Kantoor van die Munisipale Bestuurder
5 Februarie 2026

Die Lede van die Munisipale Beplanningstribunaal, te wete –

Interne lede:
Munisipale Bestuurder, mnr J J Scholtz (voorsitter)
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger

Tegniese Adviseur:
Snr Bestuurder: Ontwikkelingsbestuur, mnr A M Zaayman

Eksterne lede:
Me C Havenga
Mnr C Rabie

Kennis geskied hiermee ingevolge paragraaf 85 van die Swartland Munisipaliteit: Verordening insake Munisipale Grondgebruikbeplanning dat 'n vergadering van die Munisipale Beplanningstribunaal gehou sal word in die **KOMITEEKAMER: KORPORATIEWE DIENSTE** op **WOENSDAG, 11 FEBRUARIE 2026** om **14:00**.

SAKELYS / *AGENDA*

1. OPENING / *OPENING*

2. VERLOF TOT AFWESIGHEID / *APOLOGIES*

3. VERKLARING VAN BELANGE / *DECLARATION OF INTERESTS*

4. NOTULE / *MINUTES*

4.1 NOTULE VAN 'N MUNISIPALE BEPLANNINGSTRIBUNAALVERGADERING GEHOU OP 19 NOVEMBER 2025 / *MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD 19 NOVEMBER 2025* ..... bl 1-6

5. SAKE VOORTSPRUITEND UIT NOTULE VAN 'N VERGADERING VAN DIE MUNISIPALE BEPLANNINGSTRIBUNAAL GEHOU OP 19 NOVEMBER 2025 / *MATTERS ARISING FROM THE MINUTES OF A MUNICIPAL PLANNING TRIBUNAL HELD ON 19 NOVEMBER 2025*
Geen/*None*

6. SAKE VIR OORWEGING / NUWE SAKE / *MATTERS FOR CONSIDERATION / NEW MATTERS*

6.1 VOORGESTELDE ONDERVERDELING VAN ERF 1795, RIEBEEK-WES / *PROPOSED SUBDIVISION OF ERF 1795, RIEBEEK WEST* (15/3/6-12) (WYK 3) ..... bl 7-76

6.2 VOORGESTELDE HERSONERING, AFWYKING EN VERGUNNINGSGEBRUIK OP ERF 716, CHATSWORTH / *PROPOSED REZONING, DEPARTURE AND CONSENT USE ON ERF 716, CHATSWORTH* (15/3/3-4, 15/3/4-4) (WYK 4) ..... bl 77-106

6.3 VOORGESTELDE HERSONERING EN ONDERVERDELING VAN ERF 208, YZERFONTEIN / *PROPOSED REZONING AND SUBDIVISION OF ERF 208, YZERFONTEIN* (15/3/3-14, 15/3/6-14) (WYK 5) ..... bl 107-174

6.4/...

6.4 VOORGESTELDE WYSIGING VAN GOEDKEURINGVOORWAARDES: HERSONERING AND ONDERVERDELING VAN GEDEELTE 25 VAN DIE PLAAS TYGERFONTEIN, NO 564, AFDELING MALMESBURY / *PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL: REZONING AND SUBDIVISION OF PORTION 25 OF THE FARM TYGERFONEIN, NO 564, AFDELING MALMESBURY* (15/3/3-15/22) (WYK 5)
..... bl 175-310

6.5 VOORGESTELDE HERSONERING EN AFWYKING VAN ONTWIKKELING-PARAMETERS OP ERF 322, KALBASKRAAL / *PROPOSED REZONING AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 322, KALBASKRAAL* (15/3/3-6, 15/3/4-6) (WYK 7) ..... bl 311-364

6.6 VOORGESTELDE HERSONERING, ONDERVERDELING, KONSOLIDASIE EN VERGUNNINGSGEBRUIK OP ERWE 680 EN 327, MALMESBURY / *PROPOSED REZONING, SUBDIVISION, CONSOLIDATION AND CONSENT USE ON ERVEN 680 AND 327, MALMESBURY* (15/3/3-8, 15/3/6-8, 15/3/10-8, 15/3/12-8) (WYK 10)
..... bl 365-396

(get) J J SCHOLTZ
VOORSITTER

Munisipaliteit
Municipality
Umasipala

MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD IN THE COMMITTEE ROOM: CORPORATE SERVICES ON WEDNESDAY, 19 NOVEMBER 2025 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
Town and Regional Planner, Ms A de Jager
Manager: Secretariat and Record Services (secretary)

1. OPENING

The chairperson opened the meeting and welcomed members.

2. APOLOGY

The apology received from the Director: Corporate Services, Ms M S Terblanche, be noted.

3. DECLARATION OF INTEREST

No declarations were made.

4. MINUTES

4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 15 OCTOBER 2025

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

That the minutes of a Municipal Planning Tribunal Meeting held on 15 October 2025 are approved and signed by the chairperson.

5. MATTERS ARISING FROM MINUTES

None.

6. MATTERS FOR CONSIDERATION

6.1 PROPOSED REZONING, SUBDIVISION, CONSOLIDATION AND CLOSURE OF A PUBLIC PLACE OF ERVEN 326, 327, 2244, 2267 AND 2106, RIEBEEK WEST

Mr H Olivier gave background to the application received and mentioned that a request was received from Group 35 (Pty) Ltd to acquire the adjacent land to their property from the

Municipality for the expansion of their business. The council granted approval, subject to conditions, for the alienation of portions of Erven 2244 and 2267, Riebeek West to Group 35 (Pty) Ltd for consolidation with Erf 2106.

The expansion included building of new silos for the existing flour mill, establishing an extrusion plant, constructing a storage warehouse and setting up a bakery. After various interactions with the Division Town Planning and Department Civil Engineering services on concerns, among other, the requirement to provide engineering reports, traffic impact studies, inconsistency with the provisions of the Industrial Zone 1 zoning, etc. the application was amended to limit the proposal to the development of a new storage warehouse only.

RESOLUTION

A. The application for rezoning of erven 326, 327, 2244 and 2267 from Open Space Zone 1 and Transport Zone 2 respectively to Sub divisional Area be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) in accordance with Subdivision Plan Ref RW/13808/RP dated April 2024;

B. The application for the subdivision of erven 326, 327, 2244 and 2267, Riebeek West be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) in accordance with Subdivision Plan Ref RW/13808/RP dated April 2024;

C. The application for consolidation of portions A, B, C & D with erf 2106, Riebeek West, be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) in accordance with Consolidation Plan Ref RW/13808/RP dated April 2024;

D. The application for closure of public places portions A, B, C & D be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

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

E1 TOWN PLANNING AND BUILDING CONTROL

(a) The subdivisional area allows for the following zoning categories:
  (i). Erf 326 – Industrial Zone 1 (1948m² in extent) and Transport Zone 2 (28 836m² in extent);
  (ii). Erf 327 – Industrial Zone 1 (61m² in extent) and Transport Zone 2 (74 314m² in extent);
  (iii). Erf 2244 – Industrial Zone 1 (4528m² in extent) and Open Space Zone 1 (5512m² in extent);
  (iv). Erf 2267 – Industrial Zone 1 (3375m² in extent) and Open Space Zone 1 (7864m² in extent;

(b) The subject properties be subdivided as follows:
  (i). Erf 2244 – (10 040m² in extent) into a remainder (5512m² in extent) and portion A (4528m² in extent);
  (ii). Erf 2267 – (11 239m² in extent) into a remainder (7864m² in extent) and portion B (3375m² in extent);
  (iii). Erf 326 – (30 784m² in extent) into a remainder (28 836m² in extent) and portion C (1948m² in extent);
  (iv). Erf 327 – (74 375m² in extent) into a remainder (74 314m² in extent) and portion D (61m² in extent);

(c) The portions of public place be closed as follows:
  (i). Portion A (4528m² in extent) of erf 2244 (park);
  (ii). Portion B (3375m² in extent) of erf 2267 (park);
  (iii). Portion C (1948m² in extent) of erf 326 (street);
  (iv). Portion D (61m² in extent) of erf 327 (street);

(d) Portions A, B, C and D be consolidated with erf 2106 to create one large erf0 ±21 154m² in extent;

(e) Building plans to be submitted to the Senior Manager: Development Management for consideration and approval;

E2 WATER

(a) The consolidated erf be provided with a single water connection;

E3 SEWERAGE

(a) The consolidated erf be provided with a single sewer connection;

E4 STREETS AND STORMWATER

(a) Access may not be taken to or from Conniffe January Street, therefore access to the consolidated erf may only be taken to and from the existing access of Rudie du Plooy Street via Station Road. It is therefore required that the applicant install a barricade, to the satisfaction of the Director Civil Engineering Services, between the road reserve of Conniffe January Street and the consolidated property.

(b) The parking areas be built to a permanent surface standard. An engineer appropriately registered in terms of the provisions of Act 46 of 2000 be appointed by the developer to design the parking areas. 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;

(c) The development be provided with an internal storm water network which ensures that the runoff, after the development is completed, is the same as before the development. An engineer appropriately registered in terms of the provisions of Act 46 of 2000 be appointed by the developer to design the storm water network. 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;

(d) As contained in the land acquisition requirements the storm water network via Long Street be formalised. An engineer appropriately registered in terms of the provisions of Act 46 of 2000 be appointed by the developer to design the necessary upgrade. 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;

E5 DEVELOPMENT CHARGES

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

E6 GENERAL

(a) Cognisance be taken of the contents of the letter from ESKOM dated 3 July 2024 with reference no. 15140-24. The applicant therefore should apply for the applicable working permit before any construction commence;

(b) 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;

(c) 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;

(d) 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;

(e) 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.

(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.

F./…

6.1/…

F. The application be supported for the following reasons:

(a) The proposed development is consistent with the Swartland MSDF, 2025;
(b) The development is located within the urban edge and aligns with the land use proposal Zone B designated for industrial use;
(c) The application supports the matters referred to in SPLUMA as well as the land development principles contained in LUPA;
(d) The proposal supports the strategic goals for economic transformation, the optimisation of space and infrastructure within the urban edge, as well as community upliftment through job creation. It is therefore aligned with the Swartland IDP, 2025;
(e) The proposal aligns with local, district as well as Provincial Spatial Development Frameworks, promoting a compact, integrated, and economically vibrant settlement;
(f) The proposal will contribute to local economic development through job creation in the short and long term;
(g) It supports agriculture and agri-processing enhancing the economic resilience of Riebeek West contributing not only to the character of the town but also to food security and affordability;
(h) The expansion and future plans deepen the applicant's commitment to Riebeek West and contributes to long term socio economic development;
(i) Vacant municipal land is proposed to be consolidated with an existing industrial erf, maximizing functionality as well as contributing to the value of land;
(j) As proposed development will have a minimal impact on existing infrastructure and any potential upgrading will be for the developers account;
(k) The proposal still ensures a buffer of between 30m and 55m between residential areas and the proposed expansion mitigating potential noise and environmental impacts;
(l) The amended proposal complies with the objective and parameters of the Industrial Zone 1 zoning, future phases will be subject to its own land use and public participation processes;
(m) Access to Conniffe January Street is prohibited as contained in the conditions of approval the amended proposal will have a minimal impact on the neighbouring residential area.

6.2 PROPOSED REZONING, SUBDIVISION AND CONSOLIDATION OF ERVEN 3986 AND 7841, RIVERLANDS (15/3/3-13, 15/3/6-13, 15/3/12-13)

Mr H Olivier provided an overview of the history of Erven 3986 and 7841, Erf 3986 being a so called "black dot" erven in the Greater Chatsworth (Riverlands) surrounded by Erf 7841 which is zoned as Open Space Zone 1 and owned by the Municipality.

It was the intention of the Municipality to acquire Erf 3986 to enable consolidated management of both erven. However, during a public auction of Erf 3986 in 2024 the erf was sold into private ownership.

Given the impractical layout of Erf 3986 surrounded by Erf 7841, the Municipality proposed a realignment of erf boundaries to create two functional properties, namely

- Property 1 (±2623 m²): To be rezoned to Community Zone 3 and allocated to the municipality for community facilities.
- Property 2 (±2422 m²): To be rezoned to Business Zone 2 and allocated to Mr. Leon to accommodate shops.

Therefore, an application was received for the rezoning, subdivision and consolidation of Erven 3986 and 7841 in Greater Chatsworth (Riverlands) to rectify the irregular cadastral layout and unlock the development potential of the said properties.

RESOLUTION

A. The application for rezoning of Erven 3986 and 7841, Riverlands from Open Space Zone 1 to Subdivisional area be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

6.2/…

B. The application for subdivision of Erven 3986 and 7841 be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

C. The application for consolidation of Erven 3986 and 7841, Riverlands be approved in terms of Section 70 of the 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 conditions:

D1 TOWN PLANNING AND BUILDING CONTROL

(a) The rezoning be restricted to make provision for the following land uses namely;
  (i). Community zone 3 (2632m²)
  (ii). Business zone 2 (2422m²)

(b) The subdivision be restricted to erf 3986 (1983m² in extent) being subdivided in a remainder (1104m² in extent) and a Portion A (879m² in extent) as well as erf 7841 (3062m² in extent) being subdivided in a remainder (1744m² in extent) and Portion A (1318m² in extent);

(c) The consolidation be restricted to the consolidation of portion A (portion of Erf 3986) with the remainder of Erf 7841 (2623m² in extent) zoned as community zone 3 as well as portion A (portion of Erf 7841) being consolidated with the remainder of Erf 3986 (2422m² in extent) zoned as Business Zone 2;

(d) The proposed Business Zone 2 property be developed in accordance with the site development plan presented in the application;

D2 WATER

(a) Each subdivided portion be provided with its own water connection. This condition is applicable on building plan stage;

D3 SEWERAGE

(a) Each subdivided portion be provided with its own sewer connection. This condition is applicable on building plan stage;

D4 STREETS AND STORM WATER

(a) The proposed parking spaces as well as the area between the sidewalk and the surface of the road be provided with a permanent dust free surface being concrete, paving or tar or a material pre-approved by the Municipality and constructed to the satisfaction of the Director: Civil Engineering Services;

D5 DEVELOPMENT CHARGES

(a) Development charges for the proposed shops be calculated at building plan stage;

E. **GENERAL**

(a) If the extension of existing services should be necessary in order to provide the subdivided portion of service connections it will be at the cost of the applicant;

(b) The approval is, in terms of section 76(2) (w) of the By-Law, valid for a period of 5 years. All conditions of approval be complied with before occupancy certificate be issued and failing to do so may result in administrative action;

(c) The approval does not exempt the applicant from obtaining any necessary approval from any other applicable statutory authority;

(d) The applicant/objectors be informed of the right to appeal against this decision of the Municipal Planning Tribunal, within 21 days of this notice, in terms of section 89(2) of the By-Law;

F. The application be supported for the following reasons:

(a) There are no physical restrictions on the property that will have a negative impact on this application;

(b) There are no restrictions registered against the title deeds of the properties that prohibits the proposed application;

(c) The surveyor general confirmed that both properties are ordinary properties and therefore not deemed public open space;
(d) Being situated within the town it is clear that although the property in in close proximity to the Riverlands Nature Reserve, due to fragmentation as well as lack of proper protection the property is now of little to no conservation value. Sustainable development is based on 3 key concepts, including Environmental, Economic and Social sustainability. In this specific case and due to the fragmented location of the property from any other area that is of conservation value as well as the fact that it has been heavily disrupted over the past 27years, the economic and social benefit far outweighs any environmental benefit that may be left;
(e) The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Municipal levels as discussed above;
(f) The proposed application will not have a negative impact on the character of the area;
(g) Mixed use is supported along activity streets;
(h) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding landowners, nor will it negatively impact on environmental / heritage assets.

6.3 PROPOSED CONSENT USE ON ERF 73, ABBOTSDALE (15/3/10-1)

Mr A J Burger mentioned the application received for a consent use on Erf 73, Abbotsdale for the operation of a house shop.

Mr Burger confirmed that, in accordance with the legislation and policy frameworks, the proposed house shop is in contradiction with the spatial planning of Abbotsdale as business uses are restricted to activity streets/corridors.

Mr Rabie confirmed that no site specific circumstances were motivated by the applicant and therefore the application if deemed undesirable.

RESOLUTION

A. The application for a consent use on Erf 73, Abbotsdale, be refused in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);

B. **GENERAL**

(a) 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;
(b) The objector be notified accordingly of the outcome of the decision;

C. The application be refused for the following reasons:

(a) The proposed house shop is not complementary to the residential character of the area and will have a negative impact;
(b) The proposed use is in contradiction with the spatial planning of Abbotsdale;
(c) The application does not comply with the principle of SPLUMA and LUPA;
(d) The Municipal Planning Tribunal may not, in terms of Section 22(1) of SPLUMA approve a land use application that is inconsistent with the Municipal Spatial Development Framework (SDF) and no site specific circumstances were motivated in the application to, in terms of Section 22(2) of SPLUMA, justify a departure from the provisions of the SDF.

(SIGNED) J J SCHOLTZ
CHAIRPERSON

Verslag ◆ Ingxelo ◆ Report

Office of the Director: Development Services
Department: Development Management

30 January 2026

15/3/6-12/Erf_1795

Ward: 3

ITEM 6.1 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY 11 FEBRUARY 2026

LAND USE PLANNING REPORT
PROPOSED SUBDIVISION OF ERF 1795, RIEBEEK WEST

Reference number	15/3/6-12/Erf_1795	Submission date	23 October 2025	Date finalised	30 January 2026

PART A: APPLICATION DESCRIPTION

Application is made for subdivision of Erf 1795, Riebeek West, in terms of section 25(2)(d) of the Swartland Municipality: Municipal Land Use Planning By-law (PK 8226 of 25 March 2020). It is proposed that erf 1795 (1013m² in extent) be subdivided into a remainder (500m² in extent) and Portion A (513m²).

The applicant is C K Rumboll & Partners, and the owner is Mr. Klaus Piprek.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 1795, Riebeek West, situated in the Swartland Municipality; Malmesbury Division, Province Western Cape						
Physical address	4 Piedmont Close. Please refer to location plan attached as Annexure A.			Town	Riebeek West		
Current zoning	Residential Zone 1		Extent (m²/ha)	1013m²	Are there existing buildings on the property?	Y	**N**
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020)						
Current land use	Vacant				Title Deed number & date	T 82283/2025	
Any restrictive title conditions applicable	Y	**N**	If yes, list condition number(s)				
Any third-party conditions applicable?	Y	**N**	If yes, specify				
Any unauthorised land use/building work	Y	N	If yes, explain				

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

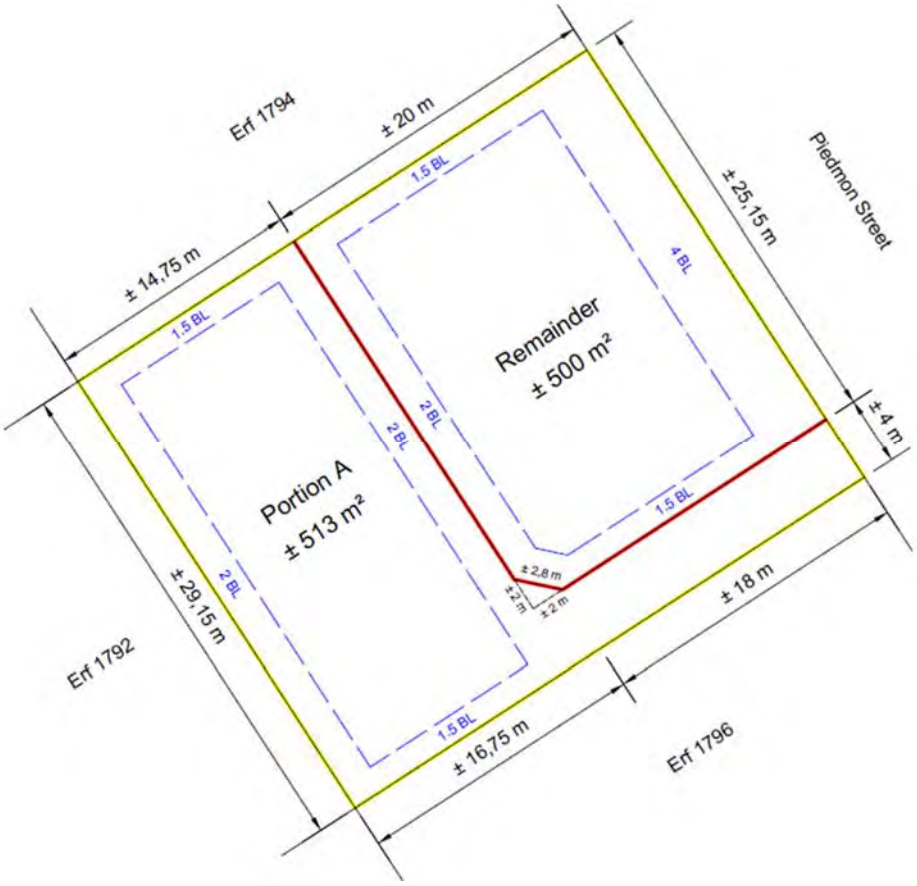
Rezoning		Permanent departure		Temporary departure		Subdivision	✓
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension, or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion, or imposition of		Amendment or cancellation of an		Permission in terms of a condition of approval	

		conditions in respect of existing approval		approved subdivision plan			
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a homeowner's association		Rectify failure by homeowner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use			

PART D: BACKGROUND

Erf 1795, Riebeek West is zoned Residential zone 1 and is currently vacant.

The owner intends to subdivide the erf into 2 portions. Please refer to the proposed subdivision plan below.





PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)			
Has pre-application consultation been undertaken?	Y	**N**	If yes, provide a summary of the outcomes below.

PART F: SUMMARY OF APPLICANT'S MOTIVATION

(Please note that this is a summary of the applicant's motivation and it, therefore, does not express the views of the author of this report)

The applicant motivates that this application does not propose rezoning but rather seeks to create two smaller cadastral units for development consistent with the existing zoning classification.

The proposed subdivision according to the applicant, will reinforce and complement the established low-density residential character of the surrounding area.

Erf 1795 is located in an established urban area with existing services. Sufficient capacities of services, such as water, stormwater, sewage, electricity, and refuse removal, are readily available to accommodate the proposed subdivision of Erf 1795. Each erf will be provided with its own connections to the service network.

The proposed subdivision is consistent with the minimum erf size requirement of 500m² for Riebeek-Wes. It promotes responsible densification within the urban edge while offering the landowner an opportunity to sell the additional erf as a separate title, potentially generating income. The applicant refers to comparable subdivisions, such as that of Erven 1801 and 1745 in close proximity. It according to the applicant, demonstrates a clear demand for smaller, functional residential erven. The proposal aligns with the established residential character of the area, maintains the zoning and land use rights of the parent property, and introduces an additional housing opportunity without adverse impacts on neighbouring properties.

The subdivision will contribute positively to the housing market of Riebeek-Wes and support sustainable urban development.

The proposed subdivision aligns directly with these policy guidelines. It supports the densification objective through the subdivision of a large erf into two functional residential erven, both of which comply with the minimum erf size requirement of 500m². The subdivision will not negatively impact surrounding properties and is consistent with the desired spatial character of the area. The proposal is fully aligned with the spatial objectives and land use directives of the Swartland MSDF (2023-2027, 2025 amendment).

The applicant motivates that the proposed subdivision supports the principles of Chapter VI of the Land Use Planning Act, Act 3 of 2014 as well as Chapter 2 of the Spatial Planning and Land Use Management Act, Act 16 of 2013.

In conclusion the applicant states that the proposal is considered desirable for the following reasons:

1. The proposal is consistent with the 2025 Amendment of the Swartland Spatial Development Framework (2023-2027), the primary forward planning document for Riebeek-Wes and the broader Swartland Municipal Area, by supporting residential integration and encouraging densification within the existing urban footprint;
2. The proposed development upholds and promotes the principles of LUPA and SPLUMA;
3. It contributes towards meeting future residential needs by creating new housing opportunities;
4. The optimal utilisation of existing municipal services results in more cost-effective infrastructure provision;
5. The subdivision supports compact urban form and limits urban sprawl;
6. The current zoning of the property will be retained;
7. No departures from the development parameters of the Swartland Municipality By-Law on Municipal Land Use Planning (PG 8226) are required;
8. The development will complement the existing residential character of the area and will not adversely affect natural conservation areas or surrounding agricultural activities;
9. There are no restrictive title conditions or servitudes that would hinder the proposed development;
10. The subdivision provides the property owner with an additional income-generating opportunity;
11. The proposed development will make efficient use of existing infrastructure and services, without placing undue pressure on external engineering services, and will not negatively impact environmental or heritage resources.

PART G: SUMMARY OF PUBLIC PARTICIPATION		
Was public participation undertaken in accordance with section 55 - 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?	**Y**	N

With reference to Section 56(2) of the By-Law, a total of 12 notices were sent via registered post and per e-mail to the owners affected by the application.

Total valid comments	**6**			Total comments and petitions refused		**0**	
Valid petition(s)	Y	**N**	If yes, number of signatures				
Community organisation(s) response	Y	**N**	Ward councillor response	Y	**N**	The application was forwarded to councillor N. Smit, but no comments were forthcoming.	
Total letters of support	**0**						

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS				
Name	**Date received**	**Summary of comments**	**Recommendation**	
			Positive	**Negative**
Department: Civil Engineering Services	3 November 2025	1. Water (a) Each subdivided portion be provided with a separate water connection at building plan stage; 2. Sewerage (a) Each subdivided portion be provided with a separate sewer connection at subdivision stage; 3. General (a) Any existing services connecting the remainder and/or new portions be disconnected, and relocated, for each erf to have a separate connection and pipe work; (b) Should it be deemed necessary to extend the existing services network to provide the subdivided portions with service connections, it will be for the cost of the owner/developer; 4. Development charges (a) Fixed cost development charges be made as follows: (i). Water R 0,00 (ii). Bulk water R 0,00 (iii). Sewer R2 067,01 (iv). WWTW R2 779,56 (v). Roads R6 064,25	**X**	
Building control	3 November 2025	No comment	**X**	
Protection services	13 November 2025	No comment	**X**	

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS
Dr Peter Buss as owner of neighbouring property, Erf 1796, Riebeek West. Please refer to Annexure D.	Dr Buss wishes to formally object against the proposed subdivision and to decline the associated intention to establish a higher density development on the subject property. The objection is based on the following reasons:	The applicant states that some of the objectors refer to the subdivision of erf 1792 and 1796 respectively. The application pertains to the subdivision of erf 1795, Riebeek West. The applicant motivates that Erf 1795 is 1013m² in extent, the proposed subdivision will result in two properties both erven complying with the minimum property size of 500m² as determined by the Swartland Municipal Spatial	It is important to note that the application is for subdivision only, creating two properties that complies with the minimum property size as determined for Riebeek West. Similar subdivisions have already been approved in the surrounding area as well as that the subdivision does not approve building plans, departures, double dwellings, group housing or townhouses. Any future applications / construction on the subdivided portions must

	1. The proposal is deemed incompatible with the spatial character of Riebeek West. Reference is made to a proposed subdivision of erf 1792 which is below the minimum subdivision size of single residential erven and the proposal is therefore inconsistent with the MSDF where the importance of maintaining the unique heritage, scale, and spatial form of smaller settlements in the Valley is emphasised. The objector highlights Objective 1: Grow economic prosperity and facilitate economic sector growth and Objective 4: Protect and grow place identity and cultural integrity. A higher-density development on the property, in the objector's opinion, does not align with the established and historical character of Riebeek West. **2. Pressure on infrastructure capacity.** The objector argues that Riebeek West is serviced by infrastructure originally designed for low-density rural living and by increasing residential density through subdivision will place additional strain on water supply, sewerage systems, storm water management as well as local road surfaces. A thorough engineering capacity assessment	Development Framework. (MSDF 2023-2027, amended 2025) 1. In terms of **neighbourhood character and development parameters** the applicant responds that no cluster housing, group housing or town housing is proposed. The property will retain its residential zone 1 designation, permitting one dwelling per erf as a primary use. All future structures will be subject to the municipality's building plan approval process, ensuring full compliance with the Swartland Municipal Land Use Planning By-Law(PG 8226). In terms of policy alignment, the applicant motivates that erf 1795 is situated within land use proposal Zone F which is identified as a low density residential area with opportunities for infill development. The MSDF, according to the applicant, expressly supports densification through subdivision, infill development, renewal and restructuring in accordance with zone proposals and allow for a minimum subdivision size of single-residential erven of 500m²". The applicant states that the proposed subdivision complies directly with these policy directives. It introduces context-appropriate, low-impact densification without altering the area's residential zoning or character. 2. In terms of the concerns regarding **infrastructure** the applicant states that it is routinely addressed through the statutory land use application processes and are evaluated by the relevant technical departments. Consistent with the relevant legislative framework, all applications are circulated to the Municipality's Civil and Electrical Engineering Services departments for comments. These departments; (a) Confirm available services capacity (b) Identify required upgrades (c) Impose conditions of approval to ensure infrastructure adequacy.	comply with the development management scheme as well as must obtain building plan approval. **1. Incompatibility of the proposal with the character / sense of place:** The subject property is located within the urban edge and is zoned Residential Zone 1. The proposal retains this zoning and therefore does not introduce higher-order residential rights. The MSDF identifies the area as Land Use Proposal Zone F, described as a low-density residential area with opportunities for infill development, and prescribes a minimum erf size of 500m²; both proposed erven comply with this minimum Detailed design, scale, height, coverage, building lines, and on-site parking remain controlled through the zoning scheme and building plan processes, which provide enforceable mechanisms to protect neighbourhood amenity and ensure compatibility. Concerns about "townhouse-style" or "group housing" development do not arise from the application before the Tribunal; such typologies would require separate land use rights/approvals if ever proposed. **2. Pressure on infrastructure capacity:** The application was circulated to relevant municipal technical departments. The Department: Civil Engineering Services provided conditions confirming requirements for separate connections, service disconnections/relocation where necessary, and developer responsibility for network extensions if required. The feedback received from the department is deemed positive with no reasons of concern regarding lack of capacity to accommodate the proposal.

	should be considered before any densification is contemplated.	Any required upgrades become mandatory conditions of approval.	Conditions are also imposed with regards to development contributions for sewer, wastewater treatment works, and roads, which are mechanisms to address the developer's contribution to incremental infrastructure demand. The proposed subdivision introduces a limited additional demand.
	3. Concerns regarding traffic and road safety. The objector states that a higher-density development typically generates higher vehicle traffic volumes and that in Riebeek West many roads in residential areas are narrow, pedestrian activity is common, and traffic-calming infrastructure is limited. This poses a significant safety concern. Further, the objector notes that the additional access point as well as increased movement adjacent to his property boundary will also directly affect the safety, noise levels, and peaceful enjoyment of his home.	3. In terms of **traffic, movement and road capacity** the applicant states that the proposal constitutes low-density residential development, in line with the Swartland MSDF's policy for controlled infill and densification and that no additional land use rights, beyond those of Residential Zone 1 are sought. The applicant continues confirming that Piedmont Street has a 13m road reserve which is wider than the typical 10-12m reserve found in similar rural town neighbourhoods. This width is considered sufficient to accommodate an additional Residential Zone 1 erf. The Department: Civil Engineering Services will confirm this formally as part of the circulation process. The subdivision results in only one additional dwelling than what is allowed and therefore does not materially alter the existing low-order traffic environment. Any potential traffic impacts remain well within the functional capacity of a residential cul-de-sac. In terms of the concern regarding the lack of **on-site parking** the applicant states that the municipality ensures compliance with the parameters of the applicable development management scheme during the consideration of building plan applications. The applicant motivates that sufficient space exists on both proposed erven to comply with these requirements. The applicant also confirms that the proposed portion A does not encroach into the road reserve.	**3. Traffic, cul-de-sac safety, turning circle parking, Eskom maintenance:** The subdivision results in a modest increase in residential traffic associated with one additional dwelling opportunity, typical of low-density residential infill. Roads and access requirements fall under municipal engineering/roads authority oversight, and any constraints or necessary mitigations can be addressed through conditions and the building plan process (including on-site parking compliance). On-site parking requirements applicable to Residential Zone 1 remain enforceable at building plan stage; thus, parking demand is intended to be accommodated within each erf. Eskom maintenance events are operational matters; the subdivision does not introduce a land use that changes the road's functional classification, and ongoing municipal/utility operational protocols remain applicable.

