



CLEAN AUDITS SINCE 2010/11



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Sibumba ikamva elingcono!*

Lêer verw/ 15/3/5-8/Erf_1585
File ref:

Navrae/Enquiries:
Ms D N Stellenberg

14 February 2022

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS ON ERF : 1585, MALMESBURY

Your application with reference MAL/12005/NG dated 29 September 2021 on behalf of M van N Bester and B Bester has reference.

- A The Municipal Planning Tribunal has resolved at a meeting held on 9 February 2022 to approve the application for the removal of title deed restriction C(c) registered against Erf 1585, Malmesbury, as contained in Title Deed T44200/2020, in terms of section 70 of the By-Law;

The following process needs to be followed:

- (a) The applicant/owner applies to the Deeds Office to amend the title deed in order to reflect the removal of the restrictive conditions;
- (b) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
 - (i) Copy of the approval by Swartland Municipality;
 - (ii) Original title deed; and
 - (iii) Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- (c) A copy of the amended title deed be provided to Swartland Municipality for record purposes, prior to final consideration of building plans;

B. GENERAL

- (a) The approval is in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval be complied with by 20 May 2022. Failure to comply will result in the approval expiring;
- (b) The applicant/objectors be notified of the outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-law;

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**

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:

**The Municipal Manager
Private Bag X52
Malmesbury 7299**

Darling Tel: 022 492 2237

Yzerfontein Tel: 022 451 2366

C. The application is supported for the following reasons:

- (a) The second dwelling smaller than 60m² is an additional use right under the Residential zone 1 zoning;
- (b) The removal of the relevant restrictive condition will enable a second dwelling on the property as provided for by the land use rights applicable to the property;
- (c) The second dwelling is foreseen not to have an impact on the character of the surrounding area;
- (d) The removal of the relevant restrictive condition will not impact negatively or disadvantage surrounding/affected owners;
- (e) The impact of additional traffic to and from the property as a result of the second dwelling is deemed to be very low.

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

Copies : *Building Control Officer*