



CLEAN AUDITS SINCE 2010/11
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File ref: 15/3/4-8/Erf_1827
15/3/5-8/Erf_1827
15/3/10-8/Erf_1827

Enquiries:
Mr AJ Burger

16 February 2023

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

By Registered Mail

Sir / Madam

PROPOSED REMOVAL OF RESTRICTIVE TITLE CONDITIONS, CONSENT USE AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 1827, MALMESBURY

Your application with reference MAL/12894/NJdK, dated 4 November 2022 on behalf of WA van Reenen, refers.

- A. 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 the removal of restrictive conditions C(c) and C(e) registered against Erf 1827, Malmesbury, as contained in Title Deed T32400/2016, is hereby approved in terms of section 70 of the By-Law.

The following process be followed:

- (a) The applicant/owner applies to the Deeds Office to amend the title deed in order to reflect the removal of the restrictive conditions;
 - (b) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
 - (i) Copy of the approval by Swartland Municipality;
 - (ii) Original title deed, and
 - (iii) Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
 - (c) A certified copy of the amended title deed be provided to Swartland Municipality for record purposes, prior to final consideration of building plans.
- B. 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 for a place of education on erf 1827, Malmesbury is hereby approved in terms of section 70 of the By-Law.
- C. 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 the departure of the development parameters applicable on erf 1827, Malmesbury which entails the departure of the 1,5m side building line (northern boundary) to 0m, is hereby approved in terms of section 70 of the By-Law.

Decisions B and C above are subject to the following conditions.

1. TOWN PLANNING AND BUILDING CONTROL

- a) The consent use authorises a place of education (swimming school of 150m² in extent) as presented in the application;
- b) The swimming school, as a place of education, be limited to the teaching of swimming, water safety for children and water therapy;
- c) No coaching for swimming as a sport may take place at the swimming school;
- d) The operating hours of the place of education are limited to 13h30 to 18h00 Mondays to Fridays and 09h00 to 11h00 on Saturdays;
- e) Students at the swimming school are limited to a maximum of 4 learners per session;
- f) At least 4 on-site parking spaces be provided for the swimming school. The parking layout as proposed in the application is deemed impractical. 90 Degree parking bays to Bergzicht Street be provided as on-site parking. This implies that the kerb be dropped and moving the existing street boundary wall back on the property.
- g) The parking bays as mentioned at point 1(f) be provided with a permanent dust-free surface, either concrete, tar or paving or a material pre-approved by Swartland Municipality and that the parking spaces are clearly marked;
- h) The drop-off and pick-up of learners as well as vehicles of parents waiting for learners are prohibited in Bergzicht Street;
- i) The necessary building plans be submitted to the Senior Manager: Development Management for consideration;
- j) The necessary application for erecting advertising signs is submitted to the Senior Manager : Development Management for consideration and approval;
- k) Stormwater from the roof on the erf boundary be accommodated on erf 1827 and be taken to the nearest municipal street;
- l) This approval is displayed at the swimming school;

2. WATER

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

3. SEWERAGE

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

4. WEST COAST DISTRICT MUNICIPALITY

- a) Water samples be taken on a regular basis to ensure that the quality of the water meets the relevant requirements;
- b) The General Health Regulations of the Health Act, Act 63 of 1977, be complied with;
- c) Provincial Gazette Nr. 5887, Notice 85 of 1978, dated 27 January 1978, be complied with;
- d) Regulation 17 with regards to public swimming pools be complied with;

5. GENERAL

- (a) The approval does not exempt the owner/developer from adherence to all other legal procedures, applications and/or approvals related to the intended land use;
- (b) 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 be complied with and an occupancy certificate for the buildings be issued prior to the swimming school going into operation.

Yours faithfully



MUNICIPAL MANAGER
per Department Development Services

AJB/ds

*Copies: Department Financial Services
Department Civil Engineering Services
Building Control Officer
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