



Lêer verw/ 15/3/3-2/Erf\_716  
15/3/4-2/Erf\_716

Navrae/Enquiries:  
Ms D N Stellenberg

19 February 2026

C K Rumboll & Partners  
P O Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

### **PROPOSED REZONING AND DEPARTURE OF ERF 716, CHATSWORTH**

Your application dated 15 October 2025 with reference CHA/14800/MV/KS on behalf of Korjon Properties Pty. Ltd. has reference.

The Municipal Planning Tribunal has resolved at a meeting held on 11 February 2026 to approve application for rezoning of Erf 716, Chatsworth, from Residential Zone 1 to Business Zone 1, be approved 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) Erf 716 (1082 m<sup>2</sup> in extent) be rezoned from Residential Zone 1 to Business Zone 1, as presented in the application, but excluding the use of a restaurant, service trade and animal hospital;
- (b) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (c) The operating hours of any business on the property be restricted to 6:00 – 19:00 from Monday to Sunday;
- (d) The minimum of nine (9) on-site parking bays be provided and that the parking bays be clearly marked;
- (e) The parking bays, including the sidewalk, be finished in a dust-free, permanent surface, being tar, concrete, paving or any other material previously approved by the Director: Civil Engineering Services;
- (f) The parking and loading bays be kept clear from any construction materials and that storage of such materials be restricted to the designated areas as presented in the site plan dated 13 September 2025;
- (g) Application be made to the Senior Manager: Development Management for the right to display any signage and that the signage may not project over a public street;
- (h) A trade licence be obtained from Swartland Municipality for the operation of the business premises;
- (i) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
- (j) 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 externally to the building, including to any awning, stoep or shade structure;

- 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!

- (k) No loitering be permitted anywhere on Erf 716, Chatsworth, whether it be inside or outside the buildings on the erf or around any entrance to the erf;

**A2 WATER**

- (a) The property be provided with a single water connection;
- (b) Water storage tanks with a minimum capacity of 48 hours, as well as the necessary pumping equipment, be provided on the property for water provision, to the satisfaction of the Director: Civil Engineering Services, at building plan stage;

**A3 SEWERAGE**

- (a) The property be provided with a separate conservancy tank of minimum 8 000 litre capacity and that may be accessed by the municipal service vehicle via the street;
- (b) The condition be applicable at building plan stage;

**A4 DEVELOPMENT CHARGES**

- (a) The owner/developer is responsible for a development charge of R4 884,60 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);
- (b) The owner/developer is responsible for the development charge of R2 743,90 towards bulk water reticulation, 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: 9/249-174-9210);
- (c) The owner/developer is responsible for the development charge of R4 003,15 towards sewerage, 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: 9/240-184-9210);
- (d) The owner/developer is responsible for the development charge of R4 339,75 towards waste water treatment, 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: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R71 573,00 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);
- (f) 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.** The application for departures on Erf 716, Chatsworth, is approved 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:

**B1 TOWN PLANNING AND BUILDING CONTROL**

- (a) The 3m western side building line be departed from and reduced to 0m and 1m to accommodate the portions of the proposed building, that encroaches on the building line, depicted on the site plan dated 30 September 2025, as presented in the application;
- (b) Section 12.2.1 (c)(i) of the By-Law be departed from in order to allow for the proposed double storey building to encroach on the 3m side building line, as presented in the application;
- (c) The 14 parking bays required in terms of the By-Law, be departed from and that a minimum of 9 parking bays and two loading bays be provided, as presented in the application;
- (d) The owner/developer be responsible for the financial contribution of R51 000,00, towards the non-provision of five (5) parking bays. 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);

## **C. GENERAL**

- (a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- (b) Should it in future be determined necessary to extend or upgrade any engineering service in order to provide the development with services, it will be for the account of the owner/developer;
- (c) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law, from the date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal. All conditions of approval be implemented before the new land use comes into operation/or the occupancy certificate 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;
- (d) The applicant/objector be informed of the right to appeal against the decision of the Municipal Planning Tribunal 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](mailto:swartlandmun@swartland.org.za), within 21 days of notification of decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 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;

## **D. The application be supported for the following reasons:**

- (a) The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA;
- (b) The application is deemed to stimulate economic development, which is supported by the SDF and PSDF;
- (c) The scale of the proposal is consistent with the character of the surrounding area, while optimising the use economic viability of the venture;
- (d) The application will comply with the character of the Chatsworth CBD, as identified by the SDF;
- (e) The height of the proposed building is limited to two storeys and consistent with the visual profile of double storey buildings in the area;
- (f) Engineering services are sufficiently capacitated, apart from water provision. Mitigating measures are instated to ensure water provision remains constant until such time as the municipal upgrade project has been completed;
- (g) The double storey façade that encroaches on the side building line is the same height as a regular residential dwelling would have been and compatible with the character of residential development;
- (h) The western façade is faceted, in an effort to minimise the impact of a high, 'dead' wall and improving the human scale of the façade;
- (i) The solid portion of the western façade is expected to act as a sound barrier between the application property and the residential erven towards the west;
- (j) Should the area surrounding Erf 716 develop in accordance with the SDF over time and the CBD of Chatsworth become well established as planned, the rezoning and departures proposed, will integrate seamlessly with the character of a business district;
- (k) The operating hours of the proposed business are restricted, in order to ensure that the business is compatible with the normal day-to-day activities associated with its current surroundings;
- (l) The increase in traffic volumes are considered moderate and both the abutting streets were confirmed to be of sufficient capacity to accommodate the development;
- (m) The rights of surrounding property owners will not be negatively affected, as the development will take a form resembling a large two storey house, such as can be expected in a residential neighbourhood.

Yours faithfully

  
**MUNICIPAL MANAGER**  
via Department Development Services  
/ds

Copies :        *Director: Civil Engineering Services*

*Director: Financial Services*

*Building Control Officer*

*The Manager, Eskom, P O Box 222, Brackenfell, 7560*

*Korjon Properties Pty. Ltd, 352 Milner Road, Greater Chatsworth, 7354.  
Bahatihassan224@gmail.com.*