



File ref: 15/3/4-8/Erf 12385

Enquiries:
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16 October 2024

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Sir / Madam

PROPOSED PERMANENT DEPARTURES ON ERF 12385, MALMESBURY

Your application with reference number MAL/13892/MH, dated 29 August 2024, on behalf of WD Jackson Verhurings CC, 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 permanent departures on Erf 12385, 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 3m southern side building lines be departed from to 0m, to accommodate the proposed building, as presented in the application;
- b) The maximum finished floor level height of 1m above the gradient line be departed from to a maximum of 3,66m in certain portions of the proposed buildings, as presented in the application;

2. SEWERAGE

- a) Note that the sewer connection is at the rear of the erf and the position must be taken into account in the design of structures;

3. 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 for or against the appeal. All conditions of approval be implemented before 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;
- 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, Yzerfontein, 7299 or by e-mail to

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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
AdJ/ds

Copies: *Department: Financial Services*
 Department: Civil Engineering Services
 Building Control Officer
 W.D. Jackson Verhurings CC, wdj@cornergate.com