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SKOON OUDITS SEDERT 2010/11



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File ref: 15/3/4-11/Erf 103  
15/3/6-11/Erf 103  
15/3/10-11/Erf 103

Navrae/Enquiries:  
A. de Jager

26 October 2022

C K Rumboll & Partners  
P.O. Box 211  
MALMESBURY  
7299

By Registered Mail

Sir / Madam

## **PROPOSED DEPARTURE, SUBDIVISION, CONSENT USE AND EXEMPTION FROM SERVITUDE REGISTRATION ON ERF 103, RIEBEEK KASTEEL**

Your application with reference number RK/12095/MH, dated 03 June 2022, on behalf of J. and F.I. Duminy, regarding the subject, refers.

- A. By virtue of the authority delegated to the Senior Manager: Built Environment 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 subdivision of Erf 103, Riebeek Kasteel, is approved in terms of section 70 of the By-Law;
- B. By virtue of the authority delegated to the Senior Manager: Built Environment 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 a consent use on the Remainder of Erf 103, Riebeek Kasteel, is approved in terms of section 70 of the By-Law;

### **Approvals A. and B. are subject to the conditions that:**

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

- a) Erf 103 (2 105m<sup>2</sup> in extent) be subdivided into Portion A (513m<sup>2</sup> in extent), Portion B (522m<sup>2</sup> in extent) and the Remainder (1 070m<sup>2</sup> in extent), as presented in the application;
- b) The consent use authorises a guest house, as presented in the application as follows:
- i) 9 x guest bedrooms with en suite bathrooms;
  - ii) 8 x bathrooms;
  - iii) 1 x entertainment area;
  - iv) 3 x living areas;
  - v) 1 x kitchen and scullery
  - vi) 2 x covered patios;
  - vii) 1 x open patio, braai area and swimming pool;
  - viii) 2 X storerooms; and
  - ix) 1 x reception area;
- c) A minimum of five (5) on-site parking bays be provided, and that parking bays be provided with a permanent dust free surface whether it be tar, concrete, paving or any other material, as approved by the municipality beforehand, and the parking bays need to be clearly demarcated;
- d) Any openings, such as windows and doors of the existing dwelling, that are located on the subdivision line of the Remainder, be closed and relocated to a position at least 1m away from the new erf boundary;
- e) Any other structural elements of the existing dwelling that protrude over the new property boundary be removed or considered to be that property of the new Portion A;

Rig asseblief alle korrespondensie aan:

Die Munisipale Bestuurder  
Privaatsak X52  
Malmesbury 7299

Darling Tel: 022 492 2237

Tel: 022 487 9400

Faks/Fax: 022 487 9440

Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:

The Municipal Manager  
Private Bag X52  
Malmesbury 7299

Yzerfontein Tel: 022 451 2366

- f) Building plans be submitted to the Senior Manager: Built Environment for consideration of approval;
- g) All amenities and provision of meals shall be for the sole benefit of bona fide lodgers;
- h) A register of guests and lodgers be kept, and completed when rooms are let, and the register must be produced for inspection on request by a municipal official;
- i) Guest rooms may not be converted to, or used as separate dwelling units;
- j) Application be made to the Senior Manager: Built Environment for the right to construct or affix and display any signage;
- k) Any signage will be limited to 1m<sup>2</sup> in area and may not project over a public street;
- l) A Certificate of Compliance be obtained from the West Coast District Municipality for the preparation of food for the guest house;
- m) A trade licence be obtained from Swartland Municipality for the operation of the guest house;

## **2. WATER**

- a) Each subdivided portion be provided with a separate water connection at building plan stage;

## **3. SEWERAGE**

- a) The subdivided portion be provided with a separate conservancy tank to the capacity previously approved by the Director: Civil Engineering Services, at building plan stage;

## **4. DEVELOPMENT CHARGES**

- a) The owner/developer is responsible for the development charge of R26 137,20 (R6 534,30 per each new portion and R13 068,60 for the guest house) towards the bulk supply of regional water, at clearance stage. The amount is payable to Swartland Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (Vote number 9/249-176-9210);
- b) The owner/developer is responsible for the development charge of R38 019,00 (R9 504,75 per each new portion and R19 009,50 for the guest house), towards water reticulation, at clearance stage. The amount is payable to Swartland Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (Vote number 9/249-174-9210);
- c) The owner/developer is responsible for the development charge of R25 056,20 (R6 264,05 per each new portion and R12 528,10 for the guest house) towards sewerage, at clearance stage. The amount is payable to Swartland Municipality, valid for the financial year of 2022/2023 and may be revised thereafter. (Vote number 9/240-184-9210);
- d) The owner/developer is responsible for the development charge of R26 910,00 (R6 727,50 per each new portion and R13 455,00 for the guest house) towards waste water treatment, at clearance stage. The amount is payable to Swartland Municipality, valid for the financial year of 2022/2023 and may be revised thereafter. (Vote number 9/240-183-9210);
- e) The owner/developer is responsible for the development charge of R12 068,10 (R6 034,05 per each new portion) towards roads, at clearance stage. The amount is payable to Swartland Municipality, valid for the financial year of 2022/2023 and may be revised thereafter. (Vote number 9/247-188-9210);
- f) The owner/developer is responsible for the development charge of R6 451,5 (R 3 225,75 per each new portion) towards storm water, at clearance stage. The amount is payable to this Municipality, valid for the financial year of 2022/2023 and may be revised thereafter. (Vote number 9/247-144-9210);
- a) The Council resolution of May 2022 makes provision for a 35% discount on development charges to Swartland Municipality, except for condition 4(a), which is payable in full. The discount is valid for the financial year 2022/2023 and can be revised thereafter.

