File ref: 15/3/6-11/Erf 291, 1304 Enquiries:

 15/3/12-11/Erf 291, 1304 A. de Jager

 17 January 2025

C.K. Rumboll & Partners

P.O. Box 211

MALMESBURY

7299

 **Via Registered Mail**

To whom it may concern

## APPLICATION FOR THE CONSOLIDATION OF ERF 291 AND ERF 1304, RIEBEEK KASTEEL AND THE SUBDIVISION OF THE NEW ERF

Your application, with reference number RK/14040/JL/GB, dated 22 October 2024, on behalf of S.C. Hunter, refers.

1. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the consolidation of Erf 291 with Erf 1304, Riebeek Kasteel, is approved in terms of Section 70 of the By-Law;
2. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the subdivision of the newly created erf, is approved in terms of Section 70 of the By-Law;

Decisions **A.** and **B.** are subject to the conditions that:

1. **TOWN PLANNING AND BUILDING CONTROL**
2. Erf 291 (761m² in extent) be consolidated with Erf 1304 (1 176m² in extent), in order to form a new erf of 1 937m² in extent, in accordance with Consolidation Plan RK/14040/JL/GB, dated October 2024, presented in the application;
3. The newly consolidated erf (1 937m² in extent), be subdivided into Portion A (640m² in extent) and the Remainder (1 297m² in extent), in accordance with Subdivision Plan RK/14040/JL/GB, dated October 2024, presented in the application;
4. The right of way servitude on erf 203 in favour of erf 1304 be incorporated in the title deed of portion A;
5. The owner/developer submits the subdivision and consolidation plan to the Surveyor General for approval, including proof of the following:
6. The approval letter for the subdivision and consolidation, containing the conditions of approval;
7. The approved subdivision and consolidation plans;
8. **WATER**
9. Each subdivided portion be provided with a separate water connection at building plan stage;
10. **SEWERAGE**
11. Each subdivided portion be provided with a separate sewerage connection, at clearance stage;
12. **ROADS AND STORM WATER**
13. The owners accept responsibility for the maintenance of the portion of the storm water trench that transects the erf;
14. **GENERAL**
15. Should it become necessary to upgrade or extend any services, in order to provide amenities to either of the properties, it will be for the account of the owners/developers;
16. The approval does not exempt the owners/developers from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use;
17. The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of By-law will not be issued unless all the relevant conditions have been complied with;
18. The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision on the appeal;
19. All conditions of approval be implemented at subdivision stage, before clearance be issued and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable.

Yours sincerely

**MUNICIPAL MANAGER**

per Department Development Services

AdJ/ds

Copies: *Land Surveyor General Private Bag X9028, Cape Town, 8000*

 *Department: Civil Engineering Services*

*Building Control Officer*

 *S.C.Hunter, 19 Ou Wingerd Road, Constantia, 7806*

 *Warren.deats@gmail.com*

**Reason for approval**

1. The reconfiguration of the land units (subdivision and consolidation) improves the access and viability of the land units resulting in improved functionality of the properties.
2. The erf sizes complies with the minimum erf size of 500m² as prescribed by the SDF which makes the application in compliance with the spatial planning of Riebeek Kasteel.
3. The application complies with the spatial principles of LUPA and SPLUMA.
4. The re-configuration of the land units enables each owner to optimise their portion as preferred.
5. The access to the land units remain unchanged and unobstructed;
6. The application does not include any change in land use or additional developments and the physical characteristics of the area will remain unchanged.
7. The approval does not include the rezoning to and expansion of any additional consent uses on any of the applicable land portions and as such the application has no additional impact on municipal services.
8. The rights of the surrounding land owners will not be negatively impacted whatsoever, as the re-configuration is internal to the existing development.
9. No restrictive title conditions are registered against the proposed development.
10. No objections were received against the proposed development.