumstances justify the deviation from the SDF in terms of the ratio of the street frontage to the depth of the property;
  - 3.3. The proposal will ensure optimal use of existing municipal engineering services.
  - 3.4. The proposed development is compatible with the surrounding land uses;
  - 3.5. The proposal will not negatively impact on the engineering services; and
  - 3.6. Sufficient access to the property is available.
  - 3.7. The departure is to accommodate the existing structures.
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 is valid for 5 years after the expiry of the period contemplated in Section 79(2), after which it shall lapse if not exercised in terms of Section 19(5) and 22(1) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015;
  - 4.2. The applicant must cause the registration of the subdivision plan at the Surveyor General Office within the validity period of this approval, generally in accordance with Subdivision Plan, Plan No. E161GR\_1oct19, dated 01 October 2019, drawn by Umsiza Planning Town and Regional Planner;
  - 4.3. The proposed subdivision generally be in accordance to Subdivision Plan, Plan No. E161GR\_1oct19, dated 01 October 2019, drawn by Umsiza Planning Town and Regional Planner;
  - 4.4. Building plans must be submitted to the Department: Town Planning and Building Control for approval, before any construction activities commence;
  - 4.5. The approval of this applicant does not exempt the applicant/developer from compliance of any other legislation;
  - 4.6. Any service upgrades required will be for the cost of the owner/applicant;
  - 4.7. **Theewaterskloof Municipality Technical Services**
    - 4.7.1. 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;
    - 4.7.2. No additional service connections be permitted to the site unless applied for at the municipality.
    - 4.7.3. The proposed structure/s encroaching the building lines be for the sole purpose as indicated on the site development plan.
    - 4.7.4. No access, windows, doors or other openings may be provided towards roads.
    - 4.7.5. Electricity Bulk Infrastructure Contribution is payable and will be calculated on the assumption that the connection capacity is 60 amp single phase. A new fee must be calculated in the event that the 60 amp connection is inadequate. This amount does not include the actual cost for the physical connection. The connection fees will be calculated once a formal application is received.
  - 4.8. **Breede-Gouritz Catchment Management Agency**
    - 4.8.1. The land may not have or contribute to any load of the Greyton WWTW until such time that the non-compliance is rectified and sufficient capacity exist.
    - 4.8.2. All relevant sections and regulations of the National Water Act, 1998 (Act 6 of 1998) regarding water use must be adhered to.
    - 4.8.3. No use of surface water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41d of the National Water Act (Act 36 of 1998).

- 4.8.4. No pollution of surface water or ground water resources may occur due to any activity.
- 4.8.5. No stormwater runoff from any premises containing waste, or water containing waste emanating from premises may be discharged into water resource. Polluted stormwater must be contained.
- 4.8.6. The water provided for domestic use must comply with SANS 241:2015 guidelines for drinking water. Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it is a threat to human health, then this office and the Provincial Department of Health must be informed of the procedures to rectify the problem.

