





File ref: 15/3/3-8/Erf 9474, 13046 15/3/6-8/Erf 9474, 13046 15/3/12-8/Erf 9474, 13046 Enquiries: A. de Jager

23 April 2025

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

via e-mail: planning1@rumboll.co.za

Sir / Madam

PROPOSED REZONING, SUBDIVISION AND CONSOLIDATION OF ERF 9474 AND ERF 13046, MALMESBURY

Your application with reference number MAL/14061/MC, dated 17 January 2025, on behalf of the Proprop Trust, regarding the subject, 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 rezoning of Erf 9474, Malmesbury, from Business Zone 1 to Subdivisional Area, be approved in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- 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 the rezoning of Erf 13046, Malmesbury, from Open Space Zone 2 to Subdivisional Area, be approved in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

Approvals A and B above are subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Erf 9474 (3,4019ha in extent) be rezoned from Business Zone 1 to Subdivisional Area in order to accommodate the following zoning categories, as presented in the application on Rezoning Plan #14061/MC, dated November 2024:
 - i. Residential Zone 1:
 - ii. Business Zone 1:
 - iii. Open Space Zone 2; and
 - iv. Transport Zone 2;
- b) Erf 13046 (1,4154ha in extent) be rezoned from Open Space Zone 2 to Subdivisional Area in order to accommodate the following zoning categories, as presented in the application on Rezoning Plan #14061/MC, dated November 2024:
- 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!

- i. Business Zone 1;
- ii. Business Zone 2;
- iii. Open Space Zone 2; and
- iv. Transport Zone 2;
- 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 subdivision of Erf 9474, Malmesbury, is approved in terms of Section 70 of the By-Law;
- D. 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 subdivision of Erf 13046, Malmesbury, is approved in terms of Section 70 of the By-Law;
- E. 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 consolidation of a portion of Erf 9474, Malmesbury, with a portion of Erf 13046, Malmesbury, is approved in terms of Section 70 of the By-Law;

Approvals C. D. and E. above are subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Erf 9474 (3,4019ha in extent) be subdivided into the following portions, in accordance with Subdivision Plan14061/MC, dated November 2024, presented in the application:
 - i. Portion A: 967m² in extent
 - ii. Portion B: 2 806m² in extent;
 - iii. Portion C: 1 887m² in extent;
 - iv. Portion D: 503m2 in extent;
 - v. Portion E: 514m² in extent;
 - vi. Portion F: 501m² in extent;
 - vii. Portion G: 502m² in extent;
 - viii. Portion H: 434m² in extent;
 - ix. Portion I: 2,5905ha in extent;
- b) Erf 13046 (1,4154ha in extent) be subdivided into the following portions, in accordance with Subdivision Plan14061/MC, dated November 2024, presented in the application, into:
 - i. Portion A: 5 714m²
 - ii. Portion B: 2 123m²
 - iii. Portion C: 2 013m²
 - iv. Portion D: 4 277m²
- Portion A (967m² in extent) of Erf 9474 be consolidated with Portion A (5 714m² in extent) of Erf 13046, in order to create a new land unit of 6 681m² in extent;
- d) The General Plan be submitted to the Surveyor-General for approval, including proof to the satisfaction of the Surveyor-General of
 - i. the municipality's decision to approve the subdivisions and consolidation;
 - ii. the conditions of approval imposed in terms of section 76; and
 - iii. the approved subdivision plans and consolidation plan:
- e) The Transport Zone 2 erven and the Open Space Zone 2 portions be transferred to the Owners Association, before transfer of the first residential property is approved;

2. WATER

a) The conditions contained in the service level agreement with River Leaf Investments, regarding the engineering services for the development, remains unchanged and applicable;

- b) The existing 300mm Ø water pipe that crosses Erf 9474 be replaced with a 500mm Ø HPDE class 12.5PN pipe:
- c) The entire portion of the pipe that crosses Erf 9474 be relocated. In order to achieve this, the developer must appoint an Engineer appropriately registered in terms of the provisions of Act 46 of 2000 to design the pipe replacement and relocation;
- d) The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be completed under the supervision of the suitably qualified Engineer;
- A 15m wide servitude be registered over the new 500mm Ø pipe and the existing 450mm Ø pipe;
- f) The servitude be established over the pipes in such a way that there is sufficient space on both sides for free access and for exposing the pipes. The boundaries of the servitude be such that boundary walls and built structures will be out of danger in the event of pipe ruptures. The proposed servitude be submitted to the Director: Civil Engineering Services for consideration and approval prior to its registration;

3. ELECTRICAL SERVICES

(a) The position of the existing 11kV electrical cable be taken into consideration in future designs;

4. GENERAL

- a) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of Bylaw will not be issued unless all the relevant conditions have been complied with;
- b) The approval is, in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval be complied with before the new land uses come into operation and occupancies be issued. Failure to comply will result in the approval expiring;
- c) Appeals against the decision should be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R5 000,00 is to accompany the appeal and section 90 of the By-Law complied with, for the appeal 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