	4. Negative impact on privacy, views, and amenity. The objector claims that one of the defining features of Riebeek West is the sense of space, tranquillity, and open views toward the valley, foothills, and surrounding natural areas. A denser-style development will likely introduce: • Increased noise • Loss of privacy through direct overlooking • Potential overshadowing from additional buildings • A more urbanised residential interface Such impacts would materially diminish the rural amenity that existing residents reasonably expect, and which the Municipality's planning policies seek to preserve.	4. With regards to the concerns regarding the negative impact on privacy, views and amenity, the applicant states that the proposal results in one additional low-density residential erf which will be developed in accordance with the parameters of the development management scheme. This form of development is fully aligned with the Swartland MSDF and consistent with the residential character of the area. The applicant motivates that the property is located on an existing residential block and not within a visually sensitive ridge or view corridor. The proposed development will therefore in the applicant's opinion not obstruct protected or significant public views. While private views are understandably valued by homeowners, the do not constitute a legally protected right in land use planning.	**4. Privacy, views, overshadowing, noise, amenity:** The intensity of the proposed development is low and normal scheme development parameters provide separation and scale controls intended to protect reasonable amenity. The subdivision does not approve building designs, potential impacts of overlooking, height, building placement, and site coverage. These considerations are regulated by the zoning scheme and will be evaluated during building plan approval. It should be noted that the developer can, within the existing rights erect a dwelling house with a coverage of 500m², 2m from the rear, 1,5m from the sides and 4m from the street. Within the height restriction of 10.5m and due to the slope on the land the property has the development potential of a dwelling house with a total footprint of more than 1000m². The developer, in his correspondence with neighbouring property owners, clearly indicated that it is not his intention to develop the property to its full extent with the proposal including a small single story dwelling of approximately 110m² towards the western boundary of the property. It can be confirmed that the municipality already received the building plan application for the above mentioned and the said building plan was approved on the 10th of November 2025. Construction has clearly started as Mr Piprek has applied for the foundation inspection on the 23rd of January 2026. Please refer to the copy of the building plan attached hereto as Annexure K. Mr Piprek also confirm in his correspondence that he is contemplating another similarly small dwelling on the lower portion but am also considering moving there himself as they have recently sold their property in Riebeek Kasteel. While residents value views and sense of openness, private views are generally not absolute land use

			rights. Lawful development rights take precedence over private expectations however it is balanced through the enforcement of development parameters. The impact of the proposed subdivision on the above mentioned concerns is deemed negligible.
	5. Potential Reduction in Property Values A shift from low-density, single-residential, or rural-residential land use to medium-density development, according to the objector, often has a negative effect on property values in adjacent areas and particularly in small country villages. This is due to buyers expecting a quieter, more spacious environment. Therefore, the approval of the subdivision may have direct economic consequences for surrounding homeowners.	5. In terms of the impact of the proposal on the property values of neighbouring affected properties the applicant motivates that, the proposal does not constitute medium-density development. It results in on additional low-density Residential zone 1 erf, consistent with the parameters of the applicable development management scheme. No double dwellings, group housing or other medium-density typologies are proposed. The applicant refers to Section 59(1)(f) of LUPA and states that the perceived effects on market value, whether positive or negative, cannot form the basis for refusal of a complaint land use application. With regards to the concerns regarding the creation of a precedent for undesirable densification, the applicant states that, each application must be assessed on its own merit. It cannot be assumed that other erven will be subdivided similarly nor that this application creates on automatic precedent. The unrelated examples cited by objectors do not form part of this application and do not influence the evaluation of erf 1795. The subdivision according to the applicant does not constitute overdevelopment, nor does it introduce land use rights that exceed what is typical for low density residential areas. It could also be argued that the scale and nature of the subdivision do not adversely affect the heritage, landscape quality, or rural character of the area.	**5. Potential reduction in property values** Potential impacts on property values are speculative and influenced by many external factors. With the evaluation of the application, lawful use, policy alignment, services capacity and orderly development are all consideration informing decision making. The proposed development retains low-density residential use and does not introduce higher-intensity rights; accordingly, the municipality does not regard value impacts as a determinative basis for refusal in this instance.

	6. Precedent for undesired densification. Approval of this subdivision in Riebeek West may, according to the objector, set a precedent encouraging further densification in the village without proper long-term planning. The objector describes the proposal as a piecemeal intensification of land use that conflicts with municipal development intentions for the Riebeek Valley, which rather emphasises controlled growth that respects heritage, landscape, and rural character. The objector concludes that he strongly object to the proposed subdivision and the establishment of a townhouse-style development on Erf 1795, Riebeek West.	6. In terms of the concern regarding precedent and market demand, the applicant responds in stating that recent comparable subdivisions including erven 1801 and 1745, demonstrate an ongoing and legitimate demand for functional smaller erven in Riebeek West. Market needs evolve over time and the MSDF is reviewed every five years, this is done to ensure responsible, up-to-date guidance for land use decisions. The applicant states that the concern regarding the development on erf 1745 is not applicable to this application and should not form part of the assessment. The applicant confirms that the area is not subject to any approved architectural design guidelines or overlay controls. Property owners are allowed to develop their properties in accordance with the applicable development parameters, and architectural style remains at the discretion of the owner subject to compliance with statutory requirements and municipal approval at building plan stage. The applicable development parameters ensure adequate separation between dwellings, prevention of excessive overshadowing, maintenance of acceptable privacy levels and preservation of the low density residential character. The applicant states that the subdivision therefore does not introduce urban densification beyond what is typical for Residential Zone 1 and will not adversely impact the amenity, privacy, or tranquillity of neighbouring properties. The proposal is therefore deemed responsible, policy aligned infill development within the urban environment.	**6. Precedent for undesired densification.** The proposed subdivision does not create an automatic precedent for further subdivision or densification in Riebeek-Wes. Land use decisions in terms of the By-Law, LUPA and SPLUMA must be taken on the merits of each application, with reference to policy alignment, zoning rights, environmental and engineering constraints, and site-specific character considerations. The approval of this application therefore does not imply that other erven in the neighbourhood, or elsewhere in the Riebeek Valley, will qualify for subdivision. Any future proposals must undergo their own statutory process, including circulation, engineering assessment and public participation. The concern that the subdivision sets a precedent for “medium-density” development or “townhouse-style” typologies is unfounded.
TL & SEM Barrett-Lenz as owners of neighbouring property, Erf	The objectors state that they support context-sensitive residential development; however, in their opinion the proposed subdivision contributes to inappropriate densification that:		

1798, Riebeek West. Please refer to Annexure E.	7. Contradicts the Spatial Development Framework for Riebeek West's recognised semi-rural village character, essential to local business and Swartland tourism. 8. Devalues neighbouring properties through over-development and significant aesthetic impact on surrounding properties. 9. Violates municipal responsibility to preserve neighbourhood scale, aesthetic and cohesion. 10. Increases traffic, activity and noise creating safety risks and congestion. 11. Adds pressure on strained infrastructure including existing services and water resources 12. Sets concerning precedent that could destabilise future subdivision control. The objectors further highlight the following concerns: 13. It appears to be a piecemeal application strategy where the applicant is not fully disclosing the developer's ultimate development intentions. The objectors refer to correspondence that the owner had with neighbouring property owners where it appears as if the proposal consists of three units. Refer to Annexure E.	7 – 12 Please refer to the related comments above 13. With regard to the statement that need and desirability are not demonstrated by the application, the applicant responds that; The objection misunderstands the statutory intent of need and desirability under SPLUMA and LUPA. The applicant explains that these provisions focus on spatial, social and environmental considerations rather than perceived economic impacts. Relevant considerations included in the application are: • Compatibility with surrounding land uses • Alignment with approved spatial frameworks • Efficient use of serviced land within the urban fabric of Riebeek West • Contribute to orderly, low density residential infill that maintains the character of the village.	7 – 12 The concerns have already been addressed in the comments above. 13. Hidden intention / 3 units / piecemeal strategy The application before the Tribunal is explicitly for subdivision of Erf 1795 into two portions (Remainder and Portion A) and not into three. Subdivision approval does not grant permission for multiple dwellings on an erf beyond what the zoning scheme allows. Under Residential Zone 1, the primary use is a dwelling house per erf a second dwelling <60m² may also be erected however, this clearly was not in the correspondence provided by the developer and the additional use right was specifically included due to its negligible impact due to size restriction. Any proposal for second dwelling / double dwelling house, beyond scheme allowances,

		With regards to the evasion of intent concern raised by some of the objectors it is stated by the applicant that the proposed subdivision of erf 1795 will result in two Residential Zone 1 erven, each developed with a single dwelling house as primary use in compliance with the applicable development management scheme. The applicant clarifies that there is no proposal to construct three units on a single erf. Any perception to the contrary appears to arise from correspondence external to the formal application process. The application was compiled and submitted based solely on the landowner's instructions and the applicable legal framework.	would require separate applications and public participation where applicable, and would be assessed on its merits.
	14. There is a lack of information in support of the application. The Municipality's decision to advertise an application containing only the subdivision plan—without layout plans, potential departures, or supporting documentation is deemed, inadequate. The objectors are of opinion that interested and affected parties cannot properly evaluate the proposed development's impact without comprehensive technical documentation. This is undermining the public participation process essential to sound planning decisions.	14. All relevant information has been provided in the application package, ensuring that council and affected parties have adequate details to assess the proposal. The submission fully complies with statutory requirements for transparency, public participation and proper planning. The proposal therefore does not circumvent the zoning scheme or municipal planning controls. Further with regards to the concerns of some of the objectors highlighting the public participation process and availability of information as problematic, the applicant responds as follows; The public participation was done in accordance with the applicable provisions of the By-Law. The notice clearly state that the complete application package is available for inspection at the municipality. Interested and affected parties were provided with the opportunity to evaluate the available information. With reference to the scope of the subdivision application the applicant states that the By-Law does not require subdivision applications, submitted in terms of section 25 to include building plans. Any future buildings on the proposed subdivided portions are subject to the applicable development parameters.	14. Process flaws / insufficient information / must re-advertise with building plans The notice that was sent to interested and affected parties are consistent with the relevant legislative framework. It is clearly stated in the notice that the application package is available for inspection during office hours as well as that telephonic enquiries can be made to the town planning division. It would not be efficient to send copies of the application to all and if an affected person requires more information, it would have been provided on request. A site development plan would only have been required if the proposed subdivision layout were questionable, which is this case the extent of the developable area on the subdivided portions are deemed adequate. The public participation process is deemed administratively fair and consistent with the provisions of the applicable by-law.

	15. The proposal is deemed incompatible with the existing village character. The objectors explain that the proposed subdivision creates erven that are incompatible with the established neighbourhood character, where properties maintain a minimum of 1000m² with single dwellings. They further state that the proposal is inconsistent with the objective of Residential Zone 1 as contained in the applicable development management scheme. 16. The proposal is deemed insensitive and prioritises financial returns over preservation of established community character as well as long term planning objectives. 17. This application therefore exemplifies development that fails to respect the established spatial framework and community context essential to Riebeek West's identity. 18. Traffic impact and infrastructure capacity, specifically in a cul-de-sac. The objectors argue that Cul-de-sacs are intentionally designed as low-traffic local streets serving a small number of residential properties, aligning with a semi-rural village character. The original layout was planned to handle only the traffic and activity generated by the initially approved erven. Introducing subdivisions increases residential density beyond what the street was	15-19. Please refer to the comments above.	15-19 This concern has been adequately addressed in the comments above.

	designed for, leading to disproportionate pressure on infrastructure, higher traffic volumes, congestion at the single access point, and elevated noise levels. Smaller subdivided erven typically cannot provide adequate on-site parking, causing roadside congestion, increased vehicle movement, and obstruction of the turning circle. Furthermore, the Eskom supply line that crosses the cul-de-sac can block all vehicular access during maintenance, worsening these access challenges. Additional pressure on existing services infrastructure and water resources. The objectors state that Municipality previously acknowledged that existing sewerage and water infrastructure in the subject area operates at or beyond capacity. The proposed densification will exacerbate these constraints, placing unsustainable additional demand on already strained municipal services. 19. Precedent setting and cumulative development impact: The objectors state that by approving this subdivision a problematic precedent will be created that weakens zoning compliance and subdivision control.		

	Recent decisions—such as those on Erven 2801 and 1745 on Kerk & Merindol Street and the subdivision of Erf 1801 in Piedmont Close—have already reflected inconsistent application of the Municipal Zoning Scheme, leading to developments that are out of character with their surroundings and encouraging further subdivision proposals, including Erf 1797. If such approvals continue, the close could shift from three planned dwellings on vacant erven to as many as eight erven with unknown unit yields, resulting in densification that conflicts with the spatial framework and places unsustainable pressure on local infrastructure. Inappropriate densification may also reduce property values, ultimately decrease rates revenue and undermine long-term municipal financial sustainability.		
Mr CJ Moir on behalf of the Neil Moir Family Trust as owner of neighbouring property, Erf 1790, Riebeek West. Please refer to Annexure F.	The objector raises several concerns regarding the proposed subdivision of Erf 1795 into three portions. The key issues relate primarily to insufficient information, non-compliance with residential character, and concerns about process integrity: 20. Incomplete application documentation. The sub-division application contains numerous gaps in critical knowledge, and lack of objective, substantiated detail and information. Therefore, potentially	The applicant has commented on the objections by theme. Please refer to the comments above where it relates to the specific concern.	Please refer to the detailed comments above with regards to the objections that are similar to those discussed already discussed. It should however be pointed out that: • Subdivision applications of this scale and nature are not required to include architectural drawings. • Desirability is grounded in consistency with MSDF proposals as well as support for infill development and minimum erf size compliance. • Public participation was executed consistent with the provisions of the By-Law and objections were recorded and responded to.

	affected neighbours cannot adequately adjudicate the application and contribute to the sub-division process in a meaningful way. 21. Failure to demonstrate need and desirability. The objector argues that the application does not substantiate the need or desirability of three dwelling units on the erf and requires that a comprehensive socio economic impact report and / or cost benefit analysis be provided to inform decision making. Reference is made to the Municipal Land Use By-law (Residential Zones), emphasising protection of neighbourhood character and single-dwelling intent. 22. Incompatibility with neighbourhood character. The surrounding area consists predominantly of large residential erven (±1000 m²) with single dwellings. Concern is expressed that densification trends—including similar double-dwelling developments—are out of context and risk devaluing neighbouring properties. A recent example at Kerk & Merindol Street is cited as non-compliant with double-dwelling design requirements. 23. Insufficient public participation. The objector argues that due to incomplete documentation, statutory public participation process was not properly fulfilled and request that the		• Interview requests fall under Tribunal procedures and are dealt with by the Chair/secretariat, the written objection is fully recorded.

	municipality re-advertise the application with all required documentation. 24. Potential visual and property value impacts. The objector notes that the scale and intensity of the proposed development will alter the aesthetic character of the immediate surroundings and have a negative impact on adjoining property values. 25. Request for procedural remedy. The objector requests that the application be withdrawn and re-advertised with a complete documentation set, including Site Development Plans and architectural drawings. A request is also made for an interview should the matter be tabled at the MPT.		
Mr Andrew MacFarlane as owner of neighbouring property erf 1799, Riebeek West. Please refer to Annexure G.	Mr MacFarlane objects to the proposed subdivision of erf 1795, traffic congestion and safety risks in a cul-de-sac. He states that he previously objected against the subdivision of erf 1801 as he is of opinion that these developments will result in significant and unacceptable traffic congestion and safety hazards. 26. The objector states that Cul-de-sacs are purpose-designed as low-traffic local access streets intended to serve a very limited number of vehicles. The objector notes that there is an Eskom line for the village running under the street, which,	The applicant has commented on the objections by theme. Please refer to the comments above where it relates to the specific concern.	Please refer to the comments above regarding Traffic, cul-de-sac safety, turning circle parking, Eskom maintenance. It should be noted that: • The subdivision adds one dwelling potential • Traffic change is limited • Parking compliance is enforceable at building plan stage and • Any road operational matters and turning head management remain within municipal roads/traffic authority competence and may be conditioned if necessary.

	when repair work is required, blocks the entire street. 27. The objector references the South African traffic engineering norms and standards including the TRH 26 & Red Book: Guidelines for Human Settlements, that: • A cul-de-sac should serve no more than 25–30 trips per day. • It should only accommodate the vehicle movements generated by the existing originally planned along that road. • Additional dwellings add disproportionate pressure because all traffic must funnel in and out of a single point. 28. The proposed subdivision increases the number of households beyond what the original road layout was designed to support. This results in congestion during peak hours, restricted access for deliveries, and increased noise and activity levels inconsistent with a low-order residential street. 29. The objector also emphasises the lack of sufficient on-site parking that causes overflow onto the turning circle. 30. If the proposed erven cannot provide sufficient on-site parking, which according to the objector is common in subdivisions with reduced erf sizes, the result is, blocked roads, restricted movement space and unsafe reversing movements.		

	Subdividing Erf 1796 into small erven: • contradicts the SDF's principle of "context-sensitive densification". • violates the municipality's mandate to preserve neighbourhood scale and cohesion. • Undermines this historic character. • Introduces incompatible densification. • Sets a precedent that could destabilise future subdivision control.		
Tebra du Plessis as owner of neighbouring property, Erf 1794, Riebeek West. Please refer to Annexure H.	Mrs du Plessis objects against the proposed subdivision for the following reasons: 31. The area was subdivided by the municipality more than 20year ago into erven 950-1000m². It is inline with the market demands and indeed in line with the expectations of the present owners of 45plots. The properties were bought from the municipality to enjoy country living and not town house living. 32. The proposed subdivision will not be inline with the Swartland Municipality plan for these 45 plots and will detract from the value of their property as well as adjoining properties. 33. The objector notes that none of the owners bought / chose to live in what could be considered a "group housing" scheme. They certainly did not buy in a country village to have suburban development thrust upon them.	The applicant has commented on the objections by theme. Please refer to the comments above where it relates to the specific concern.	Objections are similar to that which is discussed above. Please refer to the relevant comments above regarding the potential impact on the character of the area, property values as well as privacy, views, overshadowing, noise, amenity.

N Bedeker & SS Dreyer as owner of neighbouring property, Erf 1802, Riebeek West. Please refer to Annexure I.	The objectors do not approve of the proposal for the following reasons: 34. It is believed that the proposal will negatively impact the quality of life they currently enjoy in Riebeek West. They chose to move there specifically for the sense of space and the rural character of the area. 35. Any subdivision of this nature undermines that character by increasing residential density, which inevitably reduces the openness and spaciousness that they value.	The applicant concludes that the proposed subdivision of Erf 1795, Riebeek-Wes, into Portion A and the Remainder is fully compliant with the Swartland Municipal Land Use Planning By-law (PG 8226), the Swartland MSDF (2023–2027, 2025 amendment), and all relevant planning legislation, including LUPA and SPLUMA. The objections raised by surrounding landowners have been carefully considered and addressed: • The subdivision maintains low-density residential development, consistent with the surrounding character, erf sizes, and zoning; • The proposal does not compromise privacy, views, or rural amenity, and no double dwellings or townhouse developments are proposed; • Infrastructure capacity and service delivery requirements will be assessed and regulated by the Municipality through the standard approval and conditions process; • Concerns regarding property values, precedent, or perceived densification do not constitute valid grounds for refusal under statutory planning provisions; and • The application contains all necessary information to enable Council and affected parties to make an informed decision, in accordance with the public participation process. The proposed subdivision represents a responsible, policy-compliant, and context-sensitive land use change that contributes to the orderly development of Riebeek-Wes while maintaining its rural-village character. It is, therefore, recommended that the Municipal Planning Tribunal approve the subdivision in accordance with the submitted application and supporting documents.	Objections are similar to that which is discussed above. Please refer to the relevant comments above.

PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

The application was submitted in terms of the By-Law on 23rd of October 2025. The public participation process commenced on 31st of October 2025 and ended on 1st of December 2025(affected parties and internal departments). The objections were received and referred to the applicant for comments on 5th of December 2025. The municipality received the comments on the objections on the 15th of December 2025. Please refer to the comments attached as Annexure J.

Some of the objectors were of opinion that the public participation process followed is inadequate as they require additional information, that was not provided with the notice, in order to adequately evaluate the application. The notice that was sent to interested and affected parties are consistent with the relevant legislative framework. It is clearly stated in the notice that the application package is available for inspection during office hours as well as that telephonic enquiries can be bade to the town planning division. It would not be efficient to send copies of the application to all and if an affected person requires more information, it would have been provided on request. A site development plan would only have been required if the proposed subdivision layout were questionable, which is this case the extent of the developable area on the subdivided portions are deemed adequate.

Division: Planning is now in the position to present the application to the Swartland Municipal Planning Tribunal for decision making.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

a) Spatial Justice: The proposed subdivision supports higher density and enhances the availability of alternative residential opportunities, making the area more accessible to a wider range of society;

b) Spatial Sustainability: The proposed development promotes the intensive utilisation of engineering services, without additional impact on the natural environment. Urban sprawl is contained through densification;

c) Efficiency: The development proposal promotes the optimal utilisation of services on the property and enhance the tax base of the Municipality;

d) Good Administration: The application and public participation were administrated by Swartland Municipality and public and departmental comments obtained;

e) Spatial Resilience: The proposed subdivision creates different housing typologies in Riebeek West.

It is subsequently clear that the development proposal adheres to the spatial planning principles and is thus consistent with the abovementioned legislative measures.

2.2 Provincial Spatial Development Framework (PSDF, 2014)

The PSDF (2014) indicates that the average densities of cities and towns in the Western Cape is low by international standards, despite policies to support mixed-use and integration. There is unmistakable evidence that urban sprawl and low densities contribute to unproductive and inefficient settlements as well as increase the costs of municipal and Provincial service delivery.

The PSDF suggest that by prioritising a more compact urban form through investment and development decisions, settlements in the Western Cape can become more inclusionary, widening the range of opportunities for all.

It is further mentioned in the PSDF that the lack of integration, compaction, and densification in urban areas in the Western Cape has serious negative consequences for municipal finances, for household livelihoods, for the environment, and the economy. Therefore, the PSDF provides principles to guide municipalities towards more efficient and sustainable spatial growth patterns.

One of the policies proposed by the PSDF is the promotion of compact, mixed-use, and integrated settlements. This according to the PSDF can be achieved by doing the following:

1. Target existing economic nodes (e.g. CBDs (Central Business District), township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares, and markets, etc.) as levers for the regeneration and revitalisation of settlements.
2. Promote functional integration and mixed-use as a key component of achieving improved levels of settlement liveability and counter apartheid spatial patterns and decentralization through densification and infill development.
3. Locate and package integrated land development packages, infrastructure, and services as critical inputs to business establishment and expansion in places that capture efficiencies associated with agglomeration.
4. Prioritise rural development investment based on the economic role and function of settlements in rural areas, acknowledging that agriculture, fishing, mining, and tourism remain important economic underpinnings of rural settlements.
5. Respond to the logic of formal and informal markets in such a way as to retain the flexibility required by the poor and enable settlement and land use patterns that support informal livelihood opportunities rather than undermine them.
6. Delineate Integration Zones within settlements within which there are opportunities for spatially targeting public intervention to promote more inclusive, efficient, and sustainable forms of urban development.
7. Continue to deliver public investment to meet basic needs in all settlements, with ward level priorities informed by the Department of Social Development's human development indices.
8. Municipal SDFs (Spatial Development Framework) to include growth management tools to achieve SPLUMA's spatial principles. These could include a densification strategy and targets appropriate to the settlement context; an urban edge to protect agricultural land of high potential and contain settlement footprints; and a set of development incentives to promote integration, higher densities, and appropriate development typologies.

The PSDF further states that scenic landscapes, historic settlements, and the sense of place which underpins their quality are being eroded by inappropriate developments that detracts from the unique identity of towns. These are caused by inappropriate development, a lack of adequate information and proactive management systems.

The Provincial settlement policy objectives according to the PSDF are to:
1. Protect and enhance the sense of place and settlement patterns.
2. Improve accessibility at all scales.
3. Promote an appropriate land use mix and density in settlements.
4. Ensure effective and equitable social services and facilities.
5. Support inclusive and sustainable housing

And to secure a more sustainable future for the Province the PSDF propose that settlement planning and infrastructure investment achieves:

1. Higher densities
2. A shift from a suburban to an urban development model
3. More compact settlement footprints to minimise environmental impacts, reduce the costs, time impacts of travel, and enhance provincial and municipal financial sustainability in relation to the provision and maintenance of infrastructure, facilities, and services.
4. Address apartheid spatial legacies by targeting investment in areas of high population concentration and socio-economic exclusion.

The development proposal is therefore deemed consistent with the PSDF as the proposal will achieve higher densities, will result in the optimum use of land / space within the urban edge, will not have a negative impact on the character of the area as well as not adversely affect the sense of place. This is achieved by complying with the minimum property size for Residential Zone 1 properties ensuring integration within the existing urban fabric.

The proposed development is therefore deemed consistent with the spatial development principles of the PSDF, 2014.

2.3 West Coast District SDF (WCDSDF, 2020)

In the WCDSDF, 2020 it is stated that the functional classification for Riebeek West is Agricultural Service Centre and according to the growth potential study Riebeek West is a small service town that has a high growth potential.

In terms of the built environment policy of the WCDSDF, local municipalities should plan sustainable human settlements that comply with the objectives of integration, spatial restructuring, residential densification, and basic service provision. Priority should also be given to settlement development in towns with the highest economic growth potential and socio-economic need.

The WCDSDF rightfully looks at spatial development on a district level. However, it does promote the approach that local municipalities in the WCDM should focus on spatial integration, efficiency, equal access, sustainability, and related planning principles, to inform planning decisions (as required in terms of SPLUMA and recommended in the PSDF, 2014), to improve quality of life and access to amenities and opportunities to all residents in the WCDM.

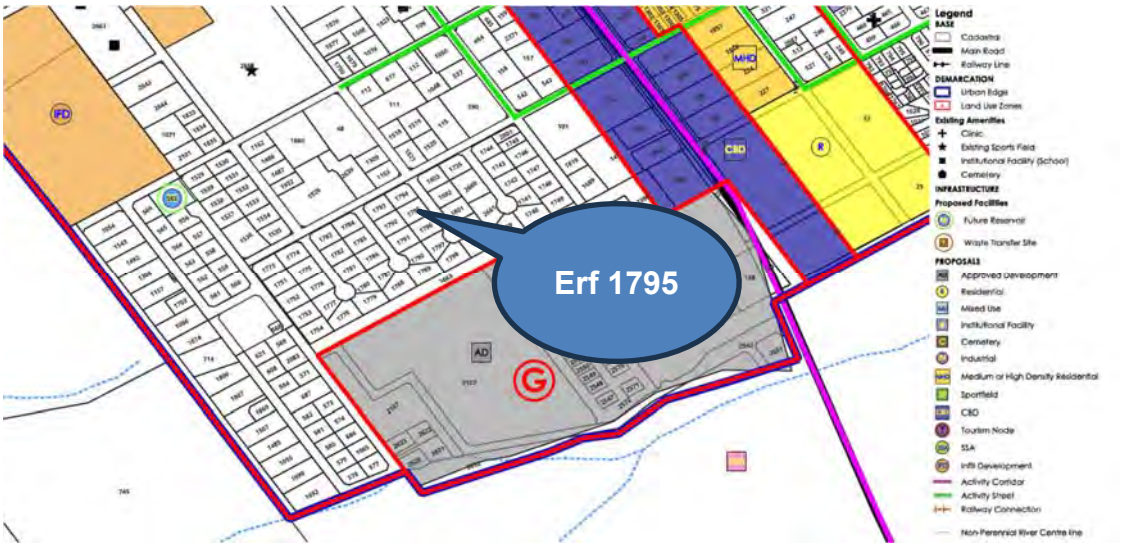
The proposal is deemed consistent with the WCDSDF, 2020.

2.4 Municipal Spatial Development Framework (MSDF, 2025)

The subject property is situated in an area demarcated as Land use Proposal Zone F, as per the spatial proposals for Riebeek Wes contained in the MSDF, 2025. Zone F is defined as a low density residential area with supporting social infrastructure and opportunities for infill development including higher density residential uses. High density uses are however only supported along identified activity streets.

Furthermore, the proposed erf sizes comply with the minimum erf size of 500m² as prescribed by the MSDF. The proposed subdivision is seen as densification and the optimal use of land and infrastructure.

The proposal is therefore deemed consistent with the land use proposals of the MSDF, 2025.



It is subsequently clear that the development proposal adheres to the spatial planning principles and is thus consistent with the abovementioned policy and legislative measures.

2.5 Schedule 2 of the By-Law: Zoning Scheme Provisions

Erf 1795, Riebeek Wes is zoned Residential Zone 1. The proposed subdivision will not affect the zoning of the property.

2. Desirability of the proposed utilisation

Erf 1795, Riebeek West is zoned Residential zone 1 and is currently vacant. Erf 1795 does not have any physical restrictions which may negatively affect the application.

The character of the surrounding area includes single residential properties, most of which have already been developed. The proposed erf sizes of >500m² are in keeping with the erf sizes of the surrounding properties and will not adversely affect the character of the area.

The proposed subdivision promotes densification and the optimal use of land and infrastructure, making it in compliance with provincial and municipal planning policy.

Sufficient services capacity exists to provide the newly created erf with services.

There are no restrictions in the title deed of erf 1795 which prohibits this application.

Potential market impacts are speculative. The planning assessment is based on policy alignment, lawful rights, service capacity and orderly development.

Given the retention of Residential Zone 1 zoning, compliance with 500m² minimum erf size and building plan controls, the subdivision is not anticipated to result in an intensity or built form inconsistent with the surrounding residential character.

3. Impact on municipal engineering services

Sufficient services capacity exists to provide the newly created erf with services.
The addition of one additional single dwelling will result in modest additional trips and will therefore have a negligible impact on traffic impact as well the level of service of the affected road.

Concerns regarding vehicles parking in the turning circle could be mitigated through no-parking markings and if necessary, law enforcement, however it is not deemed necessary to include it as a condition due to the low impact of the proposal as well as the fact that sufficient on-site parking should be provided on the subdivided properties, which will be evaluated at building plan stage.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights
N/A.

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal
N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended
N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some rights
N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for the subdivision of Erf 1795, Riebeek West be 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:

1. TOWN PLANNING AND BUILDING CONTROL

(a) Erf 1795, Riebeek West (1013m² in extent) be subdivided into portion A (513m² in extent) and Remainder (500m² in extent) as presented in the application;

2. WATER

(a) Each subdivided portion be provided with a separate water connection and meter at building plan stage;

3. SEWERAGE

(a) Each subdivided portion be provided with a separate sewer connection at subdivision stage;

4. DEVELOPMENT CHARGES

(a) The owner/developer is responsible for the development charge of R2 525, 57 towards sewerage, at clearance 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).
(b) The owner/developer is responsible for the development charge of R3397, 79 towards wastewater treatment works at clearance 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);
(c) The owner/developer is responsible for the development charge of R6 064, 58 towards roads, at clearance 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);

(d) 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;

5. GENERAL

(a) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of the By-Law not be issued unless all the relevant conditions have been complied with;
(b) Any existing services connecting the remainder and/or new portions be disconnected, and relocated, for each erf to have a separate connection and pipe work;
(c) Should it be deemed necessary to extend the existing services network to provide the subdivided portions with service connections, it will be for the cost of the owner/developer;
(d) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval 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) Appeals against the Tribunal decision 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 received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed.

