File ref: 15/3/10-8/Erf_14968

Enquiries:
Mr AJ Burger

30 October 2026

A Mulugeta
45 Ethembeni Street
De Hoop
MALMESBURY
7300

By registered mail

Attention: A Mulugeta amulugeta156@gmail.com

Dear Sir/Madam

PROPOSED CONSENT USE ON ERF 14968, (45 ETHEMBENI STREET), MALMESBURY

Your application received by the Municipality on 17 September 2026, regarding the subject refers.

By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision 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 of 25 March 2020), the application for a consent use on Erf 14968, 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 house shop, restricted to a shop 21m² and store 6m², as presented in the application;
(b) The structures be altered in such a manner as to comply with the provisions as contained in the development management scheme as well as the National Building Regulations;
(c) Building plans be submitted to the Senior Manager: Development Management, for consideration and approval;
(d) Application for 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 only indicates the name of the owner, name of the business and nature of the retail trade;
(e) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
(f) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
(g) The operating hours of the house shop be restricted between 6:00 and 21:00 daily;
(h) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
(i) 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;
(j) The operation of the house shop may not result in congestion/obstruction along Ethembeni Street & Eris Street;

Private Bag X52, Malmesbury, 7299 (022) 487 9400 swartlandmun@swartland.org.za

(k) No loitering be permitted anywhere on the subject property, whether it be inside or outside the buildings on the erf or around the entrance to the erf;
(l) The house shop operator and employees be responsible for discouraging loitering and dispatching loiterers from the property;
(m) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
(n) Only pre-packaged food products may be sold;
(o) No food preparation be allowed in the house shop;
(p) 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;

2. WATER

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

3. SEWERAGE

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

4. STREETS AND STORMWATER

(a) Deliveries may only be made by delivery vehicles with a gross vehicle mass of 16000 kg;

5. GENERAL

(a) The letter of authorization from Swartland Municipality be displayed inside the house shop;
(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 29 January 2027;
(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 house shop be obtained within 6 months 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 200,00 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 Department Development Services
AJB/ds

Copies: *Director: Civil Engineering Services*
Director: Financial Services
Building Control Officer