



CLEAN AUDITS SINCE 2010/11
SKOON OUDITS SEDERT 2010/11



*Ons gee gestalte aan 'n beter toekoms!
We shape a better future!
Sakha ikusasa elingcono!*

Lêer verw/
File ref: 15/3/10-1/Erf_1466

Navrae/Enquiries:
Ms D N Stallenberg

16 September 2022

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED CONSENT USE ON ERF 1466, ABBOTSDALE

Your application with reference Abb/12577/NJdk dated 7 June 2022 on behalf of DJ & MJ Hendriks, has reference.

A. The Municipal Planning Tribunal has resolved at a meeting held on 14 September 2022 to approve the application for consent use on Erf 1466, Abbotsdale in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use be restricted to accommodate a house tavern and store room (± 44 m² in extent), in the existing garage as presented in the application;
- (b) The sale of liquor be restricted to off-premise consumption purposes;
- (c) The primary purpose of the dwelling remains that of the habitation by a single family;
- (d) The dwelling be occupied by the proprietor of the house tavern;
- (e) Building plans, clearly indicating the house tavern in relation to the house, be submitted to the Senior Manager: Built Environment for consideration and approval;
- (f) The dwelling house be completed and an occupation certificate be obtained, prior to the house tavern coming into operation;
- (g) The proposed tavern and store room under no circumstances be permitted for use as human habitation;
- (h) A minimum of four (4) on-site parking bays be provided and that each bay be finished in a permanent, dust free surface such as tar, concrete, paving, or any other material pre-approved by the Director: Civil Engineering Services, and that each bay be clearly marked;
- (i) The south-western street boundary of Erf 1466 be surveyed and correctly indicated and that access to the parking bays be kept unobstructed at all times;
- (j) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be adhered to, to the satisfaction of the relevant authority;
- (k) Application for construction of or attaching an advertising sign to the building be submitted to the Senior Manager: Built Environment for consideration and approval. Only one sign, not exceeding 1 m² in area and not exceeding the land unit boundaries with any part of it, be permitted which only includes the name of the owner, name of the business and nature of the retail trade;

A2 WATER

- (a) The existing connection be used and that no additional connections be provided;

A3 SEWERAGE

- (a) The existing connection be used and that no additional connections be provided;

A4 STREETS AND STORMWATER

- (a) Deliveries may only be done by delivery vehicles with a maximum gross vehicle mass of 16000 kg;

A5 GENERAL

- (a) The approval be, 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 before occupancy be granted and the operation of the tavern comes into effect;
- (b) Should the conditions of approval not be met or the development parameters be disregarded, administrative steps may be taken and the approval for the house tavern be revoked;
- (c) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (d) The applicant/objectors be informed of the right to appeal against the decision of the Municipal Planning Tribunal, within 21 days of the notice, in terms of section 89(2) of the By-Law;

A. The application be supported for the following reasons:

- (a) The application proposal is consistent with the SDF and promotes business uses along the activity corridor;
- (b) The location of the tavern is considered optimal in relation to the proposed CBD of Abbotsdale;
- (c) The proposed house tavern complies with the requirements of the zoning scheme regulations;
- (d) The proposed house tavern will not negatively impact on the health, safety, security or well-being of the community if the development parameters and legislative framework are adhered to. The business cannot be blamed for the existing social problems or the behavior of individuals;
- (e) The proposed house tavern is foreseen to have a complimentary impact on the surrounding residential land uses as well as the existing neighbouring shop by enhancing the shopping experience in the area;
- (f) The proposed house tavern is in the interest of the surrounding community.

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 R4500-00 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 : Director : Civil Engineering Services

Building Control Officer