



Lêer verw/ 15/3/6-8/Erf_952
File ref: 15/3/10-8/Erf_952

Navrae/Enquiries:
Ms D N Stallenberg

15 April 2025

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED SUBDIVISION AND CONSENT USE ON ERF 952, MALMESBURY

Your application with reference MAL/14116/MC dated 18 November 2024 on behalf of W M & K J Smit, has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 9 April 2025 to approve the application for the subdivision of erf 952, Malmesbury in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) Erf 952, Malmesbury (1325m² in extent) be subdivided into portion 1 (±821m² in extent) and portion 2 (±504m² in extent) as presented in the application;

A2 WATER

- (a) Each subdivided portion be provided with a separate water connection and meter at building plan stage;

A3 SEWERAGE

- (a) Each subdivided portion be provided with a separate sewer connection and meter at clearance stage;

A4 ELECTRICITY

- (a) Each subdivided portion be provided with a separate electrical connection, costs to be borne by the owner/developer;
(b) Any relocation of electrical cables will be for the owners/developer's account.
(c) Any electrical inter-connection be isolated and completely removed.
(d) The electrical connections be connected to the existing low-voltage network.
(e) Additional to the abovementioned the owner/developer must pay for the electrical connections to the subdivided erven;
(f) The Department: Electrical Engineering Services be contacted for a quotation;

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A5 DEVELOPMENT CHARGES

- (a) The owner/developer is responsible for a development charge of R 17 273,00 towards the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The owner/developer is responsible for the development charge of R 9 702,55 towards bulk water distribution, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-174-9210);
- (c) The owner/developer is responsible for the development charge of R 5 279,65 towards sewerage, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/240-184-9210).
- (d) The owner/developer is responsible for the development charge of R5 723,55 towards wastewater treatment works at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R20 706,90 towards roads, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/247-188-9210);
- (f) The owner/developer is responsible for the development charge of R 4 920,31 towards electricity, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and can be revised thereafter;

- B. The application for consent use on portion of Erf 952, Malmesbury, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), is approved, subject to the conditions:

B1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a double dwelling house to be accommodated on a portion of Erf 952, Malmesbury;
- (b) The double dwelling adheres to the applicable development parameters, and it be designed as such in order for it to conform to the definition of a double dwelling to the satisfaction of the Senior Manager: Development Management;
- (c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;

B2 WATER

- (a) A single water connection be used and no additional connections be provided to the double dwelling;

B3 SEWERAGE

- (a) A single sewer connection be used and no additional connections be provided to the double dwelling;

B4 DEVELOPMENT CHARGES

- (a) The development charge towards the supply of regional bulk water amounts to R 11 514,95 and is for the account of the owner/developer at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The development charge towards bulk water reticulation amounts to R6 468, 75 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-174-9210);

- (c) The development charge towards sewerage amounts to R 4 022,70 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d) The development charge towards wastewater treatment amounts to R 4 360,80 and is for the account of the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-183-9210);
- (e) The development charge towards streets amounts to R 12 654,60 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA 9/249-188-9210);
- (f) The development charge towards electricity amounts to R 4 920,31 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and may be revised thereafter;

C. GENERAL

- (a) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of the By-Law not be issued unless all the relevant conditions have been complied with;
- (b) Any existing services connecting the remainder and/or new portions be disconnected, and relocated, for each erf to have a separate connection and pipe work;
- (c) Should it be deemed necessary to extend the existing services network to provide the subdivided portions with service connections, it will be for the cost of the owner/developer;
- (d) The approval does not exempt the applicant from adherence to all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies.
- (e) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 3 years. All conditions of approval be implemented within these 3 years, without which, the approval will lapse. Should all the conditions of approval be met before the 3-year approval period lapses, the subdivision will be permanent, and the approval period will not be applicable anymore.
- (f) Appeals against the Tribunal decision 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 received late and/or do not comply with the requirements, will be considered invalid and will not be processed;

D. The application be supported for the following reasons:

- (a) There are no physical restrictions on the property that negatively impacts the proposal;
- (b) The proposed application is consistent and not in contradiction with the Spatial Development Frameworks adopted on Provincial, District and Municipal levels;
- (c) The proposal is spatially resilient, as it proposes housing options that are more affordable;
- (d) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding landowners, nor will it have a significant impact on environmental or heritage resources;
- (e) The proposed application does not have a significant impact on municipal engineering services nor on the road network;
- (f) Sufficient parking is provided on the subject property and the access to the double dwelling complies with the provisions of the development management scheme;
- (g) The design of the proposed double dwelling makes provision for sufficient outdoor living area as well as clearly takes the privacy of neighbouring properties including the remainder into consideration;

- (h) The proposed second dwelling (double dwelling house) will have a positive economic impact, as it generates income for both the landowner, municipality (through rates and taxes) and tourism, through the spending of the new residents / visitors to the area;
- (i) From the proposal access to the property is obtained directly from Lang Street for portion A and Arcadia Street for the remainder. The impact of the proposal on traffic in the area will be minimal and sufficient on-site parking is provided;
- (j) The proposal will not have a negative impact on the value of neighbouring properties;
- (k) The development proposal is deemed desirable.

Yours faithfully

MUNICIPAL MANAGER

via Department Development Services

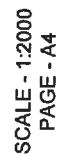
/ds

Copies : Surveyor General, Private Bag X9028, Cape Town, 8000

Department : Infrastructure and Civil Engineering Services

Department : Electrical Engineering Services

W M & K J Smit, P O Box 1172, Malmesbury, 7299. E-mail wimsmit@wcaccess.co.za



Subject property

Existing cadastral boundaries

Proposed Subdivision line

Existing buildings/structures

ZONING I.T.O. THE ZONING SCHEME:

Residential Zone 1

SWARTLAND MUNICIPALITEIT
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan ingevolge artikel 70 van die Verordening insake Munisipale Grondgebruiksbeplanning (PK 8226 van 25 Maart 2020), onderhewig 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.

2025/04/15
DATE

MUNICIPAL BESTOURDER
MUNICIPAL MANAGER

DRAWING:

SUBDIVISION PLAN

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

C.K. RUMBOLL & VENNOTE

TOWN PLANNERS

PROFESSIONAL SURVEYORS

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DATE: _____

OCTOBER 2024

AUTHORITY:

SWARTLAND MUNICIPALITY

REF:

MAL/14116/MC