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Lêer verw/ 15/3/10-8/Erf\_3632  
File ref: 15/3/4-8/Erf\_3632

Navrae/Enquiries:  
Ms D N Stellenberg

19 August 2024

C K Rumboll & Vennote  
P O Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

**PROPOSED CONSENT USE AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 3632, MALMESBURY**

Your application with reference MAL/13763/NJdK dated 17 May 2024 has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 14 August 2024 to approve the application for a consent use on Erf 3632, 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 following conditions:
- A1 TOWN PLANNING AND BUILDING CONTROL**
- (a) The consent use be restricted to a second dwelling, as presented in the application;
  - (b) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- A2 WATER**
- (a) The existing water connection be used and that no additional connection be provided;
- A3 SEWERAGE**
- (a) The existing sewerage connection be used and that no additional connection be provided;
- A4 REFUSE REMOVAL**
- (a) The basic refuse removal tariff be charged for each dwelling on the property;
- B. The application for the departure of development parameters on Erf 3632, Malmesbury is approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), as follows:
- (a) Departure of the 4 m street building line to 0 m;
  - (b) Departure of the 1,5 m side building line to 0 m;
  - (c) Departure of coverage from 40 % to 51,93 %.
- C. **GENERAL**
- (a) 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;

*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

- (b) It is noted that development charges for the second dwelling has already been paid at building plan stage for the second dwelling smaller than 60m<sup>2</sup>;
- (c) 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;
- (d) All conditions of approval be implemented before the new land uses come into operation 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;
- (e) The applicant/objectors be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of the decision. An appeal is to comply with section 90 of the By-Law and be accompanied by a fee of R5000,00 to be valid. Appeals that are 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) The impact is minimal due to it being an existing second dwelling which is enlarged by covering an existing outside living area with a roof;
- (b) The proposed roof will provide protection to the outside living area against nature's elements;
- (c) The proposed roof is deemed to have a low to no impact on the adjoining Erf 2775;
- (d) Any negative impact created by the second dwelling or the outside living area to Erf 2775 is an existing issue and must be addressed and mitigated by the relevant parties as part of good neighbourliness;
- (e) The shadeport is proposed in an area which is already being used for the parking of motor vehicles which is logical and practical;
- (f) The streetscape of this portion of Louw Street will not be affected negatively by the proposed shadeport as it complements the character of the street with similar shadeports in the surrounding area;
- (g) The increase in coverage is deemed minimal and will have a low to no impact on the surrounding properties.

Yours faithfully



**MUNICIPAL MANAGER**  
via Department Development Services

/ds

Copies :      *Department : Infrastructure and Civil Engineering Services*  
                  *Building Control*  
                  *Department Financial Services*  
                  *C H Prins, 4 Louw Street, Malmesbury, 7300. E-mail : prinsafsaal@gmail.com*