



CLEAN AUDITS SINCE 2010/11



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Lêer verw/

File ref: 15/3/3-7/Erwe\_301, 302  
15/3/10-7/Erwe\_301, 302  
15/3/12-7/Erwe\_301, 302

Navrae/Enquiries:  
Ms D N Stellenberg

21 April 2022

C K Rumboll & Partners  
P O Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

**PROPOSED REZONING, CONSOLIDATION AND CONSENT USE ON ERF 301 AND 302, KORINGBERG**

Your application with reference MAL/11787/ZN/MV dated 26 November 2021 on behalf of F & F Salié, has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 13 April 2022 to approve the application for rezoning of Erf 301 and 302, Koringberg from Residential Zone 1 to General Residential Zone 3, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- B. The application for the consolidation of Erf 301 and Erf 302, Koringberg, is approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- C. Approvals A. and B. are subject to the conditions that:

**C1 TOWN PLANNING AND BUILDING CONTROL**

- (a) Erf 301 and Erf 302, Koringberg be rezoned from Residential Zone 1 to General Residential Zone 3, in order to accommodate a residential dwelling and a guest house, as presented in the application;
- (b) Erf 301 (1 658 m<sup>2</sup> in extent) and Erf 302 (1 493 m<sup>2</sup> in extent) be consolidated in order to form one erf of 3 151 m<sup>2</sup> in extent;
- (c) A minimum of thirteen (13) on-site parking bays be provided and that parking bays be finished in a permanent dust free surface, whether it be tar, concrete, paving or any other material, as approved by the Director: Civil Engineering Services beforehand, and the parking bays be clearly demarcated, at building plan stage;
- (d) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (e) A site development plan, including positioning of buildings, parking layout, access to property and proposed landscaping that complement the residential character of the area, be submitted to the Senior Manager: Built Environment at building plan stage for consideration and approval;
- (f) Application be made to the Senior Manager: Built Environment for the right to construct or affix and display any signage;
- (g) Any signage be limited to 1 m<sup>2</sup> in area and may not project over a public street;

Rig asseblief alle korrespondensie aan:  
Die Munisipale Bestuurder  
Privaatsak X52  
Malmesbury 7299

Tel: 022 487 9400  
Faks/Fax: 022 487 9440  
Epos/Email: swartlandmun@swartland.org.za

Kindly address all correspondence to:  
The Municipal Manager  
Private Bag X52  
Malmesbury 7299

Darling Tel: 022 492 2237

Moorreesburg Tel: 022 433 2246

Yzerfontein Tel: 022 451 2366

- (h) A contact number of the owner be displayed conspicuously on the premises at all times for emergency and/or complaint purposes;
- (i) A code of conduct for guests to the guest house be submitted to the Senior Manager: Built Environment for consideration and approval;
- (j) The owner/developer be responsible for enforcing the code of conduct;
- (k) All amenities and provision of meals be for the sole benefit of bona fide lodgers. The approval does not authorise the use of the guest house or its amenities by individuals who are not bona fide lodgers as a venue for parties, weddings or any other such use restricted by the By-Law;
- (l) A register of guests and lodgers be kept and completed when rooms are let, and the register be produced for inspection on request by a municipal official at any time;
- (m) Guest rooms not be converted to, or used as separate dwelling units;
- (n) A Certificate of Compliance be obtained from the West Coast District Municipality for the operation of the guest house;
- (o) A trade licence be obtained from Swartland Municipality for the operation of the guest house;
- (p) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be adhered to, to the satisfaction of the relevant authority;

**C2 WATER**

- (a) The consolidated property be provided with a single water connection;

**C3 SEWERAGE**

- (a) The consolidated property be provided with a conservancy tank of minimum 8 000 litre volume, which is accessible to the service truck from the street;