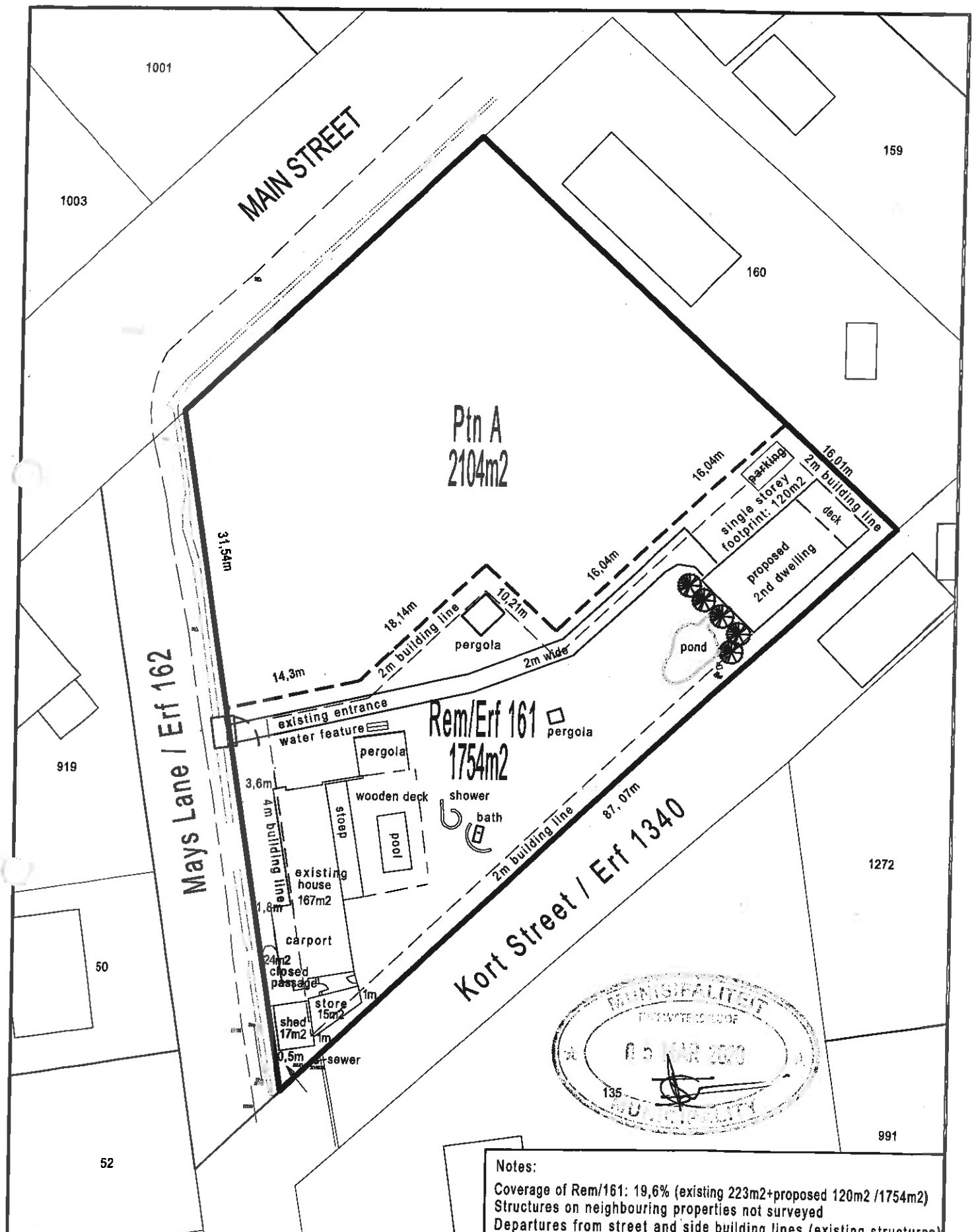
**Disposal of sewage**

- 4.8.7. The disposal of sewage must at all times comply with the requirements of Section 22 and 40 of the National Water Act, Act 36 of 1998.
  - 4.8.8. Conventional sewerage disposal systems can only be considered where the residential structures are more than 75m radius apart and are limited only to single residential units and must be supported by the Overberg District Health.
  - 4.8.9. The construction of the conservancy tank must be of such a nature that no water will enter the system or leave it by means of seepage. Special care must be taken with the placing of the damp roof coarse during the construction. The tank needs to be inspected on a regular basis for seepage as a precautionary approach against any sewage leaving the system and causing pollution.
  - 4.8.10. The volume of sewage needs to be metered on a monthly basis and a removal programme needs to be scheduled to ensure that the conservancy tank is pumped well within time before overflowing. Alternatively, floating devices should be installed within the tanks that initiate an alarm at 75% full capacity to arrange for collection and disposal.
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**



Notes:  
 Coverage of Rem/161: 19,6% (existing 223m<sup>2</sup>+proposed 120m<sup>2</sup> /1754m<sup>2</sup>)  
 Structures on neighbouring properties not surveyed  
 Departures from street and side building lines (existing structures)

**SITE DEVELOPMENT PLAN: ERF 161 GREYTON  
 SUBDIVISION & CONSENT USE FOR 2ND DWELLING**



**UMSIZA**  
 PLANNING  
 Town and Regional Planner

E161GR\_1oct19 SCALE 1:500

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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)

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

Municipal Stamp