

(SI)

File ref: 15/3/3-15/Farm 771(C)  
15/3/6-15/Farm 771(C)  
15/3/13-15/Farm 771(C)

Enquiries:  
Mnr HL Olivier

13 July 2021

CK Rumboll and Partners  
P.O. Box 211  
MALMESBURY  
7299

COPY

By Registered Mail

Dear Sir/Madam

**PROPOSED REZONING AND SUBDIVISION OF, AS WELL AS THE EXEMPTION FROM APPROVAL FOR THE REGISTRATION OF A SERVITUDE ON A PORTION OF THE REMAINDER OF THE FARM ROZENBURG, NO. 771, DIVISION MALMESBURY**

Your application with reference MAL/10600/ZN, dated 6 November 2020 as amended on 30 June 2021, on behalf of the owner PJ van der Westhuizen, refers.

- A. By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Resolution 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, dated 25 March 2020), the application for the rezoning of the remainder of the farm Rozenburg 771, Division Malmesbury from Agricultural Zone 1 to Sub-divisional area is hereby approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) in order to make provision for the following zoning categories:

Agricultural zone 1 & Residential zone 5

- B. By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Resolution 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, dated 25 March 2020), the application for the subdivision of the remainder of the Farm Rozenburg 771, Division Malmesbury is hereby approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

The approvals in paragraph A and B above are subject to the following conditions that:

**1. TOWN PLANNING AND BUILDING CONTROL**

- (a) The Remainder of Farm Rozenburg (1015,045ha in extent) be subdivided into 3 portions as presented in the amended application, to accommodate:
- (i) The remainder ( $\pm 1013.0635$ ha in extent) – Agricultural zone 1
  - (ii) Portion A ( $\pm 9973$ m<sup>2</sup> in extent) – Residential zone 5
  - (iii) Portion B ( $\pm 9842$ m<sup>2</sup> in extent) – Residential zone 5
- (b) A private right of way servitude be registered in order to ensure access to the newly created portions over the remainder as presented in the application;

## **2. WATER**

- (a) Each of the subdivided portions be provided with a separate water connection;

## **3. SEWERAGE**

- (a) Every subdivided portion be provided with a separate conservancy tank with a capacity no less than 8 000 litres;
- (b) Conservancy tanks be positioned on the property so as to be accessible to the municipal service truck;

## **4. STREETS AND STORMWATER**

- (a) The existing gravel road be extended in order to provide sustainable access to the subdivided portions;

## **5. DEVELOPMENT CHARGES**

- (a) The owner/developer is responsible for the development charge of R10 890,50 per newly created unit toward the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (Vote number 9/249-176-9210);
- (b) The owner/developer is responsible for the development charge of R7 340,83 per newly created unit towards bulk water reticulation at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (Vote number 9/249-174-9210);
- (c) The owner/developer is responsible for the development charge of R3 631,57 per newly created unit towards sewerage, at clearance stage. The amount is payable to this Municipality, valid for the financial year of 2021/2022 and may be revised thereafter. (Vote number 9/240-184-9210);
- (d) The owner/developer is responsible for the development charge of R5 410,05 per newly created unit towards roads and stormwater, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (Vote number 9/247-144-9210).
- (e) The Council resolution of May 2021 makes provision for a 40% discount on development charges to Swartland Municipality, except for condition 5.(a), which is payable in full. The discount is valid for the financial year 2021/2022 and can be revised thereafter.

## **6. GENERAL**

- (a) Should the upgrade of existing services be required in order to provide the development of service connections, all costs will be for the account of the owner/developer;
  - (b) The approval is in terms of section 76(2)(w) of the By-Law valid for a period of 5 years and this approval expires if conditions not be complied with.
  - (c) The legal certificate that authorises transfer of the subdivided portions in terms of Section 38 of By-law will not be issued unless all the relevant conditions have been complied with;
  - (d) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.
- C.** The proposed registration of a right of way servitude on a portion of the Remainder of the Farm Rozenburg, no. 771, complies with the requirements of Section 34 of Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2021) and does not require an approval from Swartland Municipality.

Kindly provide Swartland Municipality with an approved Surveyor General Diagram.

Yours sincerely

  
MUNICIPAL MANAGER  
per Department Development

per Department Development Services

HLO/ds

Copies: Surveyor General, Private Bag X9028, Cape Town, 8000

Department: Financial Services

*Department: Civil Engineering Services*

*Building Control Officer*

PJ van der Westhuizen, P.O. Box 3, Malmesbury, 7299

KEY

Relevant farm

Proposed Subdivision

Proposed servitude Right of Way 10m

Existing servitude Right of Way



TITLE	SUBDIVISION PLAN 1
PHYSICAL ADDRESS	REMAINDER FARM 771, WALLESGERRY
NOTE	ROZEMBERG
COMPILED BY	ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING C.E. SAMMILL & SONS TOWN PLANNERS PROFESSIONAL SURVEYORS 100 ROZEMBERG RD, WALLESGERRY VIC 3009 Tel: 037 4274881 E: ce.sammill@rozeberg.com.au
DATE	JUNE 2021
REF	MAUT160029A.1
AUTHORITY	SEAPL AND MARCH 2017



PORTION A  
±9873m<sup>2</sup>

PORTION B  
±9842m<sup>2</sup>

REMAINDER FARM 771  
±1013.0635ha

SCALE:

0 250 500 750 1000m

PORTION A AND B ZONED: RESIDENTIAL ZONE 5

