



CLEAN AUDITS SINCE 2010/11



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Lêer verw/
File ref: 15/3/10-3/Erwe_728

Navrae/Enquiries:
Ms D N Stellenberg

21 April 2022

Zeldine Pieters
6 Pomegranate Close
Eastridge
MITCHELL'S PLAIN
7785

e-mail : prominentconsultant2018@gmail.com

By Registered Mail

Sir/Madam

PROPOSED CONSENT USE ON ERF 728, DARLING

Your application received on 8 November 2021 on behalf of S and S Kriel Beleggings, has reference.

A The Municipal Planning Tribunal has resolved at a meeting held on 13 April 2022 to approve the application for a consent use on Erf 728, Darling, 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) The consent use be restricted to accommodate a bottle store from a portion of the existing business premises, as presented in the application;
- (b) Building plans, clearly indicating the bottle store, be submitted to the Senior Manager: Built Environment, for consideration and approval;
- (c) The trading hours of the bottle store be determined by the By-Law relating to control of undertakings that sell liquor to the public (PG 7394 of 22 May 2015)
- (c) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be adhered to, to the satisfaction of the relevant authority;
- (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 1m² in area and not exceeding the land unit boundaries with any part of it, shall be permitted and it shall indicate only 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;

Rig asseblief alle korrespondensie aan:

**Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299**

Darling Tel: 022 492 2237

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**

Yzerfontein Tel: 022 451 2366

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 time period 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) The objectors be informed of their right to appeal against the decision of the Municipal Planning Tribunal, in terms of section 89(2) of the By-Law;

C. The application be supported for the following reasons:

- (a) No physical restrictions exists on the property that will have a negative impact on the proposed application;
- (b) No restrictions registered against the title deed of the property that prohibits the proposed land use;
- (c) The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Municipal levels;
- (d) The proposed bottle store complies with the requirements of the zoning scheme regulations;
- (e) The bottle store will not increase the risk and safety of the community as the business cannot be blamed for the existing social problems;
- (f) Have a complimentary impact on the surrounding land uses as well as the existing neighbouring shops by enhancing the shopping experience in the area;
- (g) Is in the interest of the community of Darling North;
- (h) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding landowners, nor will it negatively impact on environmental/heritage assets.

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