



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



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Lêer verw/ 15/3/10-6/Erf_799
File ref:

Navrae/Enquiries:
Ms D N Stallenberg

23 November 2022

C K Rumboll & Vennote
Posbus 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED CONSENT USE ON ERF 799, KALBASKRAAL

Your application with reference KAL/12603/GT/ZN dated 20 July 2022 refers.

A. The Municipal Planning Tribunal has resolved at a meeting held on 16 November 2022 to approve the application for the consent use on erf 799, Kalbaskraal, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent authorises a house shop, restricted to ± 17 m², as presented in the application;
- (b) Building plans, clearly indicating the house shop in relation to the house, be submitted to the Senior Manager: Built Environment for consideration and approval;
- (c) The operation of the house shop may not result in congestion/obstruction along Sand or Calabash Streets, therefore at least one on-site parking bay be provided from Calabash Street;
- (d) 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 and it indicate only the name of the owner, name of the business and nature of the retail trade;
- (e) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- (f) Only pre-packaged food products may be sold;
- (g) No food preparation be allowed in the house shop;
- (h) The following activities not be allowed for sale in the house shop:
 - (i) The sale of wine and alcoholic beverages;
 - (ii) Storage or sale of gas and gas containers;
 - (iii) Vending machines;
 - (iv) Video games; and
 - (v) Snooker or pool tables;
- (i) Application for a trade license be submitted to the Director: Development Services for consideration and approval;
- (j) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- (k) The letter of authorisation from Swartland Municipality be displayed inside the house shop;
- (l) Operating hours of the house shop be limited from 07:00 to 22:00 daily;
- (m) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be adhered to, to the satisfaction of the relevant authority;

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 of with a gross vehicle mass of 16000 kg;

A5 WEST COAST DISTRICT MUNICIPALITY

- (a) The applicant ensures compliance with the requirements of Regulation 638 of 22 June 2018 (Regulations Governing General Hygiene Requirements for Food Premises, The Transport of Food and Related Matters);
- (b) Food not be handled or permitted to be handled on the subject property without a valid certificate of acceptability, as required in terms of the above mentioned regulations;

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 within the 60 days from the date of notice of the approval and that failing to do so will result in the lapsing of the approval;
- (b) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (c) Appeals against the Tribunal decision be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R4 500, 00 is to accompany the appeal and section 90 of the By-Law complied with, for the appeal to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed;

C. The application be supported for the following reasons:

- (a) The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA;
- (b) The application complies with the land uses proposed for this area of Kalbaskraal, as determined by the SDF;
- (c) The application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP;
- (d) The proposed house shop complies with the development parameters and requirements of the By-Law;
- (e) The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood;
- (f) The proposed consent use will not negatively affect the character of the neighbourhood.

Yours faithfully



MUNICIPAL MANAGER

via Department Development Services

/ds

Copies : Director Civil Engineering Services

Director : Financial Services

Building Control Officer