**C4 STREETS AND STORM WATER**

- (a) The parking bays and sidewalk be designed by an engineer, appropriately certified in terms of Act 46 of 2000;
- (b) The design be submitted to the Director: Civil Engineering Services for consideration and approval, at building plan stage;
- (c) The construction of the sidewalk and parking bays be completed under the supervision of the appointed engineer;

**C5 DEVELOPMENT CHARGES**

- (a) The owner/developer be responsible for the development charge of R23 959,10 towards bulk water supply, payable at building plan stage. The amount is due to the Swartland Municipality and is valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The owner /developer be responsible for the development charge of R26 916,37 towards bulk water distribution, payable at building plan stage. The amount is due to Swartland Municipality and is valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/249-174-9210);
- (c) The owner/developer be responsible for the development charge of R13 315,77 towards sewerage, payable at building plan stage. The amount is due to the Swartland Municipality and is valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d) The Council resolution of May 2021 makes provision for a 40% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2021/2022 and may be revised thereafter. The discount is not applicable to C5(a).

**D. GENERAL**

- (a) Should it be necessary to expand any of the engineering services, in order to ensure supply to the development, the associated costs will be for the account of the owner/developer;
- (b) The approval is, in terms of section 76(2)(w) of the By-Law valid for 5 years. All conditions of approval be met before the certificate occupancy be issued, after which the 5 year period will no longer be applicable;
- (c) The approval does not exonerate the applicant from obtaining the necessary approval(s) from any other applicable statutory authority;

- (d) The applicant/objectors be notified of the outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-law.
- E. The application for a consent use in order to accommodate a Place of Assembly on Erf 301 and Erf 302, Koringberg, is refused in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- E1 TOWN PLANNING AND BUILDING CONTROL**
- (a) The SDF only allows for limited residential densification along activity streets in Zone C of Koringberg, thus the proposed land use is contradictory to the spatial planning for the area;
- (b) The Place of Assembly will constitute a land use that is not consistent with the character of the low density residential neighbourhood;
- F. The application for rezoning and consolidation be supported for the following reasons:
- (a) The proposed dwelling and guest house are residential uses and are therefore consistent with the proposals of the SDF;
- (b) A rezoning is necessary, as General Residential Zone 3 allows for both a dwelling and a guest house as primary rights within the zone;
- (c) The development proposal supports the optimal utilisation of the property;
- (d) The guesthouse will support the tourism industry in Koringberg, as well as the local economy;
- (e) The development proposal, without the Place of Assembly, will not negatively impact on the character of the area;
- (f) The property is of sufficient space to accommodate the required number of parking bays;
- (g) The concerns of the neighbouring and affected property owners are sufficiently addressed in the conditions of approval;
- (h) The desirability factors considered are consistent with those applied during the evaluation of similar, previous applications;
- (i) The nature and scale of the development is limited and appropriate in the context;
- G. The application for consent use be refused for the following reasons:
- (a) The SDF only allows for limited residential densification along activity streets in Zone C of Koringberg, thus the proposed land use is contradictory to the spatial planning for the area;
- (b) The Place of Assembly will constitute a land use that is not consistent with the character of the low density residential neighbourhood.

In terms of Chapter VII, Section 89 of the Swartland Municipality By-law relating Municipal Land Use Planning (PG 8226 of 25 March 2020), you as well as the objectors have a right to appeal within 21 days of date of registration of this letter to the appeal authority of the Swartland Municipality against Council's decision.

Should you decide to appeal, you can write to the following address:

The Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299

Please note that if the applicant/objector does appeal, an appeal fee of R2 400-00 is payable. The appeal must be accompanied by the proof of payment and only then will the appeal be regarded as valid.

