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waar mense hul drome kan uitleef!

Lêer verw/ 15/3/10-8/Erf_7278
File ref:

Navrae/Enquiries:
Ms D N Stallenberg

19 August 2024

Lecia Coetzee
1Grow dagsorg
18 Palomino Straat
MALMESBURY
7300

By Registered Mail

Sir/Madam

PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL: CONSENT USE ON ERF 7278, MALMESBURY

Your application received on 18 April 2024 has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 14 August 2024 to approve the application for the amendment of an approval condition, with respect to the consent use for a day care centre on Erf 7278, 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 conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) Condition A1(c) of approval letter 15/3/10-8/Erf 7278 of 17 May 2022 that reads as follows:

"...(c) A maximum of six (6) children be enrolled at the Day Care Centre at any time, as presented in the application..."

be amended to read as follows:

"...(c) A maximum of fifteen (15) children be enrolled at the Day Care Centre at any time, as presented in the application..."

- (b) The remaining conditions contained in approval letter 15/3/10-8/Erf 7278, dated 17 May 2022, remain applicable;
(c) Building plans indicating the configuration and operation within the day care centre be submitted to the Senior Manager: Development Management, for consideration and approval;

B. GENERAL

- (a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
(b) Should it be determined necessary to extend or upgrade any engineering services in order to provide the development with services, it will be for the account of the owner/developer;
(c) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law, from the date of decision. Should an appeal be lodged, the 5-year validity period starts from the date of outcome of the decision for or against the appeal. All conditions of approval be implemented before the new land use comes into operation/or the occupancy certificate be issued and failing to do so will cause the approval to 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;

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

- (d) The applicant/objector 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 decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 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;

C. The application be supported for the following reasons:

- (a) The increased number of children at the day care centre (15) remains fewer than the maximum permissible number of 20 children at such a facility;
- (b) The application complies with the planning principles of LUPA and SPLUMA;
- (c) The application is compliant with the spatial planning of Malmesbury, as directed by the SDF;
- (d) The proposed day care centre will complement and not have a negative impact on the residential character of the surrounding area;
- (e) The development proposal supports the optimal utilisation of the property;
- (f) A day care centre is an acceptable use in a residential area which implies that the possible impacts on affected parties, are similarly acceptable;
- (g) Sufficient services capacity exists to accommodate the day care centre;
- (h) Sufficient on-site parking bays are provided for safe drop-off and pick-up of children;
- (i) Health and safety concerns are addressed through the conditions of approval;
- (j) The noise impact of the facility on the tranquillity of the neighbourhood is deemed to be sufficiently mitigated by the applicant.

Yours faithfully



MUNICIPAL MANAGER

^ via Department Development Services

/ds

Copies : *Building Control Officer*