MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD IN THE COMMITTEE ROOM: CORPORATE SERVICES ON WEDNESDAY, 11 MARCH 2026 AT 14:00

PRESENT

Internal members:
Municipal Manager, Mr J J Scholtz (chairperson)
Director: Corporate Services, Ms M S Terblanche
Director: Development Services, Ms J S Krieger

External members:
Ms C Havenga
Mr C Rabie

Other officials:
Senior Manager: Development Management, Mr A M Zaayman
Senior Town and Regional Planner, Mr A J Burger
Town and Regional Planner and GIS, Mr H Olivier
Manager: Secretariat and Record Services (secretary)

1. OPENING

The chairperson opened the meeting and welcomed members.

2. APOLOGY

The apology received from the Town and Regional Planner, Ms A de Jager, be noted.

3. DECLARATION OF INTEREST

No declarations were made.

4. MINUTES

4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 11 FEBRUARY 2026

RESOLUTION
(proposed by Ms C Havenga, seconded by Ms J S Krieger)

That the minutes of a Municipal Planning Tribunal Meeting held on 11 February 2026 are approved and signed by the chairperson.

5. MATTERS ARISING FROM MINUTES

None.

6. MATTERS FOR CONSIDERATION

6.1 PROPOSED REMOVAL OF RESTRICTIVE CONDITION AND REZONING OF ERF 513, YZERFONTEIN (15/3/10-8) (WARD 5)

Mr A J Burger/…

6.1/…

Mr A J Burger gave background to the application in order for the development of Erf 513, Yzerfontein for business uses (4 retail spaces on ground floor) and flats (3 flats on first floor level and 2 flats on second floor level). Erf 513 is currently developed with a dwelling and outbuilding which will be demolished in order to accommodate the proposed development.

RESOLUTION

A. The application for the removal of restrictive title conditions on Erf 513, Yzerfontein be approved in terms of Section 70 of the By-Law, as follows:

A1 TOWN PLANNING AND BUILDING CONTROL

(a) Conditions C.6(a), C.6(b), C.6(b)(i) and C.6(b)(ii) be removed from Title Deed T9429/89 that read as follows:

"…C.6.(a) Hierdie erf mag alleenlik gebruik word vir die oprigting daarop van een woning of ander geboue vir die, doel eindes wat die Administrateur van tyd tot tyd, na oor leg met die Dorpekommissie en die Plaaslike Owerheid goedkeur, met dien verstande dat, indien die erf in die gebied van 'n Dorpsaanlegskema ingesluit is, die Plaaslike Owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word.

(b) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe met die toestemming van die Administrateur nader as 5 meter van die straat lyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1,5 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die Plaaslike Owerheid:—
(i)'n buitegebou wat uitsluitend vir die stalling van motorvoertuie gebruik word en hoogstens 3 meter hoog is, gemeet van die vloer van die buitegebou tot by die muurplaat daarvan, binne sodanige sy— en agterruimtes opgerig mag word, en enige ander buitegebou van dieselfde hoogte binne die agterruimte en syruimte opgerig mag word vir 'n afstand van 12 meter gemeet van die agtergrens van die erf, met dien verstande dat in geval van 'n hoek erf die afstand van 12 meter gemeet moet word van die punt wat die verste is van die strate wat die erf begrens ;
(ii)'n buitegebou ingevolge subparagraaf (i) slegs nader aan In sygrens of agter— grens van 'n perseel as die afstand hierbo voorgeskryf , opgerig mag word indien geen vensters of deure in enige muur, wat op sodanige grens front, aangebring word nie…"

be removed from the Deed completely.

(b) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;

(c) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
  (i) Copy of the approval by Swartland Municipality;
  (ii) Original Title Deed, and
  (iii) Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;

(d) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes;

B. The application for the rezoning of erf 339, Malmesbury be approved in terms of Section 70 of the By-law, subject to the following conditions:

B1 TOWN PLANNING AND BUILDING CONTROL

(a) Erf 513 be rezoned from Residential Zone 1 to Business Zone 1 in order to use the property as a business premises and flats as presented in the amended building plan application with Project Number 338-24, dated June 2024, Revision 6;

(b) Building plans for the proposed development be submitted to the Senior Manager: Development Management for consideration and approval;
(c) At least 16 parking bays and loading bay be provided on site as presented in the amended application as mentioned in paragraph B1(a). The parking bays be provided with a permanent dust free surface being concrete, paving or tar or a material pre-approved by the municipality and that the parking bays are clearly marked;
(d) The use of the 8 parking bays obtaining access from Buitenkant Street be restricted for use by the businesses only;
(e) The use of the 8 parking bays obtaining access from Gey van Pittius Street be restricted for use of the flats only;
(f) Application for the display of advertising signs be made to the Senior Manager: Development;
(g) A landscaping plan be submitted to the Director: Civil Engineering Services for consideration and approval;

