



File ref: 15/3/3-8/Erf 772

Enquiries:
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15 August 2025

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Sir / Madam

PROPOSED REZONING AND DEPARTURE ON ERF 772, MALMESBURY

Your application with reference number MAL/10105/NJdK, dated 17 October 2024, on behalf of Die Nederduitse Gereformeerde Gemeente te Swartland, 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 772, Malmesbury, from Community Zone 2 to Community Zone 1, is approved in terms of section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- Erf 772, Malmesbury (2 740m² in extent) be rezoned from Community Zone 2: Place of Worship, to Community Zone 1: Place Of Education, in order to accommodate a crèche and aftercare facilities, as presented in the application;
- The site be utilised in accordance with the Land Use Maps, reference number MAL/10105/AC/RB/LB, dated 4 September 2024, presented in the application;
- The entrance ramp to the parking area on Erf 772, be widened to 6m, as proposed in the Transport Impact Assessment (Revision 1), dated April 2025, prepared by L. Stodart Engineering;
- At least 15 on-site parking bays be provided in accordance with the layout proposed in Figure 4, dated 3 February 2025, as included in the Transport Impact Assessment (Revision 1), dated April 2025 and that the ramp and parking bays be clearly marked and finished in a permanent, dust free material, be it tar, concrete, paving or any other material previously approved by the Director: Civil Engineering Services;
- A minimum of 1,5 m² free, unrestricted indoor floor space and a minimum of 2 m² outside playing area be provided per child, in accordance with the Children's Act, 2005 (Act 38 of 2005), and as presented in the Land Use Maps, with reference number MAL/10105/AC/RB/LB, dated 4 September 2024, presented in the application;
- Formal building plans, indicating any amendments to the approved building plans on record, as well as the entrance widening and new parking lot layout, be submitted within 60 day of the registration of this approval letter, to the Senior Manager: Development Management for consideration and approval;
- No structural alterations to the existing buildings be permitted without consent from Heritage Western Cape and municipal building plan approval;
- The operation of the place of education be restricted to the time slot between 06h00 and 18h00, from Mondays to Fridays;

• 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!

- i) Application for the display, construction or affixing of advertising signs be submitted to the Senior Manager: Development Management for consideration for approval;

2. WATER

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

3. SEWERAGE

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

- 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 772, Malmesbury, is approved in terms of section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The required 1 bus parking bay be departed from to 0 bus parking bays;
- b) The 5m northern side building line be departed from to 0m as presented in the application;
- c) The 10m eastern street building line be departed from to 0m, as presented in the application;
- d) The 5m southern side building line be departed from to 1,8m, as presented in the application;
- e) The 5m western rear building line be departed from to 1,3m, as presented in the application;
- f) 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 their entirety;

1. 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) The approval is, in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval be complied with before the new zoning will vest and the occupation certificate be issued. Failure to comply will result in the approval expiring;
- c) 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
Adudu

Copies:

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