



File ref: 15/3/3-8/Erf\_8203  
15/3/10-8/Erf\_8203

Navrae/Enquiries:  
Mr AJ Burger

16 July 2025

CK Rumboll & Partners  
PO Box 211  
MALMESBURY  
7299

Sir/ Madam

## **PROPOSED REZONING & DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 8203, MALMESBURY**

Your application with reference number MAL/14485/NJdK, dated 12 May 2025, on behalf of JM & KM Liedeman, 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 8227 of 25 March 2020), the application for rezoning of erf 8203, Malmesbury, is approved in terms of Section 70 of the By-Law.
- 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 8227 of 25 March 2020), the application for the departure of development parameters on erf 8203, Malmesbury, is approved in terms of Section 70 of the By-Law as follows:
1. Departure of the 3m side building lines (southern and eastern boundaries) to 0m respectively;
  2. Departure of the 4 on-site parking bays to 1 parking bay.

Decisions A. & B. above be subject to the conditions that:

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

- a) Erf 8203 (171m<sup>2</sup> in extent) be rezoned from Residential zone 2 to Business zone 2 as presented in the application;
- b) The existing storage area (eastern side) of the shop is being used as a flat which is not reflected on the site development plan. The development proposal be amended at building plan stage to indicate the correct land uses of the buildings;
- c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- d) The on-site parking bay be provided with a permanent dust free surface being concrete, paving or tar or a material pre-approved by Swartland Municipality and that the parking bays are clearly marked;
- e) Application be made to the Senior Manager: Development Management for the erection of any advertising signs;
- f) Application be made to Swartland Municipality for a business license;
- g) A financial contribution for the non-provision of 3 on-site parking bays be made and is calculated at the estimated market value per m<sup>2</sup> of the land on which the building is erected, multiplied by the area in m<sup>2</sup> of the land which is required to be provided.

Market value of land x area of parking area = contribution

$$R152,00 \times 37,5\text{m}^2 = R5\,700,00$$

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- !Swartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

- h) The financial contribution be paid at building plan stage;

## **2. WATER**

- a) The existing water connection be use and that no additional connections be provided.;

## **3. SEWERAGE**

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

## **4. DEVELOPMENT CHARGES**

- a) The owner/developer be responsible for a development charge of R 1 928,91 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 2025/2026 and may be revised thereafter (mSCOA 9/249-176-9210);
- b) The owner/developer be responsible for the development charge of R 3 433,82 towards bulk water reticulation, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-174-9210);
- c) The owner/developer be responsible for the development charge of R 514,08 towards sewerage, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- d) The owner/developer is responsible for the development charge of R 557,30 towards the waste water treatment works, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- e) The owner/developer is responsible for the development charge of R 23 138,35 towards roads, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/247-188-9210);
- f) The Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and can be revised thereafter;

## **5. 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. All conditions of approval be implemented before 30 September 2025 and failing to do so will cause the legal action to enforce compliance. Should all conditions of approval be met within the prescribed 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 Authorized Official in terms of Section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to [swartlandmun@swartland.org.za](mailto: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

AJB/ds

Copies:

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