## **5. GENERAL**

- a) Any existing services, connecting the remainder and Portion A, be moved and/or disconnected in order to ensure that the pipe work for each erf is located on the specific erf;
- b) Should it be deemed necessary to extend the existing services network, in order to provide the subdivided portion with service connections, it will be for the cost of the owner/ developer;
- c) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of the By-Law, will not be issued unless all the relevant conditions have been complied with;
- d) The approval is, in terms of section 76(2)(w) of the By-Law, only valid for a period of 5 years. All conditions of approval for the guesthouse be complied with before the occupancy certificate for the new usage be issued and failing to do so will result in the approval expiring. However, should all the conditions of approval be met before the 5 year approval period, the consent use will be permanent and the approval period will not be applicable anymore.

- C. By virtue of the authority delegated to the Senior Manager: Built Environment 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 building line departure on the Remainder of Erf 103, Riebeek Kasteel, is approved in terms of section 70 of the By-Law, as follows:

**1. TOWN PLANNING AND BUILDING CONTROL**

- a) The 1,5m southern side building line on the Remainder be departed from to 0m, in order to accommodate a portion of the existing dwelling;
- D. The registration of a 6m wide right-of-way servitude over the new Portion A and Portion B, in favour of the Remainder, complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval from Swartland Municipality.

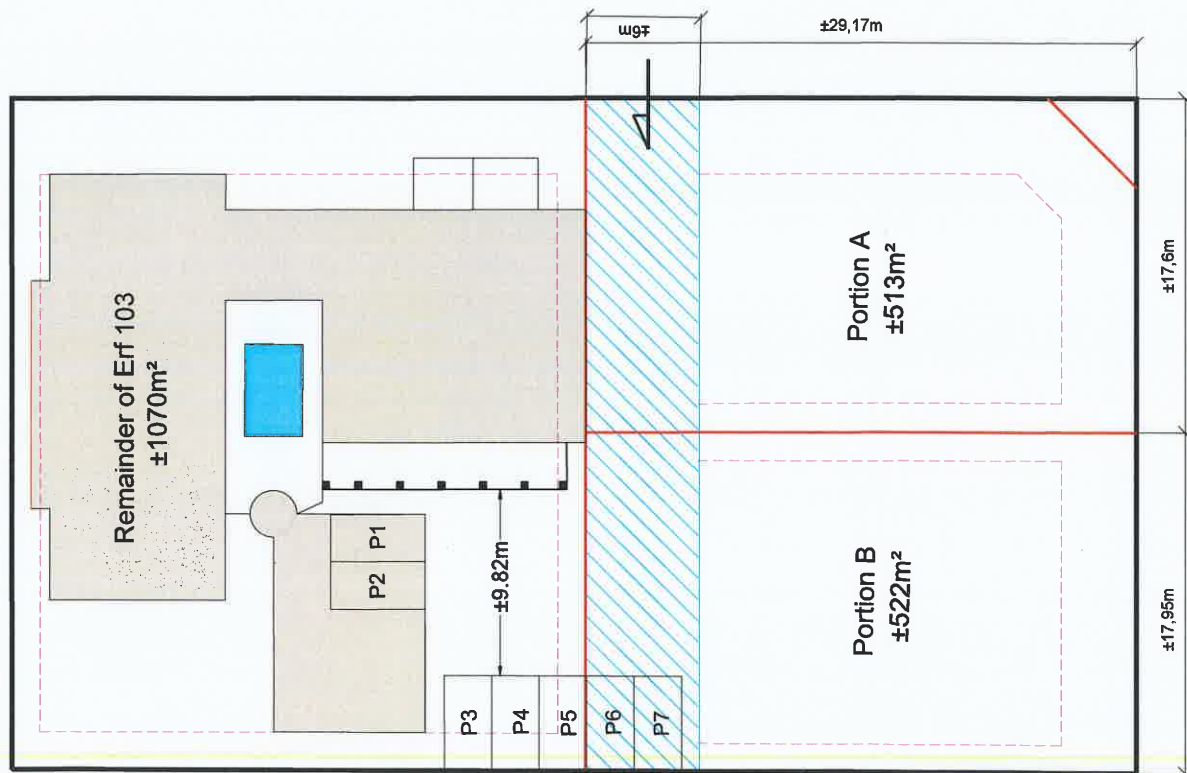
Yours sincerely

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

Copies:      *Department: Financial Services*  
                 *Department: Civil Engineering Services*  
                 *Building Control Officer*  
                 *Land Surveyor General Private Bag X9028, CAPE TOWN, 8000*  
                 *J. and F.I. Duminy, P.O. Box 44, Riebeek Kasteel, 7307, francoisduminy@yahoo.com*

Erf 119

HEUWEL STREET



PIET RETIEF STREET

Erf 1029

SWARTLAND MUNISIPALITEIT  
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan ingevolge artikel 70 van die Verordening insake Munisipale Grondgebruikheplanning (PK 8226 van 25 Maart 2020), onderhewig aan voorwaardes.

Subdivision granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020) subject to conditions.

2022/10/26  
DATUM/DATE

MUNISIPALE BEESJURDER  
MUNICIPAL MANAGER