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Lêer verw/ 15/3/3-9/Erf_3866
File ref: 15/3/4-9/Erf_3866

Navrae/Enquiries:
Ms D N Stallenberg

22 August 2023

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED REZONING AND CONSENT USE ON ERF 3866, MOORREESBURG

Your application with reference MOOR/12956/NJDK dated 18 January 2023 on behalf of WJ van der Merwe, has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 8 August 2023 to approve the application for the rezoning of Erf 3866, Moorreesburg, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- B. The application for consent uses for a funeral parlour and aquatorium on Erf 3866, Moorreesburg be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- A. A & B are subject to the following conditions:

C1 TOWN PLANNING AND BUILDING CONTROL

- (a) A portion of erf 3866 (65m² in extent) be rezoned from Business zone 1 to Industrial zone 3 and accommodates an aquatorium as presented in the application;
- (b) A flat as primary use under Business Zone 1 and a funeral parlour as a consent use be accommodated as presented in the application;
- (c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (d) At least 32 on-site parking bays and 1 loading bay be provided as presented in the application. The parking bays and loading bay be provided with a permanent dust free surface being tar, concrete or paving or a material pre-approved by the Director: Civil Engineering Services and that the parking bays and loading bay be clearly marked;

C2 WATER

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

C3 SEWERAGE

- (a) The existing sewerage connection be used and that no additional connection be provided;
- (b) The runoff from the aquatorium be separated from the rest of the sewage runoff from the premises and carried separately to the sewer connection. The discharge system of the aquatorium be provided with a volumetric sampling device and flow meter, the type and make of which has been approved by

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

the Director: Civil Engineering Services. The equipment be installed on the premises in a suitable structure that provides free access for Municipal staff. The discharge system including the sampling apparatus, flow meter and structure be designed by an engineer appropriately registered in terms of the provisions of Act 46 of 2000. The design be approved by the Director: Civil Engineering Services after which construction and installation under the supervision of the engineer. The sampling device and flow meter are taken over by the Municipality for operation and maintenance after the completion certificate is issued;

- (c) A waste water management plan compiled by an appropriately qualified process engineer who is familiar with the specific purification processes of the Moorreesburg Waste Water Treatment Works and approved by the Director: Civil Engineering Services be provided. The waste water management plan be approved by the Director: Civil Engineering Services before any sewage runoff is discharged into the Municipal sewer system;
- (d) Before any sewage run-off is discharged into the Municipal sewer system it be determined whether any pre-treatment of sewage run-off from the aquatorium is required with information from the waste water management plan which pre-treatment must be implemented;
- (e) Purified sewage from the Moorreesburg Waste Water Treatment Works is already reused and if the specific run-off from the aquatorium for whatever reason would lead to a restriction of any kind being placed on the reuse of the purified sewage, the receiving of the run-off in the Municipal sewage system will be reconsidered;
- (f) Sewage sludge from the Moorreesburg Waste Water Treatment Works is classified as a class B.1.a sludge and is used accordingly. If, for whatever reason, the specific runoff from the aquatorium results in the sewer system being classified as poorer, the receipt of the runoff in the Municipal sewerage system will be reconsidered;
- (g) The dumping of sewage effluent from the aquatorium be subject to the levy rates for industrial effluent;

C4 REFUSE REMOVAL

- (a) Only household and office waste be received by the municipal waste disposal service;

C5 GENERAL

- (a) Any upgrades of the existing services in order to provide the aquatorium with services be for the cost of the owner/developer;
- (b) Any applicable development charges be determine at building plan stage;
- (c) The conditions of the West Coast District Municipality, letter dated 25 November 2022, be complied with;
- (d) The approval will not exempt the owner/developer from adherence to all other legal procedures, applications and/or approvals related to the intended land use, including, but not limited to all health and safety protocols;
- (e) The approval is, in terms of section 76(2)(w) of the By-Law valid for 5 years from the date of decision by the Tribunal or, if an appeal was lodged, 5 years from the outcome decision for or against the appeal. All conditions of approval be implemented before the proposed uses come into operation. Failure to comply with all conditions of approval will result in this approval expiring;
- (f) Appeals against the Tribunal decision should 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. An appeal is to comply with section 90 of the By-Law and be accompanied by an appeal fee of R5000-00 in order to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed.

B. The application be supported for the following reasons:

- (a) The application is in compliance with the planning principles of LUPA and SPLUMA;
- (b) The application is in compliance with the spatial planning of Moorreesburg;
- (c) The development proposal complies with all applicable zoning parameters of the Swartland Planning By-law;
- (d) The impact of the proposed funeral parlour and aquatorium on surrounding area is deemed low;

- (e) Erf 3866 does not have any physical restrictions which may have a negative impact on this application;
- (f) The development proposal supports the optimal utilisation of the property;
- (g) Existing services are deemed sufficient to accommodate the funeral parlour and aquatorium;
- (h) Sufficient measures will be put in place prior to any sewage from the aquatorium are taking up in the sewage system. This ensures that the effluent from the aquatorium does not impact negatively on the Water Water Treatment Works of Moorreesburg;
- (i) The facility will create jobs;
- (j) The facility will perform a regional function;
- (k) The impact of the facility on property values of surrounding properties are deemed low to none;
- (l) It remains every person's personal or religious choice regarding what will happen with their bodies once deceased;
- (m) There are no restrictions in the title deed of erf 3866 which restricts the proposed development;
- (n) The public participation process conducted is deemed compliant with the requirement of the Swartland Planning By-law;
- (o) The land use approval will not exempt the owner/developer from adherence to all other legal procedures, applications and/or approvals related to the intended land use, including, but not limited to all health and safety protocols.

Yours faithfully


MUNICIPAL MANAGER
 via Department Development Services

/ds

Copies : *Director : Infrastructure and Civil Engineering Services*

Director : Financial Services

Building Control Officer

W J van der merwe Coetzee, malmesburyfuneralservices@gmail.com

Rig alle korrespondensie aan:
Address all correspondence to:

**WESKUS DISTRIKSMUNISIPALITEIT
WEST COAST DISTRICT MUNICIPALITY**

Posbus / P O Box 242
MOORREESBURG 7310

**MUNISIPALE BESTUURDER /
MUNICIPAL MANAGER**

Navrae / Enquiries: **I.de Klerk**
Verw. Nr. / Ref. No.:



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E-pos Adres / E-mail Address:
westcoastdm@wcdm.co.za

25 November 2022

Aquagreen Crematorium
36 Magnolia Avenue
Wesbank
Malmesbury
7300

**COMMENT FROM MUNICIPAL HEALTH SERVICES REGARDING THE PROPOSED AQUAGREEN
CREMATORIUM TO BE ESTABLISHED ON ERF 3866, MOORREESBURG.**

Regarding email received on 22 November 2022 about the above mentioned premises the following. From a municipal health services perspective the premises must comply with Regulation 363, Regulation relating to the Management of Human Remains and the following for your attention:

- An application for a Certificate of Competence for the handling and storage of human remains must be handed in to this department for consideration.
- With reference to Section 4 (1) (a) the applicant must not less than 21 days before submitting the application to local government, give notice to the public in the local newspaper regarding the establishment of the particular premises.
- The copy of the notice to the public and all relevant detailed building plans must be submitted to this council. For any other information regarding the notice you can contact the undersigned.
- The premises must comply with section 10 and 11 of the regulation regarding the requirements relating to funeral undertaker's and mortuary premises.

Kind regards

D. du Toit

Municipal Manager