B2 WATER

(a) The proposed development be provided with a single connection of suitable size which shall connect to the Municipal water distribution network at a suitable location;
(b) The water connection be designed by an Engineer suitably registered in terms of the provisions of Act 46 of 2000;
(c) The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the Engineer;

B3 SEWERAGE

(a) The engineering report indicates that the proposed development will be provided with a single sewage suction tank for the joint use of the five apartments and business premises. Therefore, responsibility be taken by way of an owners' association for the operation of the joint sewage system, which includes the emptying of the tank. Since separate tanks are not provided for each consumer unit, the Municipality will not provide pumping services and this be undertaken by a private service provider, which arrangements must be established and maintained by the owners' association;
(b) An internal sewage distribution network including the sewage tank and suction point of the sewage tank be designed by an Engineer suitably registered in terms of the provisions of Act 46 of 2000;
(c) The design be submitted to the Director: Civil Engineering Services for approval after which the construction work must be carried out under the supervision of the Engineer;

B4 STORMWATER

(a) Stormwater runoff from the development be conducted underground to the nearest suitable municipal collection point;
(b) The parking spaces, accesses, stormwater connections and pavement improvements be designed by an Engineer suitably registered in terms of the provisions of Act 46 of 2000;
(c) The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the Engineer;

B5 REFUSE REMOVAL

(a) A communal refuse area be provided that is properly secured and equipped with a water connection and a drainage system connected to a septic tank. The communal refuse areas be accessible to the service truck;

B6 ELECTRICITY

(a) No additional electrical capacity is available for the site until Eskom has increased the maximum demand of the municipality. There is no time frame for when the maximum demand will be increased. Currently the size of the electrical connection is 60 Amp single phase, therefore there is only 13.8 kVA available (33%) of the estimated 42 kVA (AEP Electrical & Electronic Consulting Engineers) required for the development;

B7 DEVELOPMENT CHARGES

(a) The owner/developer is responsible for a development charge of R14 824,97 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 R2 466,14 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 R11 386,63 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 R27 630,02 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 R19 274,34 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 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;

C. **GENERAL**

(a) The approval does not exempt the applicant from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;

(b) If the expansion of any existing services is necessary to accommodate the development of services, this will be for the cost of the owner/developer;

(c) The rates and taxes of the property be changed from residential to business;

(d) 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;

D. The application be supported for the following reasons:

(a) Once the existing structures are demolished, the property does not consist of any physical restrictions which may impact negative on the application;

(b) The proposed mixed uses of business and residential are complementary to the existing mixed use character of the area;

(c) The development proposal complies with all the applicable zoning parameters of the Business Zone 1 zoning;

(d) The development proposal in terms of scale, massing and placement remains in keeping with the development potential of surrounding single residential erven;

(e) The application complies with the spatial planning of Yzerfontein;

(f) The application complies with the principles of LUPA and SPLUMA;

(g) Existing municipal services (water and sewerage) to the property are deemed sufficient in order to accommodate the proposed business use. Insufficient electricity capacity exists. However, the deficit can be supplemented with renewable energy;

(h) The removal restrictive conditions do not affect the value of rights, personal or social benefits nor the rights of the surrounding property owners;

(i) The additional impact by traffic generated by the proposed development is deemed to be minimal;

(j) The tendency that the municipal values of properties will increase is anticipated to continue.

6.2 PROPOSED CONSENT USE ON ERF 9363, MALMESBURY (15/3/10-8) (WARD 10)

Mr H Olivier explained that the purpose of the application for consent use on Erf 9363, Malmesbury is to accommodate a double dwelling on the subject property. Erf 9363 is currently vacant and zoned Residential Zone 1.

RESOLUTION

A. The application for consent use on Erf 9363, Malmesbury, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2021), be approved, subject to the conditions:

A1 TOWN PLANNING AND BUILDING CONTROL

(a) The consent use authorises a double dwelling house, as presented in the application;
(b) The double dwelling adheres to the applicable development parameters;
(c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;

A2 WATER

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

A3 SEWERAGE

(a) The existing sewer connection be used and no additional connections be provided;

A4 DEVELOPMENT CHARGES

(a) The development charge towards the supply of regional bulk water amounts to R12 263,60 and is for the account of the owner/developer at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-176-9210);
(b) The development charge towards bulk water reticulation amounts to R6 888,50 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/249-174-9210);
(c) The development charge towards sewerage amounts to R4 283,75 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2025/2026and may be revised thereafter (mSCOA 9/240-184-9210);
(d) The development charge towards wastewater treatment amounts to R4 643,70 and is for the account of the owner/developer 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 development charge towards streets amounts to R13 413,60 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/249-188-9210);
(f) The development charge towards electricity amounts to R4 989,61 and is payable by the owner/developer 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 may be revised thereafter;

