



File ref: 15/3/3-8/Erf 11359

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Sir / Madam

PROPOSED REZONING OF ERF 11359, MALMESBURY

Your application with reference number MAL/15275/NJdK, dated 11 June 2025, on behalf of the Suikerbos Trust, regarding the subject, refers.

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 11359, Malmesbury, from Residential Zone 1 to Business Zone 1, is approved in terms of section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Erf 11359, Malmesbury (536m² in extent), be rezoned from Residential Zone 1 to Business Zone 1, in order to accommodate a business premises and two flats, in accordance with Site Development Plan MAL/10924/JL/KS, dated February 2019;
- b) The use of the business premises specifically excludes that of a restaurant;
- c) Building plans, indicating any new or unauthorised construction and demolition work, be submitted to the Senior Manager: Development Management for consideration of approval;
- a) A minimum of nine (9) clearly demarcated on-site parking bays be provided (3 bays for the residential component and 6 bays for the business premises), as presented in the application and that the parking area and sidewalk be finished with a permanent, dust free surface, whether it be tar, concrete, paving or any other material pre-approved by the Director: Civil Engineering Services;
- d) Application be made for the right to display any signage on the property and submitted to the Senior Manager: Development Management for consideration and approval;
- 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 business be restricted between 6:00 and 21:00 daily;

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;

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4. ROADS AND STORM WATER

- a) Delivery vehicles to the property be restricted to vehicles not exceeding 16 000kg gross vehicle mass;

5. DEVELOPMENT CHARGES

- a) The owner/developer is responsible for a development charge of R12 263,60 toward the bulk supply of regional water, at building plan stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2026/2027 and may be revised thereafter (mSCOA 9/249-176-9195);
- b) The owner/developer is responsible for the development charge of R7 010,20 towards bulk water reticulation, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2026/2027 and may be revised thereafter (mSCOA: 9/249-174-9195);
- c) The owner/developer be responsible for the development charge of R4 382,07 sewerage, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2026/2027 and may be revised thereafter. (mSCOA: 9/240-184-9195);
- d) The owner/developer is responsible for the development charge of R4 750,50 towards the waste water treatment works, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2026/2027 and may be revised thereafter. (mSCOA: 9/240-183-9195);
- e) The owner/developer is responsible for the development charge of R33 745,89 towards roads and storm water, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2026/2027 and may be revised thereafter (mSCOA: 9/247-188-9195);
- f) The Council resolution of May 2026 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2026/2027 and may be revised thereafter;

6. GENERAL

- a) The approval will not cause exemption from complying with any other legal procedures, applications and/or approvals related to the intended land use.
- b) Should the expansion of the existing services be necessary, in order to provide service connections to the development, the costs 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. 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 Municipality, 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 decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision for or against the appeal. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 200,00 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
Ad./ds

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