PART M: REASONS FOR RECOMMENDATION

1. Due administrative process has been followed and the application is properly presented before the Swartland Municipal Planning Tribunal for decision-making.
2. The proposal supports spatial sustainability, spatial justice, efficiency, and good administration as outlined in SPLUMA Section 42 and LUPA Chapter VI, all of which were considered during assessment.
3. The proposal is consistent with the spatial proposals of the Municipal SDF, 2025.
4. The proposal is consistent with the minimum erf size determined by the SDF, namely 500m².
5. The development promotes densification in an urban area, consistent with national, provincial, and local legislation and policy.
6. The subdivision promotes efficient utilisation of serviced urban land and supports incremental residential opportunities consistent with the adopted MSDF objectives.
7. The subdivision complies precisely with adopted minimum erf sizes and MSDF guidelines and does not grant or imply future rights for additional dwellings or higher-density forms of development. Any such proposals would require separate applications, circulation and public participation.
8. Approval of this subdivision does not set a precedent for undesired densification in the area. Each land use application must be assessed on its own merits in terms of zoning, infrastructure capacity, environmental constraints, and conformity with adopted spatial policy.
9. The subdivision introduces only one additional dwelling opportunity, resulting in a modest and acceptable increase in local traffic volumes consistent with a low-order residential street.
10. On-site parking requirements remain enforceable through the development management scheme at building plan stage, ensuring that the cul-de-sac's turning circle and access remain unobstructed.
11. The Department: Civil Engineering Services confirmed that water, sewer, and road services can be provided to both erven subject to the installation of separate connections and compliance with the engineering conditions imposed.
12. Development charges for sewer, wastewater treatment works and roads have been levied, ensuring that the development contributes proportionately to infrastructure provision and long-term service sustainability.
13. Future building form, height, siting, and coverage will remain regulated through the applicable development management scheme and assessed at building plan stage, ensuring that development on each erf does not detract from privacy, visual amenity, or the area's character.
14. The concerns raised do not constitute sufficient grounds for refusal given the subdivision's compliance with statutory requirements, spatial policy, land use rights, engineering capacity, and development management controls.

PART N: ANNEXURES

Annexure A: Locality plan
Annexure B: Subdivision plan
Annexure C: Public participation plan
Annexure D: Objection from Dr Peter Buss
Annexure E: Objection Tamsen & Sascha Barrett-Lenz
Annexure F: Objection from Neil Moir

Annexure G: Objection from Andrew Macfarlane Annexure H: Objection from Tebra du Plessis Annexure I: Objection from N Bedeker & SS Dreyer Annexure J: Comments from the applicant on the objections				
PART O: APPLICANT DETAILS				
First name(s)	C.K. Rumboll and Partners			
Registered owner(s)	Klaus Piprek	Is the applicant authorised to submit this application:	**Y**	N
PART P: SIGNATURES				

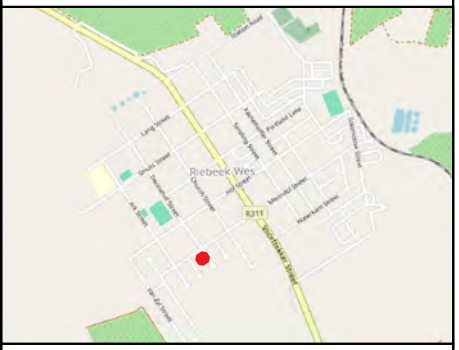
Author details: Herman Olivier Town Planner and GIS Administrator SACPLAN: A/204/2010			Date: 30 January 2026	
Recommendation: Alwyn Zaayman Senior Manager Development Management SACPLAN: B/8001/2001	Recommended	✓	Not recommended	
			Date: 2 February 2026	

ANNEXURE A



LEGEND

- Existing Cadastre
- Application Property



DRAWING:

LOCALITY MAP

ERF 1795, RIEBEEK-WES

NOTE:

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

AREA:	DATE:
SWARTLAND MUNICIPALITY	SEPTEMBER 2025

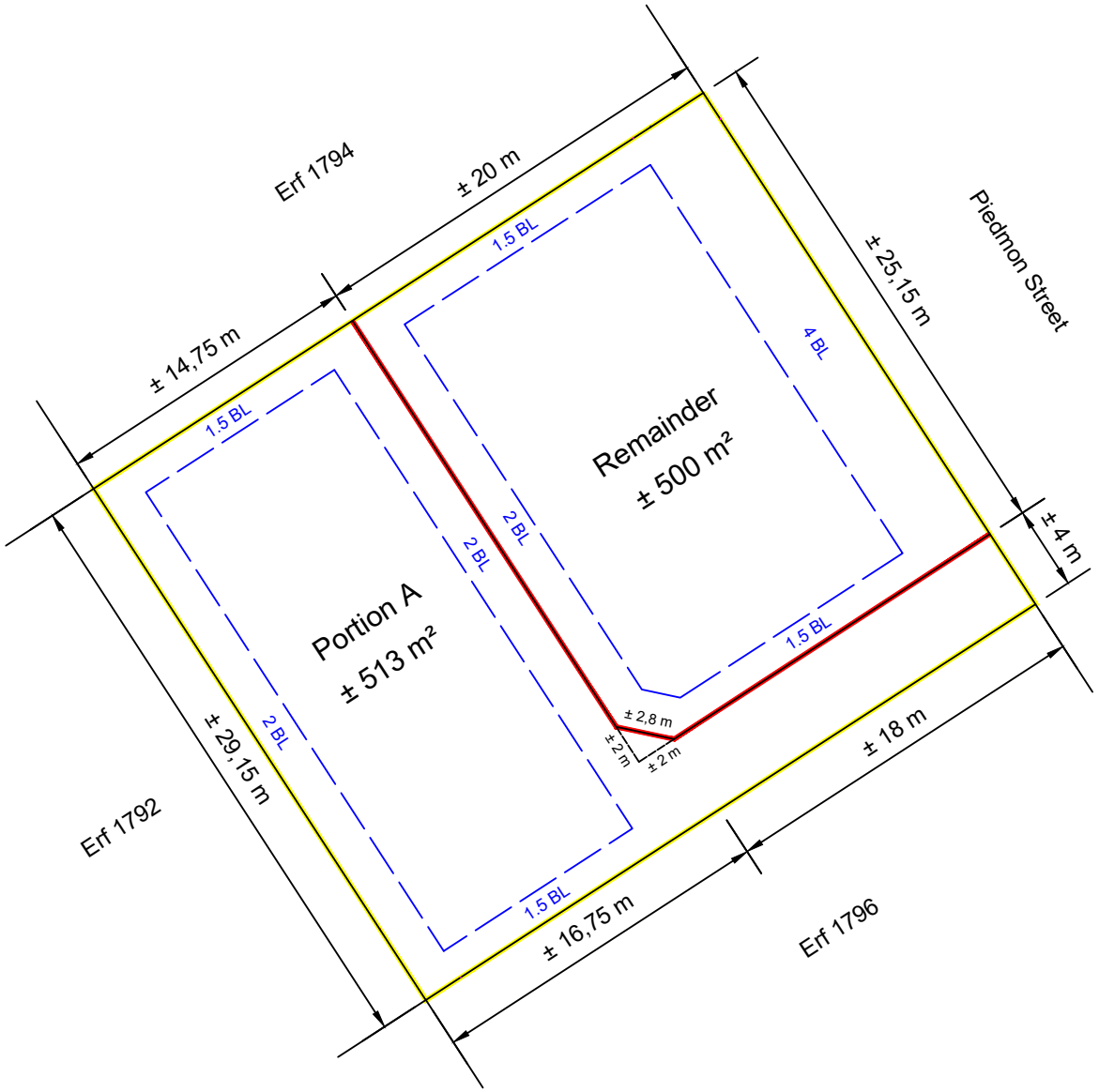
PREPARED BY:

CK RUMBOLL & PARTNERS
TOWN PLANNERS
PROFESSIONAL SURVEYORS

16 RAINIER STREET, MALMESBURY
TEL: 022 482 1845
EMAIL: reception@rumboll.co.za

CK RUMBOLL & PARTNERS

ANNEXURE B



LEG

KEY:

Zoning	Residential Zone 1
Subject Property	
Subdivision Line	
Building Lines	

Proposed Portion A : ± 513 m²

Proposed Remainder : ± 500 m²

TITLE:

PROPOSED SUBDIVISION PLAN
ERF 1795
RIEBEEK WEST

PHYSICAL ADDRESS:
4 PIEDMON STREET, RIEBEEK WEST, 7300

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 482 1845
Fax: 022 487 1661
Email: planning6@rumboll.co.za

DATE:	AUTHORITY:
SEPTEMBER 2025	SWARTLAND MUNICIPALTY

REFERENCE:
RW/1795/JL/GB

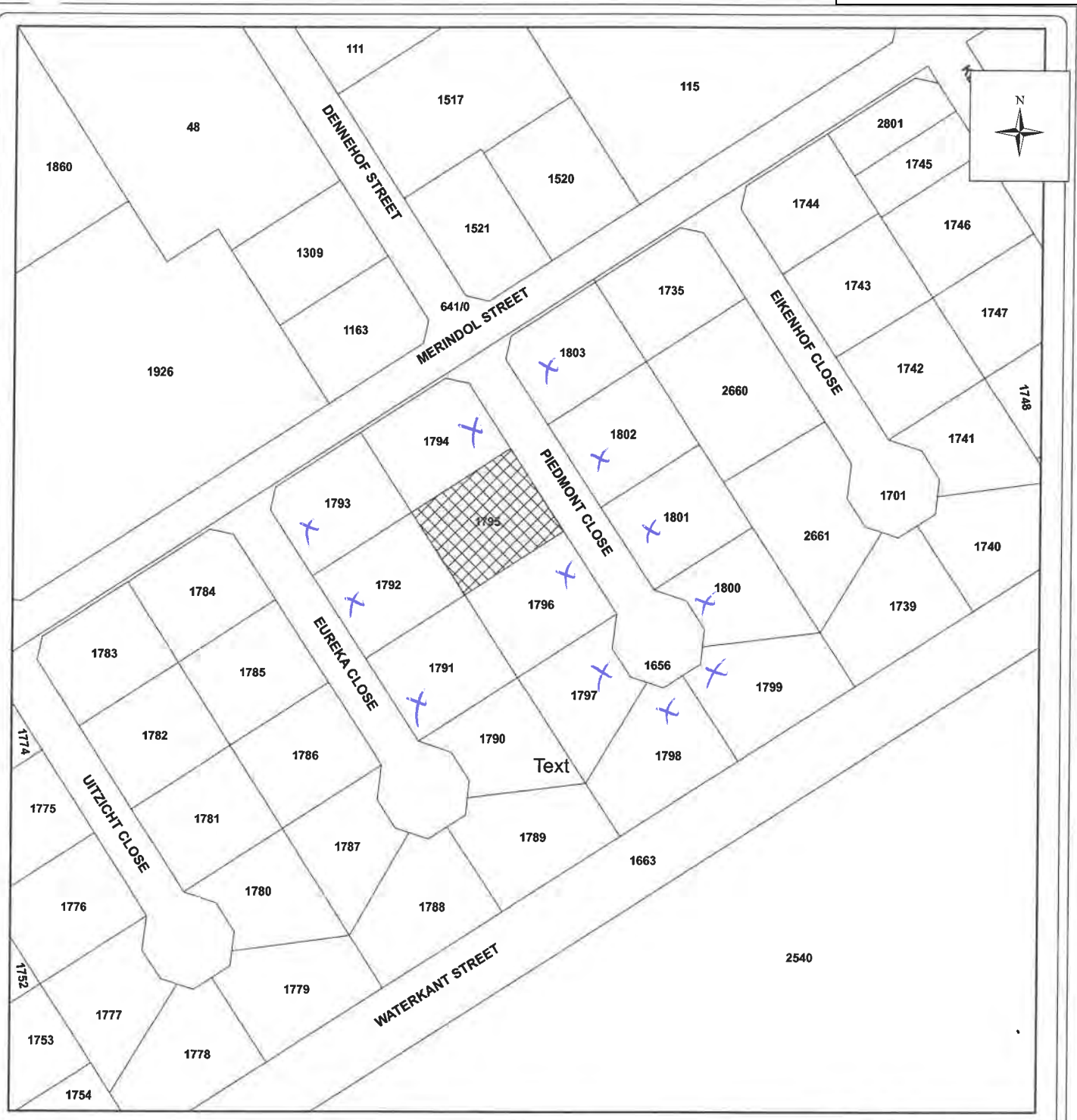
NORTH

SCALE (A4):

5 10 15
Meters

Liggingsplan

ANNEXURE C

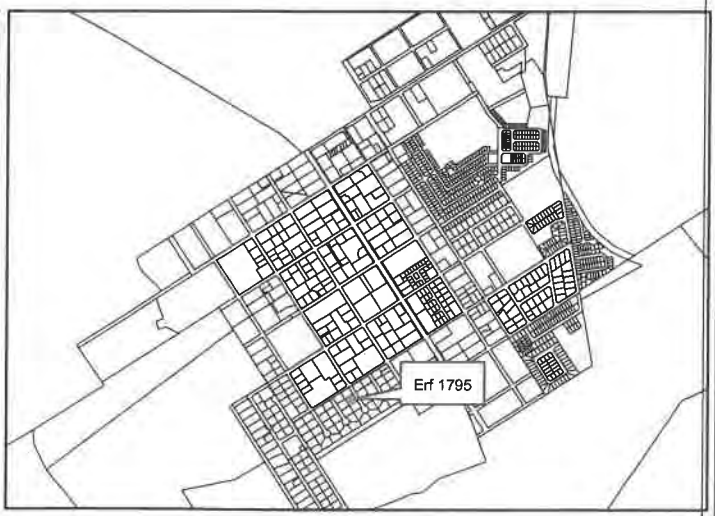


Voorgestelde onderverdeling

Erf 1795, Rlebeek Wes

Publieke deelname

Skaal: NVT



ANNEXURE D

Dr Peter Buss
6 Piedmont Close
Riebeek West, 7306
peterwildlife50@gmail.com
082 905 4665

23rd November 2025

The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7299

Re: Formal Objection to the Proposed Subdivision of Erf 1795, Riebeek West

Dear Sir/Madam,

I hereby lodge a formal objection to the application for subdivision of **Erf 1795**, situated adjacent to my property (**Erf 1796**) in **Riebeek West**, within the jurisdiction of the **Swartland Municipality**. I respectfully request that the Municipality decline this subdivision and the associated intention to establish a higher-density development on the property.

My objection is based on the following considerations, aligned with the principles of responsible land use management as outlined in the **Swartland Municipal Spatial Development Framework (SDF) 2023 to 2027** and the municipal **Land Use Planning By-Law**.

---

1. Incompatibility with the Spatial Character of Riebeek West

Riebeek West is recognised for its **rural-village character**, low-density residential fabric, and the scenic, historical qualities that define the Riebeek Valley. The Swartland SDF emphasises the importance of maintaining the unique heritage, scale, and spatial form of smaller settlements in the Valley. The proposed Erf 1792 subdivision will result in a property which is below the minimum subdivision size of a single residential erven of 500m^2 as indicated in the **Swartland Municipal Spatial Development Framework 2023 to 2027**, 5.2.1 Riebeek West, Objective 1: Grow economic prosperity and facilitate economic sector growth and Objective 4: Protect and grow place identity and cultural integrity, SPACE, BUILT, Residential 83, pg. 72.

A **higher-density development on the property** does not align with the established and historical character of Riebeek West. The existing streetscape and neighbourhood morphology surrounding **Erf 1796** consist of predominantly single-residential and low-density rural-edge properties. Introducing denser cluster-style housing would disrupt this established pattern and diminish the village's distinct character.

---

2. Pressure on Infrastructure Capacity

Riebeek West is serviced by infrastructure originally designed for **low-density rural living**. Increasing the residential density through subdivision will place additional strain on:

- **Water supply**, already variable across seasons in the Riebeek Valley.

- **Sewerage systems**, which may lack the spare capacity to accommodate multiple new households.
- **Stormwater management**, especially given changing rainfall patterns and the valley's runoff characteristics.
- **Local road surfaces**, some of which remain narrow or partially upgraded.

Before any densification is contemplated, the Municipality should require a thorough engineering capacity assessment demonstrating that the systems can safely and sustainably support increased load.

---

3. Traffic and Road Safety Concerns

A **higher-density development** typically generates higher vehicle traffic volumes. In Riebeek West—where roads in many residential areas are narrow, pedestrian activity is common, and traffic-calming infrastructure is limited—this poses a significant safety concern.

Additional access points or increased movement adjacent to my property boundary will also directly affect the safety, noise levels, and peaceful enjoyment of my home.

---

4. Negative Impact on Privacy, Views, and Amenity

One of the defining features of Riebeek West is the **sense of space, tranquillity, and open views** toward the valley, foothills, and surrounding natural areas. A denser-style development will likely introduce:

- Increased noise
- Loss of privacy through direct overlooking
- Potential overshadowing from additional buildings
- A more urbanised residential interface

Such impacts would materially diminish the rural amenity that existing residents reasonably expect, and which the Municipality's planning policies seek to preserve.

---

5. Potential Reduction in Property Values

A shift from low-density, single-residential, or rural-residential land use to medium-density development often has a negative effect on property values in adjacent areas. This is particularly true in small country villages, where buyers expect a quieter, more spacious environment. Approval of the subdivision may therefore have direct economic consequences for surrounding homeowners.

---

6. Precedent for Undesired Densification

Approval of this subdivision in Riebeek West may set a precedent encouraging further densification in the village without proper long-term planning. This subdivision risks creating a piecemeal

intensification of land use that conflicts with municipal development intentions for the Riebeek Valley, which emphasise controlled growth that respects heritage, landscape, and rural character.

Conclusion

For the reasons outlined above, and in support of responsible, context-appropriate development in line with the planning principles of the **Swartland Municipality**, I strongly object to the proposed subdivision and the establishment of a townhouse-style development on **Erf 1795**, Riebeek West.

I request written confirmation of the receipt of this objection and notification of any further public participation processes or hearings related to this application.

Yours faithfully,

Dr Peter Buss



_____

Property Owner, (**Erf 1796**)
Riebeek West, Swartland Municipality

ANNEXURE E

TL & SEM Barrett-Lenz
10 Piedmont Close
Riebeek West
7306
(Erf 1798)

Municipal Manager
Private Bag X52
Malmesbury
7299

30th November 2025

Dear Sir/Madam

RE: LETTER OF OBJECTION TO PROPOSED SUBDIVISION OF ERF 1795, RIEBEEK WEST:

We support context-sensitive residential development; however, this proposed subdivision contributes to inappropriate densification that:

- **Contradicts the Spatial Development Framework** for Riebeek West's recognised semi-rural village character, essential to local business and Swartland tourism
- **Devalues neighbouring properties** through over-development and significant aesthetic impact on surrounding properties
- **Violates municipal responsibility** to preserve neighbourhood scale, aesthetic and cohesion
- **Increases traffic, activity and noise** creating safety risks and congestion
- **Adds pressure on strained infrastructure** including existing services and water resources
- **Sets concerning precedent** that could destabilise future subdivision control

In support of, and in addition to the above, the key concerns for our objections are outlined as follows:

1. **Evasion of intent of the zoning scheme:**
   We are concerned about the proposed densification of three units on Erf 1795, as outlined in the developer's correspondence with surrounding neighbours **(refer to attached 'Piprek's correspondence with neighbours')**, which was not disclosed in the official advertising package. The developer must provide complete details of their intended land use at this application stage to enable Council, and interested and affected parties to properly assess the full impact of the proposed development.

   This appears to be a piecemeal application strategy where the applicant is not fully disclosing the developer's ultimate development intentions. Such an approach constitutes an evasion of the zoning scheme's requirements and undermines the transparent assessment process necessary for proper planning decisions.

2. **Lack of information in support of the Application:**
   The subdivision application lacks critical technical information and substantiated details, preventing affected parties from conducting a meaningful assessment. The Municipality's decision to advertise an application containing only the subdivision plan—without layout plans, potential departures, or supporting documentation—is inadequate and fails to meet the requirements of a complete application under SANS 10400-A.

   Interested and affected parties cannot properly evaluate the proposed development's impact without comprehensive technical documentation, undermining the public participation process essential to sound planning decisions.

3. **Incompatibility with existing village character:**
The proposed subdivision creates erven that are incompatible with the established neighbourhood character, where properties maintain a minimum of 1000m² with single dwellings. This larger-property pattern defines Riebeek West's rural appeal, market positioning and existing residents expectations. The resulting densification would irreversibly compromise the village's unique character and rural quality.

The application fails to demonstrate need and desirability for this type of development. The Swartland Municipality's (SM's) Municipal Land Use BY-LAW 2020 Chapter 1: Residential Zones, General Policy Statement reads as follows:

"The following general policies shall apply in the residential zones, except where the policies are superseded by an approved spatial development framework or spatial development plan:
Residential Zones are intended to provide neighbourhoods with a single-family dwelling unit with various densities and to protect the character and nature of residential areas. The general purpose of the residential zones is to present a comfortable, healthy, safe and pleasant environment for living and to promote the stability of residential areas by the protection of the character of the areas."

4. **Insensitive development impact for financial gain:**
The proposed development prioritises financial returns over preservation of established community character, a pattern that undermines long-term planning objectives. Such developments impose inappropriate densification that conflicts with existing residential expectations and property values, while disregarding the cumulative impact on village character.

This application for Erf 1795 exemplifies development that fails to respect the established spatial framework and community context essential to Riebeek West's identity.

5. **Traffic impact and infrastructure capacity in a cul-de-sac:**
Cul-de-sacs are purpose-designed for low-traffic local access serving limited residential properties, consistent with the recognised semi-rural village character. The original road layout was designed to accommodate traffic, activity levels, and noise generated solely by the initially planned erven.

Approving subdivisions increases household density beyond the street's design capacity, creating disproportionate infrastructure pressure and significantly elevated activity and vehicle noise levels. The single access point will experience congestion during peak hours, restricted delivery access, and increased traffic movements with associated noise generation, all inconsistent with the intended low-traffic residential environment.

Subdivided erven typically provide insufficient on-site parking due to reduced plot sizes, resulting in road congestion, increased vehicular activity, and overflow parking that compromises the turning circle's functionality.

Additionally, the Eskom supply line running through this cul-de-sac can restrict all vehicular movement when maintenance work is required, exacerbating access limitations.

6. **Additional pressure on existing services infrastructure and water resources:**
The Municipality acknowledges that existing sewerage and water infrastructure in this area operates at or beyond capacity. The proposed densification will exacerbate these constraints, placing unsustainable additional demand on already strained municipal services.

7. **<u>Precedent setting and cumulative development impact:</u>**
   Approving this subdivision establishes a concerning precedent that undermines subdivision control and zoning compliance. Recent approvals, including Erf 2801 & 1745 on Kerk & Merindol Street, demonstrate non-compliance with Item 1.1.4(b)(iv) regarding double dwelling design requirements, setting erven entirely out of context with the immediate neighbourhood.
   The recent approval of Erf 1801's subdivision in Piedmont Close, despite objections requesting sectional title in accordance with Section 1.1.4(b)(vi), demonstrates inconsistent application of zoning scheme provisions. This approval has encouraged additional subdivision interest, including Erf 1797 within the same close.

   These cumulative approvals risk transforming the close from three dwellings on currently vacant erven (Erf 1801, 1795 & 1797) to potentially eight erven with unknown unit numbers. Such densification contradicts the established spatial framework and creates unsustainable infrastructure pressure.

   The Municipality should consider that property devaluation resulting from inappropriate densification will ultimately reduce rates income, making short-term subdivision revenue counterproductive to long-term municipal financial sustainability.

We respectfully urge Council to carefully consider these substantive planning objections to prevent irreversible damage to Riebeek West's established character and spatial framework.

Yours sincerely

TL & SEM Barrett-Lenz

read, listen to, or share them. Click to learn more



+27 82 567 8223

~Klaus Piprek

Not a contact · No groups in common

Safety tools

Block

Dear neighbours. I am Klaus Piprek, and I have recently bought the empty plot Erf 1795, Piedmont Close (awaiting transfer).

09:10

I intend building a small, single storey dwelling (approx 110m2) towards the western boundary of the property. And then contemplating another, similarly small dwelling on the lower portion, with the option to subdivide this.

09:10

I hope to start construction before the end of the year, as soon as transfer takes place, with my trusted building contractor Ivan Pietersen from Riebeek West. I endeavour to complete the project with minimum disruption and discomfort to yourselves, and being in the summer season, within a relatively short time frame. Please feel free to engage with me, should you feel the need to.

09:10

I am not certain yet of the ultimate usage of the property; we have recently sold our house in Fontein Street, Riebeek Kasteel, and I am contemplating retaining the new property as our local base, as we have family, friends and business interests in the valley.

09:10

ANNEXURE F

Municipal Manager
Private Bag X52
Malmesbury
7299

27th November 2025

Attention: Mz DN Stallenberg

Dear Sir

RE: LETTER OF OBJECTION TO PROPOSED SUBDIVISION APPLICATION ERF 1795, NO 4 PIEDMONT CLOSE, RIEBEEK WEST YOUR REF:15/3/6-12/Erf-1795

This Letter of Objection is submitted without prejudice

Introduction

1. I duly act on behalf of the Neil Moir Family Trust, for the purposes of this submission in response to the application for the subdivision plan for 3 dwellings on Erf 1795, No 4 Piedmont Close Riebeek West, in the Western Cape.
2. Please refer to **Annexure 1** for Letters of Mandate authorising the author of this submission to act on the Trusts behalf in all correspondence on this matter.
3. Due to the significant volume of technical detail which was not made available to the affected parties this Letter of Objection focuses on only the key areas of our concern.
4. We wish it to be known that we are not opposed to residential developments and sensitive densification in Riebeek West *per se.* However, we are concerned about the extent of the densification (i.e. 3 units) in the development proposal for Erf 1795, as set out in the attached correspondence from the current owner of the land (see copy attached).

Summary of Key Concerns/Objections.

Please note that the following points of objection to the development proposal for Erf 1795, Riebeek West are not finite, nor are they a final statement of our objections to this developmental proposal.

1. The sub-division application contains numerous gaps in critical knowledge, and lack of objective, substantiated details and information. Therefore, potentially affected neighbours cannot adequately adjudicate the application and contribute to the sub-division process in a meaningful way.
2. The application fails to prove the need and desirability of the proposed development. The Swartland Municipality's (SM's) Municipal Land Use BY-LAW 2020 Chapter 1: Residential Zones, General Policy Statement: reads as follows:

The following general policies shall apply in the residential zones, except where the policies are superseded by an approved spatial development framework or spatial development plan:
Residential Zones are intended to provide neighbourhoods with a single-family dwelling unit with various densities and to protect the character and nature of residential areas. The general purpose of the residential zones is to present a comfortable, healthy, safe and pleasant environment for living and to promote the stability of residential areas by the protection of the character of the areas.

3. The subdivision advertising is incomplete since there are key appendices and drawings that are not available to complete a fully informed input opportunity. We note that the "Project Description" is brief and contains the minimum description that would allow full comprehension of what is envisaged for the development.

   As per item 2 above, the character of this area within Riebeek West is generally for large erven of a minimum of 1000m² on which a single large dwelling has been developed. The current trend of developers purchasing the remaining vacant erven and redeveloping them with double dwellings which are entirely out of context within the immediate neighbourhood is problematic and will lead to the devaluation of surrounding properties.

   A classic example of a forced development is the current building under construction on the corner of Kerk & Merindol Roads Riebeek West. This building is totally out of character and does not satisfy Item 1.1.4 (b)(iv) – (both dwelling units in a double dwelling shall be designed to give the appearance of a single large dwelling and both units may have a ground storey, or one unit maybe on the ground storey and one on the storey above). The two buildings currently constructed are certainly out of keeping with the area and will have an impact on the value of surrounding properties.

   It is for this reason that fully detailed plans must accompany this application and fully advertised for comment. One must question how the intent of the zoning scheme rules 1.1.4 for second dwelling units and double dwellings are intended to be complied with.

4. The application fails to provide a comprehensive socio-economic impact report and/or a cost-benefit analysis of the proposed development thereby preventing an objective, informed evaluation of the "need and desirability" of the project.

The decision by the Municipality to advertise the application with an advertising pack which contained no technical documents other than the sub-division plan is questioned. To expect interested and affected parties to apply their mind to the proposed development of three units without any plan layouts, potential departures and no documentation having been provided is totally unacceptable and cannot be considered as a complete application.

One must presume that this application is the first round of the process that the applicant has submitted on behalf of the developer, who is not willing to play open cards on what the ultimate development is, and they

are attempting to achieve their final product by stealth.

In support of the above:

a) It is indisputable that the scale of the proposed development will significantly impact on the aesthetic of the immediately surrounding properties and have a negative impact on the value of the immediately adjoining properties due to the over development / utilization of the site.

Therefore, the proposed development is likely to be of interest to all those who have chosen to make the town of Riebeek West their home, as it will impact on their sense of place. Thus, for meaningful PPP, the Municipality must engage in a wider form of advertising within the surrounding neighbourhood.

Conclusion

It is submitted that the sub-division application as advertised is lacking in several material respects. It fails to meet the mandatory public participation process and assessment requirements.

Given the limits of current knowledge and the many gaps and inconsistencies in the data provided, the precautionary principle must apply and the public participation process needs to be redone and a comprehensive pack of documents including SDP's with detailed architectural layouts and elevations need to be included for the application to be adequately assessed.

The architectural drawings must indicate and detail departures that will be required to enable the proposed development to occur.

Once the additional documentation has been made available to the Municipality the application needs to be re-advertised, and further comments/objections may be submitted by neighbours/interested and affected parties.

We trust that the Swartland Municipality will apply their mind to our Letter of Objection.

Should the matter be placed on a Municipal Planning Tribunal (MPT) agenda, I hereby request an interview at that meeting.

Yours sincerely,

C J Moir
(Representing The Neil Moir Family Trust)

Erf 1790, 7 Eureka Close, Riebeek West

Cell No: 0723100046

read, listen to, or share them. Click to learn more



+27 82 567 8223

~Klaus Piprek

Not a contact · No groups in common

Safety tools

Block

Dear neighbours. I am Klaus Piprek, and I have recently bought the empty plot Erf 1795, Piedmont Close (awaiting transfer). 09:10

I intend building a small, single storey dwelling (approx 110m2) towards the western boundary of the property. And then contemplating another, similarly small dwelling on the lower portion, with the option to subdivide this. 09:10

I hope to start construction before the end of the year, as soon as transfer takes place, with my trusted building contractor Ivan Pietersen from Riebeek West. I endeavour to complete the project with minimum disruption and discomfort to yourselves, and being in the summer season, within a relatively short time frame. Please feel free to engage with me, should you feel the need to. 09:10

I am not certain yet of the ultimate usage of the property; we have recently sold our house in Fontein Street, Riebeek Kasteel, and I am contemplating retaining the new property as our local base, as we have family, friends and business interests in the valley. 09:10

RESOLUTION PASSED BY THE TRUSTEES OF "THE NEIL MOIR FAMILY TRUST" REGISTRATION No.IT208/2018C SIGNED BY CIRCULATION ON THE DATES AND AT PLACES SHOWN BELOW

RESOLVED THAT:

1. The Trustees of the Trust hereby appoints **Cornelis Johannes Moir (5309175089085)** to act as Public Officer and tax representative for and on behalf of the trustees.

2. That **Cornelis Johannes Moir** hereby accepts his nomination and appointment as Public Officer and Tax Representative to the trust.

DATED AT WYNBERG **ON THIS** 2ND **DAY OF** JUNE **2023**

Cornelis Johannes Moir
(Trustee)

DATED AT PLUMSTEAD **ON THIS** 29th **DAY OF** JUNE **2023**

Johannes Petrus Smit Laubscher
(Trustee)

DATED AT WYNBERG **ON THIS** 2nd **DAY OF** JUNE **2023**

Ingrid Marianne Moir
(Trustee)

ANNEXURE G

From: Andrew Macfarlane <andrewnuts@gmail.com>
Sent: Tuesday, 25 November 2025 11:08
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: Lesley Macfarlane <ltuchten@gmail.com>
Subject: Mr/Mrs Andrew and Lesley Macfarlane Erf 1799 (09 Piedmond Close)

Hello Municipal Management Team,

I'm submitting an *Objection to the Proposed Subdivision of Erf 1795, Traffic Congestion and Safety Risks in a Cul-de-Sac*.

