



**CLEAN AUDITS SINCE 2010/11**



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File ref: 15/3/3-8/Erf 967  
15/3/4-8/Erf 967

Enquiries:  
A. de Jager

27 August 2021

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

**By Registered Mail**

Dear Sir/Madam

**PROPOSED REZONING AND DEPARTURE ON ERF 967, MALMESBURY**

Your application with reference number MAL/11961/NJdK, dated 17 June 2021, on behalf E.J. Botes Stelluto, 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 Swartland Municipality: Municipal Land Use Planning By-Law (PG 8227 of 25 March 2020), the application for rezoning of Erf 967, Malmesbury, from Residential Zone 1 to Community Zone 3: Institution, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

**1. TOWN PLANNING AND BUILDING CONTROL**

- a) The rezoning authorises the development of a health care facility, restricted to  $\pm 1263\text{m}^2$ , as presented in the application;
- b) A maximum of 10 patients at a time be allowed to reside in the facility, as presented in the application;
- c) A minimum of ten (10) on-site parking bays be provided as presented in the application and that the parking areas be finished with a permanent, dust free surface, whether it be tar, concrete, paving or any other material, as pre-approved by the Director: Civil Engineering Services, and the parking bays need to be clearly demarcated;
- d) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- e) Application be made to the Senior Manager: Built Environment for the right to display the name board/sign of the facility on the site;
- f) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- g) The National Environmental Health Norms and Standards promulgated on 24 December 2015 (Notice 1229 of 2015) in terms of the National Health Act (61 of 2003) be adhered to, to the satisfaction of the Environmental Health Division of the West Coast District Municipality;
- h) Application must be submitted to the WCDM's Environmental Health Division for a Health Certificate in terms of said Norms and Standards;
- i) Provision be made for the removal of medical waste, to the satisfaction of the Environmental Health Division of the West Coast District Municipality;

**2. WATER**

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

**3. SEWERAGE**

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

*Rig asseblief alle korrespondensie aan:*  
**Die Munisipale Bestuurder**  
**Privaatsak X52**  
**Malmesbury 7299**

**Tel: 022 487 9400**  
**Faks/Fax: 022 487 9440**  
**Epos/Email: swartlandmun@swartland.org.za**

**Moorreesburg Tel: 022 433 2246**

*Kindly address all correspondence to:*  
**The Municipal Manager**  
**Private Bag X52**  
**Malmesbury 7299**

**Darling Tel: 022 492 2237**

**Yzerfontein Tel: 022 451 2366**

#### 4. DEVELOPMENT CHARGES

- a) The owner/developer is responsible for a development charge of R6 534,30 (R10 890,5 x 0,6) towards the bulk supply of regional water, at building plan stage. The 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 owner/developer is responsible for the development charge of R7 340,83 towards bulk water reticulation, at building plan stage. The 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 charge of R3 631,57 towards sewerage, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2020/2021 and may be revised thereafter (mSCOA: 9/240-184-9210);
- d) The Council resolution of May 2020 makes provision for a 40% discount on development charges to Swartland Municipality, except for condition 4.a), which is payable in full. The discount is valid for the financial year 2020/2021 and may be revised thereafter;

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 Swartland Municipality: Municipal Land Use Planning By-Law (PG 8227 of 25 March 2020), the application for the departure of development parameters on Erf 967, 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 10m northern street building line be departed from and relaxed to 7,55m;
- b) The 5m eastern side building line be departed from and relaxed to 3m;
- c) The 10m western street building line be departed from and relaxed to 0,45m;
- d) The departures be restricted to the portions of the existing buildings that encroach on the building lines, as presented in the application;

#### 2. GENERAL

- a) The approval does not exempt the applicant from adherence to any other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
- b) The Municipal tariffs for the financial year 2020/2021 determines that an amount of R255-00 per day be levied from the date of the lapsing of this notice period if the illegal land use has not been stopped. The illegal land use is still in operation. The land use application has been received by Swartland Municipality on 7 June 2021 which is 34 days after the lapsing of the notice period. A tariff fee for the unauthorised land use to the amount of R8670-00 needs to be paid at building plan stage;
- c) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be complied with by no later than 29 October 2021 and failing to do so will result in further administrative action.

Yours sincerely

  
**MUNICIPAL MANAGER**  
per Department Development Services  
Adj'ds

Copies:      *Director: Civil Engineering Services*  
                 *Director: Financial Services*  
                 *Building Control Officer*  
                 *E.J. Botes Stelluto, 33 LangStreet, Malmesbury, 7300*