



CLEAN AUDITS SINCE 2010/11  
SKOON OUDITS SEDERT 2010/11



Swartland forward-thinking 2040 -  
where people can live their dreams!

Swartland vooruitdenkend 2040 -  
waar mense hul drome kan uitleef!

Lêer verw/ 15/3/3-11/Erf\_5  
File ref: 15/3/6-11/Erf\_5  
15/3/13-11/Erf\_5

Navrae/Enquiries:  
Mr HL Olivier

18 October 2023

CK Rumboll & Partners  
PO Box 211  
MALMESBURY  
7299

By Registered Mail

Sir/Madam

**AMENDMENT OF CONDITIONS OF APPROVAL IN RESPECT OF AN EXISTING APPROVAL :  
REZONING AND SUBDIVISION OF ERF 5, RIEBEEK KASTEEL & AMENDMENT OF SUBDIVISION  
PLAN & EXEMPTION FOR THE REGISTRATION OF A RIGHT OF WAY SERVITUDE**

Your application with reference RK/13327/MC, dated 18 August 2023, on behalf of the Henk Bruwer Family 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 amendment of the approved subdivision plan as well as conditions of approval in respect of the existing approval regarding the rezoning and subdivision of erf 5 Riebeek Kasteel, is hereby approved in terms of Section 70 of the By-Law, subject to the following conditions:

1. Conditions A1(a) and A1(b) of the letter of approval dated 29 November 2022, be amended as follows:

**C1. TOWN PLANNING AND BUILDING CONTROL**

- (a) Erf 5 be rezoned from Agricultural zone 1 to subdivisional area in order to accommodate the following, as presented in the application
  - (i). Remainder, Agricultural zone 1 (8,5326ha in extent),
  - (ii). Portion A, Residential zone 1 (3329m<sup>2</sup> in extent),
  - (iii). Portion B, Residential zone 1 (3019m<sup>2</sup> in extent),
- (b) Erf 5 be subdivided as follows and as presented in the application:
  - (i). Remainder, (8,5326ha in extent),
  - (ii). Portion A, (3329m<sup>2</sup> in extent),
  - (iii). Portion B, (3019m<sup>2</sup> in extent),

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

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

Darling Tel: 022 492 2237

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

Yzerfontein Tel: 022 451 2366

Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the amendment of the approved subdivision plan, is approved in terms of Section 70 of the By-Law.

- C. The registration of a private right of way servitude on the remainder of erf 5 in favour of portion A & B (6.6m wide and 15.8m long – total extent of 104m<sup>2</sup>), 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.

- D. The conditions as contained under C5 – Development Charges, in the letter dated 19 November 2020, be replaced as follows;

#### **C5 DEVELOPMENT CHARGES**

- (a) The owner/developer is responsible for a development charge of R 33 948,00 per newly created portion toward the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2023/2024 and may be revised thereafter (mSCOA 9/249-176-9210);
- (b) The owner/developer is responsible for the development charge of R 32 030,95 per newly created portion towards bulk water reticulation, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2023/2024 and may be revised thereafter (mSCOA: 9/249-174-9210);
- (c) The owner/developer is responsible for the development charge of R 18 343,65 per newly created portion towards the sewerage network, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2023/2024 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- (d) The owner/developer is responsible for the development charge of R 24 666,35 per newly created portion towards the waste water treatment works, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2023/2024 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- (e) The owner/developer is responsible for the development charge of R 16 779,65 per newly created portion towards roads, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2023/2024 and may be revised thereafter (mSCOA: 9/247-144-9210);
- (f) The Council resolution of May 2023 makes provision for a 60% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2023/2024 and can be revised thereafter;

#### **E GENERAL**

- (a) The owner / developer takes note of the letter from ESKOM dated 2023/09/20 with reference number 12108-23 with reference to Eskom services affected by the proposal;
- (b) The approval does not exempt the applicant from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
- (c) The agreement between the Henk Bruwer Family Trust and the appellants on the original application remains to be valid and be made applicable as agreed;
- (d) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal;
- (e) All conditions of approval be implemented before the new land use come into operation/or occupancy certificate be issued and failing to do so the approval will lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable;

Please note that all the other conditions of approval contained in the letter dated 19 November 2020 remains unchanged.

Yours sincerely



**MUNICIPAL MANAGER**  
per Department Development Services

HLO/ds

Copy: Surveyor General, Private Bag X9028, Cape Town, 8000  
Director: Civil Engineering Services  
Director: Financial Services  
Building Control Officer  
Henk Bruwer Familie Trust, [admin@vnboerdery.co.za](mailto:admin@vnboerdery.co.za)

SUBDIVISION PLAN: ERF 5, RIEBEEK KASTEEL



Existing pipeline and pump station servitude

Remainder of Erf 5  
±8.5326 ha

Portion B  
±3 019m<sup>2</sup>

Portion A  
±3 329m<sup>2</sup>

Right of Way Servitude

SWARTLAND MUNISIPALITEIT  
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan ingevolge artikel 70 van die Verordening In-sake Munisipale Grondgebruikbeplanning (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.

2023/10/18  
DATE

MUNISIPALE BESLUITER  
MUNICIPAL MANAGER



SUBDIVISION:

Portion A	±3 329m <sup>2</sup>
Portion B	±3 019m <sup>2</sup>
Remainder	±8.5326 ha
<b>Total</b>	<b>9.1674 ha</b>

PROPOSED ZONING:

Remainder: Agricultural Zone 1  
Portions A & B: Residential Zone 1

LEGEND:

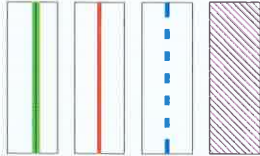
Erf 5

Subdivision lines

Urban edge

Proposed Right of Way Servitude

Erf 5 Current zoning: Agricultural Zone 1



DRAWING:  
SUBDIVISION PLAN

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

C.K. RUMBOLL & VENNOTE  
TOWN PLANNERS  
PROFESSIONAL SURVEYORS  
16 RAINIER STREET, MALMESBURY  
Tel: 022 - 4821845  
Fax: 022 - 4871661  
Email: planning1@rumboll.co.za



DATE:  
AUGUST 2023

AUTHORITY:  
SWARTLAND MUNICIPALITY

REF:  
RK/13327/MC

SCALE: NTS