I submitted a complaint about the same issue regarding Erf 1801, as these two developments will create significant and unacceptable traffic congestion and safety hazards within an existing cul-de-sac.

My objection is based on material planning considerations as required by the Municipal Planning By-Law (2015/2020), the Swartland Integrated Zoning Scheme, and applicable engineering standards.

Cul-de-sacs are purpose-designed as low-traffic local access streets intended to serve a *very limited number of vehicles*. (Personal note, we have the Eskom line for the village running under our street, which, when repair work is required, blocks the entire street.)

According to standard South African traffic engineering norms (TRH 26 & Red Book: Guidelines for Human Settlements):

- A cul-de-sac should serve no more than 25–30 trips per day. (By dividing two plots, this limit is going to be well exceeded)
- It should only accommodate the vehicle movements generated by the existing originally planned along that road.
- Additional dwellings add disproportionate pressure because all traffic must funnel in and out of a single point.

The proposed subdivision increases the number of households beyond what the original road layout was designed to support. This results in congestion during peak hours, restricted access for deliveries, and increased noise and activity levels inconsistent with a low-order residential street.

Also:

Lack of Sufficient On-Site Parking Causes Overflow Onto the Turning Circle

If the proposed erven cannot provide sufficient on-site parking (common in subdivisions with reduced erf sizes), the result is:

- Blocked road
- Restricted movement space
- Unsafe reversing movements

Also, Portion A is marked out as +/- 513m squared, but it spills over into the 4 metre pavement allotment, not sure if it is allowed, as the measurements don't seem to add up.

We'd prefer to keep to the previous land-use notices for Riebeek West, as the Riebeek Valley has a recognised semi-rural village character with larger erven, especially in established residential streets like Piedmondstraat.

Subdividing Erf 1796 into small erven:

- Undermines this historic character
- Introduces incompatible densification
- Sets a precedent that could destabilise future subdivision control (And is now the third example of this I'm aware of)

This contradicts the SDF's principle of **"context-sensitive densification"** and violates the municipality's mandate to preserve neighbourhood scale and cohesion.

Thank you for your time.

And please communicate with us via email.

Regards,

Andrew Macfarlane

ANNEXURE H

21 November 2025

Dear Sirs

RE: SUBDIVISION OF ERF 1795

I am the owner of Erf 1794 and write to you to object in the strongest terms to the Subdivision of Erf 1795 situated in Piedmont Close, Riebeek West.

The area was subdivided ± 20 years ago by yourselves into Erven of 950m² - 1020m². This is in line with market demands and indeed in line with the present owners of 45 plots expectations.

We all bought, many of us from the Municipality to enjoy country living NOT townhouse living.

The ugly and insensitive non-designed 2 units that have been built on Erf 1745 corner of Kerk and Merindol are definitely not in line with the established properties in Riebeek West and will inevitable affect the values of neighbouring properties.

This proposed subdivision will not be in line with the Swartland Municipality plan for these 45 plots and will detract from the value of my house and the adjoining properties.

None of the owners bought/chose to live in what is effectively a "group housing" scheme and my wife and myself did not buy in a country village to have suburban development thrust upon us.

Yours faithfully

TEBRA DU PLESSIS

ANNEXURE I

From: Nick Bedeker <nick_bedeker@hotmail.com>
Sent: Friday, 07 November 2025 09:49
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: rina.dreyer@gmail.com
Subject: Voorgestelde onderverdeling van erf 1795, Riebeek Wes
Importance: High

Goeie more,

Ons keur die voorgestelde onderverdeling af. Dit gaan 'n negatiewe effek he op die lewe wat ons tans in Riebeek Wes het. Ons het juis hierheen getrek vir die ruimte en die plattelandse atmosfeer. Die voorgestelde onderverdeling soos enige ander dring daarteen in deurdat dit die konsentrasie van mense verhoog en derhalwe ruimte verminder.

Groete.

N Bedeker & SS Dreyer

Piedmond Close 3

Riebeek Wes

7306

nick_bedeker@hotmail.com

ANNEXURE J

CK RUMBOLL &
PARTNERS INC.

PROFESSIONELE LANDMETERS ~ ENGINEERING SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 15 December 2025

OUR REF: RW/14839/MV
YOUR REF: 15/3/6-12/Erf_1795

BY HAND

ATTENTION: Mr. A. Zaayman

Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

MUNISIPALITEIT SWARTLAND REG

LEER No: 15/3/6-12/Erf_1795				
Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
c Dep				
Ander Opdrag:				
SPERDATUM:				(get)BK

Mr.,

COMMENTS ON OBJECTIONS: PROPOSED SUBDIVISION ON ERF 1795, RIEBEEK-WES

1. Introduction

The land use application regarding the subject dated 30 September 2025 and your letter dated 5 December 2025, refer.

During the public participation period, objections were received from the following surrounding neighbours:

A. Peter Buss (Erf 1796);
B. TL & SEM Barrett-Lenz (Erf 1798);
C. CJ Moir (Erf 1790);
D. Andrew McFarlane;
E. Tebra du Plessis (Erf 1794);
F. N Bedeker & SS Dreyer (Piedmond Close 3)

Munisipaliteit Swartland Municipality
ONTVANG
2025 -12- 15
RECEIVED

This document provides a formal response to the objections received.

2. Comments on Objections

Our office's response to the objection is provided in Table 1 below.

Table 1: Comments on Objections

Objector	Objections	Response from CK Rumboll & Partners
A, B, D, E	1. <u>Incompatibility with the Spatial Character</u> Riebeek West is recognised for its rural-village character, low-density residential fabric, and the scenic, historical qualities that define the Riebeek Valley. The Swartland MSDF emphasises the importance of maintaining the unique heritage, scale, and spatial form of smaller settlements in the Valley. The proposed Erf 1792 subdivision will result in a property which is below the minimum subdivision size of single residential erven of 500m² as indicated in the Swartland MSDF, 2023-2027, 5.2.1 Riebeek West, Objective 1: Grow economic prosperity and facilitate economic sector growth and Objective 4: Protect and grow place identity and cultural integrity, SPACE, BUILT, Residential 83, pg. 72. (A) A higher-density development on the property does not align with the established and historical character of Riebeek West. The existing streetscape and neighbourhood morphology surrounding Erf 1796 consist of predominantly single-residential and low-density rural-edge properties. Introducing denser cluster-style housing would disrupt this established pattern and diminish the village's distinct character. (A) The proposed subdivision creates erven that are incompatible with the established neighbourhood character, where	1. Objectors A and D incorrectly refer to a subdivision of "Erf 1792" and "Erf 1796", respectively. The application pertains to Erf 1795. <u>Minimum Erf Size Compliance</u> Erf 1795 (measuring 1013m²) is proposed to be subdivided into: Portion A (±513m²) and Remainder (±500m²). Both resulting erven fully comply with the minimum erf size of 500m² as required by the Swartland Municipal Spatial Development Framework ("MSDF") (2023-2027, as amended in 2025). <u>Policy Alignment (Swartland MSDF 2023-2027, 2025 Amendment)</u> Erf 1795 is situated within Zone F of Riebeek-Wes, identified as a low-density residential area with opportunities for infill development. The MSDF expressly proposes the following: • *"Support densification through subdivision, infill development, renewal and restructuring in accordance with zone proposals;"* and • *"Allow for a minimum subdivision size of single-residential erven of 500m²."*

	properties maintain a minimum of 1000m² with single dwellings. (B) This larger-property pattern defines Riebeek West's rural appeal, market positioning, and existing residents' expectations. The resulting densification would irreversibly compromise the village's unique character and rural quality. (B) The application fails to demonstrate need and desirability for this type of development. The Swartland Municipality's Municipal Land Use By-law, 2020, Chapter 1: Residential Zones, General Policy Statement reads as follows: *"The following general policies shall apply in the residential zones, except where the policies are superseded by an approved spatial development framework or spatial development plan: Residential Zones are intended to provide neighbourhoods with a single-family dwelling unit with various densities and to protect the character and nature of residential areas. The general purpose of the residential zones is to present a comfortable, healthy, safe, and pleasant environment for living and to promote the stability of residential areas by the protection of the character of the areas."* (B) The proposed development prioritises financial returns over preservation of established community character, a pattern	The proposed subdivision complies directly with these policy directives. It introduces context-appropriate, low-impact densification without altering the area's residential zoning or character. <u>Neighbourhood Character and Development Parameters</u> No cluster housing, group housing, or townhouse development is proposed. The property will retain its Residential Zone 1 designation, permitting one dwelling per erf as a primary use. All future structures will be subject to the municipality's building plan approval process, ensuring full compliance with the Swartland Municipal Land Use Planning By-law (PG 8226). <u>Precedent and Market Demand</u> Recent comparable subdivisions, including Erven 1801 and 1745, demonstrate an ongoing and legitimate demand for functional smaller erven in Riebeek-Wes. Market needs evolve over time, and the MSDF is reviewed every five years (with interim amendments) precisely to ensure responsible, up-to-date guidance for land use decisions. <u>Comment on Reference to Erf 1745</u> Objector E's concerns regarding development on Erf 1745 (Kerk and Merindol Streets) are not applicable to this

	that undermines long-term planning objectives. Such developments impose inappropriate densification that conflicts with existing residential expectations and property values, while disregarding the cumulative impact on village character. (B) This application for Erf 1795 exemplifies development that fails to respect the established spatial framework and community context essential to Riebeek West's identity. (B) We'd prefer to keep to the previous land-use notices for Riebeek West, as the Riebeek Valley has a recognised semi-rural village character with larger erven, especially in established residential streets like Piedmondstraat. (D) Subdividing Erf 1796 into small erven: • Undermines this historic character • Introduces incompatible densification • Sets a precedent that could destabilise future subdivision control (and is now the third example of this I'm aware of) (D) This contradicts the SDF's principle of "context-sensitive densification" and violates the municipality's mandate to preserve neighbourhood scale and cohesion. (D) The area was subdivided ±20 years ago by yourselves into Erven of 950m²-1020m². This is in line with market demands	application. That development is unrelated to Erf 1795 and should not form part of this assessment. Furthermore, the area is not subject to any approved architectural design guidelines or overlay controls. Property owners are allowed to develop their properties in accordance with the applicable development parameters, and architectural style remains at the discretion of the owner, subject to compliance with statutory requirements and municipal approval at building plan stage.

	and indeed in line with the present owners of 45 plots expectations. (E) We all bought, many of us from the municipality, to enjoy country living, NOT townhouse living. The ugly and insensitive non-designed 2 units that have been built on Erf 1745, corner of Kerk and Merindol, are definitely not in line with the established properties in Riebeek West and will inevitably affect the values of neighbouring properties. (E) None of the owners bought/chose to live in what is effectively a "group housing scheme", and my wife and I did not buy in a country village to have suburban development thrust upon us. (E)	
A, B, D	2. <u>Pressure on Infrastructure Capacity</u> Riebeek West is serviced by infrastructure originally designed for low-density rural living. Increasing the residential density through subdivision will place additional strain on: • **Water supply,** already variable across seasons in the Riebeek Valley; • **Sewerage systems,** which may lack the spare capacity to accommodate multiple new households; • **Stormwater management,** especially given changing rainfall patterns and the valley's runoff characteristics;	2. The infrastructure considerations raised by objectors are routinely addressed through the statutory land use application process and are evaluated by the relevant technical departments. <u>Engineering Services Review</u> In terms of the Swartland Municipal Land Use Planning By-law (PG 8226), and consistent with the principles of Chapter VI (Section 59) of the Land Use Planning Act ("LUPA"), Act 3 of 2014, and Chapter 2 (Section 7) of the Spatial Planning and Land Use Management Act ("SPLUMA"), Act 16 of 2013, all subdivision applications are circulated to the Municipality's

	• **Local road surfaces,** some of which remain narrow or partially upgraded. (A) Before any densification is contemplated, the municipality should require a thorough engineering capacity assessment demonstrating that the systems can safely and sustainably support increased load. (A) A higher-density development typically generates higher vehicle traffic volumes. In Riebeek West, where roads in many residential areas are narrow, pedestrian activity is common, and traffic-calming infrastructure is limited, this poses a significant safety concern. (A) Additional access points or increased movement adjacent to my property boundary will also directly affect the safety, noise levels, and peaceful enjoyment of my home. (A) Cul-de-sacs are purpose-designed for low-traffic local access serving limited residential properties, consistent with the recognised semi-rural village character. The original road layout was designed to accommodate traffic, activity levels, and noise generated solely by the initially planned erven. (B) Approving subdivisions increases household density beyond the street's design capacity, creating disproportionate infrastructure pressure and significantly elevated activity and vehicle noise levels. The single access point will experience	Civil and Electrical Engineering Services for comment. These departments: (i) confirm available service capacities; (ii) identify required upgrades (if any); and (iii) impose conditions of approval to ensure infrastructure adequacy. Engineering inputs, therefore, ensure that no subdivision may proceed unless service capacity is confirmed or appropriately mitigated. Any required upgrades become mandatory conditions of approval. <u>Traffic, Movement, and Road Capacity</u> As indicated in Point 1 of this response document, the proposal constitutes low-density residential development, in line with the Swartland MSDF's policy for controlled infill and densification. No additional land use rights beyond those of Residential Zone 1 are sought. Piedmond Street has a 13m road reserve, which is wider than the typical 10-12m reserve found in similar rural-town neighbourhoods. This width is considered sufficient to accommodate an additional Residential Zone 1 erf. The Department: Civil Engineering Services will confirm this formally as part of the circulation process. The subdivision results in only one additional dwelling that what is currently allowed, and, therefore, does not materially alter the existing low-order traffic environment. Any potential

	congestion during peak hours, restricted delivery access, and increased traffic movements with associated noise generation, all inconsistent with the intended low-traffic residential environment. (B) Subdivided erven typically provide insufficient on-site parking due to reduced plot sizes, resulting in road congestion, increased vehicular activity, and overflow parking that compromises the turning circle's functionality. (B) Additionally, the Eskom supply line running through this cul-de-sac can restrict all vehicular movement when maintenance work is required, exacerbating access limitations. (B) The Municipality acknowledges that existing sewerage and water infrastructure in this area operates at or beyond capacity. The proposed densification will exacerbate these constraints, placing unsustainable additional demand on already strained municipal services. (B) I submitted a complaint about the same issue regarding Erf 1801, as these two developments will create significant and unacceptable traffic congestion and safety hazards within an existing cul-de-sac. My objection is based on material planning considerations as required by the Municipal Planning By-Law (2015/2020), the Swartland Integrated Zoning Scheme, and applicable engineering standards. (D)	traffic impacts remain well within the functional capacity of a residential cul-de-sac. <u>On-Site Parking Requirements</u> At building plan stage, the Municipality's building control office will ensure full compliance with the Swartland Municipal Land Use Planning By-law (PG 8226). Key requirements include: • A minimum of two on-site parking bays per dwelling; • Compliance with coverage, height, and building line parameters; and • Demonstration that vehicle access and on-site manoeuvring can occur safely. Sufficient space exists on both proposed erven to comply with these requirements. As no building plans are currently available, detailed design evaluation will occur at the appropriate statutory stage. <u>Comment on Portion A and the Road Reserve</u> The boundaries of Portion A as shown on the subdivision plan do not encroach into the road reserve. The subdivision layout will be confirmed through the final SG diagram approved by the Surveyor-General after municipal approval has been granted.

	Cul-de-sacs are purpose-designed as low-traffic local access streets intended to serve a very limited number of vehicles. (Personal note, we have the Eskom line for the village running under our street, which, when repair work is required, blocks the entire street.) According to standard South African traffic engineering norms (TRH 26 & Red Book: Guidelines for Human Settlements): • A cul-de-sac should serve no more than 25-30 trips per day. (By dividing two plots, this limit is going to be well exceeded) • It should only accommodate the vehicle movements generated by the existing originally planned along that road. • Additional dwellings add disproportionate pressure because all traffic must funnel in and out of a single point (D) The proposed subdivision increases the number of households beyond what the original road layout was designed to support. This results in congestion during peak hours, restricted access for deliveries, and increased noise and activity levels inconsistent with a low-order residential street. (D) Lack of sufficient on-site parking causes overflow onto the turning circle. If the proposed erven cannot provide sufficient on-site parking (common in subdivisions with reduced erf sizes), the result is: - Blocked road - Restricted movement space	

	- Unsafe reversing movements Also, Portion A is marked out as ±513m squared, but it spills over into the 4 metre pavement allotment, not sure if it is allowed, as the measurements don't seem to add up.	
A	3. <u>Negative Impact on Privacy, Views, and Amenity</u> One of the defining features of Riebeek West is the sense of space, tranquillity, and open views toward the valley, foothills, and surrounding natural areas. A denser-style development will likely introduce: • Increased noise; • Loss of privacy through direct overlooking; • Potential overshadowing from additional buildings; • A more urbanised residential interface Such impacts would materially diminish the rural amenity that existing residents reasonably expect, and which the municipality's planning policies seek to preserve.	3. The proposal results in one additional low-density residential erf, to be developed in accordance with the development parameters for Residential Zone 1 as prescribed in the Swartland Municipal Land Use Planning By-law (PG 8226). As noted under Point 1, this form of development is fully aligned with the Swartland MSDF and consistent with the established residential character of the area. The property is located on an existing residential block and not within a visually sensitive ridge or view corridor. The proposed development will, therefore, not obstruct protected or significant public views. While private views are understandably valued by homeowners, they do not constitute a legally protected right in land use planning. All future buildings on the newly created erven will be subject to building plan approval, during which compliance with coverage, height, building line, and overlooking mitigation standards will be confirmed. These development parameters ensure adequate separation between dwellings, prevention of excessive overshadowing, maintenance of acceptable privacy

		levels, and preservation of the low-density residential character. Therefore, the subdivision does not introduce urban densification beyond what is typical for Residential Zone 1 and will not adversely impact the amenity, privacy, or tranquillity of neighbouring properties. The proposal reflects responsible, policy-aligned infill development within an urban environment.
A, B, C, E	4. <u>Potential Reduction in Property Values</u> A shift from low-density, single-residential, or rural-residential land use to medium-density development often has a negative effect on property values in adjacent areas. This is particularly true in small country villages, where buyers expect a quieter, more spacious environment. Approval of the subdivision may, therefore, have direct economic consequences for surrounding homeowners. (A) Approving this subdivision establishes a concerning precedent that undermines subdivision control and zoning compliance. Recent approvals, including Erf 2801 & 1745 on Kerk & Merindol Street, demonstrate non-compliance with Item 1.1.4 (b) (iv) regarding double dwelling design requirements, setting erven entirely out of context with the immediate neighbourhood. The recent approval of Erf 1801's subdivision in Piedmont Close, despite objections requesting sectional title in accordance with Section 1.1.4 (b) (vi),	4. The proposed subdivision does not constitute medium-density development. It results in one additional low-density Residential Zone 1 erf, consistent with both the zoning of the parent property and the policy direction of the Swartland MSDF (refer to Point 1). No double dwellings, group housing, or other medium-density typologies are proposed. In terms of Section 59 (1) (f) of LUPA, 2014: *"a competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application;"* Accordingly, perceived effects on market value, whether positive or negative, cannot form the basis for refusal of a compliant land-use application.

	demonstrates inconsistent application of zoning scheme provisions. This approval has encouraged additional subdivision interest, including Erf 1797 within the same close. (B) These cumulative approvals risk transforming the close from three dwellings on currently vacant erven (Erf 1801, 1795 & 1797) to potentially eight erven with unknown unit numbers. Such densification contradicts the established spatial framework and creates unsustainable infrastructure pressure. (B) The Municipality should consider that property devaluation resulting from inappropriate densification will ultimately reduce rate income, making short-term subdivision revenue counterproductive to long-term municipal financial sustainability. (B) It is indisputable that the scale of the proposed development will significantly impact the aesthetics of the immediately surrounding properties and negatively affect the value of the immediately adjoining properties due to the overdevelopment and utilisation of the site. (C) This proposed subdivision will not align with the Swartland Municipality plan for these 45 plots and will detract from the value of my house and the adjoining properties. (E)	Each application must be assessed on its own merits, site context, compliance with the Swartland Municipal Land Use Planning By-law (PG 8226), and alignment with the MSDF. It cannot be assumed that other erven will be subdivided similarly, nor that this application creates an automatic precedent. The unrelated examples cited by objectors do not form part of this application and do not influence the evaluation of Erf 1795. Development on Portion A and the Remainder will be subject to building plan approval, ensuring full compliance with the applicable development parameters (coverage, height, building lines, and on-site parking). The subdivision, therefore, does not constitute overdevelopment, nor does it introduce land use rights that exceed what is typical for low-density residential areas. Concerns relating to infrastructure capacity and cumulative impacts are addressed comprehensively under Point 2. Within this policy and regulatory context, the proposed subdivision does not detract from the established character of the area and is consistent with responsible and compliant urban development.

A	5. <u>Precedent for Undesired Densification</u> Approval of this subdivision in Riebeek West may set a precedent encouraging further densification in the village without proper long-term planning. This subdivision risks creating a piecemeal intensification of land use that conflicts with municipal development intentions for the Riebeek Valley, which emphasise controlled growth that respects heritage, landscape, and rural character.	5. Each land use application must be assessed on its own merits, based on site-specific circumstances, statutory provisions, and applicable forward-planning policy. For this reason, an application cannot be refused solely on the grounds that it may create a precedent. The proposed subdivision is fully consistent with the spatial proposals for Riebeek-Wes as outlined in the Swartland (MSDF), which is the Municipality's primary forward-planning instrument (refer to Point 1). The MSDF explicitly supports low-density residential development within Zone F of Riebeek-Wes, as proposed in this application. Furthermore, the scale and nature of the subdivision do not adversely affect the heritage, landscape qualities, or rural character of the area. The development maintains a low-density residential form compatible with the established environment, thereby aligning with both municipal intent and responsible planning principles.
B, C	6. <u>Evasion of the intent of the zoning scheme</u> We are concerned about the proposed densification of three units on Erf 1795, as outlined in the developer's correspondence with surrounding neighbours (refer to attached 'Piprek's correspondence with neighbours'), which was not disclosed in the official advertising package. The developer must provide complete details of their intended land	6. The proposed subdivision of Erf 1795 will result in two Residential Zone 1 erven (Portion A and Remainder), each developed with a single dwelling house as the primary use, in compliance with the Swartland Municipal Land Use Planning By-law (PG 8226). There is no proposal to construct three units on a single erf. Any perception to the contrary appears to arise from

	use at this application stage to enable Council, and interested and affected parties, to properly assess the full impact of the proposed development. (B) This appears to be a piecemeal application strategy where the applicant is not fully disclosing the developer's ultimate development intentions. Such an approach constitutes an evasion of the zoning scheme's requirements and undermines the transparent assessment process necessary for proper planning decisions. (B) We wish it to be known that we are not opposed to residential developments and sensitive densification in Riebeek West *per se*. However, we are concerned about the extent of the densification (i.e. 3 units) in the development proposal for Erf 1795, as set out in the attached correspondence from the current owner of the land (see copy attached). (C)	correspondence external to the formal application process. This office has prepared and submitted the application based solely on the landowner's instructions and the parameters permitted by-law, as supported by the Swartland MSDF. All relevant information has been provided in the application package, ensuring that Council and affected parties have adequate details to assess the proposal. The submission fully complies with statutory requirements for transparency, public participation, and proper planning, and does not circumvent the zoning scheme or municipal planning controls.
B, C	7. <u>Lack of information in support of the Application</u> The subdivision application lacks critical technical information and substantiated details, preventing affected parties from conducting a meaningful assessment. The Municipality's decision to advertise an application containing only the subdivision plan-without layout plans. Potential departures, or supporting documentation inadequate and fail to meet the	7. <u>Public Participation and Availability of Information</u> The application was advertised by the municipality in full accordance with Sections 56-57 of the Swartland Municipal Land Use Planning By-law (PG 8226). The public notice clearly indicated that the complete application package was available for inspection at the municipality during designated timeframes, providing interested and affected parties the opportunity to comment.

	requirements of a complete application under SANS 10400-A. (B) Interested and affected parties cannot properly evaluate the proposed development's impact without comprehensive technical documentation, undermining the public participation process essential to sound planning decisions. (B) The subdivision application contains numerous gaps in critical knowledge, and a lack of objective, substantiated details and information. Therefore, potentially affected neighbours cannot adequately adjudicate the application and contribute to the subdivision process in a meaningful way. (C) The application fails to prove the need and desirability of the proposed development. The Swartland Municipality's Municipal Land Use BY-LAW 2020 Chapter 1: Residential Zones, General Policy Statement: reads as follows: *The following general policies shall apply in the residential zones, except where the policies are superseded by an approved spatial development framework or spatial development plan:* *Residential Zones are intended to provide neighbourhoods with a single-family dwelling unit with various densities and to protect the character and nature of residential areas. The general purpose of the residential zones is to present a comfortable, healthy, safe, and pleasant environment for living*	<u>Scope of Subdivision Applications</u> The Swartland Municipal Land Use Planning By-law (PG 8226) does not require that subdivision applications submitted in terms of Section 25 of the mentioned by-law, be accompanied by building plans. Any future buildings on the proposed Portion A and Remainder will be subject to separate building plan approval, during which compliance with all development parameters (coverage, height, building lines, privacy, and on-site parking) is evaluated by the municipal building control office. <u>Development Parameters and Compliance</u> The proposed subdivision: • Creates an additional low-density Residential Zone 1 erf; • Permits one dwelling house per erf, consistent with the zoning and development parameters of the Swartland Municipal Land Use Planning By-law (PG 8226); and • Requires no departures, and fully complies with the Swartland MSDF and applicable spatial planning policy (refer to Point 1). <u>Need and Desirability</u>

	and to promote the stability of residential areas by protecting the character of the areas. (C) The subdivision advertising is incomplete since there are key appendices and drawings that are not available to complete a fully informed input opportunity. We note that the "Project Description" is brief and contains the minimum description that would allow full comprehension of what is envisaged for the development. (C) As per the item above, the character of this area within Riebeek West is generally for large erven of a minimum of 1000m² on which a single large dwelling has been developed. The current trend of developers purchasing the remaining vacant erven and redeveloping them with double dwellings, which are entirely out of context within the immediate neighbourhood, is problematic and will lead to the devaluation of surrounding properties. (C) A classic example of a forced development is the current building under construction on the corner of Kerk & Merindol Roads, Riebeek West. This building is totally out of character and does. not satisfy Item 1.1.4 (b) (iv) - (both dwelling units in a double dwelling shall be designed to give the appearance of a single large dwelling and both units may have a ground storey, or one unit maybe on the ground storey and one on the storey above). The two buildings currently constructed are	The objection misunderstands the statutory intent of "need and desirability" under SPLUMA and LUPA. These provisions focus on spatial, social, and environmental considerations rather than perceived economic impacts. Relevant factors considered in the application include: • Compatibility with surrounding land uses (refer to Points 1-6); • Alignment with approved spatial frameworks and development principles (Swartland MSDF, 2023-2027, as amended in 2025); • Efficient use of serviced land within the urban fabric of Riebeek-Wes; and • Contribution to orderly, low-density residential infill that maintains the character of the village. <u>Reference to Other Developments</u> Comments referencing unrelated developments (e.g., double dwellings on Kerk & Merindol Streets) are not applicable to this application. Erf 1795 does not propose double dwellings or second dwellings. The only land use change proposed is the subdivision into two Residential Zone 1 erven, each developed in accordance with primary use rights. The application contains all necessary information to enable Council and affected parties to make an informed decision. The need and desirability of the development have been

	certainly out of keeping with the area and will have an impact on the value of surrounding properties. (C) It is for this reason that fully detailed plans must accompany this application and fully advertised for comment. One must question how the intent of the zoning scheme rules 1.1.4 for second dwelling units and double dwellings are intended to be complied with. (C) The application fails to provide a comprehensive socio-economic impact report and/or a cost-benefit analysis of the proposed development, thereby preventing an objective, informed evaluation of the "need and desirability" of the project. (C) The decision by the Municipality to advertise the application with an advertising pack that contained no technical documents other than the subdivision plan is questioned. To expect interested and affected parties to apply their mind to the proposed development of three units without any plan layouts, potential departures, and no documentation having been provided is totally unacceptable and cannot be considered as a complete application. (C) One must presume that this application is the first round of the process that the applicant has submitted on behalf of the developer, who is not willing to play open cards on what the	adequately addressed in terms of the planning policy and legislative context. The proposal is consistent with the surrounding character, compliant with development parameters, and fully aligned with the Swartland MSDF.

	ultimate development is, and they are attempting to achieve their final product by stealth. (C) The proposed development is likely to be of interest to all those who have chosen to make the town of Riebeek West their home, as it will impact on their sense of place. Thus, for meaningful PPP, the Municipality must engage in a wider form of advertising within the surrounding neighbourhood. (C)	
F	8. <u>Negative Impact on Atmosphere</u> "Ons keur die voorgestelde onderverdeling af. Dit gaan 'n negatiewe effek he op die lewe wat ons tans in Riebeek-Wes het. Ons het juis hierheen getrek vir die ruimte en die plattelandse atmosfeer. Die voorgestelde onderverdeling soos enige ander dring daarteen in deurdat dit die konsentrasie van mense verhoog en derhalwe ruimte verminder."	8. The proposed subdivision maintains low-density residential development in line with the existing character of the surrounding area. Both resulting erven (Portion A and Remainder) comply with the minimum erf size of 500m² and the development parameters for Residential Zone 1. The subdivision does not compromise the semi-rural, spacious atmosphere of the area. It represents a controlled, modest infill development fully consistent with the Swartland MSDF, preserving the village's sense of openness, tranquillity, and rural character.

3. Conclusion

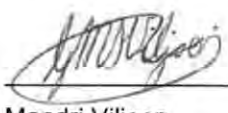
The proposed subdivision of Erf 1795, Riebeek-Wes, into Portion A and the Remainder is fully compliant with the Swartland Municipal Land Use Planning By-law (PG 8226), the Swartland MSDF (2023-2027, 2025 amendment), and all relevant planning legislation, including LUPA and SPLUMA.

The objections raised by surrounding landowners have been carefully considered and addressed in this document. In summary:

- The subdivision maintains low-density residential development, consistent with the surrounding character, erf sizes, and zoning;
- The proposal does not compromise privacy, views, or rural amenity, and no double dwellings or townhouse developments are proposed;
- Infrastructure capacity and service delivery requirements will be assessed and regulated by the Municipality through the standard approval and conditions process;
- Concerns regarding property values, precedent, or perceived densification do not constitute valid grounds for refusal under statutory planning provisions; and
- The application contains all necessary information to enable Council and affected parties to make an informed decision, in accordance with the public participation process.

The proposed subdivision represents a responsible, policy-compliant, and context-sensitive land use change that contributes to the orderly development of Riebeek-Wes while maintaining its rural-village character. It is, therefore, recommended that the Municipal Planning Tribunal approve the subdivision in accordance with the submitted application and supporting documents.

Kind regards,



Mandri Viljoen
For *CK RUMBOLL & PARTNERS*

STORMWATER DISPOSAL (TO COMPLY WITH PART R OF SANS 10 400)
ALL STORMWATER FROM ROOFS AND SITE TO BE CHANNELED TO NEAREST COLLECTION POINT IN ADJACENT STREET. IF NOT POSSIBLE, STORMWATER MUST BE CHANNELED OVER THE LOWER LYING PROPERTY WITH THE CONSENT OF THE REGISTERED OWNER IN ORDER TO REACH THE STREET.

FENESTRATION NOTE: (TO COMPLY WITH PART XA OF SANS 10 400)
50% OF POWER USAGE FOR HEATING OF WATER, TO BE NON-ELECTRICAL IN TERMS OF SANS 10400 AND SANS 204 (ENERGY EFFICIENCY IN BUILDINGS). ALL WARM WATER PIPING THAT IS NOT INSTALLED IN WALLS OR EMBEDDED IN CONCRETE, MUST BE SUFFICIENTLY INSULATED. WARM WATER CYLINDER MUST BE INSTALLED BY A PROFESSIONAL PLUMBER.

