

# 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: GRA/4240 (and App Id: 3202)  
Your Reference Number:  
Enquiries: Sunet Du Toit, 028 214 3300 / [sunetdu@twk.org.za](mailto:sunetdu@twk.org.za)

Date: 18 March 2021

## REGISTERED MAIL

Z. Nortje  
CK Rumboll & Partners  
P O Box 211  
MALMESBURY  
7299

(Per E-mail: [info@rumbol.co.za](mailto:info@rumbol.co.za))

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## DECISION LETTER TO APPLICANT

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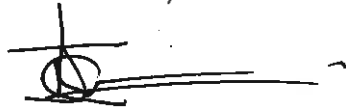
Dear Mr/Mrs/Ms

### APPLICATION FOR SUBDIVISION, CONSOLIDATION AND REZONING: PORTION 6 (PTN OF PTN 2) OF FARM NO. 313, PORTION 9 OF FARM 313, ERF 5175, GRABOUW (UNREGISTERED ERF 4240 GRABOUW)

1. This Municipality's letter dated 29 January 2021, 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. **Subdivision** of unregistered Portion 6 of Farm No. 313, Caledon District (portion of Portion 2 of Farm No. 313) in terms of Section 15(2)(d) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015, to establish a Remainder of Portion 6 of Farm No. 313 ( $\pm 15.14$ ha) and a portion namely unregistered Erf 4237, Grabouw ( $\pm 8.12$  ha);
  - 2.2. **Subdivision** of Portion 9 of Farm No. 313, Caledon District, in terms of Section 15(2)(d) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015, to establish a Remainder of Portion 9 of Farm No. 313, Caledon District ( $\pm 22.52$  ha) and a portion namely unregistered Erf 4238 ( $\pm 17.86$  ha);
  - 2.3. **Subdivision** of unregistered Erf 5175, Grabouw, in terms of Section 15(2)(d) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015, to establish a Remainder of Erf 5175, Grabouw ( $\pm 25.71$  ha) and a portion namely unregistered Erf 4239 ( $\pm 0.87$  ha);
  - 2.4. **Consolidation** of unregistered Erven 4237, 4238 and 4239, Grabouw, in terms of Section 15(2)(e) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015, to create Erf 4240, Grabouw;

- 2.5. **Rezoning** of unregistered Erf 4240, Grabouw, in terms of Section 15(2)(a) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015, to sub divisional area to establish 892 erven and a road remainder; and
- 2.6. **Subdivision** of unregistered Erf 4240, Grabouw, in terms of Section 15(2)(d) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015, into the following:
  - 2.6.1. 873 Single Residential Zone 1 erven;
  - 2.6.2. 16 Open Space Zone 1 erven;
  - 2.6.3. 1 Undetermined Use Zone;
  - 2.6.4. 2 Community Zone 1 erven; and
  - 2.6.5. Roads
3. **Reasons** for the above decision are as follows:
  - 3.1. The development proposal is consistent with Section 58 of LUPA.
  - 3.2. The proposed application and the existing land uses on the subject properties are consistent with the Theewaterskloof Municipality Spatial Development Framework, 2020.
  - 3.3. The development proposal is consistent with the objective of the zoning scheme.
  - 3.4. The proposed land use rights have previously been approved by the Grabouw Municipality during the year 2000. These rights, unfortunately, lapsed due to a failure to register at least one of the newly created erven before the end of the validity period of the land use approvals.
  - 3.5. The existing land uses will be maintained and municipal engineering services has been implemented.
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) of the Theewaterskloof Municipality: Bylaw on Municipal Land Use Planning (2015).
  - 4.2. The applicant causes the registration of the SG Diagrams at the Deeds Office within the validity period of the approval, generally in accordance with endorsed Subdivision Plan, compiled by Rumboll & Associates dated December 2019.
  - 4.3. Complete building plans be submitted to the Building Control Department for approval.
  - 4.4. The approval of the application does not exempt the owner/applicant from compliance with any other legislation.
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, consisting of a circular loop followed by several horizontal strokes extending to the right.