Yours faithfully



**MUNICIPAL MANAGER**

via Department Development Services  
/ds

Afskrifte :      *Director : Civil Engineering Services*  
                      *Director : Financial Services*  
                      *Building Control Officer*

# CONSOLIDATION PLAN

**LEGEND:**

→ Consolidation

**NOTES**

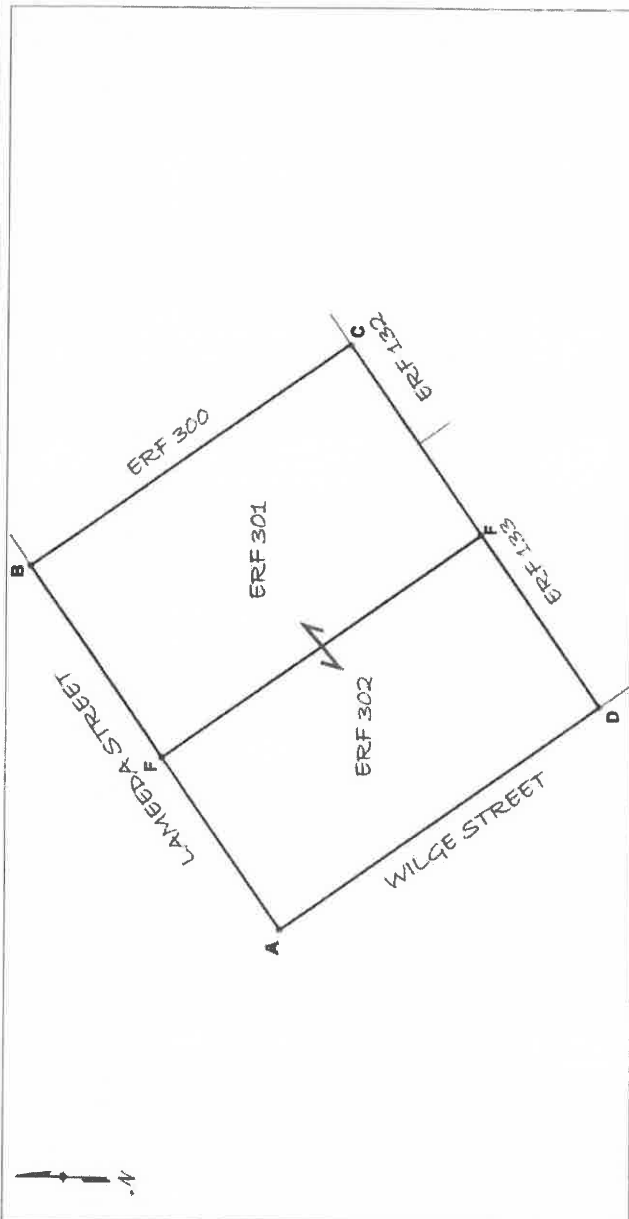
This diagram illustrates the proposed consolidation of Erven 301 and 302, Koringberg, to accommodate a guest house, a place of assembly, and a dwelling on the proposed consolidated property.

Figure EBCF represents Erf 301, Koringberg, with an extent of 1658m<sup>2</sup>.

Figure AEFD represents Erf 302, Koringberg, with an extent of 1493m<sup>2</sup>.

Figure ABCD represents the newly created property, with an extent of 3151m<sup>2</sup>.

**ERVEN 301 & 302, KORINGBERG**



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**SWARTLAND MUNISIPALITEIT  
SWARTLAND MUNICIPALITY**

Konsolidasie toegestaan ingevolge artikel 70 van die Verordening insake munisipale Grondgebruikbeplanning (PK 8226 van 25 Maart 2020) onderthegwig aan voorwaardes.

Consolidation granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020), subject to conditions.

2022/04/21  
DATUM/DATE

*[Signature]*  
MUNISIPALE BESTUURDER  
MUNICIPAL MANAGER

Drawing By:

Mandi Wilson

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

C.K. RUMBOLL & VENHOTE  
TOWN PLANNERS  
PROFESSIONAL SURVEYORS  
18 RAINIER STREET, MALMESBURY  
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DATE:  
OCTOBER 2021

AUTHORITY:  
SWARTLAND MUNICIPALITY

**CONSOLIDATION: ERVEN 301 & 302, KORINGBERG**

2

REF:

KOR1178/Z/MW