



CONSECUTIVE CLEAN AUDITS



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Lêer verw/
File ref: 15/3/10-8/Erf_3261

Navrae/Enquiries:
Ms D N Stellenberg

22 June 2021

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED CONSENT USE ON ERF 3261, MALMESBURY

Your application with reference MAL/11626/NG dated 22 February 2021 on behalf of E Hesselman has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 9 June 2021 to approve application for the consent use on erf 3261, 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 authorises a house shop, restricted to $\pm 24 \text{ m}^2$, as presented in the application;
- (b) Building plans, clearly indicating the house shop in relation to the house, be submitted to the Senior Manager: Built Environment, for consideration and approval;
- (c) Application for construction of or attaching an advertising sign to the building be submitted to the Senior Manager: Built Environment, for consideration and approval. Only one sign, not exceeding 1 m^2 in area and not exceeding the land unit boundaries with any part of it, be permitted and only indicating the name of the owner, name of the business and nature of the retail trade;
- (d) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- (e) Only pre-packaged food products be sold;
- (f) No food preparation be allowed in the house shop;
- (g) No direct access from the house shop to a bedroom or bathroom be allowed, as well as storage of products in such rooms;
- (h) The following activities not be allowed for sale in the house shop:
 - (i) The sale of wine and alcoholic beverages;
 - (ii) Storage or sale of gas and gas containers;
 - (iii) Vending machines;
 - (iv) Video games; and
 - (v) Snooker or pool tables;
- (i) Operating hours of the house shop be limited from 07:00 till 22:00 daily;

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

- (j) The Western Cape Noise Regulations be applied;
- (k) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- (l) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- (m) The letter of authorisation from Swartland Municipality be displayed inside the house shop;

A2 WATER

- (a) The existing connection be used and that no additional connections be provided;

A3 SEWERAGE

- (a) The existing connection be used and that no additional connections be provided;

A4 STREETS AND STORMWATER

- (a) Deliveries only be done by delivery vehicles with a gross vehicle mass of 16000kg;

B. GENERAL

- (a) The approval is in terms of section 76(2)(w) of the By-Law valid for a period of 2 years, with the option to extend the approval for a further period. All conditions of approval must be complied with within the time period from the date of notice of the approval and that failing to do so will result in the lapsing of the approval;
- (b) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (c) The objectors be informed of their right to appeal against the decision of the Municipal Planning Tribunal, in terms of section 89(2) of the By-Law;
- (d) The Building Control Officer be requested to bring the unauthorized structures to the attention of the applicant;

C. The application is supported for the following reasons:

- (a) The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA.
- (b) The application complies with the land uses proposed for this area of Malmesbury, as determined by the SDF.
- (c) The application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP.
- (d) The proposed house shop complies with the development parameters and requirements of the By-Law.
- (e) The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood.
- (f) The proposed consent use will not negatively affect the character of the neighbourhood.

In terms of Chapter VII, Section 89 of the Swartland Municipality By-law relating Municipal Land Use Planning (PG 8226 of 25 March 2020), you as well as the objectors have a right to appeal within 21 days of date of registration of this letter to the appeal authority of the Swartland Municipality against Council's decision.

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 the applicant/objector does appeal, an appeal fee of R2260-00 is payable. The appeal must be accompanied by the proof of payment and only then will the appeal be regarded as valid.

Yours faithfully



MUNICIPAL MANAGER

via Department Development Services

/ds

Copies : *Director : Civil Engineering Services*

Building Control Officer