



CONSECUTIVE CLEAN AUDITS



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File ref: 15/3/10-14/Erf 1177
15/3/5-14/Erf 1177

Enquiries:
Mr H L Olivier

21 January 2021

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

By Registered Mail

Dear Sir/Madam

PROPOSED REMOVAL OF TITLE CONDITIONS AND CONSENT USE ON ERF 1177, YZERFONTEIN

Your application, with reference number YZE/11609/ZN/MV, dated 8 October 2020, on behalf of Gavin and Denise Levy of Wavesprop Inv 71 Pty Ltd, refers.

- A. By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swarthland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the removal of restrictive conditions B7(a), B7(b)(i), B7(b)(ii), B7(c), B7(d) and C2 registered against Erf 1177, Yzerfontein, as contained in Title Deed T40020/2008, is approved in terms of section 70 of the By-Law:

The approval is subject to the following process:

- (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 Swarthland Municipality;
 - (ii) Original title deed, and
 - (iii) Copy of the notice which was placed by Swarthland Municipality in the Provincial Gazette;
- (c) A copy of the amended title deed be provided to Swarthland Municipality for record purposes, prior to final consideration of building plans;
- (d) The approval is, in terms of section 76(2)(w) of the By-Law, valid for a period of 5 years.

- B. By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swarthland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for a consent use on Erf 1177, is approved in terms of Section 70 of the aforementioned By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a guest house, as presented in the application as follows:
 - (i) 5 x guest bedrooms with en-suite bathrooms;
 - (ii) 1 x dining room;

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: swarthlandmun@swarthland.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

- (iii) 1 x living room;
 - (iv) 1 x patio;
 - (v) 1 x kitchen and scullery; and
- (b) A minimum of three (3) 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;
 - (c) Building plans be submitted to the Senior Manager: Built Environment for consideration of approval;
 - (d) All amenities and provision of meals shall be for the sole benefit of bona fide lodgers;
 - (e) 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;
 - (f) Guest rooms may not be converted to, or used as separate dwelling units;
 - (g) Application be made to the Senior Manager: Built Environment for the right to construct or affix and display any signage;
 - (h) Any signage will be limited to 1m² in area and may not project over a public street;
 - (i) A Certificate of Compliance be obtained from the West Coast District Municipality for the operation of the guest house;
 - (j) A trade licence be obtained from Swartland Municipality for the operation of the guest house;

2. WATER

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

3. SEWERAGE

- (a) A conservancy tank of sufficient capacity be installed on the property to the satisfaction of the Director Civil Engineering Services;

4. DEVELOPMENT CHARGES

- (a) The owner/developer is responsible for the development charges towards district bulk water supply, to the amount of R3 630,17. This amount is payable to the Swartland Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The fixed development charges towards bulk water reticulation amounts to R3 001,50 and is payable by the owner/developer at clearance stage. This amount is payable to the Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/249-174-9210);
- (c) The owner/developer is responsible for the development charges towards sewerage, to the amount of R3 741,33. This amount is payable to the Swartland Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/240-184-9210);
- (d) The owner/developer is responsible for the development charges towards waste water treatment, to the amount of R5 520,00. This amount is payable to the Swartland Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charges towards streets, to the amount of R7 666,67. This amount is payable to the Swartland Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/249-144-9210);
- (f) The owner/developer is responsible for the development charges towards stormwater, to the amount of R2 128,27. This amount is payable to the Swartland Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/248-144-9210);
- (g) A fixed development charges towards electricity be made to this municipality to the amount of R 6 946,00 at building plan stage. This amount is payable to vote number 9/253-164-9210 and is valid for the financial year of 2020/2021 and may be revised thereafter;
- (h) Council's resolution dated May 2020 makes provision for a 40% rebate applicable on the development charges to Swartland Municipality which are applicable only to points B4(b) to B4(g). This rebate is valid for the 2020/2021 financial year and may be revised thereafter;

5. GENERAL

- (a) The approval is in terms of section 76(2)(w) of the By-law valid for 5 years. All conditions of approval be met before the guest house comes into operation and occupancy certificate be issued after when the 5 year period is no longer applicable;
- (b) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

- (c) The owner / developer informs guests to the facility of the sensitivity of the indigenous vegetation situated on neighbouring erf 1037, as well as take reasonable steps in ensuring that guests to the establishment do not park on the neighbouring open space.

Yours sincerely


MUNICIPAL MANAGER

per Department Development Services
HLO/ds

Copies: *Director: Civil Engineering Services*
 Director: Financial Services
 Building Control Officer
 G Levy, P O Box 12599, Mill Street, GARDENS, CAPE TOWN, 8010