AN ISOLATION BLANKET OF AT LEAST 100MM IN THICKNESS, TO BE LAID OVER ALL CEILINGS IN ORDER TO ASSIST WITH THE ACHIEVEMENT OF REQUIRED FENESTRATION IN TERMS OF SECTION XA OF SANS 10400

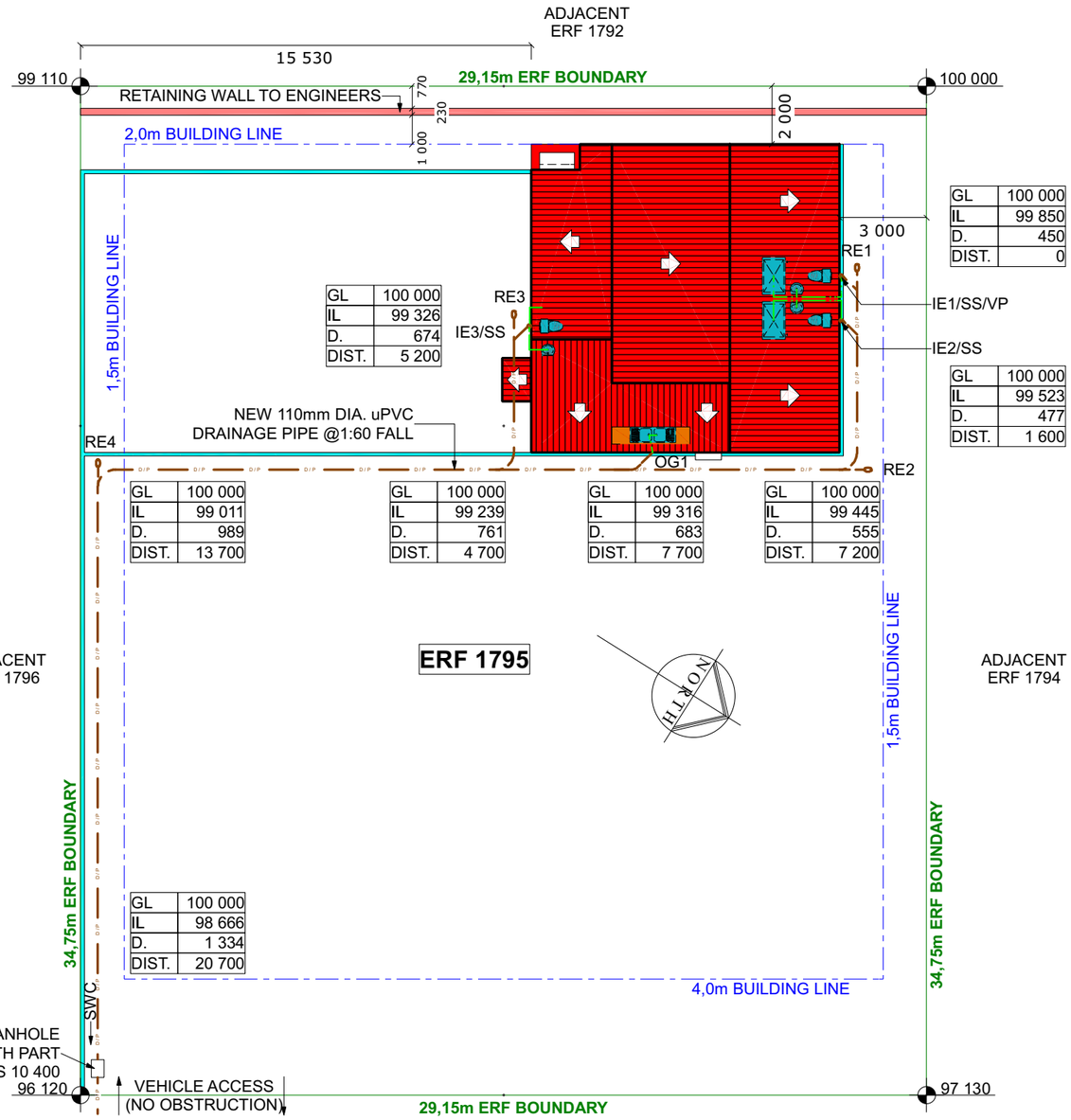
NOTES:
LEGAL REQUIREMENTS:

- Dimensions, descriptions & quantities on these drawings to be verified on site before ordering material or commencing with work.
- All work to be carried out in strict accordance with the National Building Regulations & Standards Act (Act 103 of 1977 & SANS 10400)
- All timber sizes & grades to be verified & approved by supplier's engineer.
- All trusses to be in accordance with supplier's / engineer's design & approval by client.
- All materials to be built in/ applied strictly in accordance with manufacturers specifications and instructions.
- All local authority, utility service provider requirements to be established in advance and adhered to.
- All boundary pegs to be located, and marked before work is taken in hand.
- Any discrepancies between these drawings & legislation, local authority, utility service provider & good construction practice to be referred to the Architectural Technologist / Designer before construction commences.
- Any aspect deemed to be unclear to be referred to the Architectural Technologist / Designer for clarity.
- These drawings do not constitute a comprehensive specification for the works.
- No dimensions to be scaled from these drawings.

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SITE PLAN
Scale 1:200

NOTES

PROJECT DESCRIPTION

AREA OF ERF	1 013m²
NEW DWELLING	101,89m²
COV. STOEP	9,32m²
AWNING	1,5m²
TOTAL FOOTPRINT	112,71m²
COVERAGE PERCENTAGE =	11,12%

Plan No: 4303287 DATE: 2025-11-10T16:41:00
Erf/Farm: 1795
DECISION MAKER: ZAAYMANA
SIGNATURE

MUNICIPALITY SWARTLAND MUNICIPALITY

In terms of Section 7 of the
National Building Regulations and Standards 103 of 1977
This Building Plan is Valid for One Year

ANNEXURE K

All qua… materials are ordered or any building work commences. Any discrepancies must be brought under the attention of the Architectural Technologist immediately.

Project:
PROPOSED NEW DWELLING.
ERF 1795 AT
PIEDMONT CLOSE
RIEBEEK WEST, 7306

Client:
MR. KLAUS PIPREK
33 FONTEIN STREET
RIEBEEK KASTEEL

Client Signature:

The Client hereby agrees to Professional Architectural services up to 4.1 of Stage 4

SENIOR ARCH. TECHNOLOGIST
SACAP REG. NO. PSAT1550

JC Architecture

Jacques Swarts
06 Koker Avenue
Malmesbury
7300
071 918 2082

Cassiem Jacobs
145 Church Street
Worcester
6850
071 959 6309

Drawing Title:
MUNICIPAL SUBMISSION

Drawing Number:
JC2025-209

SCALE:	AS SHOWN
DATE:	2025/11/07
DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	1 of 7

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Plan No: 4303287 DATE: 2025-11-10T16:41:00

Erf/Farm: 1795

DECISION MAKER: ZAAYMANA

SIGNATURE

In terms of Section 7 of the

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GROUND FLOOR PLAN

Scale 1:100

All drawings.dimensions and quantities must be checked before any materials are ordered or any building work commences. Any discrepancies must be brought under the attention of the Architectural Technologist immediately.

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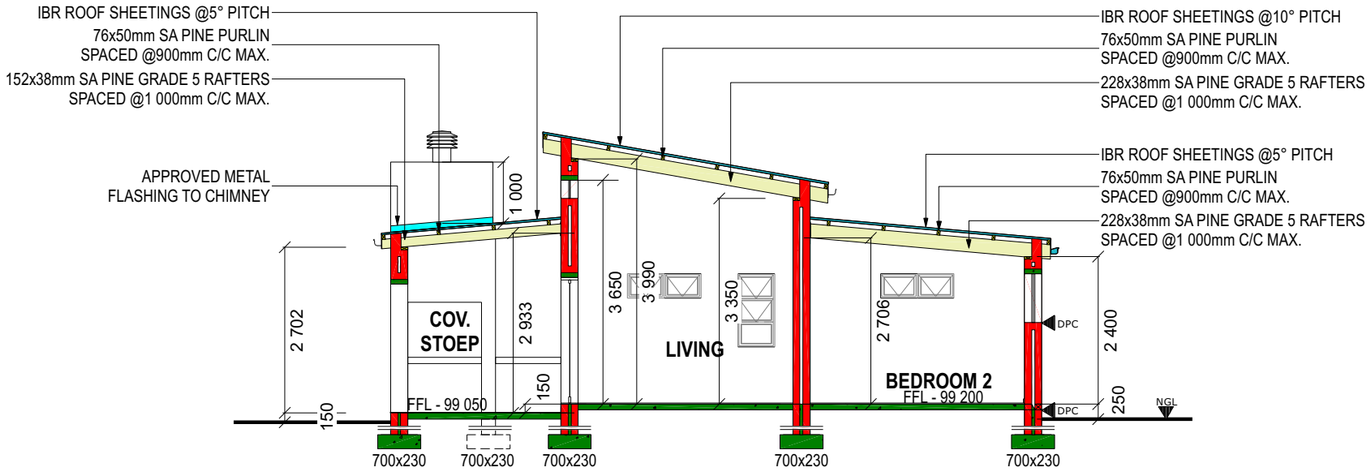
SCALE:	AS SHOWN
DATE:	2025/11/07
DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	2 of 7

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CONSTRUCTION OF ROOF(COV. STOEP):
PITCH 5°. IBR ROOF SHEETS ON 76x50mm SA PINE PURLINS @ 900mm C.T.C MAX. ON 152x38mm SA PINE RAFTERS @ 1000mm C.T.C. MAX. ON 114x38mm SA PINE WALLPLATE FIXED ON TOP OF WALL BY MEANS OF GALVANIZED HOOP IRON STRAPS EMBEDDED 600mm INTO WALL. OTHER SIDE OF RAFTER TO BE BUILD INTO WALL AND RAFTER ENDS WRAPPED IN DAMP PROOF COURSE.

CONSTRUCTION OF ROOF(LIVING):
PITCH 10°. IBR ROOF SHEETS ON 76x50mm PURLINS @ 900mm C.T.C ON 228x38mm RAFTERS @ 1000mm C.T.C. RAFTERS TO BE WELL TIED TO NEW WALLS WITH GALV. HOOP IRON STRAPPING 600mm INTO BRICKWORK. WALL PLATES 114x38mm.

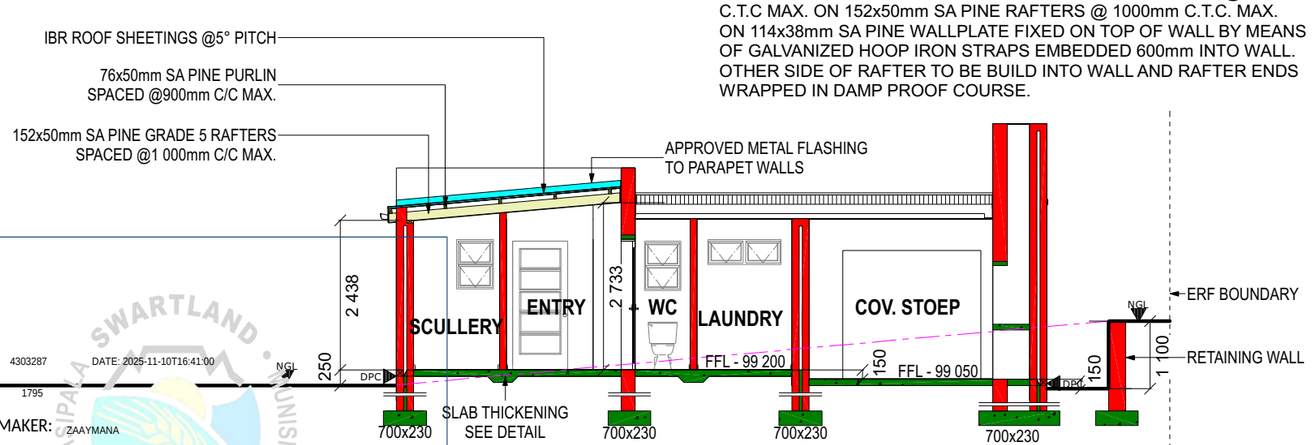
CONSTRUCTION OF ROOF(BEDROOM):
PITCH 5°. IBR ROOF SHEETS ON 76x50mm SA PINE PURLINS @ 900mm C.T.C MAX. ON 228x38mm SA PINE RAFTERS @ 1000mm C.T.C. MAX. ON 114x38mm SA PINE WALLPLATE FIXED ON TOP OF WALL BY MEANS OF GALVANIZED HOOP IRON STRAPS EMBEDDED 600mm INTO WALL. OTHER SIDE OF RAFTER TO BE BUILD INTO WALL AND RAFTER ENDS WRAPPED IN DAMP PROOF COURSE.



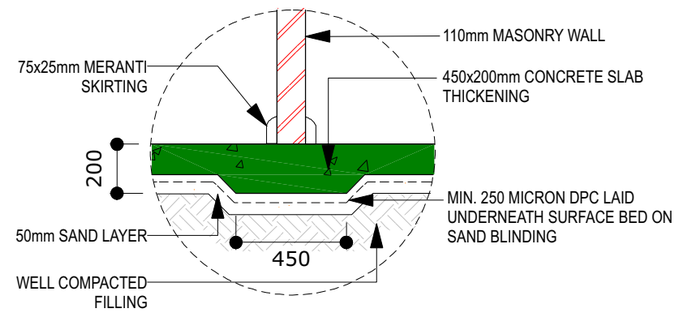
FLOOR CONSTRUCTION:
APPROVED FLOOR FINISH ON 30mm CEMENT SCREED ON 100mm THICK MASS CONCRETE FLOOR SLAB ON 250mm MICRON DAMP PROOF MEMBRANE ON 50mm SAND BLINDING LAYER ON WELL COMPACTED SAND FILLING IN LAYERS NOT EXCEEDING 150mm IN THICKNESS, WELL WETTED BETWEEN INDIVIDUAL FILLING LAYERS

SECTION A-A
Scale 1:100

CONSTRUCTION OF ROOF(ENTRY):
PITCH 5°. IBR ROOF SHEETS ON 76x50mm SA PINE PURLINS @ 900mm C.T.C MAX. ON 152x50mm SA PINE RAFTERS @ 1000mm C.T.C. MAX. ON 114x38mm SA PINE WALLPLATE FIXED ON TOP OF WALL BY MEANS OF GALVANIZED HOOP IRON STRAPS EMBEDDED 600mm INTO WALL. OTHER SIDE OF RAFTER TO BE BUILD INTO WALL AND RAFTER ENDS WRAPPED IN DAMP PROOF COURSE.



FLOOR CONSTRUCTION:
APPROVED FLOOR FINISH ON 30mm CEMENT SCREED ON 100mm THICK MASS CONCRETE FLOOR SLAB ON 250mm MICRON DAMP PROOF MEMBRANE ON 50mm SAND BLINDING LAYER ON WELL COMPACTED SAND FILLING IN LAYERS NOT EXCEEDING 150mm IN THICKNESS, WELL WETTED BETWEEN INDIVIDUAL FILLING LAYERS



DETAIL
Scale 1:25

Plan No: 4303287 DATE: 2025-11-10T16:41:00
Erf/Farm: 1795
DECISION MAKER: ZAAYMANA
APPROVED
SIGNATURE
In terms of Section 7 of the
National Building Regulations and Standards 103 of 1977
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SECTION B-B
Scale 1:100

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RIEBEEK KASTEEL

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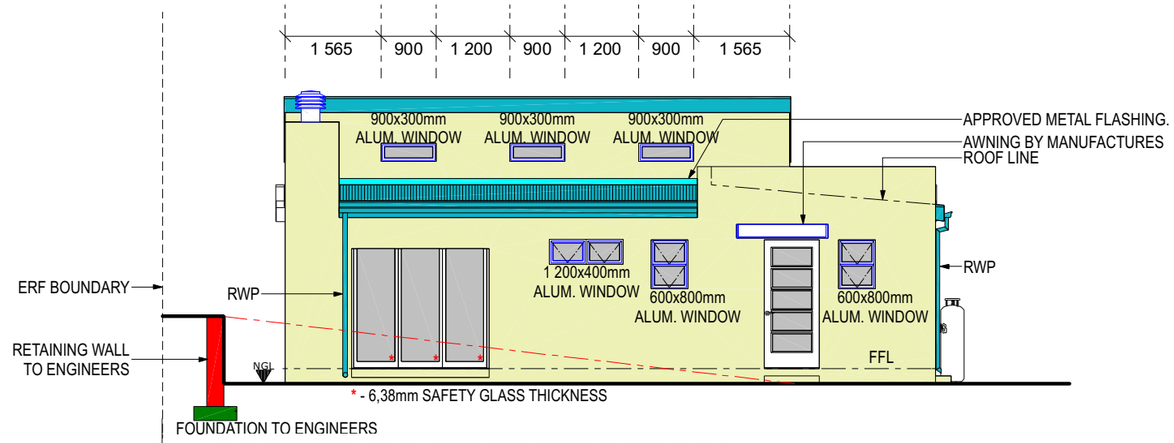
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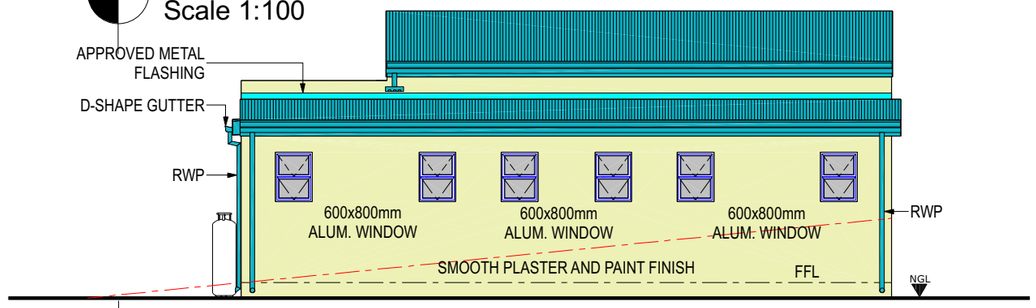
Drawing Number:
JC2025-209

SCALE:	AS SHOWN
DATE:	2025/11/07
DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	3 of 7

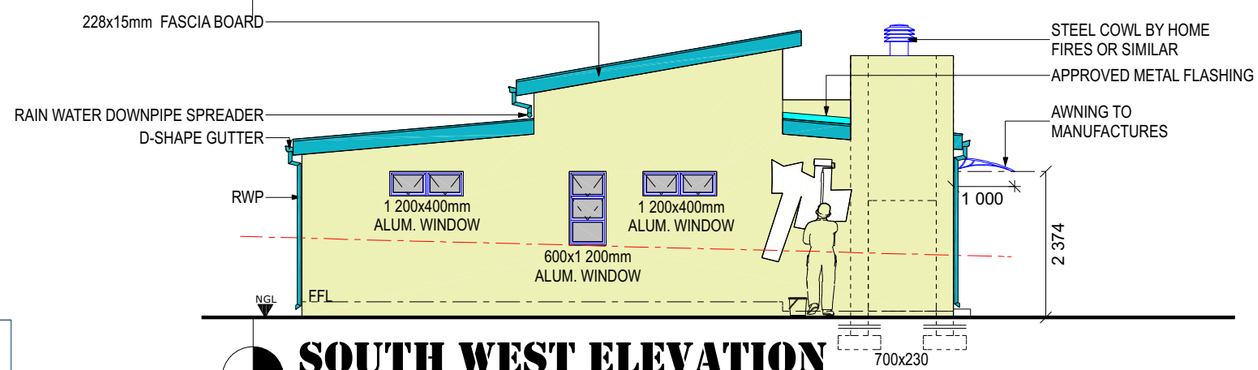
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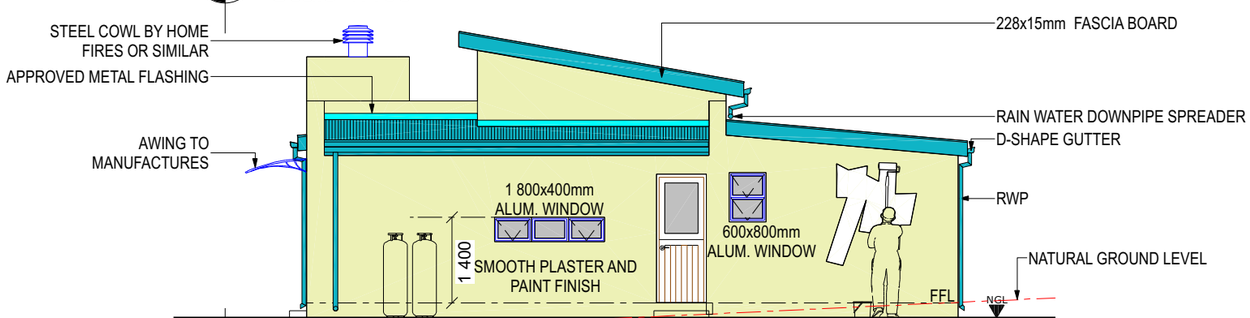
SOUTH EAST ELEVATION
Scale 1:100



NORTH WEST ELEVATION
Scale 1:100



SOUTH WEST ELEVATION
Scale 1:100



NORTH EAST ELEVATION
Scale 1:100

Plan No: 4303287 DATE: 2025-11-10T16:41:00
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DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	4 of 7

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FENESTRATION: Design

Buildings with Natural Environmental Control

Fenestration Constants

Conductance (C_U) constant	1,40
Solar Heat Gain (C_{SHGC}) constant	0,13

SANS 10400XA COMPLIANCE

Ground Storey

Net Floor Area of Storey / Room:	m^2	102,000	
Fenestration Area of Storey / Room:	m^2	7,320	
% Fenestration Area to Nett Floor Area:	%	7,176	COMPLY: No Further Calculation Required

First Storey

Net Floor Area of Storey / Room:	m^2	0,000	
Fenestration Area of Storey / Room:	m^2		
% Fenestration Area to Nett Floor Area:	%	#VALUE!	#VALUE!

Second Storey

Net Floor Area of Storey / Room:	m^2	0,000	
Fenestration Area of Storey / Room:	m^2		
% Fenestration Area to Nett Floor Area:	%	#VALUE!	#VALUE!

SANS 204 COMPLIANCE

	ACHIEVED	ALLOWED	
Ground Storey			
Conductance (C_U) for Storey / Room:	0,000	142,800	Comply: refer SANS 204 (4.3.4)
Solar Heat Gain (C_{SHGC}) for Storey / Room:	0,000	13,260	Comply: refer SANS 204 (4.3.4)
First Storey			
Conductance (C_U) for Storey / Room:		0,000	
Solar Heat Gain (C_{SHGC}) for Storey / Room:		0,000	
Second Storey			
Conductance (C_U) for Storey / Room:		0,000	
Solar Heat Gain (C_{SHGC}) for Storey / Room:		0,000	

FLOOR: Design

Floor Construction

Floor Slab on the ground

Is the Concrete slab on the ground	No
Is a in-slab heating to be proposed	Yes

Suspended floor Slab

Is Suspended floor a building envelope	No
Is a in-slab heating to be proposed	——

Floor Insulation Requirements

Floor Slab on the ground

Perimeter insulation required	No	
Under-floor insulation required	Yes	Min. Insulation R-value:1,0 & refer SANS 10400-XA

Suspended floor Slab

Insulation of partial or unenclosed exterior perimeter required	No	
Perimeter & under-floor insulation required	No	

WALL: Design

SANS 10400-XA Required *R*-value

Wall Type: Masonry

Minimum R-value required: 0,35 — Refer SANS 10400-XA (4.4.3) & SANS 204.

Compliant masonry walling: Double-skin masonry wall, no cavity, plastered internally or rendered externally.

SANS 10400-XA Obtained R-value

Wall Assembly Material	Conductivity (W/m.°C)	Thickness (m)	Resistivity (m²K/W)
Moving Air	0,0000	0,0000	0,0000
External Plasterwork	0,6000	0,0150	0,0250
Brickwork	0,7000	0,2300	0,3286
Internal Plaister work	0,6000	0,0150	0,0250
——	N/A	N/A	0,0000
——	N/A	N/A	0,0000
Unventilated Air	0,0000	0,0000	0,0000
		Total R-value Achieved	**0,379** Min R-Value Achieved

SANS 204 Required CR-value

Minimum CR-value required: 100 Hours

Note – *Applicable to masonry walls only in terms of SANS 204*

Double brick wall types: With 50 mm cavity

CR-value: 60 — *CR-value of wall insufficient*

OCCUPANCY: Zone & Orientation of Building

Class of Occupancy H4

Design Occupancy Tim 24 Hrs per Day
7 Days per Week

Climatic Zone RIEBEEK WEST - ZONE 1

Building Orientation South East

Struckture: Total Nett Floor Area

Ground Storey:	102,00	m^2
First Storey:	0,00	m^2
Second Storey:	0,00	m^2
Total Nett Floor Area:	**102,00**	

Structure: Total Floor Area:

Floor Area: 113,00 m^2

SERVICES: Lighting/ Power & Hotwater

Lighting : Max Demand & Consumption ALLOWED

Nett floor area (m^2) x Building class allowed (W/m^2) = Max Energy Demand allowed (W)

Building class allowed (W/m^2)	5	
Nett floor area (m2)	113	
Max. Energy Demand:	565	W – Max Allowed

Nett floor area (m^2) x Building class allowed (KW/m^2.a) = Max Energy Consumption allowed (KWh.a)

Building class allowed (KWh/m^2)	5	
Nett floor area (m2)	113,00	
Max. Energy Consumption per Annum:	565	kWh – Max Allowed

Lighting: Max Demand & Consumption OBTAINED

Power (W) rating	QTY	Hours in use / day
11	15	5,0
0	0	0,0
0	0	0,0
0	0	0,0
0	0	0,0
0	0	0,0
0	0	0,0
0	0	0,0
0	0	0,0
0	0	0,0

Nett floor area (m^2) x Total Watt of lights (W) = Energy Demand Obtained (W/m^2) [<ALLOWED]

Total light energy demand OBTAINED (W/m^2)	1,46	Do Comply.
Available energy demand – For Lights	400	W

52 (weeks) x Design Occupancy days x hours in use = Energy Consumption Obtained Hours per year(h.a) [<ALLOWED]

Occupancy design days	7	
Hours in Use per year	1820	
Total Energy of Lights	0	KW
Total annual energy consumption OBTAINED – Lights (kWh)	300	Do Comply
Available annual energy consumption – For Lights	265	KWh

Hot Water Services

Occupancy Class Type	Dwelling houses - Low rental : 80-115 L/capita/day	
Estimated Hot Water Consumption	80,0	L
No. of Persons:	2	Per Day/ 24
Assumed Daily Hot Water Consumption:	160,0	L

(Daily Hot Water Consumption x Occupancy design days x 35s weeks of the year)/1000 = Hot water Consumption (Kl.a)

Assumed Annual Hot Water Consumption	58,24	kL
50 % of Annual Hot Water Consumption	29,12	kL - SANS 10400

CONCLUSION

Dwelling to be provided with min 80,0 L – Water vesel: Electrical & Solar heating system combination

OR

Alternative means other than electrical resistance heating, including, but not limited to, solar heating, heat pumps, heat recovery from other systems or processes.

Thermal Insulation Requirements

Internal diameter of Hot Water Service Pipe	≤ 80	mm
Minimum Required *R*-value for Pipe Insulation	1,0	Refer SANS 204 (4.5.2)

Hot Water Vessels

Minimum Required *R*-value for Vessel	2,0	Additional insulation to manufacturer's insulation may be required to achieve this value.

ROOF: Design

Roofs Assembly

SANS 10400-XA Min. Required R-value

Minimum Total *R*-value required: 3,70 m^2·K/W

Direction of heat flow: Up

Obtained R-value

Roof Covering Material: Metal sheeting type

Roof covering material R-value	0,30	m^2·K/W
Ceiling R-value	0,05	m^2·K/W
Total obtained R-value	0,35	m^2·K/W Min R-Value NOT Achieved, Refer to SANS 204

SANS 204

Obtained R-value

Is Roof vented: Unventilated

Type roof construction: Metal cladding @ 2-12° pitch w/ sloped ceiling above rafter

R-value for Roof

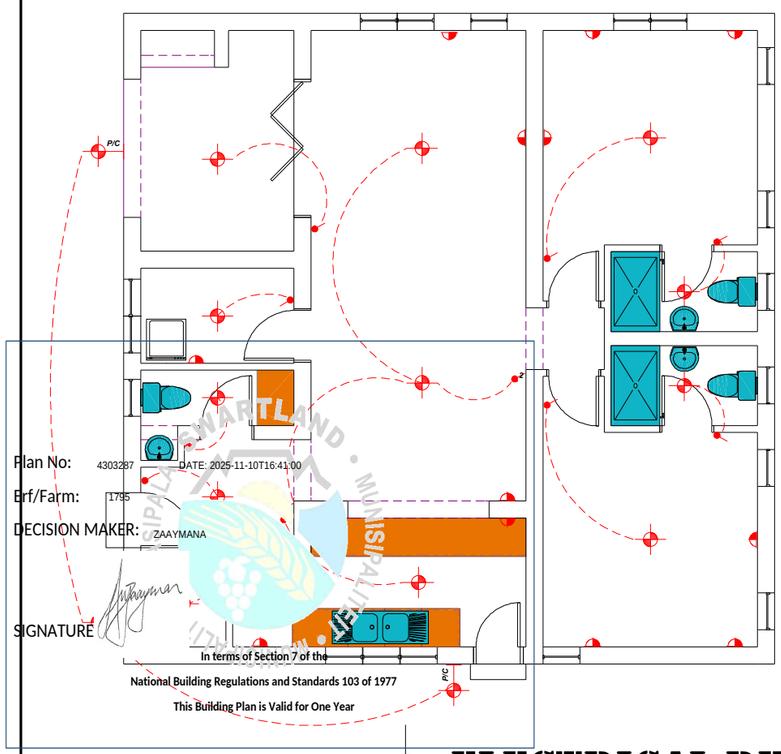
Heat flow Direction	UP	
Moving Air (7m/s)	0,03	
Metal cladding	0	
Roof air space(100 mm to 300 mm, non-reflective)	0,15	
Plasterboard, gypsum(10 mm, 880 kg/m³)	0,06	
Unventilating Air	0,11	
Total Obtained R-value	0,35	m^2K/W Min R-Value NOT Achieved: Thermal Insulation Require

Thermal Insulation SANS 204

Insulation product to be installed	Flexible polyester blanket		See SANS 204 (4.3.6.2)
Density of insulation to be installed	11,50	kg/m³	
Min. Thickness of insulation to be installed	155,00		mm
Insulation required with minimum R-Value	3,35		m^2K/W

RECOMMODATION

It is recommended that a Flexible polyester blanket with a thickness of 155 mm needs to be installed in order to achieve the min. additional R-value of 3,35 m2K/W



ELECTRICAL LEGEND:	
	CEILING MOUNTED LIGHT FITTING
	WALL MOUNTED LIGHT FITTING
P/C	WALL MOUNTED LIGHT FITTED WITH PHOTO CELL
SENS	WALL MOUNTED SENSOR LIGHT FITTING
	CEILING MOUNTED DOWNLIGHTER
	CEILING MOUNTED FLUORESCENT LIGHT FITTING
	WATERPROOF GARDEN LIGHT FITTING
	ONE WAY LIGHT SWITCH
2	TWO WAY LIGHT SWITCH
	SINGLE PLUG POINT
	DOUBLE PLUG POINT
TV	TV POINT
	TELEPHONE POINT
	INTERCOM AND BELL
	ELECTRICAL DISTRIBUTION BOARD
	ELECTRICAL METRE BOX
	WARM WATER CYLINDER
	WiFi Point

Plan No: 4303287 DATE: 2025-11-10T16:41:00

Erf/Farm: 1795

DECISION MAKER: ZAAYMANA

SIGNATURE

In terms of Section 7 of the National Building Regulations and Standards 103 of 1977

This Building Plan is Valid for One Year

ELECTRICAL RETICULATION

Scale 1:100

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Project:

PROPOSED NEW DWELLING.
ERF 1795 AT
PIEDMONT CLOSE
RIEBEEK WEST, 7306

Client:

MR. KLAUS PIPREK
33 FONTEIN STREET
RIEBEEK KASTEEL

Client Signature:

The Client hereby agrees to Professional Architectural services up to 4.1 of Stage 4

SENIOR ARCH. TECHNOLOGIST
SACAP REG. NO. PSAT1550

JC Architecture

Jacques Swarts
06 Koker Avenue
Malmesbury
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Cassiem Jacobs
145 Church Street
Worcester
6850
071 959 6309

Drawing Title:
MUNICIPAL SUBMISSION

Drawing Number:
JC2025-209

SCALE:	AS SHOWN
DATE:	2025/11/07
DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	5 of 7

PART A: BUILDING CLASSIFICATION - H4

PART B: STRUCTURAL DESIGN

The design of the structural elements and components will be designed by a Professional Engineer who has certified that the design complies with the requirements of the National Building Regulations, competent person to inspect & certify all applicable works.
The structural system of the building complies with the requirements of Parts H, J, K, L, M, N of SANS 10400.

