



File ref: 15/3/3-8/Erf 613

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22 September 2025

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Sir / Madam

### **PROPOSED REZONING AND DEPARTURE ON ERF 613, ABBOTSDALE**

Your application with reference number ABO/14483/JL/GB, dated 20 May 2025, on behalf of K.D. Isaacs, regarding the subject, refers.

- A. 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 the rezoning of Erf 613, Abbotsdale, from Residential Zone 2 to Business Zone 2, is approved in terms of section 70 of the By-Law, subject to the conditions that:

#### **1. TOWN PLANNING AND BUILDING CONTROL**

- a) Erf 613, Abbotsdale, be rezoned from Residential Zone 2 to Business Zone 2, in accordance with Rezoning Plan ABO/14483/JL/GB, dated May 2025, as presented in the application;
- b) The land use be restricted to a shop (73m<sup>2</sup> in extent) and a flat, in accordance with Site Development Plan ABO/14483/JL/GB, dated May 2025, as presented in the application;
- c) Building plans, clearly indicating all buildings on the property and the use of the buildings, be submitted to the Senior Manager: Development Management for consideration of approval, within 30 days of the date of registration of this approval;
- d) Application for an advertising sign be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding the land unit boundaries with any part of it, be permitted and only indicating the name of the owner, name of the business and nature of the retail trade;
- e) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- f) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- g) The operating hours of the shop be restricted between 6:00 and 21:00 daily;
- h) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
- i) Any music played on the property only be audible inside the shop and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the shop, including to any awning, stoep or shade structure;
- j) No loitering be permitted anywhere on Erf 613, Abbotsdale whether it be inside or outside the buildings on the erf or around the entrance to the erf;
- k) The shop operator and employees be responsible for discouraging loitering and dispatching loiterers from the property;

- 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!

## 2. WATER

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

## 3. SEWERAGE

- a) The existing sewerage connection be utilised and that no additional connections be provided;

## 4. ROADS AND STORM WATER

- a) Delivery vehicles to the site be restricted to a maximum gross vehicle mass of 16 000kg;

## 5. DEVELOPMENT CHARGE

- a) The owner/developer is responsible for the development charge of R3 566,11 towards roads, at building plan 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);
  - b) The 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 the departure from development parameters on Erf 613, Abbotsdale, is approved in terms of section 70 of the By-Law, subject to the conditions that:

## 1. TOWN PLANNING AND BUILDING CONTROL

- a) The 3m eastern side building line be departed from to 2m, as presented in the application;
- b) The 3m western side building line be departed from to 0m, as presented in the application;
- c) The departures are applicable only to the portions of the existing buildings that already encroach on the building lines and do not apply to the building lines in its entirety;
- d) The requirement for 3 parking bays be departed from and no parking bays be provided;
- e) The owner/developer is responsible for the amount of R6 825,00 towards the non-provision of parking bays, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/222-303-9212);

## 2. GENERAL

- a) 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;
- b) Taking into account that the land use is already in operation, it is required that all conditions of approval be implemented within 30 calendar days of the registration of the approval letter and failing to comply will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the new zoning becomes permanent and the approval period will no longer be applicable.

Yours sincerely

  
**MUNICIPAL MANAGER**  
per Department Development Services  
AdJ/ds

Copies:      *Department: Financial Services*  
                 *Department: Civil Engineering Services*  
                 *Building Control Officer*  
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