



File ref: 15/3/10-1/Erf_1229

Enquiries:
AJ Burger

15 July 2025

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

By registered mail

Dear Sir/Madam

PROPOSED CONSENT USE ON ERF 1229, ABBOTSDALE

Your application with reference ABB/14472/NJdK, dated 17 April 2025, on behalf of Kenny Isaacs Family Trust, 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 a consent use on Erf 1229, 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 consent authorises a house shop, restricted to 25m², as presented in the application;
- b) The existing house shop is larger than the permitted 25m² and the site development plan does not propose a functional dwelling house. The development proposal be amended at building plan stage to comply with the applicable zoning parameters;
- c) Building plans, clearly indicating the house shop in relation to the house, be submitted to the Senior Manager: Development Management, for consideration and approval;
- d) The operating hours of the house shop be restricted between 6:00 and 21:00 daily;
- e) Application for construction or attaching an advertising sign to the building be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding 1m² in area and not exceeding the land unit boundaries with any part of it, be permitted and it indicate only the name of the owner, name of the business and nature of the retail trade;
- f) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- g) Only pre-packaged food products may be sold;
- h) No food preparation be allowed in the house shop;
- 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 dwelling and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the house shop, including to any awning, stoep or shade structure;
- k) No loitering be allowed on Erf 1229 and that the property owner, shop owner and shop operator on any given day be responsible for the removal of loiterers from the property;
- l) The following activities not be allowed for sale in the house shop:

- i. The sale of wine and alcoholic beverages;
 - ii. Storage or sale of gas and gas containers;
 - iii. Vending machines;
 - iv. Video games; and
 - v. Snooker or pool tables;
- m) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- n) The letter of authorization from Swartland Municipality be displayed inside the house shop;

2. WATER

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

3. SEWERAGE

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

4. STREETS AND STORMWATER

- a) Deliveries may only be made by delivery vehicles of with a gross vehicle mass of 16000 kg;

5. GENERAL

- a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- b) 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. All conditions of approval be implemented before 30 September 2025 and failing to do so will cause legal action to enforce compliance. Should all conditions of approval be met within the prescribed period, the land use becomes permanent and the approval period will no longer be applicable.
- c) 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, 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.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
A/B/ds

Copies: *Director: Civil Engineering Services*
 Director: Financial Services
 Building Control Officer
 Email: mike@rapula.co.za