PART C: ROOM DIMENSIONS

Habitable rooms will have a floor area not less than 6m², a minimum horizontal dimension of not less than 2m and a minimum height of 2.45m. Deviation from plans will be submitted to Local Authority for approval when the open office areas are submitted.

PART D: PUBLIC SAFETY

The edge of any change of level more than 1m above any adjacent level is provided with a Balustrade or Parapet wall not less than 1m high and such Balustrade will comply with SANS 10400 part M.

PART E: DEMOLITION WORK

The edge of any change of level more than 1m above any adjacent level is provided with a balustrade or parapet wall not less than 1m high and such balustrade will comply with sans 10400 part m.

PART F: SITE OPERATIONS

All site operations, including protection of the public, will be executed in strict accordance with Part F of the National Building Regulations under the supervision of the contractor, owner and the engineer. Approved sanitary facilities for all personnel will be available before the commencement of and throughout the duration of the building operations, as per detailed requirements of Sans 10400, Part D. Where the soil is poisoning: the ground area prescribed in code of practice SABS 0124 shall be treated in accordance with recommendations of SABS 0124

PART G: EXCAVATIONS

The excavations relating to a building less than 3m deep and is in accordance with the detailed requirements of SANS 10400, Part G.

PART H: FOUNDATIONS

As per Part B, the foundations for the building are in accordance with the detailed requirements of SANS 10400, Part H. A competent person to be appointed in respect of deep footings, soil rafts, compaction of in situ soil or sub surface draining. The depth of foundations to be ascertained by engineer's inspection of soil conditions. Foundations to any boundary walls are not to project over boundary lines (including any building or boundary wall.

PART J: FLOORS

Floors in any laundry, kitchen, shower, bathroom or room containing a toilet pan or urinal are in accordance with the detailed requirements of SANS 10400 J.
Ground floor - finish as indicated on plans on 25mm screed on 80/100mm reinforced concrete surface bed on selected dpm on 50mm compacted sand bed on selected invert fill compacted in 150mm layers to 98% aashto and treated with "pcp", or equally approved.
first floor - finish on 25mm screed on reinforced concrete slab as per engineer's detailed dawings and specifications.
concrete floors to shower areas to be set 50mm lower than the bathroom floors to both ground and first floors.

PART K: WALLS

The structural strength and stability of a wall is in accordance with SANS 10400, Part B & K & T. Roofs to be anchored to walls in compliance with SANS 10400, Part B & K of the National Building Regulations. Walls to be constructed with SABS approved clay bricks. Butterfly wall ties in accordance with SANS 10400, Part K @ 900mm horizontal and 450mm vertical centers. Walls to be plastered internally & externally unless otherwise specified, and to be finished with approved plaster primer and 2x topcoat paint. All paint to be applied in strict accordance with manufacturers specifications. Wall between garage and dwelling to be plastered. Fire wall taken to underside roofing material.

PART L: ROOFS

Roof
in accordance with the detailed requirements of SANS 10400, Part L, and the roof assembly is supported on walls that comply with the detailed requirements of SANS 10400, Part K. Gutters and downpipes are fixed in accordance with the detailed requirements of SANS 10400, Part R. The fire resistance and combustibility of the roof assembly or any ceiling assembly are in accordance with the detailed requirements of SANS 10400, Part L & T.

PART M: STAIRWAYS AND BALUSTRADES

Internal stairs to comply with the regulations and the deemed to satisfy rules of SANS 10400, Part B, K, M & T of the National Building Regulations (Refer to sections for details). Stairs to be Max. 200mm risers and Min. 250mm treads. Competent person to design & inspect walls, screens, railings or balustrades to such stairway are in accordance with the detailed requirements of SANS 10400, Part B, K, T & D (Latest Version). 1,0m min. height with openings not larger than 100mm.

PART N: GLAZING

Glazing will comply with the regulations and the deemed to satisfy rules of SANS 10400, Part B & N of the National Building Regulations. this is applicable to type of fixing and selection of glazing.

PART O: LIGHTING AND VENTILATION

The lighting and ventilation of all habitable rooms, bathrooms, showers and any rooms containing a toilet pan, complies with the detailed requirements of SANS 10400, Part T & O.

PART P: DRAINAGE

The design of the drainage system is in accordance with the detailed requirements of SANS 10400, Part P.

PART Q: NON WATER BORNE MEANS OF DISPOSAL

N/A
But where the means of sewerage disposal where water borne sewerage disposal is not available, in accordance with the detailed requirements of SANS 10400, Part Q.

PART R: RAINWATER DISPOSAL

The means of the disposal of storm water is in accordance with the detailed requirements of SANS 10400, Part R.

PART S: PERSONS WITH DISABILITIES

The means of providing facilities for persons with disabilities are to be in accordance with the detailed requirements of SANS 10400, Part S (where applicable)

PART T: FIRE PROTECTION

The fire protection measures provided are in accordance with the detailed requirements of SANS 10400, Part T.

PART V: SPACE HEATING

N/A
But where applicable, to be in accordance with the detailed requirements of SANS 10400, Part V.

PART W: FIRE INSTALLATION

N/A
But where applicable, to be in accordance with the detailed requirements of SANS 10400, Part W.

PART XA: ENERGY EFFICIENCY

The design of the buildings are in accordance with the detailed requirements of SANS 10400, Part XA

ENERGY EFFICIENCY:

All work to comply with SANS 10400 Part XA & SANS 204. If under-floor heating is installed, the floor slab must be insulated with insulation material with a minimum r-value of 1.00. Hot water supply requirements: Geysers are to be wrapped in insulation blanket with an r-value to satisfy part XA of SANS 10400. A minimum of 50% of the annual average heating requirement for hot water must be provided by means other than electric resistive heating or fossil fuels. Check with manufacturer & subject to: SANS1307, SANS 10106, SANS 6211-1, SANS 6211-2, SANS 10254, SANS 10252-1. Where applicable, solar & heat pump installations are to be installed by specialists. All exposed hot water pipes <80mm in diameter must be insulated with a material that has a minimum r-value of 1.00. No doors & windows specs can be altered in any way without a re-calculation. All insulation to roof, pipe work etc. to be strictly adhered to.

ENGINEERING & STRUCTURAL:

All structural works to be designed by a structural engineer, appointed by the Client. The engineer to specify all foundations, footings, retaining walls, masonry walls, columns, piers, concrete slabs, beams and structural steel work. All foundations specified on drawings to be verified by engineer. Provision to be made for reinforcement where the soil conditions require stability. All structural items to be inspected by, and have passed inspection by, the engineer, prior to closing up of the work.

FILLING MATERIAL:

- Fill material to contain little to no organic material.
- Shall exclude stone or average dimensions larger than 75mm
- Shall not contain more than 10% hard fragments of material retained on a sieve of nominal predominantly clayey material and,
- Must be such that it can be placed without significant voids.

NOTE:

Materials in fills, must be placed and compacted under the direction of a competent person, with a defined moisture range, and in layers not exceeding 150mm in depth, by compaction equipment to defined density requirements and which provides adequate bearing capacity for foundations and slabs. A density of at least 90% Mod AASHTO (SANS 10400, Part J

FOUND

Founda ed Engineer's details & specifications. Where Engineer is not appointed: Continuous strip foundation to be minimum 230mm thick, unless laid on solid rock, and minimum 700mm wide to load bearing or free standing walls and 450mm wide for non-load bearing masonry walls (SANS 10400 H).
Founda ry property / erf boundary.

GEYSE ATING

As per pecification. Geyser cylinder to be wrapped in 80mm thick suitable insulation blanket. All specifications to be in accordance with SANS 10252-1 & SANS 10106.

GEYSER DRIP TRAY

Drip tray to comply with SANS 11848 drip tray specification. Drip tray(s) to be supplied with adaptor for connecting the waste pipe to the tray.

Plan No: 1795
Brf/Front: 1795
DECISION MAKER: ZAAYMANA
SIGNATURE:

In terms of Section 7 of the National Building Regulations and Standards Act 103 of 1977
This Building Plan is Valid for One Year

NOTES

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ERF 1795 AT PIEDMONT CLOSE
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PAGE NO:	6 of 7

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WINDOWS & DOORS:
Refer to Window & Door Schedule. In the absence of a schedule or any reference of window/door sizes or catalogue numbers, report this to the Architectural Technologist/Designer for clarification. Exact positioning of windows and doors in walls, to be verified with the Architectural Technologist/Designer prior to finish installation thereof. All frames to be fixed to walls with supplied lugs in 3:1 cement mix. Alternative fixing methods to be verified with Architectural Technologist/Designer.

DRAINAGE:
Fall to all 110mm PVC pipes to be minimum 1:60, unless otherwise indicated (SANS 10400, Part P). Rodding eyes to join drain in direction of flow @maximum angle of 45° to be continued up to ground level & adequately supported, marked & protected (SANS 10400, Part P - 2010). Where pipes (Drainage & Stormwater) cross under dwelling, to be encased in concrete without restricting thermal movement to engineers detail. To be laid in 150mm sand bed in accordance with SANS 10400, Part P.

SEWER LINE:
Building drainage line to be set 450mm (Invert level) below the platform (cover level) at the highest point and to be connected with the bulk services reticulation connection point at 1000mm (Invert level) at a minimum fall of 1:40. All bends & lengths exceeding 25m to have a rodding eye, 110mm diameter PVC 45° rodding eye. The highest point to have an open gulley and overflow point, 110mm diameter PVC gulley head & grate. Vent valve to be filled on all vertical stacks, 110mm diameter two-way vent valve soil waste and vent fitting.

GLAZING:
All glazing to comply with SANS 10400-N. Glass panels lower than 500mm from the FFL or greater than 1m² to be minimum 6.38mm thick safety glass. All glass panelled doors and sidelights to have safety glazing of min. 6,38mm thickness. All safety glazing materials (individual panes) shall be permanently marked. Such marking to be visible after installation and comply with SABS 1263. Thickness of glazing subject to wind load expectation - to be in accordance with SABS 0137. All glazed aluminum windows, residential sliding doors, shop fronts, entrances screens, window- & curtain walling, skylights and space enclosures should meet the minimum recommended performance requirements as set out by AAAMSA in their general specification for Architectural Aluminum and Glass Products. No glazed architectural aluminum products should be installed on site before relevant AAAMSA Performance test certificates for the product have been provided. Frosted / Obscure glass to windows in bathrooms & toilets, or as per window schedule.

HOT WATER DEMAND, STORAGE & HEATER POWER ACCORDING TO SANS 10252-1:
As per attached XA schedule.

LIGHTING:
Energy saving CFLs & LEDs to be used. Lighting to be max 5w per sq/m per SANS 204. Refer to lighting schedule & XA report for detail.

NATURAL VENTILATION & LIGHTING:
Provide minimum of 10% of floor area or 2sq/m area of opening for natural lighting to all habitable rooms inclusive of frames & glazing bars. Provide minimum of 5% of floor area or 2sq/m (whichever is greatest) to each habitable room (SANS 10400 Part O). Buildings with up to 20% fenestration area to net floor area, per storey, to comply with the minimum energy performance requirements. Buildings exceeding 20% per storey shall comply with requirements for fenestration as per SANS 204. Air leakage should comply with SANS 613.

PLASTER:
Cement plaster, consisting of 5:1 sand & lime and 10% cement. Smooth steel trowelled finish internally where specified. Smooth plastered finish externally where indicated/specified. Stipple textured plaster to walls where applicable and indicated on elevations.

PRECAST LINTELS:
Lintels over all openings exceeding 1.5m with DPC (375 micron) stepped over. Openings exceeding 4.8m in width to engineer's design. Lintels to have a minimum overlap of 300mm on both sides.

RAINWATER GOODS:
As specified on drawings.

SURFACE BED:
Surface beds to be in accordance with appointed Engineer's details & specifications. Where Engineer is not appointed: selected floor finish material on 30mm cement: sand screed on 80mm thick concrete surface bed in accordance with SANS 50197-1:2002 cement Part 1: composition, specification and conformity criteria for common cements. Stone and sand to conform to SANS 1083:2006. Mesh ref no 193, to all surface beds where depth of fill exceeds 1000mm. DPC 250micron (or equally approved) damp proof membrane under concrete surface beds conforming to SANS 952-1:2011, laid wit minimum 250mm overlaps, to be turned up around perimeter of and at least for full thickness of surface bed and sealed pressure sensitive tape or equally approved sealant. Clean compacted sand backfill- G7 quality 400mm min. thick. Clean compacted sand backfill - G7 quality back to natural soil strata. 50mm clean sand blinding layer. Trench to be cleaned and squared before casting of concrete. Blinding layer to be compacted with mechanical compactor. DPC 375micron (or equally approved) damp proof course in solid walls conforming to SANS 952-1:201, laid with minimum 250mm overlaps.

WALLS:
ALL bricks to comply with SABS 227 (Refer to drawings for wall thickness and specification of material to be used). Concrete block walls to comply with SANS 10400 Part K. DPC 375micron (or equally approved) damp proof course below all sills and above all slabs, openings and other bridges to cavity walls and vertical DPC to sides of all openings. Weep holes @ 600mm intervals. DPC under cavity walls must be 150mm above finished ground level and cavity beneath DPC must be filled with a mortar support fillet.

SANS 10400 STANDARDS - GENERAL NOTES:
This drawing is to be used for council submission purposes only.
Floor levels shown are only indicative of floor heights and do not relate to site levels. Datum levels to be determined on site.
Based on the National Building Regulations and SANS CODE of PRACTICE 10400.

CONSTRUCTION NOTES:
Only applicable where deemed necessary to the material and construction detail. All discrepancies to be listed and indicated, in writing, to the Architectural Technologist / Designer prior to commencement of works.

AUTHORITIES:
Main Contractor and Sub Contractors to ensure that all work in done in strict accordance with the latest regulations and requirements of related authorities including:
a) National Building Regulations (NBR)
b) South African National Standards (SANS)
c) Local Municipal Authority (By-laws)
d) CSIR - "Technical Guide to Good House Construction"
e) National House Building Registration Council (NHBRC)
All other relevant Authorities GENERAL.

DRAWING STATUS:
The Contractor to ensure that the latest drawings are used on site prior to the commencement of work. Only the latest construction drawings issued by the Architectural Technologist / Designer as "Construction Drawings" with a date may be used for construction of the works. All superceded drawings must be removed from the site. One set of the Local Authority Approved Plan / Drawings to be kept on site at all times. One set of the latest construction drawings to be kept on site at all times, and available for the Architectural Technologist / Designer / Consultants and other Authorities.

GENERAL:
Quality of materials and workmanship to comply with the latest relevant Codes & Specifications of SABS and the minimum standards of Standard Preliminaries (JBCC) and the Model Preambles for Trades (ASAQS 2008) or latest revised date and where applicable Project Specifications and/or Bill of Quantities. This drawing to be read in conjunction with other Project Drawings, Construction Documents and building contract/ agreement documents. Contractors must view the site and works to allow for everything necessary to complete the works.
Contractor(s) to check the details on this drawing for compliance with standards of good building practice with particular reference as per Clause " Authorities" and report any discrepancies in writing to the Architectural Technologist / Designer. No setting out is to commence before the site boundary pegs position are verified and pointed out by the Land Surveyor. The Contractor to ensure that the correct setting out, including that which is from the boundary and building lines is done prior to commencement of ANY work. The Contractor to verify all local council, utility service providers and existing work(s) which is the responsibility of the Contractor. The contractor to verify all levels, heights and dimensions on site and check the same against drawings before any work commences. Any errors, discrepancies or omissions as well as queries are to be immediately reported to the Architectural Technologist / Designer for clarification before any work is taken in hand.

BRICK TIES & REINFORCEMENT:
Approved SASS butterfly tie wires to be used in cavity walls. Where the cavity is greater than 50mm, but less than 100mm,or the height of the wall is greater than 3m, approved SABS galvanized drip wall tie, to minimum specifications, to be used. Brickforce on parapets and gables and / or balustrade walls to be used at least every third brick course.

DRAINAGE (TO BE DONE BY SUITABLE QUALIFIED AND REGISTERED PLUMBER):
Closed system to conform to **National Building Regulations**. First inspection eye (I.E.) to be min. 450mm below ground level with a min. fall of all 110mm diameter pipes 1:60 and a max. fall of 1:40 (SANS 10400 PART P). Rodding eyes (R.E.) to join drain in direction of flow at maximum angle 45 degrees and to be continued up to ground level & adequately, marked & protected. A certificate of compliance (COC) to be issued by the plumber after completion of all works which is to be submitted to the applicable local authority.

ELECTRICITY TO BE DONE BY SUITABLE QUALIFIED AND REGISTERED ELECTRICIAN):
All electrical cables & ... concrete soffits and ceilings shall run in SABS approved conduits and / or trunking and / or cable trays. A certified of compliance (COC) to be issued by the electrician after completion of all works which is to be submitted to he applicable local authority.

HEALT
In terms ... y Act (Act 85 of 1993), Section 37(2), The client is regarded as an employer in his/her own right and is therefore compelled to comply with all of the provisions of the occupational Health and Safety Act (Act 85 of 1993), The construction regulations as well as compliance with quality specific ... rocedures, Health and Safety plan and the project quality plan. All the above also prefers the appointed main contractor. The client is to ensure that the main contractor, in terms of the Occupational Health and Safety Act (Act 85 of 1993), with specific reference to the construction regulations, complies with the minimum ...

Plan No: 4262587 DATE: 2025-11-10 16:41:00
Erf/Farm: 1795
DECISION MAKER: MZAAMANA
SIGNATURE:

In terms of Section 7 of the
National Building Regulations and Standards 103 of 1977
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Client:
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Client Signature:

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CHECKED BY:	Jacques Swarts
PAGE NO:	7 of 7

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Office of the Director: Development Services
Department: Development Management

2 February 2026

15/3/3-4/Erf 716
15/3/4-4/Erf 716

WYK: 4

ITEM 6.2 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 11 FEBRUARY 2026

LAND USE PLANNING REPORT
PROPOSED REZONING DEPARTURE AND CONSENT USE ON ERF 716, CHATSWORTH

Reference number	15/3/3-4/Erf 716 15/3/4-4/Erf 716	*Application submission date*	*15 October 2025*	*Date report finalised*	*2 February 2021*

PART A: APPLICATION DESCRIPTION

Application for the rezoning of Erf 716, Chatsworth, in terms of section 25(2)(a) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020) from Residential Zone 1 to Business Zone 1: General Business, in order to facilitate a business premises in the form of a hardware store.

Application for the departure on Erf 716, Chatsworth, in terms of section 25(2)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020) from the 3m western side building line to 0m and 1m respectively.

Application for the departure on Erf 716, Chatsworth, in terms of section 25(2)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), in order to allow for nine (9) on-site parking bays, in lieu of the 14 parking bays required by the By-Law for Business Zone 1.

Application for the departure on Erf 716, Chatsworth, in terms of section 25(2)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020) from section 12.2.1(c)(i) which requires that, when a building encroaches on the a side building line, the building shall not exceed the height of one storey.

The applicant is C.K. Rumboll and Partners and the property is owned by Korjon Properties (Pty) Ltd.

PART B: PROPERTY DETAILS

Property description (as in Title Deed)	Erf 716 Chatsworth, in die Swartland Munisipaliteit, Afdeling Malmesbury, Provinsie Wes-Kaap						
Physical address	14 Cemetery Road (locality plan attached as Annexure A).			Town	Chatsworth		
Current zoning	Residential Zone 1		Extent (m²/ha)	1082m²	Are there existing buildings on the property?	Y	**N**
Applicable zoning scheme	Swartland Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020)						
Current land use	Vacant erf			Title Deed number & date	T27654/11		
Any restrictive title conditions applicable	Y	**N**	If Yes, list condition number(s)				
Any third party conditions applicable?	Y	**N**	If Yes, specify				
Any unauthorised land use/building work	**Y**	**N**	If Yes, elaborate				

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	✓	Permanent departure	✓	Temporary departure		Subdivision	
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension or amendment of restrictive conditions	

Permissions in terms of the zoning scheme		Amendment, deletion or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a home owner's association		Rectify failure by home owner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use			

PART D: BACKGROUND

Erf 716 is located in the eastern portions of Chatsworth, in Area C, earmarked as the CBD by the Swartland Spatial Development Framework (SDF, 2025). The site is located along an activity corridor (cemetery road) and is currently vacant.



Figure 1: Excerpt from SDF map of Chatsworth, indicating the site location

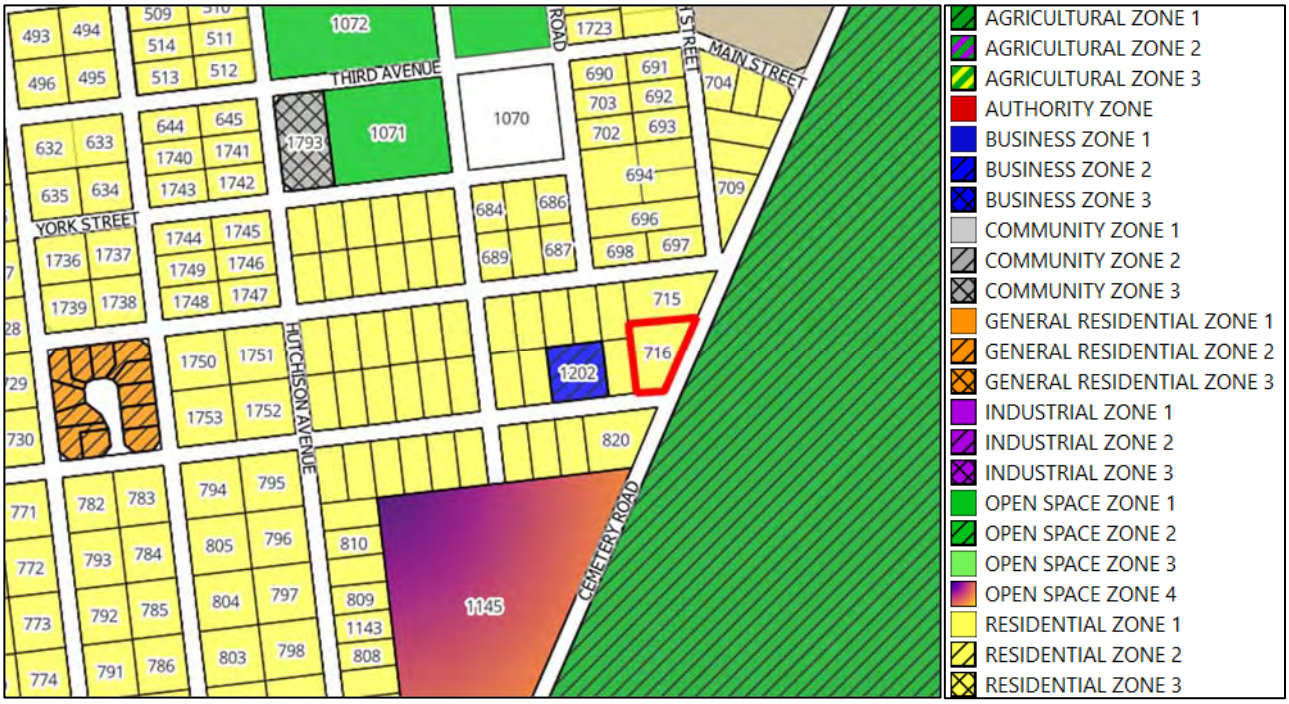


Figure 2: The zoning map of the area surrounding Erf 716

The current zoning map of the area surrounding Erf 716 indicates that the Chatsworth CBD is not yet well established, but a number of small businesses are being established in the area, as well as social amenities, such as a school, a clinic, community hall and public open space.

Erf 716 is a corner property and may be accessed via either Cemetery Road (east) or Second Avenue (south).

The owner/developer intends to establish a hardware store on the property. In order to achieve the goal, rezoning from Residential Zone 1 to Business Zone 1 is first necessary.

The gross leasable area (GLA) of the proposed shop will total 352,33m². Section 13 of the By-Law requires one parking bay per every 25m² GLA for business premises, totalling 14 on-site parking bays to be provided. The site layout, access to the site and manoeuvrability requirements, however, necessitate only 9 parking bays to be provided. Application is subsequently made for the non-provision of 5 on-site parking bays. (Building pans are attached as Annexure C).

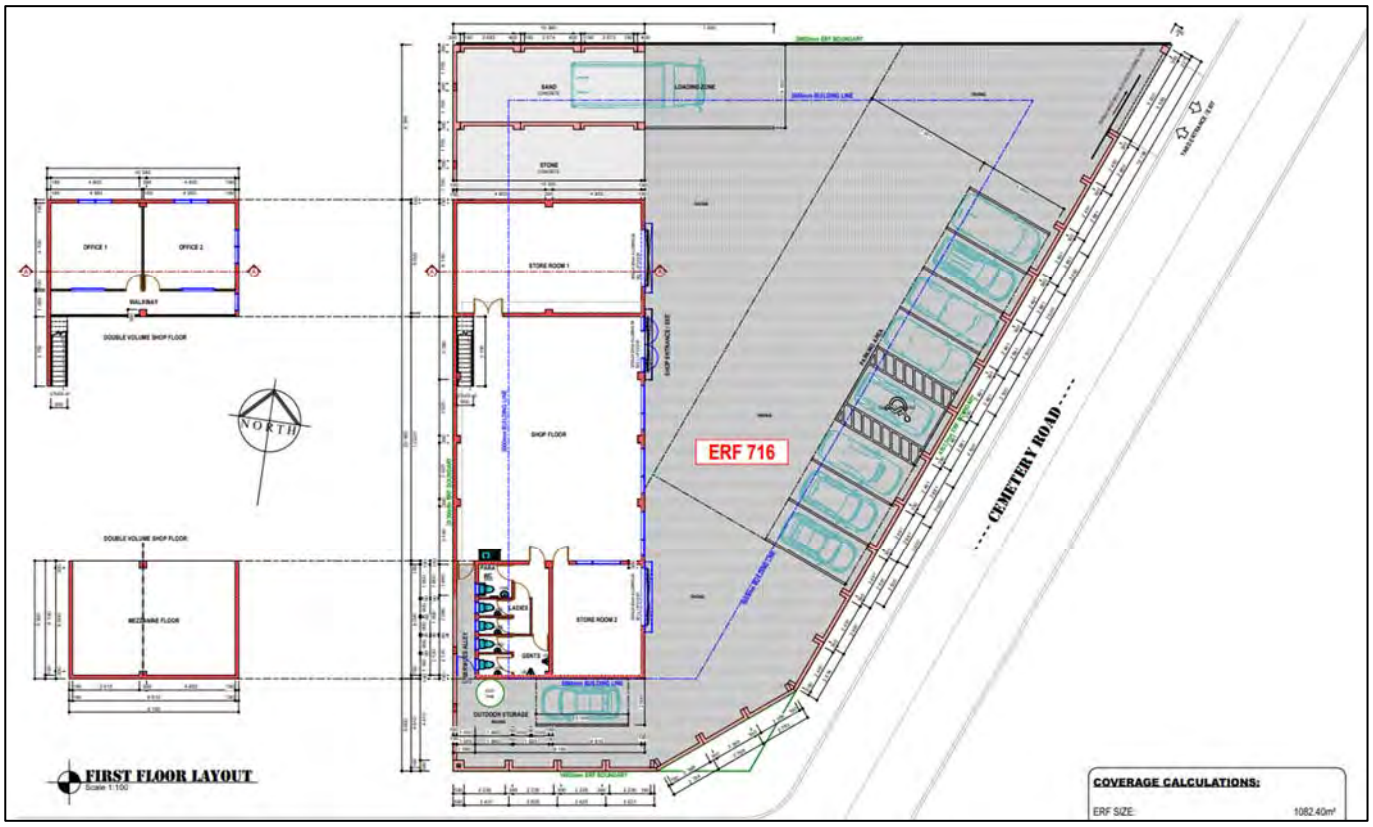
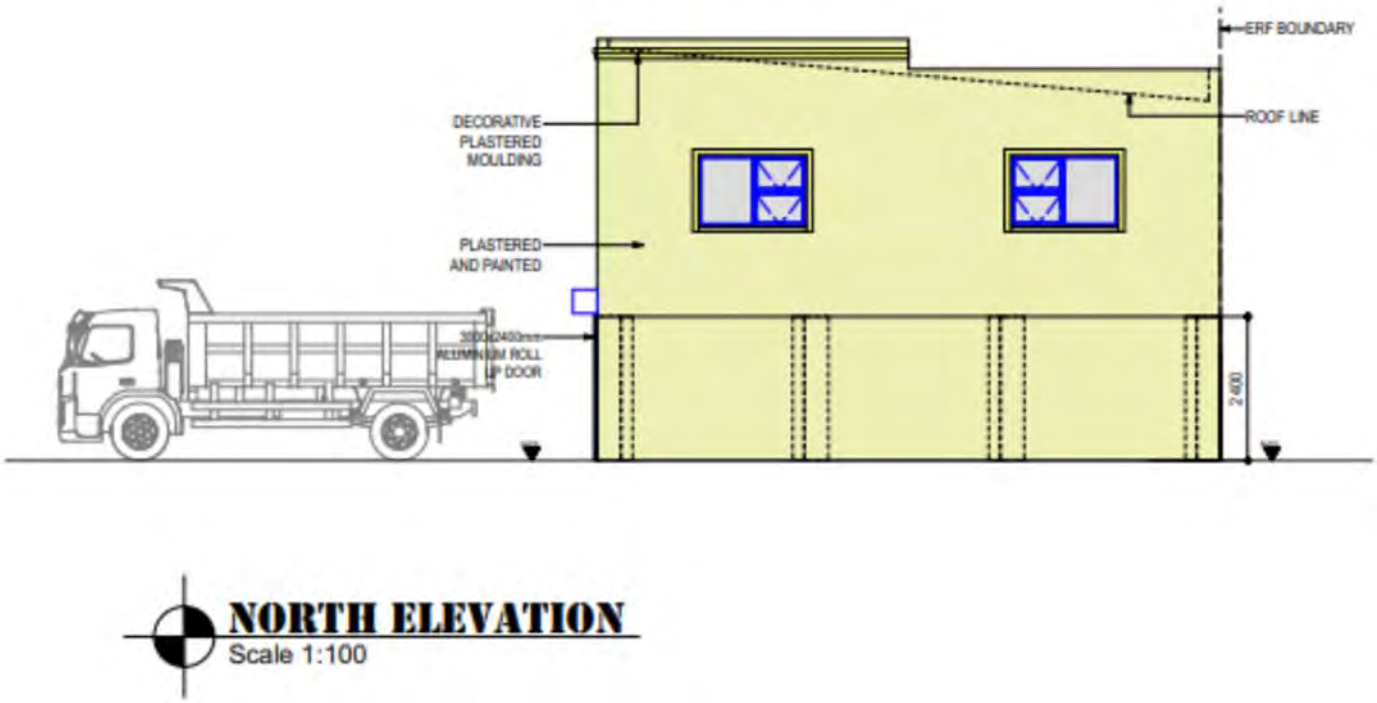
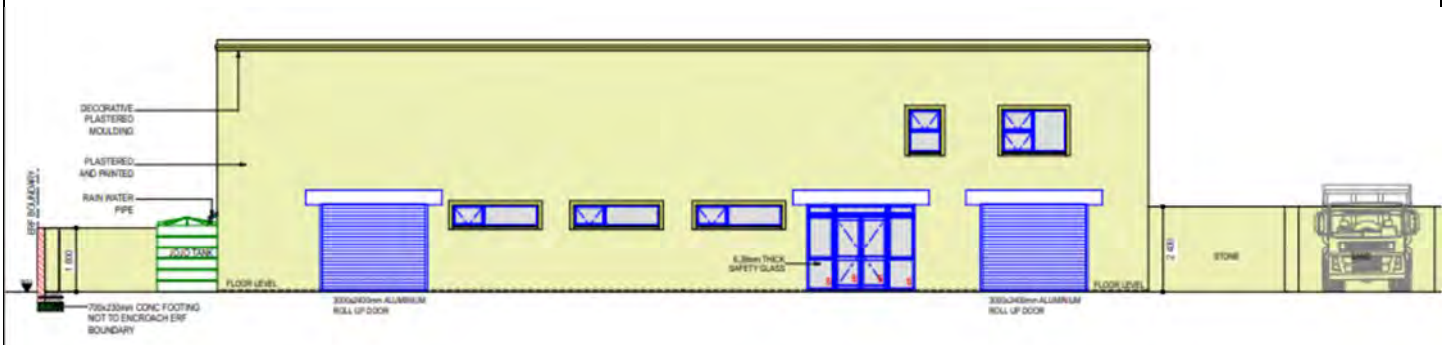
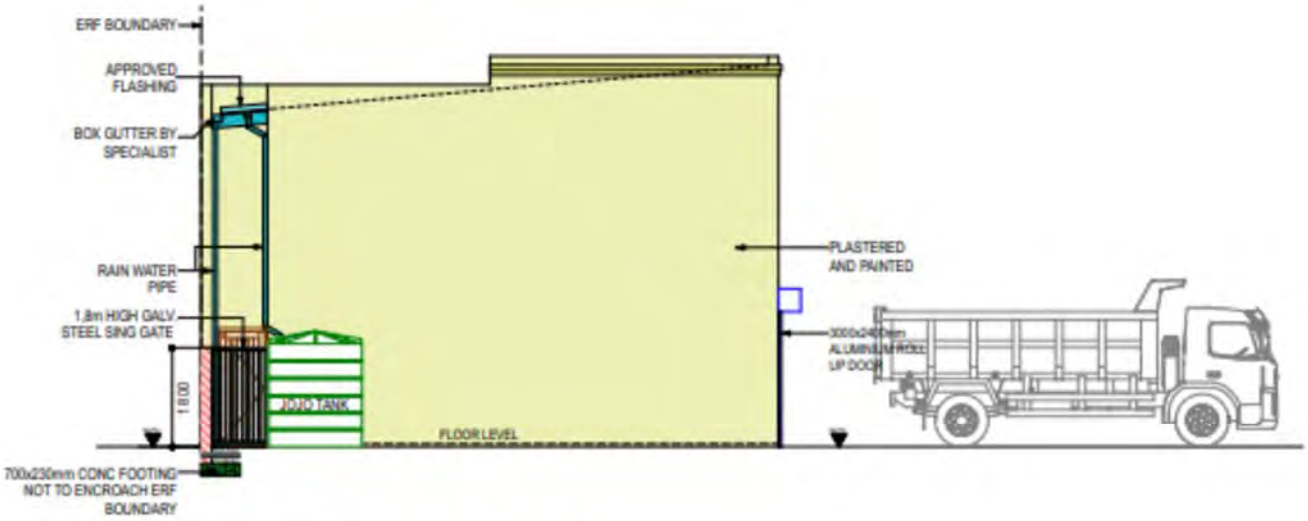


