



File ref: 15/3/3-8/Erf_795
15/3/10-8/Erf_795
15/3/4-8/Erf_795
15/3/13-8/Erf_795

Navrae/Enquiries:
Mr AJ Burger

2 July 2025

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

Sir/ Madam

PROPOSED REZONING, CONSENT USE, DEPARTURE OF DEVELOPMENT PARAMETERS AND EXEMPTION ON ERF 795, MALMESBURY

Your application with reference number MAL/13731/MH, dated 13 September 2024, on behalf of Lofty Eaton Family Trust, 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 795, 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 a consent use on erf 795, Malmesbury, is 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 8227 of 25 March 2020), the application for the departure of development parameters on erf 795, Malmesbury, is approved in terms of Section 70 of the By-Law as follows:
 1. Departure of the 5m street building line to 0m with regard to the Industrial Zone 1 zoning;
 2. Departure of the 4m street building line to 0m with regard to the Residential Zone 1 zoning;
 3. Departure of the required 12 on-site parking bays to 4 parking bays (Industrial Zone 1 : 8 parking bays to 2 and Residential Zone 1 : 4 parking bays to 2).

Decisions A. to C. above be subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) A portion of Erf 795 (635m² in extent) be rezoned from Industrial zone 1 to Residential zone 1 as presented in the application;
- b) The consent use authorizes a double dwelling as presented in the application;
- c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval for all building work which does not consist of approval within 30 days of the date of this decision;
- d) The portion of the building which is currently erected inside the service servitude be demolished within 90 days of the date of this decision;
- e) On-site parking bays for the Industrial zone 1 zoning 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;

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

- f) The existing 5 on-street parking bays in front of erf 795 in St. Francis Street be formalised and clearly marked in collaboration with the Director: Civil Engineering Services;
- g) Application be made to the Senior Manager: Development Management for the erection of any advertising signs;
- h) A financial contribution for the non-provision of 6 on-site parking be made. The contribution is determined as follows:

Estimated market value per m² of the land on which the building is erected, multiplied by the area in m² of the land which is required to be provided, for the provision of an adequate parking outlay.

$R300/m^2 \times 180m^2$ (6 parking bays) = R54 000,00

The contribution be made 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 R32 118,49 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 2025/2026 and may be revised thereafter (mSCOA: 9/249-176-9210);
- b) The owner/developer be responsible for the development charge of R18 042,17 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 R9 258,19 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 R10 036,59 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 R22 863,13 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 will 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 within the 90 days of the date of this approval and failing to do so will result in this approval expiring.
- D. The registration of a sewer line service servitude over erf 795, Malmesbury, complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval from Swartland Municipality.

Kindly provide Swartland Municipality with copies of the approved Surveyor General diagrams for record keeping purposes.

Yours sincerely



MUNICIPAL MANAGER

per Department Development Services

AJB/ds

Copies:

Director: Civil Engineering Services

Director: Electrical Engineering Services

Director: Financial Services

Building Control Officer

accounts@loftyeaton.com

SERVITUDE PLAN

ERF 795 MALMESBURY

LEGEND:



Erf 795



Proposed sewer pipeline servitude



Existing buildings

Portion of building to be demolished

4931

4930

4929

ST. FRANCIS STREET

SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY

Voorgesel ingevolge artikel 34 van die Verordening insake
Munisipale Grondegebruikplanning (PAK 8226 van 25 Maart
2020).

Exempted in terms of section 34 of the Municipal Land Use
Planning By-Law (PIN 8226 of 25 March 2020).

2025/07/02
DATE/DATE

A. Rumboll
MUNICIPAL MANAGER

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING



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DATE:
AUGUST 2024

AUTHORITY:
SWARTLAND MUNICIPALITY

REF:
MAU/13731/MH



FOOO