



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



Munisipaliteit
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Lêer verw/
File ref: 15/3/3-8/Erf_10024

Navrae/Enquiries:
Ms D N Stellenberg

16 September 2022

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED REZONING OF ERF 10024, MALMESBURY

Your application with reference MAL/12463/ZN/MV dated 29 June 2022 on behalf of Hein Baumgarten has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 14 September 2022 to approve the application for rezoning of erf 10024, Malmesbury from Residential zone 1 to Business zone 1, 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 that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (b) At least 11 on-site parking bays and 1 loading bay be provided with a permanent dust free surface being tar, concrete or paving to the satisfaction of the Director: Civil Engineering Services and that the parking bays and loading bay are clearly marked;

A2 WATER

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

A3 SEWERAGE

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

A4 REFUSE REMOVAL

- (a) Waste be put on kerbside by 07:30 on day of scheduled collection;

B. GENERAL

- (a) The approval is, in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. Failure to comply will result in the approval expiring;

- (b) 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;
- C. The application be supported for the following reasons:
- (a) The application complies with the planning principles of LUPA and SPLUMA.
 - (b) The application complies with the spatial planning of Malmesbury
 - (c) The development proposal complies with all applicable zoning parameters of the Business zone 1 zoning.
 - (d) The impact of the proposed development on surrounding properties are deemed low and will not have a negative impact.
 - (e) Erf 10024 does not have any physical restrictions which may have a negative impact on this application.
 - (f) The proposed development will complement and not have a negative impact on the character of the surrounding residential area.
 - (g) The development proposal supports the optimal utilisation of the property.
 - (h) The proposed land use is considered as a desirable activity within identified business area of the Voortrekker Road activity corridor, as it will accommodate use compatible with that of the existing area.
 - (i) Sufficient services capacity exists to accommodate the proposed business.
 - (j) The proposed businesses are not deemed to attract crime and violence to the area.
 - (k) Access to the property is supported by the road authority (Department of Transport and Public Works).
 - (l) Surrounding property values will not be affected negatively.
 - (m) There are no restrictions in the title deed of erf 10024 which restricts the proposed development.

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 R4 500-00 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*

Director : Civil Engineering Services

Director : Financial Services