B. **GENERAL**

(a) 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;
(b) Should it be determined necessary to expand or relocate any of the engineering services to provide the development with connections, said expansion and/or relocation will be for the cost of the owner/developer;

(c) 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;
(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 the approval will 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 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 proposed second dwelling is a residential use and is therefore consistent with the proposals of the MSDF;
(b) A double dwelling is accommodated as a consent use under Residential Zone 1 of the Development Management Scheme and there are no restrictions registered against the title deed of the property prohibiting the proposal;
(c) The development proposal supports the optimal utilisation of the property;
(d) The second dwelling provides in a need for a larger variety of housing opportunities to the wider population;
(e) The development proposal will not negatively impact on the character of the Tafelzicht neighbourhood or the larger Malmesbury;
(f) The proposal optimises the use of existing municipal engineering services;
(g) The development will not have a significant impact on traffic volumes or safety, and with sufficient on-site parking being provided the proposed access from Brahmaan Street is deemed safe and appropriate for a residential use.

6.3 PROPOSED CONSENT USE ON ERF 8097, MALMESBURY (15/3/10-8) (WARD 11)

Mr A J Burger (on behalf of the author, Ms A de Jager) gave background to the application to operate a house shop from a portion of Erf 8097, Malmesbury which already contains a dwelling unit.

Erf 8097, Malmesbury is zoned as Residential Zone 2 and located on Alfa Street which the Municipal Spatial Development Framework (2025) identifies as an activity street.

RESOLUTION

A. The application for a consent use on Erf 8097, Malmesbury, is approved in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

(a) The consent authorises a house shop restricted to a floor area of 25m² in extent, in accordance with the site plan, dated 1 February 2024, presented in the application;
(b) Building plans, clearly indicating the house shop in relation to the house, as well as any unauthorised structures on the property, be submitted to the Senior Manager: Development Management, for consideration and approval,
(c) Application for an advertising sign be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding the land unit boundaries with any part of it, be permitted and only indicating the name of the owner, name of the business and nature of the retail trade;
(d) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;

(e) Application for a Certificate of Acceptability be submitted to the West Coast District Municipality for consideration and approval;
(f) The operating hours of the house shop be restricted to between 6:00 and 21:00 daily;
(g) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
(h) Any music played on the property only be audible inside the shop and dwelling and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the house shop, including to any awning, stoep or shade structure;
(i) The operation of the house shop may not result in congestion/obstruction along Alfa Street, therefore at least one on-site parking bay be provided in front of the house shop, for customers and deliveries;
(j) No loitering be permitted anywhere on Erf 8097, Malmesbury whether it be inside or outside the buildings on the erf or around any entrance to the erf;
(k) The house shop operator and employees be responsible for discouraging loitering and dispatching loiterers from the property;
(l) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
(m) Only pre-packaged food products may be sold;
(n) No food preparation be allowed in the house shop;
(o) The following activities not be allowed for sale in the house shop:
    (i) The sale of wine and alcoholic beverages;
    (ii) Storage or sale of gas and gas containers;
    (iii) Vending machines;
    (iv) Video games; and
    (v) Snooker or pool tables;

A2 WATER

(a) The existing 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;

A4 STREETS AND STORM WATER

(a) Deliveries to the property be made only by delivery vehicles not exceeding 16 000kg gross vehicle mass.

B. **GENERAL**

(a) The approval letter from Swartland Municipality be displayed inside the house shop;
(b) Compliance with all conditions of approval (submission of relevant applications) be undertaken within a period of 3 months from the date of the decision, no later than 11 June 2026;
(c) Failure to comply with all conditions of approval, obtaining an occupancy certificate and concluding all other necessary processes, will result in legal action to enforce compliance;
(d) An occupancy certificate for building work completed in accordance with the approved building plan for the house shop be obtained within 6 months after the approval of the building plan;
(e) 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.

C. The application is supported for the following reasons:

(a) The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA;

(b) The application complies with the land uses proposed for this area of Malmesbury, as determined by the SDF;
(c) This application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP;
(d) The development parameters and requirements of the By-Law Zoning Scheme are complied with through imposing conditions of approval;
(e) The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood;
(f) The additional income generated by the house shop may enable the property owner to expand the dwelling unit in the future, which in turn may improve financial security;
(g) The anticipated impact of the house shop on the surrounding community may be mitigated by specific conditions of approval;
(h) The number of house shops in the area is foreseen to create healthy economic competition and over time create economically robust businesses;
(i) Individuals in the community retain their right to choose which business to frequent and cannot be forced to do business with one shop or another;
(j) The house shops in the neighbourhood are largely unauthorised and the applicant seeks to rectify the situation and legalise the land use on Erf 8097;
(k) The approval of a consent use may be revoked in future if the use does not comply with the conditions of approval or if the use impacts negatively on its surroundings.