**JC PIENAAR**  
**MANAGER: TOWN PLANNING AND BUILDING CONTROL**

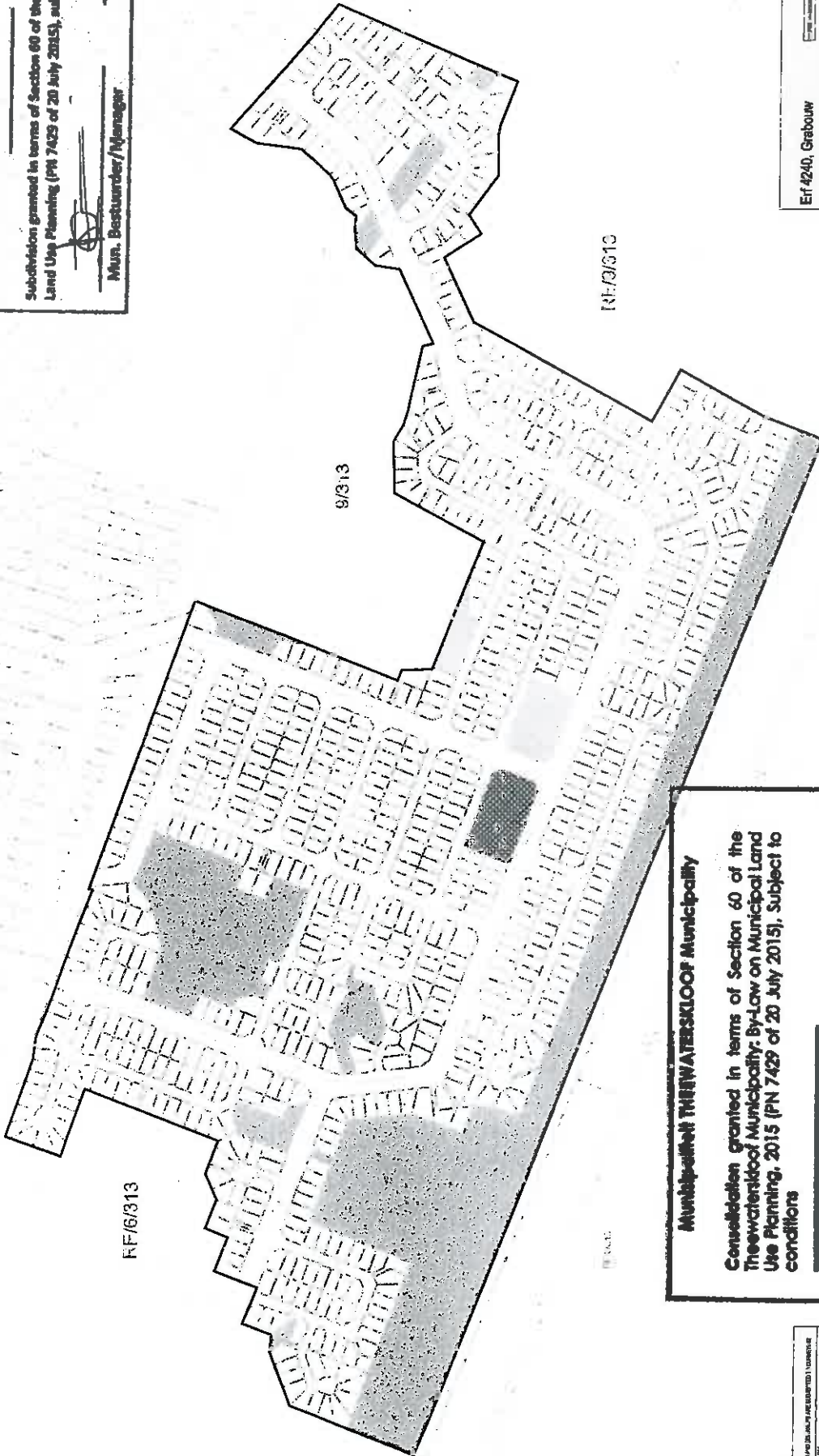
**PROPOSED SUBDIVISION OF ERF 4240, GRABOUW**

**Munisipaliteit THEWATERSKLOOF Municipality**

Onderverdeling toegestaan ingevolge van Artikel 60 van die Verordening op Grondgebruikbeplanning (PK 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. Bestuurder/Manager 18/03/2021 Datum/Date



Erf 4240, Grabouw	<input type="checkbox"/>
873 Single Residential Zone 1 erven	<input type="checkbox"/>
16 Open Space Zone 1 erven	<input type="checkbox"/>
1 Undetermined Use Zone	<input type="checkbox"/>
2 Community Zone 1 erven	<input type="checkbox"/>
Roads	<input type="checkbox"/>