Copies:

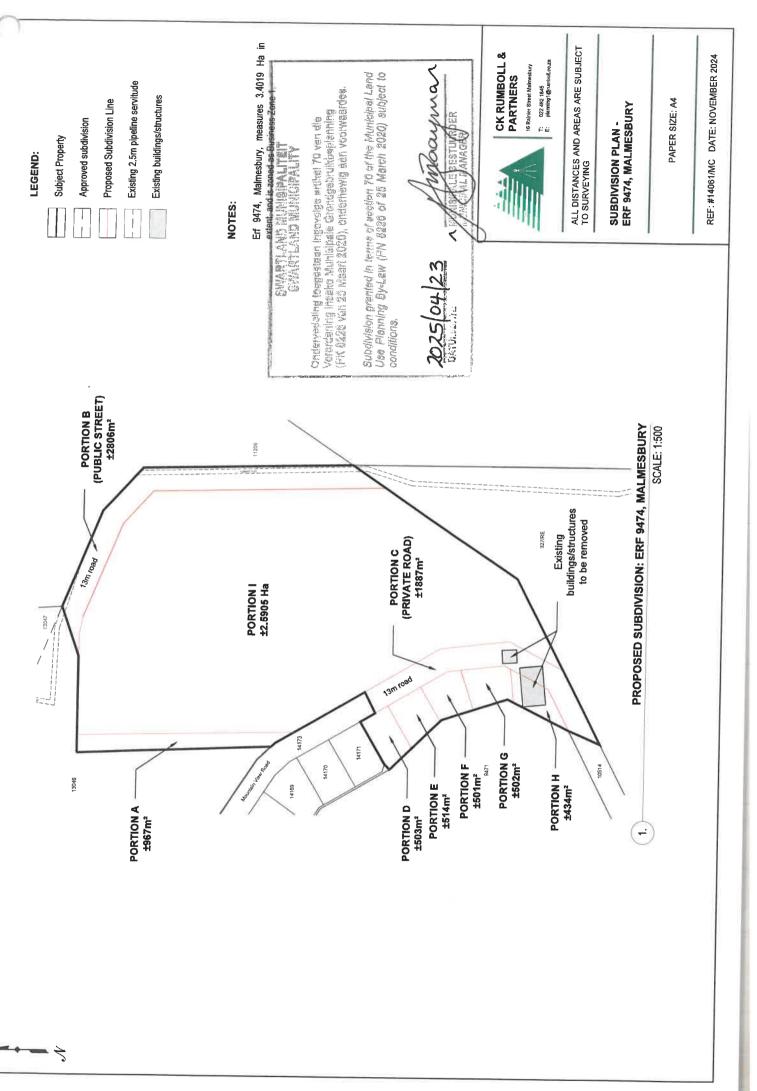
Department: Financial Services

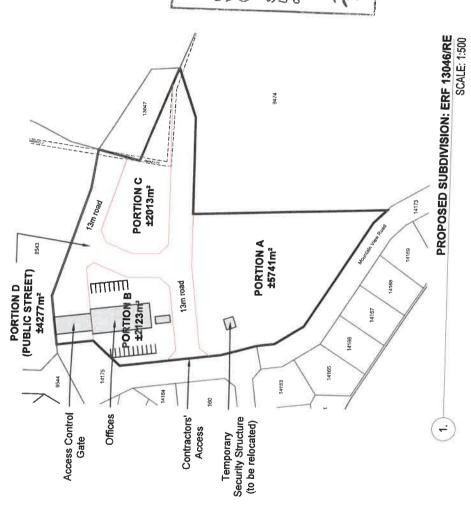
Department: Civil Engineering Services

Building Control Officer

Proprop Trust, 3 Silverwood Close, Westlake, CAPE TOWN, 7945

gerry@mountroyalestate.co.za





LEGEND:

Subject Property

Proposed Subdivision Lines

Existing 2.5m pipeline servitude

Existing buildings/structures

NOTES:

Erf 13046, Malmesbury, measures 1.4154 Ha in extent, and is zoned as Open Space Zone 2.

SWARTLAND MUNICIPALITEIT SWARTLAND MUNICIPALITY

Ondervedeling toegsstaan ingsvolge artikel 70 van die Verordening insake Munisipale Grondgebruitbeplanning (PK 8226 van 25 Maart 2020), onderhevig aan voorwaardes.

Subdivision granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020) subject to conditions.



Bayna

E LEST WDER



CK RUMBOLL & PARTNERS

16 Rainier Streel Malmesb

ALL DISTANCES AND AREAS ARE SUBJECT TO SURVEYING

SUBDIVISION PLAN - ERF 13046, MALMESBURY

PAPER SIZE: A4

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