6.4 PROPOSED REZONING AND SUBDIVISION OF ERF 2046, MALMESBURY (15/3/3-8, 15/3/7-8) (WARD 10)

The author, Mr H Olivier, gave a historical background to the application by Liebenberg Primary School which was previously considered by the former Transitional Council of Malmesbury and rejected mainly because the school had sufficient unused land to accommodate its playgrounds.

Liebenberg Primary School again requested access to a portion of Erf 2046, Malmesbury to fence and use as additional playground. The request motivated that the school had lost a significant portion of its internal ground for the establishment of a multi-purpose sport centre on the school's property. Furthermore, the school's enrolment had grown to ±1 895 learners in 2024, intensifying the need for additional space for a playground. The application for the use of ±6 037 m² of Erf 2046, strictly for a fenced playground and other conditions was approved by the Executive Mayoral Committee on a further condition that the statutory land-use process be followed.

Erf 2046, Malmesbury is a public place zoned Open Space Zone 1. In order for the school to use it as part of the playgrounds, application is made to close the portion of the open space, rezone it to Community Zone 1 as the appropriate zoning as well as to subdivide the portion for administrative purposes.

RESOLUTION

A. The application for closure of a portion of a public place be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

B. The application for rezoning of Erf 2046, Malmesbury be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

C. The application for subdivision of Erf 2046, Malmesbury be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

D. The decisions A, B and C above are subject to the following conditions:

D1 TOWN PLANNING AND BUILDING CONTROL
(a) Portion of Public Place, Erf 2046 be closed as presented in the application;

(b) All costs arising from, or incidental to, the subdivision and the registration of the subdivided portion in the municipality's name shall, in accordance with the council decision, be for the school's account;
(c) Erf 2046 be rezoned from Open Space Zone 1 to Subdivisional area as indicated on the rezoning plan dated February 2025 with reference MAL/14346/NJdK in order to accommodate the following land uses;
    (i) Community Zone 1
    (ii) Open Space Zone 1
(d) Erf 2046 (1,2475ha) be subdivided as indicated on the approved proposed subdivision plan dated October 2025 with reference MAL/14856/NJdK as follows:
    (i) Portion A - ± 6020m² (Community Zone 1)
    (ii) Remainder - ± 6544m² (Open Space Zone 1)

E. **GENERAL**

(a) The legal certificate which authorises the transfer of the subdivided portions and the consolidated erf in terms of section 38 of the By-Law, will not be issued unless all the relevant conditions have been complied with;
(b) Should it be determined necessary to expand or relocate any of the engineering services to provide the development with connections, said expansion and/or relocation will be for the cost of the owner/developer;
(c) The approval does not exempt the applicant from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
(d) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval must be implemented within these 5 years, without which, the approval will lapse. Should all the conditions of approval be met before the 5-year approval period lapses, the subdivision will be permanent and the approval period will not be applicable anymore;
(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 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;

F. The application be supported for the following reasons:

(a) The application complies with Section 42 of the Spatial Planning and Land Use Management Act, Act 16 of 2013(SPLUMA) and advances the development principles in Section 7 of SPLUMA and Chapter VI of the Land Use Planning Act, (Act 3 of 2014);
(b) The proposal aligns with the objectives of the PSDF (2014), WCDSDF (2020), and is deemed consistent with the Swartland MSDF (2023–2027; amended 2025);
(c) The proposed rezoning and subdivision are consistent with the Swartland Development Management Scheme and Municipal Land Use Planning By law (PG 8226 of 25 March 2020);
(d) The utilisation is desirable, low impact, retains substantial public open space, and improves learner safety;
(e) No negative impact on municipal engineering services is anticipated;
(f) The proposal supports efficient, sustainable use of municipal land within the urban footprint;
(g) Public objections were duly considered. The proposal remains policy compliant and technically justified;
(h) It optimises municipal land already located within the existing urban footprint, avoiding any expansion of the development edge;
(i) It supports the residential neighbourhood's role as a mixed community environment, where institutional land uses (including schools) are appropriate and encouraged;
(j) Open-space character is preserved: ±6 455 m² remains Open Space Zone 1, ensuring continued benefit to the wider community;

(k) It addresses a documented functional need in the urban system: the school's reduced internal playground capacity.

(SIGNED) J J SCHOLTZ
CHAIRPERSON