**Munisipaliteit THEWATERSKLOOF Municipality**

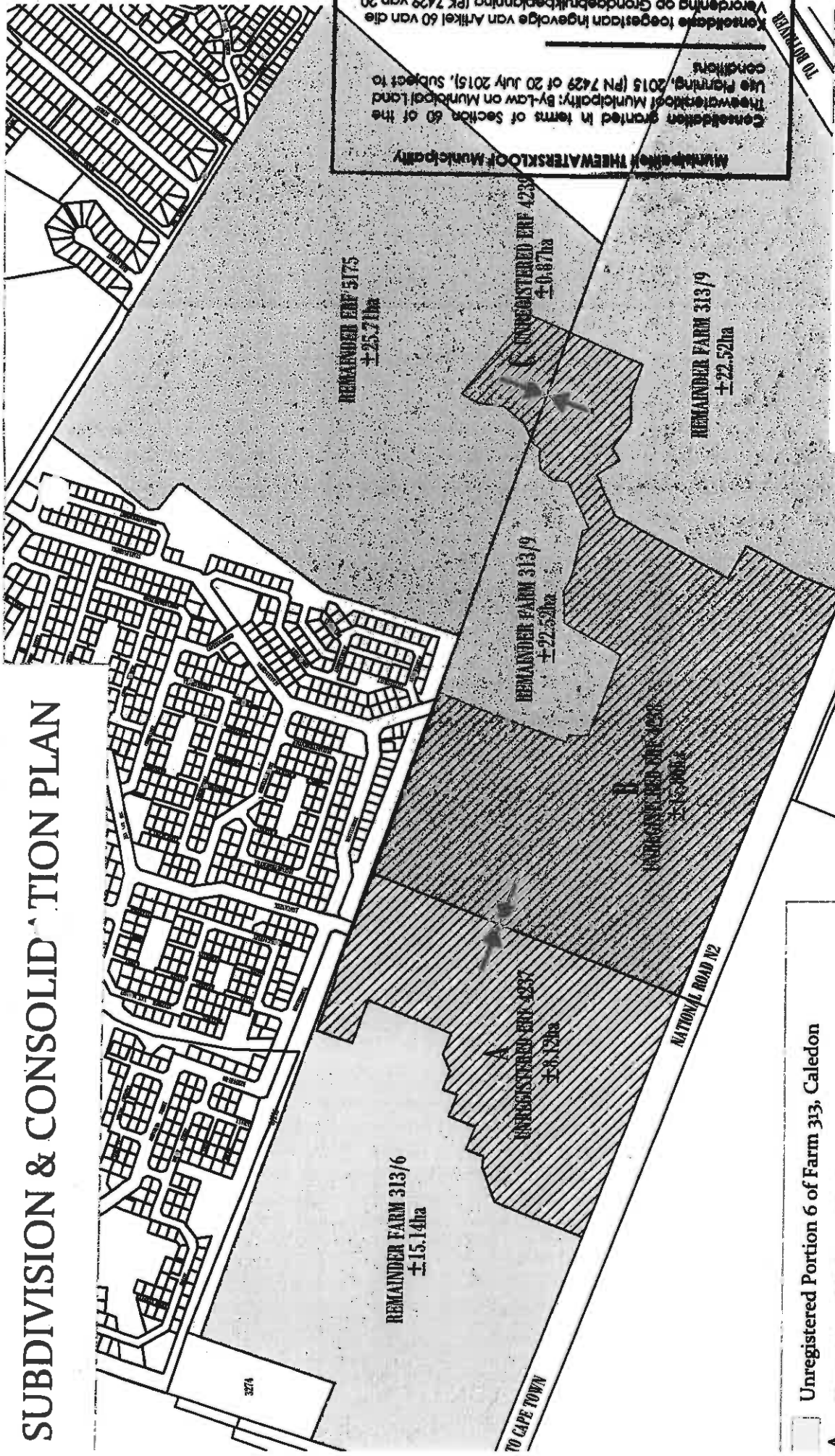
Consolidation granted in terms of Section 60 of the Theewaterskloof Municipality: By-Law on Municipal Land Use Planning, 2015 (PN 7429 of 20 July 2015), Subject to conditions

Konsolidasie toegestaan ingevolge van Artikel 60 van die Verordening op Grondgebruikbeplanning (PK 7429 van 20 Julie 2015), onderhewig aan die voorwaardes.

Mun. Bestuurder/Manager 18/03/2021 Datum/Date

DATE: 18/03/2021  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 DESIGNED BY: [Signature]  
 DATE: 18/03/2021  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 DESIGNED BY: [Signature]

# SUBDIVISION & CONSOLIDATION PLAN

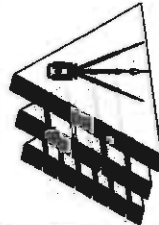


- Unregistered Portion 6 of Farm 313, Caledon
- A Unregistered Erf 4237, Grabouw
- B Portion 9 of Farm 313, Caledon
- C Unregistered Erf 4238, Grabouw
- Erf 5175, Grabouw
- Unregistered Erf 4239, Grabouw
- Unregistered Erf 4240, Grabouw consisting of A + B + C

Munisipaliteit THEEWATERSKLOOF Municipality  
 Onderverdeling toegeestaan ingevolge van Artikel 60 van die Verordening op Grondgebruiksbeplanning (PK 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. Bestuurder/Manager *[Signature]* Datum/Date 18/03/2021



CK Rumboll & Partners  
 Town Planners & Land Surveyors  
 022 482 1845  
 Info@rumboll.co.za

REF: GRA/1325/ZN/CVDW Date: 26 June 2020  
 All areas and distance are subjected to surveying

Munisipaliteit THEEWATERSKLOOF Municipality  
 Konsedensie toegestaan ingevolge van Artikel 60 van die Verordening op Grondgebruiksbeplanning (PK 7429 van 20 Julie 2015), onderhewig aan die voorwaardes.

Mun. Bestuurder/Manager *[Signature]* Datum/Date 18/03/2021

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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)

<b>Appeal</b>	R
<b>TOTAL APPEAL FEES*</b>	<b>R</b>

\* 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: \_\_\_\_\_

Munisipaliteit