



File ref: 15/3/4-2/Erf_128
15/3/6-2/Erf_128

Enquiries:
Mr AJ Burger

3 September 2025

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To whom it may concern

APPLICATION FOR THE SUBDIVISION AND DEPARTURE ON ERF 128, CHATSWORTH

Your application, with reference number CHA/14620/JL/GB, dated 25 June 2025, on behalf of AM & S Ariefdien, refers.

- A. By virtue of the authority delegated to the Senior Manager: Development Management, in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for subdivision of Erf 128, Chatsworth, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Erf 128, Chatsworth (991m² in extent), be subdivided into Portion A (476m² in extent), Portion B (12,5m² in extent) and the Remainder (502,5m² in extent), as presented in the application;
- b) Portion B be surveyed and transferred to the municipality for the cost of the owner/developer;
- c) New property diagrams be submitted to the Surveyor General, including proof to the satisfaction of the Surveyor General of:
 - i. The municipality's decision to approve the subdivision;
 - ii. The conditions of approval imposed in terms of section 76 of the By-Law; and
 - iii. The approved subdivision plans;
- d) The illegal building work on the remainder and portion A be demolished at clearance stage;

2. WATER

- a) Each portion be provided with a separate water connection. The condition is applicable at clearance stage;

3. SEWERAGE

- a) Each portion be provided with a separate conservancy tank with a minimum capacity of 8 000 litres and that is accessible from the street, to the municipal service truck. The condition is applicable at clearance stage;

4. DEVELOPMENT CHARGES

- a) The owner/developer is responsible for a development charge of R5 518,64 towards the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/249-176-9210);

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

- b) The owner/developer is responsible for the development charge of R3 100,03 towards bulk water reticulation, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-174-9210);
- c) The owner/developer is responsible for the development charge of R2 409,73 towards sewerage, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- d) The owner/developer is responsible for the development charge of R2 612,33 towards the waste water treatment works, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- e) The owner/developer is responsible for the development charge of R8 779,51 towards roads, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/247-188-9210);
- f) Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and may be revised thereafter;

B By virtue of the authority delegated to the Senior Manager: Development Management, in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020), application for departure of development parameters on portion A of Erf 128, Chatsworth, **be refused** in terms of section 70 of the By-Law, for the following reasons:

- 1. The building work on-site does not reflect the building work that has been approved by the Municipality, specifically regarding the placement of the build structure.
- 2. Erf 128, consisting of a remainder and portion A, does not consist of any physical restrictions which prohibits the planning and design of any building work to comply with all applicable zoning scheme parameters.

C. GENERAL

- 1. Should it become necessary to upgrade or extend any services, in order to provide amenities to either of the properties, it will be for the account of the owners/developers;
- 2. The approval does not exempt the owners/developers from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use;
- 3. The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of By-law will not be issued unless all the relevant conditions have been complied with;
- 4. The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision on the appeal;
- 5. All conditions of approval be implemented at subdivision stage, before clearance be issued and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable;
- 6. Appeals against the decision should 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 R5 000,00 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.

Yours sincerely


MUNICIPAL MANAGER
 per Department Development Services
 AJB/ds

Copies: *Land Surveyor General Private Bag X9028, Cape Town, 8000*
Department: Financial Services
Department: Civil Engineering Services
Building Control Officer

SWARTLAND MUNICIPALITEIT
SWARTLAND MUNICIPALITY

Onverdeelde toegestaan ingevolge artikel 70 van die
Verordening insake Munisipale Grondgebruikbeplanning
(PK 8226 van 25 Maart 2020), onderhewig aan voorwaardes.

Subdivision granted in terms of section 70 of the Municipal Land
Use Planning By-Law (PN 8226 of 25 March 2020) subject to
conditions.

2025/09/03
DATE
MUNICIPAL MANAGER



LEGEND

- KEY:
- Zoning: Residential Zone 1
 - Subject Property
 - Subdivision Lines
 - Building Lines
 - Existing Structures
 - To be departed from the relevant building line development parameters.

TITLE:

SUBDIVISION PLAN
ERF 128
CHATSWORTH

PHYSICAL ADDRESS:

ERF 128, CORNER 7TH AVENUE & EDWARD ROAD, 7354

NOTE:

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING



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DATE:
JUNE 2025

AUTHORITY:
SWARTLAND MUNICIPALITY

REFERENCE:
CHW/14620/JUGB



SCALE (A4):

