



CLEAN AUDITS SINCE 2010/11



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Lêer verw/ 15/3/10-8/Erf\_7278  
File ref:

Navrae/Enquiries:  
Ms D N Stallenberg

17 May 2022

J & L Coetzee  
18 Palomino Street  
MALMESBURY  
7300

e-mail : [lecia.kleynhans@gmail.com](mailto:lecia.kleynhans@gmail.com)

**By Registered Mail**

Sir/Madam

**PROPOSED CONSENT USE ON ERF 7278, MALMESBURY**

Your application dated 22 February 2022 refers.

- A** The Municipal Planning Tribunal has resolved at a meeting held on 11 May 2022 to approve the application for consent use on Erf 7278, Malmesbury in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2021), subject to the conditions that:

**A1 TOWN PLANNING AND BUILDING CONTROL**

- (a) The consent use authorises a Day Care Centre, as presented in the application;
- (b) The Day Care Centre be restricted to 30 m<sup>2</sup>, as presented in the application;
- (c) A maximum of six (6) children be enrolled at the Day Care Centre at any time, as presented in the application;
- (d) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (e) The operation of the Day Care Centre be restricted between 06h00 and 18h00 from Mondays to Fridays;
- (f) The Day Care Centre complies with the requirements of Department Social Services and be registered at the Department of Education;
- (g) Application be made to the West Coast District Municipality for a compliance certificate for an early childhood development facility as well as a second compliance certificate for the preparation of food;
- (h) Application for the display of advertising signs be submitted to the Senior Manager: Built Environment for consideration for approval;
- (i) At least three (3) on-site parking bays be provided with a permanent dust free surface being tar, concrete or paving or a material pre-approved by Swartland Municipality to the satisfaction of the Director: Civil Engineering Services. The parking bays be clearly marked;
- (j) The drop-off and pick-up of children be restricted to the parking area of Erf 7278;
- (k) The drop-off and pick-up of children off the property be prohibited;

**A2 WATER**

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

**A3 SEWERAGE**

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

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](mailto: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

#### **A4 WEST COAST DISTRICT MUNICIPALITY**

- (a) The provisions of the Norms and Standards of 24 December 2015 be complied with;
- (b) Application for a acceptability certificate for a childcare facility be submitted to the Environmental Health Division of the West Coast District Municipality;
- (c) If food is to be prepared on the premises, a compliance certificate for food preparation be submitted to the West Coast District Municipality's Environmental Health Division;
- (d) Other health requirements may be set from time to time;

#### **B. GENERAL**

- (a) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be complied with before the Day Care Centre comes into operation and the occupancy certificate is issued, after which the 5 year period will no longer be applicable;
- (b) The preparation of meals for the children be permitted on the property;
- (c) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (d) The applicant/objectors be notified of this outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-Law;

C. The application be supported for the following reasons:

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

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 R2 400-00 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*