



File ref: 15/3/4-8/Erf_14183

Enquiries:
Mr HL Olivier

13 February 2025

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

By Registered mail

Dear Sir/Madam

PROPOSED DEPARTURE ON ERF 14183, MALMESBURY

Your application, with reference MAL/13903/MC, dated 21 November 2024, on behalf Malmesbury Property Developments (RF)(Pty) Ltd, regarding the subject, refers.

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 the departure of the development parameters applicable to group housing, is hereby refused in terms of Section 70 of the By-Law, for the following reasons:

1. The Site Development Plan provided in the application as well as the detailed version received on the 22nd of January 2025, indicate that there are only a few units within the group housing scheme which departs from the required building lines. In those cases the applicant could have provided site specific circumstances for consideration, however, it is argued that an alternative house type could also be used which complies with the development parameters.
2. Most of the properties within the development is larger than 250m², some even being 450m² in extent. Adequate space is therefore available to accommodate functional dwelling designs without departing from the development parameters or compromising the safety of vehicles or pedestrians.
3. It is noted that approval is already granted for the private open space required for the group housing erven, the building line areas therefore protects the remaining private open space ensuring that the provision of private open space remains feasible within the group housing scheme.
4. It is clear from the site development plan that there are units which are closer than the 1,5m departure being applied for and even up to the street boundary. For example, portions 5, 41, 59 & 66. Wrong information being provided in the application or documentation are not supported.
5. The departure of the street building line parameter will compromise rather than complement the streetscape. This is especially the case along Klipfontein Drive (also referred to as Renosterbos Street) which is the main access collector for the Klipfontein development.
6. Building lines are control measures that not only accommodate services but also preserve the nature and character of an area. The proposed arbitrary departure on ±52 properties is deemed undesirable and can therefore not be supported.

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- Swartland forward thinking 2040 - where people can live their dreams!
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GENERAL

1. In the development of group housing, it is recommended that the garage be planned and designed at least 4m from the street to ensure vehicle and pedestrian safety. The site development plan indicating that most garages are planned and designed only 2m from the street which is not recommended.
2. You are hereby informed of the right to appeal against the decision of the authorised official in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of the decision. An appeal is to comply with section 90 of the By-Law and be accompanied by a fee of R5000-00 in order 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

HLO/ds

Copies:

Director: Civil Engineering Services

Director: Financial Services

Building Control Officer

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