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Enquiries:  
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7 May 2026

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**Per Registered Mail**

Dear Sir/Madam

## **PROPOSED CONSENT USE AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 2495, MALMESBURY**

Your application dated October 2025, received by the municipality on 5 February 2026, on behalf of B & ME Koegelenberg, refers.

A. By virtue of the authority delegated to the Senior Manager: Development Management 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 consent use on Erf 2495, Malmesbury, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

### **1. TOWN PLANNING AND BUILDING CONTROL**

- a) The consent use authorises a second dwelling, as presented in the application;
- b) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- c) There is building work on-site which do not reflect on the site development plan that was submitted as part of this application. During a site inspection conducted on 7 May 2026 the following structures was identified: a shadeport in from of the garage of the second dwelling; a shadeport between the dwellings; a wendy house next to the carport on Du Toit Street and a build braai on the erf boundary on Coligny Street. These structures be demolished before an occupancy certificate be issued for the second dwelling;

### **2. WATER**

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

### **3. SEWERAGE**

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

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#### **4. DEVELOPMENT CHARGES**

- a) The owner/developer is responsible for a development charge of R12 263,60 towards the bulk supply of regional water, at building plan stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/249-176-9210);
  - b) The owner/developer is responsible for the development charge of R6 888,50 towards bulk water reticulation, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-174-9210);
  - c) The owner/developer is responsible for the development charge of R4 283,75 towards sewerage, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-184-9210);
  - d) The owner/developer is responsible for the development charge of R4 643,70 towards the waste water treatment works, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-183-9210);
  - e) The owner/developer is responsible for the development charge of R13 413,60 towards roads and storm water, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/247-188-9210);
  - f) The owner/developer is responsible for the development charge of R4 989,61 towards electricity, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/253-164-9210);
  - g) The Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and can be revised thereafter;
- B.** By virtue of the authority delegated to the Senior Manager: Development Management 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 departure on development parameters on Erf 2495, Malmesbury is approved in terms of Section 70 of the By-Law, as follows:
- 1. Departure of the northern side building line up to 1m in lieu of the 1,5m restriction in order to accommodate the second dwelling in its existing position;
  - 2. Departure of the southern and western street building lines from 4m to 2m and 0.65m respectively, in order to accommodate an existing carport as well as shade port within the building line area;
  - 3. Departure of the additional site access requirements given that the existing vehicle access is located on the splay in lieu of the 5m requirement.

#### **C. GENERAL**

- a) The structure encroaching the 4m street building line (Du Toit Street) does not comply with the definition of a carport. At building plan stage a structure be proposed which complies with the definition of a carport and that the building work on-site be amended accordingly;
- b) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- c) Compliance with all conditions of approval (submission of relevant applications) be undertaken within a period of 3 months from the date of the decision, therefore before 7 August 2026;
- d) Failure to comply with all conditions of approval, obtaining a completion certificate and concluding all other necessary processes, will result in legal action to enforce compliance;
- e) An occupancy certificate for building work completed in accordance with the approved building plan for the second dwelling be obtained within 1 month after the approval of the building plan;
- f) Appeals against the 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. A fee of R5 000,00 is to accompany the appeal and section 90 of the By-Law complied with, for the appeal 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 sincerely

  
**MUNICIPAL MANAGER**  
per Directorate Development Services  
A.B/ds

Copies: *Department Financial Services*  
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