



CLEAN AUDITS SINCE 2010/11



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File ref: 15/3/10-3/Erf\_3245

Enquiries:  
Mr AJ Burger

16 August 2021

CK Rumboll & Partners  
PO Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

**PROPOSED CONSENT USE AND DEPARTURE ON ERF 3245, DARLING**

Your application with reference DAR/11970/MH, dated 21 May 2021, regarding the subject refers.

- A** By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 May 2020 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for consent use for a house tavern on erf 3245, Darling is refused in terms of Section 70 of the abovementioned By-Law.
- B** By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 May 2020 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the departure of development parameters on erf 3245, Darling is refused in terms of Section 70 of the abovementioned By-Law.

Reasons for the decisions:

1. The SDF identifies that house taverns may only be accommodated on activity streets. Erf 3245 is situated on Kareeboom Avenue which is not identified as an activity street. Thus the application is regarded not in compliance with the SDF.
2. Disa Avenue is an identified activity street which is separated from erf 3245 by one erf, namely erf 3246. Disa Avenue as an activity street has not been developed with the desired mix of business and residential uses to justify the expansion of mixed uses onto neighbouring properties to properties situated on the activity street.
3. The departure of development parameters (side building line departure) is created by the proposed building work which accommodates the proposed house tavern. As the house tavern is not supported, the proposed for the same purpose is also not supported.

In terms of Chapter VII, Section 89 of the Swartland Municipality By-law relating Municipal Land Use Planning (PG 7741 of 3 March 2017), you have a right to appeal within 21 days of date of registration of this letter to the appeal authority of the Swartland Municipality against the decision of the Authorised Official.

*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**

Should you decide to appeal, you can write to the following address:  
The Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299

Please note that if you do appeal, an appeal fee of R2400-00 is payable. The appeal must be accompanied by the proof of payment and only then will the appeal be regarded as valid.

Yours sincerely

  
**MUNICIPAL MANAGER**  
per Department Development Services  
AJB/ds