Figure 4: Proposed floor layout

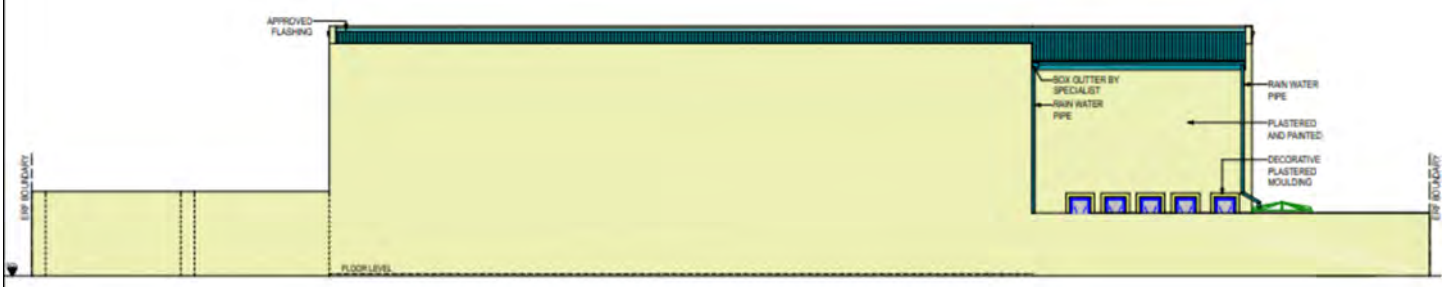




EAST ELEVATION
Scale 1:100



SOUTH ELEVATION
Scale 1:100



WEST ELEVATION
Scale 1:100

Figure 5: Proposed elevations

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)			
Has pre-application consultation been undertaken?	Y	**N**	

PART F: SUMMARY OF APPLICANT'S MOTIVATION

Erf 716, Chatsworth, is located relatively central in Chatsworth, near its main entrance on the eastern side of the town. Access can be obtained from Cemetery Road on its eastern boundary or Second Avenue on its southern boundary.

1.1 Proposed Rezoning

Erf 716, Chatsworth, is currently not being utilised in line with its zoning of Residential Zone 1 and the property is vacant. The owners are intending to utilise the property better through the provision of business premises (a hardware shop). An income opportunity is created for the landowners through the provision of a hardware shop.

The owner of Erf 716, Chatsworth, has recognised the property's potential to accommodate a hardware store, primarily due to its strategic location along an established activity corridor that ensures convenient access and visibility. The erf is situated within a well-developed and diverse urban environment that includes residential, institutional, and commercial uses, making it particularly well-suited for a business use of this nature. The property's proximity to another erf zoned Business Zone 2 further supports the appropriateness of the proposed use by reinforcing the existing commercial node and encouraging mixed-use integration within the area. The proposed hardware store will therefore complement and enhance the surrounding land use pattern, integrating seamlessly into the existing character of Chatsworth without detracting from its visual quality or established urban function.

In terms of land compliance, the Swartland Municipal Land Use Planning By-law defines business premises as, 'a building or land from which business is conducted, and includes a shop, supermarket, restaurant, office, financial institution and buildings for similar uses, but does not include a place of assembly, place of entertainment, institution, service station, motor repair garage, industry, industrial hive, noxious trade, risk activity, adult entertainment enterprise or bottle store', the proposed hardware store falls within the definition of "business premises" as it is a building from which business is conducted, similar to a shop or retail outlet. The primary function of a hardware store is the sale of goods, such as building materials, tools, and related products, directly to customers, which aligns with the examples provided in the definition, including a shop, supermarket, or office. On this basis, a hardware store is considered to be a permissible "business premises" use in terms of the definition.

1.2 Proposed Departures

a) Building line: The application includes a request for the departure of the western side building line from 3m to 1m and 0m to accommodate the proposed double-storey hardware store facing east, positioned along the property boundary. The motivation for positioning the building closer to the western boundary is to allow adequate space for the functional layout of the hardware store and its associated offices, while also providing sufficient room for on-site parking in front of the business premises. This design approach ensures efficient utilisation of the erf and supports a practical and customer-friendly layout.

   The portion of the building set back 1m from the western boundary will contain restrooms, on the ground floor. The rooms will have small, medium-level windows that serve primarily for ventilation rather than visibility. As such, the openings will not result in any privacy intrusion or visual impact on the adjoining property. For the remaining sections of the western façade, no doors or windows are proposed, ensuring that the structure maintains privacy and safety for both the subject property and the adjacent Residential Zone 1 erf.

b) Parking provision: A total of 14 on-site parking bays is required in accordance with the By-Law. However, due to physical and design constraints on the property, providing all 14 bays is not feasible without affecting the overall functionality of the development. Therefore, the application requests a departure to reduce the parking requirement from 14 parking bays to 9 parking bays. In terms of the Swartland Municipal Land Use Planning By-law (PG 8226), a business zoned as Business Zone 1 is typically required to provide one loading bay for a 'shop' with a floor area of up to 2 500 m². The proposed hardware store has a total floor space of 347m². Although the by-law requirement for a shop of this size is one loading bay, the nature of a hardware store—where larger and heavier products are sold—realistically requires the provision of two loading bays to ensure adequate space for the loading and off-loading of goods. The proposed reduction of five parking bays will not result in traffic congestion or queuing, as the majority of customers are expected to access the hardware store on foot or via public transport.

   Furthermore, when considering the site-specific context, Erf 716 is located within a residential area characterised by low- to medium-density, where relatively few residents own private vehicles. The property is also situated within a pedestrian-friendly environment along an established activity corridor (Cemetery Road), where residents typically move between destinations on foot. This context strongly supports the proposed relaxation of the prescribed parking requirements, as it aligns with the travel patterns and needs of the local community.

c) Section 12.2.1 (c)(i) of the Swartland Municipal By-law on Land Use Planning (PG 8226) states the following: *"12.2.1 Encroachment of building lines: The following additional land use provisions apply in case of*

encroachment of building lines: (c) When an outbuilding, second dwelling unit or building is permitted within a side or rear building line, the following conditions shall apply: (i) no building shall exceed a height of 1 storey."

According to the By-Law, the definition of a "storey" states that "any storey higher than 4m but equal to or less than 8m in height shall, for the purpose of height measurement, be deemed to be two storeys".

The proposed hardware store has a total height of 6.83m and, in terms of this definition, it is considered a double-storey structure. Therefore, the application includes a request for a permanent departure from the one-storey height restriction applicable to buildings that encroach upon a side building line. The proposal seeks to allow a double-storey building to encroach onto the western side building line to 1m and 0m from the western property boundary.The departure is necessary to accommodate the design and functional requirements of the proposed hardware store while maintaining compliance with the intent of the By-Law.

The proposed double-storey design has been carefully considered to minimise impacts on adjoining properties. Privacy will be safeguarded through appropriate window placement, screening, and architectural detailing. The building will remain compatible with the surrounding built form, which already includes both single- and double-storey structures, and will not result in loss of privacy, sunlight, or ventilation for neighbouring erven. The overall scale of the building is appropriate in its context and will not appear visually overbearing when viewed from neighbouring properties or the streetscape.

1.3 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

a) Spatial Justice: The proposed use of the property for business purposes aligns with the applicable SDF proposals for the area. The physical footprint of the site supports an urban form of development, promoting an integrated settlement. The zoning of the property will be changed to accommodate the proposed business premises, ensuring that the owner's right to develop the land for commercial purposes is consistent with the objectives of the SDF for the zone in which the erf is located.

The proposed development does not contribute to further segregation within the community. The proposal takes into account the availability of necessary facilities and services, which can adequately support the intended uses on the erf.

Spatial Sustainability: The proposed development aligns with the densification objectives outlined for urban areas across the Western Cape. It encourages spatial compactness and efficient use of resources while safeguarding the environment. The application supports sustainable resource use and is situated within an area designated for commercial purposes, permitting business activities. By optimising the use of land within the existing urban boundary, the development helps limit urban sprawl and contributes to the ongoing densification of the area.

b) Efficiency: The proposed development will contribute to the integration and strengthening of Chatsworth's commercial and urban functions by introducing a small-scale business use within the existing urban area. By utilising a vacant and underutilised erf, the proposal supports the efficient use of existing municipal infrastructure and services, thereby enhancing the property's long-term financial sustainability.

The hardware store will provide local business and employment opportunities, stimulate economic activity, and contribute to the overall densification and vitality of Chatsworth, ensuring a more functional and sustainable urban environment. The proposed development uses the optimal efficiency of the land and services.

c) Spatial Resilience: The proposed development enhances the spatial resilience of Chatsworth by introducing a land use that supports economic diversification within the existing urban fabric. Allowing a business use on Erf 716 creates flexibility in the local land use pattern and responds to the community's growing commercial needs. By accommodating a hardware store within the town, the proposal contributes to sustainable livelihoods and strengthens the local economy. The development remains adaptable to future land use needs and does not restrict the potential of surrounding properties. Furthermore, it will have no adverse impact on disadvantaged communities and will instead improve accessibility to goods and services within the area.

d) Good Administration: The application was processed by Swartland Municipality in a timeous fashion, in accordance with the requirements of the applicable legislation and it is therefore considered to comply with the principles of good administration.

1.4 Swartland Municipal Spatial Development Framework (2020)

The development proposal is supported by the objective of the SDF to "Protect, Change and Develop a Place of Identity" for Chatsworth, as follows:

CHANGE	DEVELOP
Commercial: Enhance existing CBD at the entrance to town and at the secondary done in the northern precinct.	**Commercial: Develop the business nodes and allow for mixed uses along activity corridors and activity streets**.

The proposed hardware store in the CBD near the town entrance will enhance the commercial core by attracting visitors, providing goods and services, and creating local employment, thereby strengthening the area as a key economic hub. **Commercial: Strengthen economic and social node at town entrance.** The proposed hardware store, located near the town entrance, will enhance the local economic and social node by creating jobs, attracting visitors, and supporting surrounding businesses, thereby reinforcing this key area as a vibrant hub of activity.	The proposed hardware store in the CBD along a activity corridor (Cemetery Road) will strengthen the business node, attract customers, and support surrounding uses, promoting a vibrant and mixed use environment.

PART G: SUMMARY OF PUBLIC PARTICIPATION

Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipality: Municipal Land Use Planning By-Law.	**Y**	N

The application was published in local newspapers and the Provincial Gazette on 28 October 2025, in terms of Section 55 of the By-Law. The commenting period, for or against the application, closed on 1 December 2025.

In addition to the abovementioned publication, 18 written notices were sent via registered mail to the affected property owners in the area, in terms of Section 56(1) & (2) of the By-Law, as well as e-mails, where e-mail addresses were available. Five written notices were returned unclaimed. Please refer to Annexure D for the public participation map.

One objection was received against the proposal. The applicant was afforded 30 days, from 11 December 2025 to 14 January 2026 - with the option to request an extension to the response time, due to the December holidays - to respond to comments and objections received by affected parties. The response to comments was received on 18 December 2025. (Annexure F).

Total valid comments	**1**			Total comments and petitions refused		**0**	
Valid petition(s)	Y	**N**	If yes, number of signatures				
Community organisation(s) response	Y	**N**	Ward councillor response	**Y**	N	Councillor was informed, but no comments were forthcoming.	
Total letters of support	**0**						

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS			Recommendation
Name	Date received	Summary of comments	
Department: Civil Engineering Services	28 Oct. 2025	**1.** Water; a) Die erf voorsien word van ‘n enkele wateraansluiting b) Dit is bekend dat die betrokke gedeelte van Chatsworth probelme ondervind met watervoorsieing as gevolg van hoë vlakke van onwettige waterverbuik deur die informele area. Daar is wel ‘n projek om watervorsiening te verbeter maar voltooiing is nie kort termyn nie. Derhalwe moet die erf voorsien word van stoortenke met ‘n minimum kapasiteit van 48 uur en die nodige pomptoerusting. **2.** Riolering: a) Die erf voorsien word van ‘n aparte rioolsuigtenk met a minimum kapasiteit van 8 000 liter en wat vir die diensvragmotor vanuit die straat toeganklik is. Hierdie voorwaarde is op bouplanstadium van toepasing. **3.** Ontwikkelingsheffings a) Indien die uitbreiding van bestaande dienste nodig sou wees ten einde die onderverdeelde gedeelte van dienaansluitings te kan voorsien dit vir die koste van die aansoeker sal wees. b) Vaste kapitale bydraes as volg gemaak word: Water R1 234,74 Bulk Water R2 198,07 Sewer R1 801,42 WWTW R1 952,88 Roads R32 207,89	✓

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS
M. Adams Erf 717 (Annexure E)	1. A business premises will inevitably generate a massive increase in traffic, including customer and delivery vehicles, which the existing residential road infrastructure is not designed to handle. This raises significant concerns regarding road capacity, means of access, and pedestrian safety, especially for children and the elderly.	1. Erf 716 is bordered by two formal public municipal street reserves, namely Cemetery Road and Second Avenue. Both roads have a reserve width of 9.45m, which is considered adequate for accommodating mixed traffic volumes, including those associated with small-scale commercial activity. According to the Swartland Municipal Spatial Development Framework ("MSDF"), 2024-2027 (amended 2025), the property is located within Zone C, designated as the Central Business District ("CBD") of Chatsworth. The MSDF specifically directs higher-intensity land uses, including retail and service-oriented businesses, toward this area. The objector's concern regarding the road network being "residential" is, therefore, factually incorrect, as the spatial planning policy clearly identifies this node for urban and economic intensification. Additionally, Cemetery Road is designated as an Activity Corridor. Activity Corridors are intended to support increased accessibility and the clustering of business activities by virtue of their strategic location and traffic-carrying capacity. The proposal for a small-scale hardware store aligns fully with the intended land-use character and traffic function of Cemetery Road. The anticipated trip generation of the proposed use is comparatively low when measured against typical thresholds that trigger Traffic Impact Assessments. As part of the statutory land-use application process, the proposal is circulated to all relevant internal municipal departments, including the Department: Civil Engineering Services. This department is responsible for confirming the adequacy of existing infrastructure, such as road capacity, access design, stormwater management, and related civil engineering considerations. Should any engineering upgrades or conditions be required, these will be imposed as part of the approval conditions. Regarding pedestrian safety, the property's corner location and dual frontage enhance visibility and access control opportunities. The proposed use will not materially increase risk to children or elderly pedestrians, particularly given the policy direction encouraging business use in this node and the moderate scale and expected vehicle volume of the proposed hardware store.	1. Erf 716 is located on a corner erf, in the Chatsworth CBD, along an activity corridor. The spatial planning for the area implies that higher intensity land uses are expected, supported and promoted in such locations, including the associated rise in traffic – pedestrian and vehicular. The application was indeed circulated to the Department: Civil Engineering Services and roads were deemed of sufficient capacity to accommodate the proposed use. The proposed retail development, or any other activity that may be performed in terms of the business zoning in future, will be subject to the same traffic legislation as any other road users will be. The By-Law requires that any entrance to a property must be at least 10m from a corner or 5m if the corner is splayed. The proposal is consistent with the requirement. In addition, the development proposes only one access point to the property, which is anticipated to slow down traffic movement from the business. The applicant is supported.

	2. The increase in activity, traffic, and potential operating machinery or business operations will lead to a substantial increase in noise pollution, disturbing the peace expected in a residential zone.	2. As noted in Point 1, Erf 716 is located within the CBD of Chatsworth, as designated by the MSDF. This area is earmarked specifically for business activity, higher-intensity land uses, and associated operational characteristics. The expectation of exclusively residential levels of noise is, therefore, not applicable to this policy-defined business node. The proposed hardware store is a low-intensity retail land use and does not involve industrial manufacturing processes, onsite fabrication, or heavy machinery operation that would typically result in elevated or intrusive noise levels. Activity on the site will predominantly consist of standard customer visits, light vehicle movements, and routine loading/unloading, all of which fall within the normal operational range anticipated for business-zoned environments. Furthermore, all land uses, whether residential or commercial, are required to comply with the municipal Noise Control Regulations, ensuring that operations do not exceed permissible noise thresholds. Should the municipality deem it necessary, specific operational conditions (such as delivery hours or screening measures) can be imposed to reinforce compliance. The anticipated noise levels from the proposed development are aligned with the intended land-use character of the CBD node and will remain within regulatory limits. No unacceptable noise impacts are expected.	2. A certain level of noise is expected in a business district, associated with the various commercial uses. However, business hours will be restricted, to mitigate any potential disturbance. The high, solid western façade is also expected to serve as a sound barrier between the business and the residential development towards the west. The designation of the area as the CBD implies that, over time, more and more erven are expected to be rezoned for commercial purposes, which will entail higher intensity land uses, increased ambient noise and a rise in traffic volumes. The proposed uses, however, do not reach as far as industry or even risk industry. In other words, the associated uses and noises of business activities are considered typical and tolerable for residential developments in close proximity.
	3. The proposed development's demand for parking is likely to exceed on-site capacity, resulting in overflow parking on residential streets, which will cause inconvenience to existing residents and create further congestion and safety hazards.	3. The application includes a departure from 14 required parking bays to 9 due to site-specific design constraints and the functional layout of the hardware store. This request is fully aligned with the provisions of the Swartland Municipal Land Use Planning By-law (PG 8226), which explicitly allows for departures where justified and where no material adverse impact will result. Several factors demonstrate that the proposed on-site parking provision is adequate for the anticipated operational demand: - Travel Behaviour and Local Context: Erf 716 is situated within a predominantly low- to medium density residential area where private vehicle ownership is comparatively low. - The MSDF identifies Cemetery Road as an Activity Corridor, where walking and public transport is used for accessing local facilities. - Nature and Scale of the Proposed Use: The hardware store is ±347m². Trip generation and parking demand for a neighbourhood-scale store are expected to be relatively low. In addition, two loading bays, exceeding the minimum requirement of one, are provided to ensure that deliveries occur efficiently within the site	3. The parking layout and manoeuvre space on the erf are consistent with the standards and requirements of the By-Law, i.e. parking bays of 2,5m x 5m with a minimum of 7m behind each space for movement. The parking layout also includes two on-site loading zones, although only one is required. The proposal is deemed desirable, as the traffic congestion that may be caused by retail uses often pertains to delivery vehicles. Should the nature of the business change over time, one of the loading bays may be converted into regular parking. The parking layout is considered safe, efficient and functional. Both Cemetery Road and 2nd Avenue are of sufficient width to allow for informal on-street parking and pedestrian movement, should it occur. The streets are straight and flat and site lines are unobstructed to and from the property. Congestion is unlikely to occur, as sufficient on-street movement space and visibility will remain unaffected.

		boundaries, preventing service vehicles from occupying on-street parking spaces; Sufficient On-Site Capacity and Functional Layout: The 9 proposed parking bays have been designed to accommodate the expected peak demand comfortably, without causing internal congestion or queuing. The layout also ensures that vehicle movement on-site remains efficient and safe; No Anticipated Spill-Over or Safety Impact: Considering the pedestrian-oriented context, modest scale of the business, and sufficient on-site parking provided, no overflow parking onto surrounding streets is anticipated. Cemetery Road is a busier, higher-order corridor (as addressed in Point 1), designed to accommodate mixed-use activity without compromising residential amenity or safety. The proposed reduction in parking provision has been carefully assessed, contextually justified, and is considered fully adequate for the intended use. No unreasonable congestion, spill-over parking, or safety hazards are expected to arise from the development.	The scale of the development, be it retail or any other business permitted on the property in future, is also expected to limit the need for on-site parking.
	4. Development has already taken place whilst objections/commentary are still underway. Trenches have been dug, and the tree which was on Erf 716 (which hung over onto the adjoining erf) has been removed on 14 October 2025.	4. Erf 716 may be developed in accordance with its current zoning, which is Residential Zone 1, subject to the standard requirement that any building work must comply with the National Building Regulations and must be supported by an approved building plan. The current land use application pertains to land use rights required to establish business premises on the property. Preliminary building plans have been prepared solely to support the land use application process for acquiring the necessary land use rights, including the rezoning of the property to a business-zoning classification. Should the application be approved, final building plans will be formally submitted to the municipality's Building Control Office for consideration and approval. No construction related to the proposed business premises may lawfully commence prior to such approval. With regard to the activities mentioned by the objector (the digging of trenches and the removal of a tree) do not constitute building work that requires building plan approval, nor do they constitute commencement of the business-related development. Property owners are permitted to undertake minor preparatory works and site-clearing activities on their erf, provided such activities do not involve structural construction regulated by the National Building Regulations.	5. The applicant is supported.

PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

Application for the rezoning of Erf 716, Chatsworth, in terms of section 25(2)(a) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020) from Residential Zone 1 to Business Zone 1: General Business, in order to facilitate a business premises in the form of a hardware store.

Application for the departure on Erf 716, Chatsworth, in terms of section 25(2)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020) from the 3m western side building line to 0m and 1m respectively.

Application for the departure on Erf 716, Chatsworth, in terms of section 25(2)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), in order to allow for nine (9) on-site parking bays, in lieu of the 14 parking bays required by the By-Law for Business Zone 1.

Application for the departure on Erf 716, Chatsworth, in terms of section 25(2)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020) from section 12.2.1(c)(i) which requires that, when a building encroaches on the a side building line, the building shall not exceed the height of one storey.

The application was published in local newspapers and the Provincial Gazette on 28 October 2025, in terms of Section 55 of the By-Law. The commenting period, for or against the application, closed on 1 December 2025.

In addition to the abovementioned publication, 18 written notices were sent via registered mail to the affected property owners in the area, in terms of Section 56(1) & (2) of the By-Law, as well as e-mails, where e-mail addresses were available. Five written notices were returned unclaimed.

One objection was received against the proposal. The applicant was afforded 30 days, from 11 December 2025 to 14 January 2026 - with the option to request an extension to the response time, due to the December holidays - to respond to comments and objections received by affected parties. The response to comments was received on 18 December 2025.

The applicant is C.K. Rumboll and Partners and the property is owned by Korjon Properties (Pty) Ltd.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

a. Spatial Justice: The proposed development will promote access to economic opportunity through the creation of a small business. All the relevant facts and considerations surrounding the application have been taken into account during the decision-making process. Therefore, the application may be deemed consistent with spatial justice.

b. Spatial Sustainability: The proposed rezoning and departures will enable the owner to develop the property to its full potential, while adhering to the character of the specific area of Chatsworth. The proposed land use will create the spatially more compact and resource efficient utilisation of the residential property.

The proposed development will connect to the existing infrastructure of the area. The proposed rezoning is thus considered as spatially sustainable.

The departures are consistent with the anticipated character of the area in future, as the designated CBD of Chatsworth.

c. Efficiency: The proposal ensures the optimisation of existing resources, while contributing to the objectives of local, provincial and national policy. The development proposal is thus deemed efficient.

d. Good Administration: The application was communicated to the public through advertising and sending written notices per registered mail and e-mail to affected land owners. The application was also circulated to the relevant municipal departments and Eskom for comment. Consideration was given to all correspondence received and the application was dealt with in a timeous manner. It is therefore argued that the principles of good administration were complied with by the Municipality.

e. Spatial Resilience: The proposed development will not limit any future benefits of the application property or those of the surrounding area. The proposed building lends itself to various uses, promoting diversity to better withstand future economic shocks.

2.2 Integrated Development Plan (IDP) and Spatial Development Framework (SDF)

The application contributes to healthy management of the urban and rural area. IDP outcome 5.2.

The proposed development is in compliance with the character and land uses prescribed by the SDF as well as stimulating economic growth, which is supported by the SDF and PSDF. The application supports optimal and more intensive use of land and existing infrastructure.

2.3 Zoning Scheme Provisions

The proposed land use of a store is consistent with the proposed Business Zone 1 zoning.

The owner/developer asserts the right to apply for departure from development parameters, in terms of the By-Law.

Departure from the required on-site parking bays may be considered in terms of the By-Law, namely through the provision of alternative land that is notarially tied to the application property, or my means of a fee levied. The applicant elected to pay the fee, rather than providing alternative land. The fee is calculated in accordance with the stipulations of the By-Law, including the definition of a parking space. The applicable equation is thus:

(Parking space + manoeuvring space) x (the land value per m², as calculated by the municipal valuation) x (number of bays not provided)

= {(2,5m x 5m) + (2,5m x 7m) x (R340,00) x 5 = R51 000,00.

3. Desirability

The proposed development is located on the eastern edge of the CBD of Chatsworth, along Cemetery Road, which is an activity corridor. Furthermore, the proposed rezoning is consistent with the objectives of the SDF to establish the CBD of Chatsworth and foreseen to stimulate economic growth of the town.

Rezoning of Erf 716 is necessary to allow for the intended hardware store or other business uses that may be developed in future. It is the opinion of the author, however, that the conditions of approval should exclude the development of a restaurant, service trade or animal hospital on the property, due to the high probability of disturbance to the surrounding residential properties. Should the CBD expand and become more established over time, reducing the number of residential erven in close proximity, the owner/developer may apply to amend or remove the condition of approval.

The departure from the required number of parking bays from 14 to 9 bays, is considered desirable, due to a number of factors. Firstly, the size, geometry, location of and development parameters on the erf (corner erf), limit the possible scale of the development, allowing for fever parking bays. In addition, the development proposal includes an extra loading bay, limiting possible congestion caused by delivery vehicles.

The parking bays layout, manoeuvre space, access point and additional loading bay, are all expected to improve the functionality of the site and minimise impact on the surrounding traffic patterns. Should spill over parking occur, vehicle owners will remain subject to existing traffic legislation. Also, both Cemetery Road and 2nd Avenue are of sufficient width, with clear site lines, to maintain traffic safety in the unlikely event that spill-over parking takes place. In addition, the owner/developer will be liable for making the calculated financial contribution, in terms of the By-Law, to mitigate further possible impacts.

The proposed building line departure pertains to the western property boundary. The By-Law requires a 3m side building line on Business Zone 1 properties where it abuts a residential property such as Erf 717. As Cemetery Road is a proclaimed road, a further 5m street building line is required in terms of the By-Law.

The erf size and development parameters such as the parking requirements and building lines, balanced against the minimum size that a business on the property would need to be to support economic viability, necessitated the developer to propose departure from the 3m western building line, to accommodate the optimal design of the business building.

Furthermore, taking into account that the side building lines of Business Zone 1 properties are normally 0m and that spatial planning for the area promotes the development of the CBD, it is deemed likely that the affected property, Erf 717, may be developed for business purposes in future. Erf 1202, on the opposite side of Erf 717, is already zoned Business Zone 2, thus Erf 717 will effectively be sandwiched between two business erven.

No openings are proposed in the portion of the western façade that encroaches onto the property boundary, while the portion that does include windows, is proposed to be 1m removed from the boundary, to comply with fire safety standards. The building line departure is considered desirable within the context.

Lastly, the By-Law restricts building line encroachment to single storey buildings. The development proposal, however, consists of a double storey building to allow for the optimal use of the land and to allow for the intended commercial use.

The double storey portion of the building is under 7m at its highest point, which is consistent with existing residential double storey buildings in the immediate vicinity. The double storey also does not extend for the entire length of the western boundary, lessening the impact of a high, solid façade on the neighbouring property. The character of the proposed development is thus considered consistent with that of the context.

In addition, the solid, double storey portion of the building is expected to act as a sound barrier between Erf 716 and Erf 717, minimising noise pollution towards the neighbouring property.

Access to Erf 716 is consistent with the minimum distance of 5m from the corner splay.

The development proposal will ensure the optimal utilisation of existing resources and the impact on traffic volumes is considered to be acceptable within a residential neighbourhood, along an activity street.

The proposed rezoning may impact positively on the economy of the surrounding neighbourhood, as it will make residential opportunities available to a wider income group, as well as through densification within the area. The construction phase is foreseen to create employment opportunities, while rates and taxes will provide continuous income to the Municipality in future.

The proposed development encourages optimal use of the property as the property is currently under-developed and neglected. The optimal use of resources, infrastructure, land and functionality is foreseen to be promoted by the development.

The development proposal is wholly consistent with the land use proposals of the SDF and principles of local, Provincial and National policies.

All costs relating to the application are for the account of the applicant.

In conclusion, the proposal to rezone Erf 716, Chatsworth, and departures are deemed desirable in terms of the above-mentioned criteria.

4. Impact on municipal engineering services

Water provision in the particular part of Chatsworth is currently under pressure, due to unlawful water use by the informal settlement in close proximity. A municipal project was launched to improve water provision, but the estimated duration of the project is long term. Developers are subsequently advised to provide water storage tanks with a minimum capacity of 48 hours, as well as the necessary pumping equipment.

