



CLEAN AUDITS SINCE 2010/11



*Ons gee gestalte aan 'n beter toekoms!  
We shape a beter future!  
Sibumba ikamva elingcono!*

Lêer verw/ 15/4/2-8  
File ref:

Navrae/Enquiries:  
Ms D N Stallenberg

19 August 2022

Laing Family Trust  
4 Pedro Street  
MALMESBURY  
7300

kooslaing@yahoo.com

**By Registered Mail**

Sir/Madam

**PROPOSED DEPARTURE ON ERF 11354, MALMESBURY**

Your building plan application received by Swarthland Municipality refers.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 10 August 2022 to approve the application for the departure on Erf 11354, Malmesbury, in terms of Section 70 of the Swarthland 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 departure authorises the encroachment on the 1,5 m western side building line to 0 m, restricted to the length of the proposed new store room;
- (b) Building plans in order to indicate the proposed security measures, such as barbed wire and that said measures adhere to the requirements of SANS 10400 be submitted to the Senior Manager: Built Environment for consideration and approval;
- (c) Building plans in order to include the proposed boxed gutter, as presented in the application be submitted to the Senior Manager: Built Environment for consideration and approval;
- (d) Storm water run-off be managed on Erf 11354 and discharged in the nearest municipal street;
- (e) The use of the store room be restricted to storage purposes and that no other uses such as hobbies, social gatherings or any other noise generating activity be permitted in the storage space;

**B. GENERAL**

- (a) The applicant and objector be informed of their right to appeal against the decision of the Municipal Planning Tribunal, in terms of section 89(2) of the By-Law;

*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: swarthlandmun@swarthland.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

C. The application be supported for the following reasons:

- (a) The owner/applicant asserted the right to rectify the fact that building work was commenced without authorisation, through building plan submission via the correct portal;
- (b) The proposed building work complies with the requirements of the National Building Regulations;
- (c) The proposed store room is located in a practical position on the property to accommodate the applicants need;
- (d) Any perceived security issues will be addressed by the applicant at building plan stage;
- (e) The proposed use is limited to storage, being a low impact, low noise generating activity;
- (f) The design of the store room compliments the style of the existing garage and will therefore not have a negative impact on the street front / character of Pedro Street;
- (g) The development of outbuildings in side building lines is standard practice and furthermore, as the store room will not be visible from the street, or Erf 4514, the proposal is considered in keeping with the residential character of the area.

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 objector 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 R4 500-00 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 : Building Control Officer*