



CLEAN AUDITS SINCE 2010/11  
SKOON OUDITS SEDERT 2010/11  
Leer verw/ 15/3/3-11/Erf\_1260



Swartland forward-thinking 2040 -  
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Swartland vooruitdenkend 2040 -  
waar mense kan leef!  
Ms D N Stellenberg

19 August 2024

Highwave Consultants Pty Ltd  
Suite 23  
Private Bag X3  
MALMESBURY  
7299

By Registered Mail

Sir/Madam

### PROPOSED REZONING OF ERF 1260, RIEBEEK KASTEEL

Your application dated May 2024 has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 14 August 2024 to approve the application for rezoning of Erf 1260, Riebeek Kasteel from Residential Zone 1 to Business Zone 1 in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the following conditions:

#### A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The use of Erf 1260 be restricted to the operation of shops as presented in the application;
- (b) The storage of and trade in bulk construction materials on the subject property be prohibited;
- (c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (d) On-site parking be provided in accordance with the requirements of the development management scheme including at least one (1) loading bay. The parking area as well as the sidewalk giving access to the property, on both streets, be provide with a permanent dust free surface being tar, concrete or paving or a material pre-approved by Swartland Municipality and that the parking bays and loading bay are clearly marked;
- (e) Application for the erection of advertising signs be submitted to the Senior Manager: Development Management for consideration and approval;
- (f) Boundary walls, at least 1,8m high be provided on both side boundaries in order to screen the proposed parking area from the neighbouring residential erven.
- (g) Where floodlights are installed in order to illuminate the parking area, it be confined to the boundaries of the property. Lighting should therefore not spill over to neighbouring properties to the effect that it is deemed unreasonable by the Municipality;
- (h) Deliveries may only be done on-site and may therefore not be made from the road reserve or from neighbouring properties. Delivery vehicles be restricted to vehicles where the gross vehicle mass does not exceed 16 000kg;
- (i) With the access to the shop being proposed on the corner, a detailed Landscape Plan be submitted to the Senior Manager: Development Management, for consideration and approval;

#### A2 WATER

- (a) The property be provided with a single water connection and no additional connections be provided.

#### A3 SEWERAGE

- (a) The property be provided with a single sewer connection and no additional connections be provided.

#### A4 REFUSE REMOVAL

- (a) The basic refuse removal tariff be levied per business which be amended according to the amounts of refuse removed;

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

- (b) The refuse be placed in refuse bags on the nearest municipal sidewalk on the morning of refuse removal;

**A5 DEVELOPMENT CHARGES**

- (a) The applicable development charges be calculated on building plan stage;

**B. GENERAL**

- (a) Should it be determined necessary to expand or relocate any of the engineering services in order to provide any of the portions with separate connections, said expansion and/or relocation will be for the cost of the owner/developer;
- (b) The approval does not exempt the applicant from adherence to all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
- (c) The comments received from ESKOM be noted (Letter Ref: 15045-24 dated 12 June 2024);
- (d) 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 for or against the appeal;
- (e) All conditions of approval be implemented before clearance 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;
- (f) 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 to be valid. Appeals that are received late and/or do not comply with the requirements, will be considered invalid and will not be processed;

**C. The application be supported for the following reasons:**

- (a) The title deed of Erf 1260 does not contain any restrictions that prohibits the development proposal;
- (b) There is no physical restriction on the property that negatively impacts the proposal;
- (c) The proposed development will not have a negative impact on the Municipality's ability to provide services to the community of Riebeeck Kasteel;
- (d) The proposed development is situated within the urban edge as well as demarcated Central Business District of Riebeeck Kasteel. It will result in commercial use along an identified activity street which is supported by local, district as well as provincial planning principles and policy;
- (e) The proposed development will not have a negative impact on any heritage or environmental resources;
- (f) The application complies with the principles of LUPA (Land Use Planning Act) and SPLUMA (Spatial Planning and Land Use Management Act) (Spatial Planning and Land Use Management Act);
- (g) The proposal is deemed consistent with the Municipal Spatial Development Framework (MSDF), 2023;
- (h) The proposal will result in job creation as well as local economic development which is in the interest of the community of Riebeeck Kasteel.

Yours faithfully

  
**MUNICIPAL MANAGER**  
via Department Development Services

/ds

Copies :      *Department : Infrastructure and Civil Engineering Services*  
                    *Building Control*  
                    *Department Financial Services*  
                    *The Manager, Eskom, P.O Box 222, Brackenfell, 7560*  
                    *Maracor CC, 16h Arcadia Street, Malmesbury, 7300*