



File ref: 15/3/3-8/Erf 190

Enquiries:  
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14 February 2025

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Sir / Madam

### PROPOSED REZONING OF A PORTION OF ERF 190, MALMESBURY

Your application with reference number MAL/14115/HDT, dated 28 November 2024, on behalf of Hoërskool 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 a portion of Erf 190, Malmesbury, from Community 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) A portion (5 106m<sup>2</sup> in extent) of Erf 190, Malmesbury, be rezoned from Community Zone 1 to Business Zone 1, in order to accommodate the following land uses:
  - i. A high performance centre;
  - ii. Offices;
  - iii. Consultation rooms;
  - iv. Restaurant;
  - v. Pedal courts;and other uses related to a high performance centre;
- b) Building plans, indicating any new construction and structural elements, be submitted to the Senior Manager: Development Management for consideration of approval;
- a) A minimum of 48 clearly demarcated on-site parking bays be provided 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;
- c) Application be made to the Senior Manager: Development Management for the right to construct or affix and display any signage against the buildings or on the property;
- d) Signage will be limited to 1m<sup>2</sup> in area and may not project over a public street;
- e) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- f) The owner/developer adheres to all requirements of the West Coast District Municipality regarding health and safety of the high performance centre;
- g) The business components related to the preparation and sale of food, apply to the West Coast District Municipality for consideration and approval of a Certificate of Compliance;

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- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

- h) All the approvals, licences and certificates be displayed inside the relevant businesses;

**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;

**4. ROADS AND STORM WATER**

- a) Access to the development be restricted to Hof Street and that no additional access points be permitted to and from Dirkie Uys Street;

**5. DEVELOPMENT CHARGES**

- a) The owner/developer is responsible for a development charge of R179 095,31 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 2024/2025 and may be revised thereafter (mSCOA 9/249-176-9210);
- b) The owner/developer is responsible for the development charge of R100 604,61 towards bulk water reticulation, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-174-9210);
- c) The owner/developer be responsible for the development charge of R54 741,77 towards sewerage, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- d) The owner/developer is responsible for the development charge of R59 344,28 towards the waste water treatment works, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- e) The owner/developer is responsible for the development charge of R405 724,89 towards roads and storm water, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/247-188-9210);
- f) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and may be revised thereafter;

**B. 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) All conditions of approval be implemented before the new land use comes into operation and occupation be issued. Failing to comply will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the new zoning becomes permanent and the approval period will no longer be applicable.

Yours sincerely

  
**MUNICIPAL MANAGER**

per Department Development Services  
AJJ/ds

Copies:

*Department: Financial Services*

*Department: Civil Engineering Services*

*Building Control Officer*

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