



File ref: 15/3/10-9/Erf_4449

Enquiries:
A de Jager

16 April 2024

Eternity Services (Pty) Ltd
97 Durham Avenue
SALT RIVER
7925

For attention: Emmanuel Akufuna

e-mail: emmanuel@eternityservices.co.za

Dear Sir/Madam

PROPOSED CONSENT USE ON ERF 4449, MOORREESBURG

Your application, dated 14 February 2025, on behalf of J. Adams, regarding the subject refers.

By virtue of the authority that is delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 May 2020 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for consent use for a house tavern on Erf 4449, Moorreesburg, is hereby approved in terms of Section 70 of the abovementioned By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The consent use be restricted to accommodate a house tavern (4m² in extent), within the existing dwelling, as presented in the application;
- b) Liquor only be sold for off-consumption purposes;
- c) The dwelling unit on the property be occupied by the proprietor of the house tavern;
- d) Building plans, clearly indicating the house tavern in relation to the house, be submitted to the Senior Manager: Development Management, for consideration and approval;
- e) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be adhered to, to the satisfaction of the relevant authority;
- f) Application for construction of or attaching an advertising sign to the building be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding 1m² in area and not exceeding the land unit boundaries with any part of it, be permitted and it shall indicate only the name of the owner, name of the business and nature of the retail trade;
- g) Application for a business licence be submitted to the Director: Development Services for consideration and approval;
- h) The owner/developer adheres to all requirements of the West Coast District Municipality regarding health and safety of the house tavern;
- i) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- j) The owner/proprietor be responsible for ensuring that no loitering takes place on the premises;
- k) The trading hours of the house tavern, as determined in the Swartland Municipality: By-Law relating to Control of Undertakings that Sell Liquor to the Public (PG 8680 of 11 November 2022), only be

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

permitted from Monday to Saturday between 09:00 to 20:00 and that the tavern be closed on Sundays and closed days, including Good Friday and Christmas;

- l) A copy of the letter of approval be displayed in the house tavern;
- m) At least one parking bay and one delivery bay be provided on the subject property as indicated on floor plan 2024/8600, dated January 2025;
- n) The owner of the house tavern obtain a liquor license in terms of the relevant legislation, and in the event of the liquor license being withdrawn or suspended, the municipality's consent for the operation of the house tavern shall automatically lapse;

2. WATER

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

3. SEWERAGE

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

4. STREETS AND STORMWATER

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

5. GENERAL

- a) The approval does not exempt the applicant from obtaining any necessary approval from any other applicable statutory authority;
- b) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal;
- c) The applicant/proprietor of the house tavern note that in terms of Section 100(c) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the Municipality may withdraw the approval for the consent use if the conditions of approval are not met;
- d) All conditions of approval be implemented before the new land uses come into operation/or 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;
- e) The applicant/objectors 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 the decision. An appeal is to comply with section 90 of the By-Law and be accompanied by a 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.

Yours faithfully


MUNICIPAL MANAGER

Via Department Development Services

Adj/ds

Copies : *Director : Civil Engineering Services*
 Director : Financial Services
 Building : Control Officer
 Jan Adams, 70 Sirkel Street, Moorreesburg, 7310
 fabianhendricks15@gmail.com