The impact on the remaining engineering services will be mitigated through development contributions, calculated in terms of the Swartland Capital Contribution Policy of 2024.

5. Comments of organs of state

b) A copy of the development proposal was communicated to Eskom, but no response was forthcoming.

6. Response by applicant

See Annexure F.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights **N/A**
The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal **N/A**
The social benefit of the restrictive condition remaining in place, and/or being removed/amended **N/A**
Will the removal, suspension or amendment remove all rights enjoyed by the beneficiary or only some of those rights **N/A**

PART L: RECOMMENDATION WITH CONDITIONS

A. The application for the rezoning of Erf 716, Chatsworth, from Residential Zone 1 to Business Zone 1, be 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:

1. TOWN PLANNING AND BUILDING CONTROL

a) Erf 716 (1082m² in extent) be rezoned from Residential Zone 1 to Business Zone 1, as presented in the application, but excluding the use of a restaurant, service trade and animal hospital;
b) The operating hours of any business on the property be restricted to 6:00 – 19:00 from Monday to Sunday;
c) The minimum of nine (9) on-site parking bays be provided and that the parking bays be clearly marked;
d) The parking bays, including the sidewalk, be finished in a dust-free, permanent surface, being tar, concrete, paving or any other material previously approved by the Director: Civil Engineering Services;
e) Application be made to the Senior Manager: Development Management for the right to display any signage and that the signage may not project over a public street;
f) A trade licence be obtained from Swartland Municipality for the operation of the business premises;
a) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
b) Any music played on the property only be audible inside the shop and no appliances used for the broadcasting or amplification of sound may be positioned or affixed externally to the building, including to any awning, stoep or shade structure;
c) No loitering be permitted anywhere on Erf 716, Chatsworth, whether it be inside or outside the buildings on the erf or around any entrance to the erf;

2. WATER

a) The property be provided with a single water connection;
b) Water storage tanks with a minimum capacity of 48 hours, as well as the necessary pumping equipment, be provided on the property for water provision, to the satisfaction of the Director: Civil Engineering Services, at building plan stage;

3. SEWERAGE

a) The property be provided with a separate conservancy tank of minimum 8 000 litre capacity and that may be accessed by the municipal service vehicle via the street;
b) The condition be applicable at building plan stage;

4. DEVELOPMENT CHARGES

a) The owner/developer is responsible for a development charge of R4 884,60 towards the bulk supply of regional water, at clearance 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 743,90 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 003,15 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 339,75 towards waste water treatment, 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 R71 573,00 towards roads, 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 may be revised thereafter;

B. The application a departures on Erf 716, Chatsworth, be 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:

1. TOWN PLANNING AND BUILDING CONTROL

a) The 3m western side building line be departed from and reduced to 0m and 1m to accommodate the portions of the proposed building, that encroaches on the building line, depicted on the site plan dated 30 September 2025, as presented in the application;
b) Section 12.2.1 (c)(i) of the By-Law be departed from in order to allow for the proposed double storey building to encroach on the 3m side building line, as presented in the application;

c) The 14 parking bays required in terms of the By-Law, be departed from and that a minimum of 9 parking bays and two loading bays be provided, as presented in the application;
g) The owner/developer be responsible for the financial contribution of R51 000,00, towards the non-provision of five (5) parking bays. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/222-303-9212).

1. GENERAL

a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
b) Should it in future be determined necessary to extend or upgrade any engineering service in order to provide the development with services, it will be for the account 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 the 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. All conditions of approval be implemented before the new land use comes into operation/or the occupancy certificate 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.
d) The applicant/objector 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 decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 in order 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.

PART M: REASONS FOR RECOMMENDATION

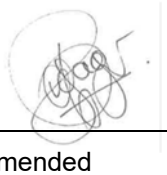
1. The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA.
2. The application is deemed to stimulate economic development, which is supported by the SDF and PSDF.
3. The scale of the proposal is consistent with the character of the surrounding area, while optimising the use economic viability of the venture;
4. The application will comply with the character of the Chatsworth CBD, as identified by the SDF.
5. The height of the proposed building is limited to two storeys and consistent with the visual profile of double storey buildings in the area;
6. Engineering services are sufficiently capacitated, apart from water provision. Mitigating measures are instated to ensure water provision remains constant until such time as the municipal upgrade project has been completed.
7. The double storey façade that encroaches on the side building line is the same height as a regular residential dwelling would have been and compatible with the character of residential development.
8. The western façade is faceted, in an effort to minimise the impact of a high, 'dead' wall and improving the human scale of the façade.
9. The solid portion of the western façade is expected to act as a sound barrier between the application property and the residential erven towards the west.
10. Should the area surrounding Erf 716 develop in accordance with the SDF over time and the CBD of Chatsworth become well established as planned, the rezoning and departures proposed, will integrate seamlessly with the character of a business district.
11. The operating hours of the proposed business are restricted, in order to ensure that the business is compatible with the normal day-to-day activities associated with its current surroundings.
12. The increase in traffic volumes are considered moderate and both the abutting streets were confirmed to be of sufficient capacity to accommodate the development..
13. The rights of surrounding property owners will not be negatively affected, as the development will take a form resembling a large two storey house, such as can be expected in a residential neighbourhood.

PART N: ANNEXURES

Annexure A	Locality Plan
Annexure B	Site Development Plan
Annexure C	Building Plans
Annexure D	Public participation map
Annexure E	Objection from M. Adams
Annexure F	Response to objections

PART O: APPLICANT DETAILS

First name(s)	C.K. Rumboll and Partners			
Registered owner(s)	Korjon Properties (Pty) Ltd.	Is the applicant authorised to submit this application:	**Y**	N

PART P: SIGNATURES				
Author details: Annelie de Jager Town Planner SACPLAN registration number: (A/2203/2015)			Date**: 2 February 2026**	
Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN registration number: (B/8001/2001)	Recommended	✓	Not recommended	
			Date: **3 February 2026**	

Locality Map - Erf 716, Chatsworth



Legend

Erf

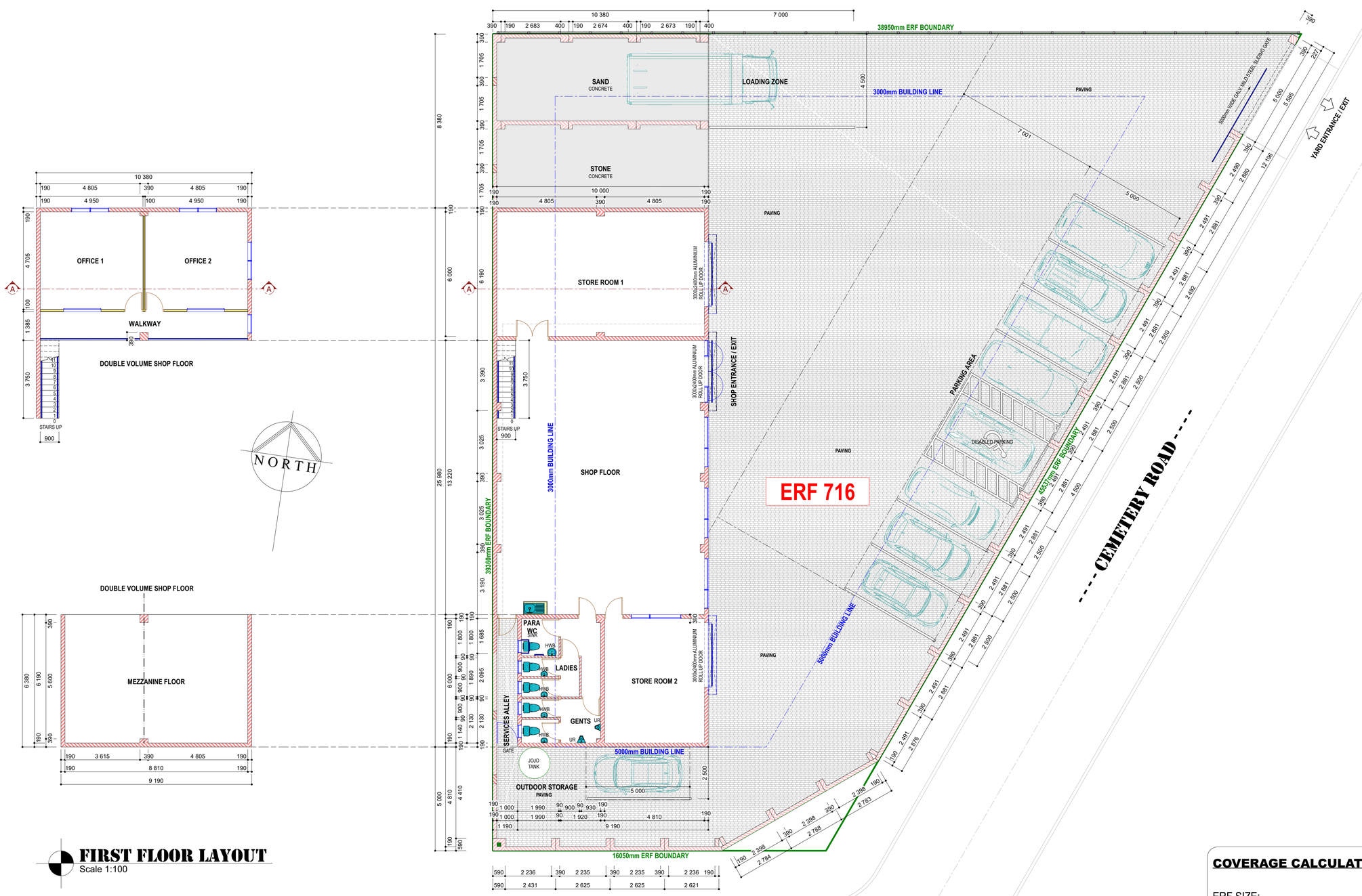
Map Center: Lon: 18°3
Lat: 33°3

Scale: 1:1,500

Date created: 2025/06/1

Western
Governm
FOR YOU

ANNEXURE A



FIRST FLOOR LAYOUT
Scale 1:100

GROUND FLOOR LAYOUT
Scale 1:100

COVERAGE CALCULATIONS

COVERAGE CALCULATIONS:

ERF SIZE:	1082.40m²
GROUND FLOOR:	280.77m²
FIRST FLOOR:	66.22m²
FIRST FLOOR MEZZANINE:	58.63m²
TOTAL FLOOR AREA (EXCL. MEZZANINE):	347.00m²
FOOTPRINT:	280.77m²
DEKKING:	25.94%

All drawings.dimensions and quantities must be checked before any materials are ordered or any building work commences. Any discrepancies must be brought under the attention of the Architectural Technologist immediately.

NOTES:
LEGAL REQUIREMENTS:
- Dimensions, descriptions & quantities on these drawings to be verified on site before ordering material or commencing with work.
- All work to be carried out in strict accordance with the National Building Regulations & Standards Act (Act 103 of 1977 & SANS 10400)
- All timber sizes & grades to be verified & approved by supplier's engineer.
- All trusses to be in accordance with supplier's / engineer's design & approval by client.
- All materials to be built in/ applied strictly in accordance with manufacturers specifications and instructions.
- All local authority, utility service provider requirements to be established in advance and adhered to.
- All boundary pegs to be located, and marked before work is taken in hand.
- Any discrepancies between these drawings & legislation, local authority, utility service provider & good construction practice to be referred to the Architectural Technologist / Designer before construction commences.
- Any aspect deemed to be unclear to be referred to the Architectural Technologist / Designer for clarity.
- These drawings do not constitute a comprehensive specification for the works.
- No dimensions to be scaled from these drawings.

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Project:
PROPOSED SHOP
ERF 716 at
2ND AVENUE
CHATSWORTH, 7354

Client:
M.J. HASSAN
2ND AVENUE
CHATSWORTH

Client Signature:

.....

The Client hereby agrees to Professional Architectural services up to 4.1 of Stage 4

SENIOR ARCH. TECHNOLOGIST
SACAP REG. NO. PSAT1550

.....

JC Architecture

Jacques Swarts
5 Koker Avenue
Malmesbury
7300
071 918 2082

Cassiem Jacobs
145 Church Street
Worcester
6850
071 959 6309

Drawing Title:
MUNICIPAL SUBMISSION

Drawing Number:
SKETCH PLAN

SCALE:	AS SHOWN
DATE:	2025/09/30
DRAWN BY:	Dane Williams
CHECKED BY:	Jacques Swarts
PAGE NO:	1 of 1

ANNEXURE B

PART A: BUILDING CLASSIFICATION - H4

PART B: STRUCTURAL DESIGN
The design of the structural elements and components will be designed by a Professional Engineer who has certified that the design complies with the requirements of the National Building Regulations, competent person to inspect & certify all applicable works.
The structural system of the building complies with the requirements of Parts H, J, K, L, M, N of SANS 10400.

PART C: ROOM DIMENSIONS
Habitable rooms will have a floor area not less than 6m², a minimum horizontal dimension of not less than 2m and a minimum height of 2.45m. Deviation from plans will be submitted to Local Authority for approval when the open office areas are submitted.

PART D: PUBLIC SAFETY
The edge of any change of level more than 1m above any adjacent level is provided with a Balustrade or Parapet wall not less than 1m high and such Balustrade will comply with SANS 10400 part M.

PART E: DEMOLITION WORK
The edge of any change of level more than 1m above any adjacent level is provided with a balustrade or parapet wall not less than 1m high and such balustrade will comply with sans 10400 part m.

PART F: SITE OPERATIONS
All site operations, including protection of the public, will be executed in strict accordance with Part F of the National Building Regulations under the supervision of the contractor, owner and the engineer. Approved sanitary facilities for all personnel will be available before the commencement of and throughout the duration of the building operations, as per detailed requirements of Sans 10400, Part D. Where the soil is poisoning: the ground area prescribed in code of practice SABS 0124 shall be treated in accordance with recommendations of SABS 0124

PART G: EXCAVATIONS
The excavations relating to a building less than 3m deep and is in accordance with the detailed requirements of SANS 10400, Part G.

PART H: FOUNDATIONS
As per Part B, the foundations for the building are in accordance with the detailed requirements of SANS 10400, Part H. A competent person to be appointed in respect of deep footings, soil refts, compaction of in situ soil or sub surface draining. The depth of foundations to be ascertained by engineer's inspection of soil conditions. Foundations to any boundary walls are not to project over boundary lines (including any building or boundary wall.

PART J: FLOORS
Floors in any laundry, kitchen, shower, bathroom or room containing a toilet pan or urinal are in accordance with the detailed requirements of SANS 10400 J.
Ground floor - finish as indicated on plans on 25mm screed on 60/100mm reinforced concrete surface bed on selected dpm on 50mm compacted sand bed on selected invert fill compacted in 150mm layers to 98% aashto and treated with "pcp", or equally approved.
first floor - finish on 25mm screed on reinforced concrete slab as per engineer's detailed dawings and specifications.
concrete floors to shower areas to be set 50mm lower than the bathroom floors to both ground and first floors.

PART K: WALLS
The structural strength and stability of a wall is in accordance with SANS 10400, Part B & K & T. Roofs to be anchored to walls in compliance with SANS 10400, Part B & K of the National Building Regulations. Walls to be constructed with SABS approved clay bricks. Butterfly wall ties in accordance with SANS 10400, Part K @ 900mm horizontal and 450mm vertical centers. Walls to be plastered internally & externally unless otherwise specified, and to be finished with approved plaster primer and 2x topcoat paint. All paint to be applied in strict accordance with manufacturers specifications. Wall between garage and dwelling to be plastered. Fire wall taken to underside roofing material.

PART L: ROOFS
Roof covering and waterproofing systems are in accordance with the detailed requirements of SANS 10400, Part L. Flat roofs or related gutters are in accordance with the detailed requirements of SANS 10400, Part L. The roof assembly and any ceiling assembly, in addition to complying with the requirements of SANS 10400, Part C, are in accordance with the detailed requirements of SANS 10400, Part L, and the roof assembly is supported on walls that comply with the detailed requirements of SANS 10400, Part K. Gutters and downpipes are fixed in accordance with the detailed requirements of SANS 10400, Part R. The fire resistance and combustibility of the roof assembly or any ceiling assembly are in accordance with the detailed requirements of SANS 10400, Part L & T.

PART M: STAIRWAYS AND BALUSTRADES
Internal stairs to comply with the regulations and the deemed to satisfy rules of SANS 10400, Part B, K, M & T of the National Building Regulations (Refer to sections for details). Stairs to be Max. 200mm risers and Min. 250mm treads. Competent person to design & inspect walls, screens, railings or balustrades to such stairway are in accordance with the detailed requirements of SANS 10400, Part B, K, T & D (Latest Version). 1.0m min. height with openings not larger than 100mm.

PART N: GLAZING
Glazing will comply with the regulations and the deemed to satisfy rules of SANS 10400, Part B & N of the National Building Regulations. this is applicable to type of fixing and selection of glazing.

PART O: LIGHTING AND VENTILATION
The lighting and ventilation of all habitable rooms, bathrooms, showers and any rooms containing a toilet pan, complies with the detailed requirements of SANS 10400, Part T & O.

PART P: DRAINAGE
The design of the drainage system is in accordance with the detailed requirements of SANS 10400, Part P.

PART Q: NON WATER BORNE MEANS OF DISPOSAL
N/A
But where the means of sewerage disposal where water borne sewerage disposal is not available, in accordance with the detailed requirements of SANS 10400, Part Q.

PART R: RAINWATER DISPOSAL
The means of the disposal of storm water is in accordance with the detailed requirements of SANS 10400, Part R.

PART S: PERSONS WITH DISABILITIES
The means of providing facilities for persons with disabilities are to be in accordance with the detailed requirements of SANS 10400, Part S (where applicable)

PART T: FIRE PROTECTION
The fire protection measures provided are in accordance with the detailed requirements of SANS 10400, Part T.

PART V: SPACE HEATING
N/A
But where applicable, to be in accordance with the detailed requirements of SANS 10400, Part V.

PART W: FIRE INSTALLATION
N/A
But where applicable, to be in accordance with the detailed requirements of SANS 10400, Part W.

PART XA: ENERGY EFFICIENCY
The design of the buildings are in accordance with the detailed requirements of SANS 10400, Part XA

ENERGY EFFICIENCY:
All work to comply with SANS 10400 Part XA & SANS 204. If under-floor heating is installed, the floor slab must be insulated with insulation material with a minimum r-value of 1.00. Hot water supply requirements: Geysers are to be wrapped in insulation blanket with an r-value to satisfy part XA of SANS 10400. A minimum of 50% of the annual average heating requirement for hot water must be provided by means other than electric resistive heating or fossil fuels. Check with manufacturer & subject to; SANS1307, SANS 10106, SANS 6211-1, SANS 6211-2, SANS 10254, SANS 10252-1. Where applicable, solar & heat pump installations are to be installed by specialists. All exposed hot water pipes <80mm in diameter must be insulated with a material that has a minimum r-value of 1.00. No doors & windows specs can be altered in any way without a re-calculation. All insulation to roof, pipe work etc. to be strictly adhered to.

ENGINEERING & STRUCTURAL:
All structural works to be designed by a structural engineer, appointed by the Client. The engineer to specify all foundations, footings, retaining walls, masonry walls, columns, piers, concrete slabs, beams and structural steel work. All foundations specified on drawings to be verified by engineer. Provision to be made for reinforcement where the soil conditions require stability. All structural items to be inspected by, and have passed inspection by, the engineer, prior to closing up of the work.

FILLING MATERIAL:
- Fill material to contain little to no original material.
- Shall exclude stone of average dimensions larger than 75mm
- Shall not contain more than 10% rock or hard fragments of material retained on a sieve of nominal predominantly clayey material and,
- Must be such that it can be placed without significant voids.

NOTE:
Materials in fills, must be placed and compacted under the direction of a competent person, with a defined moisture range, and in layers not exceeding 150mm in depth, by compaction equivalent to defined density requirements and which provides adequate bearing capacity for foundations and slabs. A density of at least 90% Mod AASHTO (SANS 10400, Part J[Latest Version]) to be achieved.

FOUNDATIONS:
Foundations to be in accordance with appointed Engineer's details & specifications. Where Engineer is not appointed: Continuous strip foundation to be minimum 230mm thick, unless laid on solid rock, and minimum 700mm wide to load bearing or free standing walls and 450mm wide for non-load bearing masonry walls (SANS 10400 H). Foundations to boundary walls not to exceed property / erf boundary.

GEYSER / WATER HEATING:
As per drawing / XA Specification. Geyser cylinder to be wrapped in 80mm thick suitable insulation blanket. All specifications to be in accordance with SANS 10252-1 & SANS 10106.

GEYSER DRIP TRAY:
Drip tray to comply with SANS 11848 drip tray specification. Drip tray(s) to be supplied with adaptor for connecting the waste pipe to the tray.

GLAZING:
All glazing to comply with SANS 10400-N. Glass panels lower than 500mm from the FFL or greater than 1m² to be minimum 6.38mm thick safety glass. All glass panelled doors and sidelights to have safety glazing of min. 6.38mm thickness. All safety glazing materials (individual panes) shall be permanently marked. Such marking to be visible after installation and comply with SABS 1263. Thickness of glazing subject to wind load expectation - to be in accordance with SABS 0137. All glazed aluminum windows, residential sliding doors, shop fronts, entrances screens, window- & curtain walling, skylights and space enclosures should meet the minimum recommended performance requirements as set out by AAAMSA in their general specification for Architectural Aluminum and Glass Products. No glazed architectural aluminum products should be installed on site before relevant AAAMSA Performance test certificates for the product have been provided. Frosted / Obscure glass to windows in bathrooms & toilets, or as per window schedule.

HOT WATER DEMAND, STORAGE & HEATER POWER ACCORDING TO SANS 10252-1:
As per attached XA schedule.

LIGHTING:
Energy saving CFLs & LEDs to be used. Lighting to be max 5w per sq/m per SANS 204. Refer to lighting schedule & XA report for detail.

NATURAL VENTILATION & LIGHTING:
Provide minimum of 10% of floor area or 2sq/m area of opening for natural lighting to all habitable rooms inclusive of frames & glazing bars. Provide minimum of 5% of floor area or 2sq/m (whichever is greatest) to each habitable room (SANS 10400 Part O). Buildings with up to 20% fenestration area to net floor area, per storey, to comply with the minimum energy performance requirements. Buildings exceeding 20% per storey shall comply with requirements for fenestration as per SANS 204. Air leakage should comply with SANS 613.

PLASTER:
Cement plaster, consisting of 5:1 sand & lime and 10% cement. Smooth steel trowelled finish internally where specified. Smooth plastered finish externally where indicated/specified. Stipple textured plaster to walls where applicable and indicated on elevations.

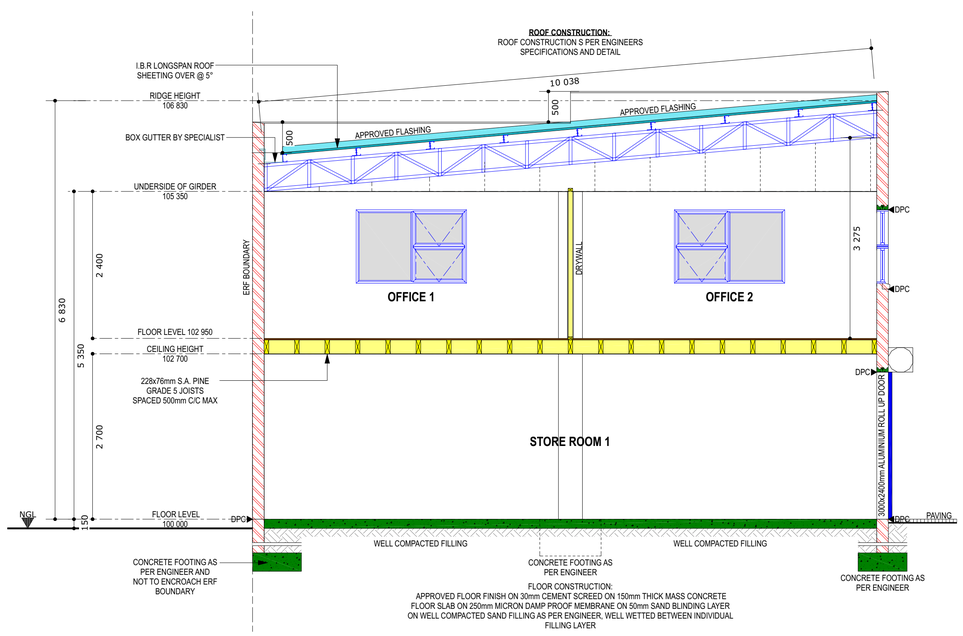
PRECAST LINTELS:
Lintels over all openings exceeding 1.5m with DPC (375 micron) stepped over. Openings exceeding 4.8m in width to engineer's design. Lintels to have a minimum overlap of 300mm on both sides.

RAINWATER GOODS:
As specified on drawings.

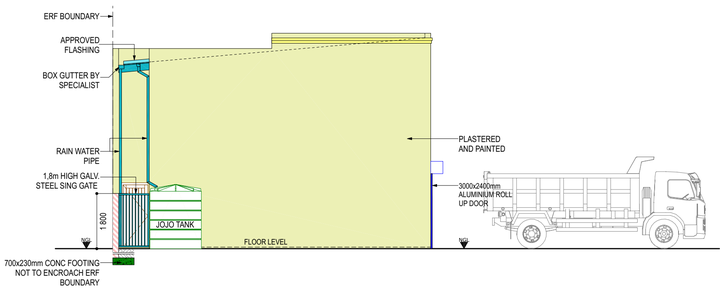
SURFACE BED:
Surface beds to be in accordance with appointed Engineer's details & specifications. Where Engineer is not appointed: selected floor finish material on 30mm cement; sand screed on 80mm thick concrete surface bed in accordance with SANS 50197-1:2002 cement Part 1: composition, specification and conformity criteria for common cements. Stone and sand to conform to SANS 1083:2006. Mesh ref no 193, to all surface beds where depth of fill exceeds 1000mm. DPC 250micron (or equally approved) damp proof membrane under concrete surface beds conforming to SANS 952-1:2011, laid wit minimum 250mm overlaps, to be turned up around perimeter of and at least for full thickness of surface bed and sealed pressure sensitive tape or equally approved sealant. Clean compacted sand backfill- G7 quality 400mm min. thick. Clean compacted sand backfill - G7 quality back to natural soil strata. 50mm clean sand blinding layer. Trench to be cleaned and squared before casting of concrete. Blinding layer to be compacted with mechanical compactor. DPC 375micron (or equally approved) damp proof course in solid walls conforming to SANS 952-1:201, laid with minimum 250mm overlaps.

WALLS:
ALL bricks to comply with SABS 227 (Refer to drawings for wall thickness and specification of material to be used). Concrete block walls to comply with SANS 10400 Part K. DPC 375micron (or equally approved) damp proof course below all sills and above all slabs, openings and other bridges to cavity walls and vertical DPC to sides of all openings. Weep holes @ 600mm intervals. DPC under cavity walls must be 150mm above finished ground level and cavity beneath DPC must be filled with a mortar support fillet.

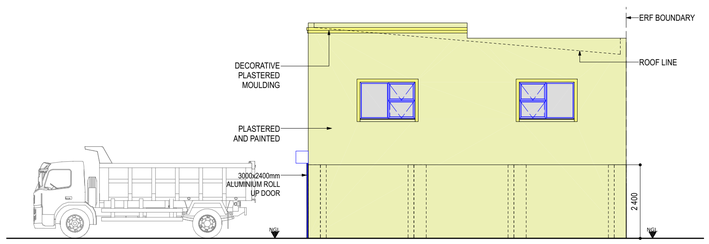
SANS 10400 STANDARDS - GENERAL NOTES:
This drawing is to be used for council submission purposes only.
Floor levels shown are only indicative of floor heights and do not relate to site levels. Datum levels to be determined on site.
Based on the National Building Regulations and SANS CODE of PRACTICE 10400.



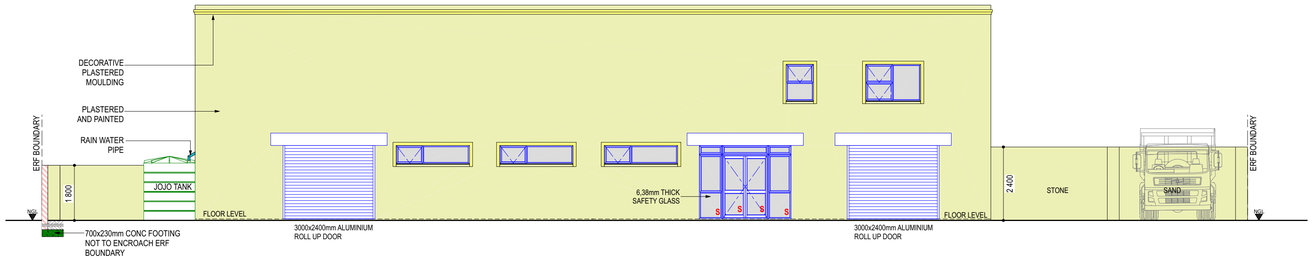
SECTION A-A
Scale 1:50



SOUTH ELEVATION
Scale 1:100



NORTH ELEVATION
Scale 1:100



EAST ELEVATION
Scale 1:100



WEST ELEVATION
Scale 1:100

NOTES:

Legal requirements:
- Dimensions, descriptions & quantities on these drawings to be verified on site before ordering material or commencing with work.
- All work to be carried out in strict accordance with the National Building Regulations & Standards Act (Act 103 of 1977 & SANS 10400)
- All timber sizes & grades to be verified & approved by supplier's engineer.
- All trusses to be in accordance with supplier's / engineer's design & approval by client.
- All materials to be built in/ applied strictly in accordance with manufacturers specifications and instructions.
- All local authority, utility service provider requirements to be established in advance and adhered to.
- All boundary pegs to be located, and marked before work is taken in hand.
- Any discrepancies between these drawings & legislation, local authority, utility service provider & good construction practice to be referred to the Architectural Technologist / Designer before construction commences.
- Any aspect deemed to be unclear to be referred to the Architectural Technologist / Designer for clarity.
- These drawings do not constitute a comprehensive specification for the works.
- No dimensions to be scaled from these drawings.

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ALL RIGHTS RESERVED:
JC ARCHITECTURE reserves the right to revise this drawing as it sees fit .You are encourage to contact the author of this drawing to check if this represent the latest revisions.

CONSTRUCTION NOTES:
Only applicable where deemed necessary to the material and construction detail. All discrepancies to be listed and indicated, in writing, to the Architectural Technologist / Designer prior to commencement of works.

AUTHORITIES:
Main Contractor and Sub Contractors to ensure that all work in done in strict accordance with the latest regulations and requirements of related authorities including:
a) National Building Regulations (NBR)
b) South African National Standards (SANS)
c) Local Municipal Authority (By-laws)
d) CSIR - "Technical Guide to Good House Construction"
e) National House Building Registration Council (NHBRC)
All other relevant Authorities GENERAL.

DRAWING STATUS:
The Contractor to ensure that the latest drawings are used on site prior to the commencement of work. Only the latest construction drawings issued by the Architectural Technologist / Designer as "Construction Drawings" with a date may be used for construction of the works. All superceded drawings must be removed from the site. One set of the Local Authority Approved Plan / Drawings to be kept on site at all times. One set of the latest construction drawings to be kept on site at all times, and available for the Architectural Technologist / Designer / Consultants and other Authorities.

GENERAL:
Quality of materials and workmanship to comply with the latest relevant Codes & Specifications of SABS and the minimum standards of Standard Preliminaries (JBCC) and the Model Preambles for Trades (ASAQS 2008) or latest revised date and where applicable Project Specifications and/or Bill of Quantities. This drawing to be read in conjunction with other Project Drawings, Construction Documents and building contract/ agreement documents. Contractors must view the site and works to allow for everything necessary to complete the works.
Contractor(s) to check the details on this drawing for compliance with standards of good building practice with particular reference as per Clause " Authorities" and report any discrepancies in writing to the Architectural Technologist / Designer. No setting out is to commence before the site boundary pegs position are verified and pointed out by the Land Surveyor.
The Contractor to ensure that the correct setting out, including that which is from the boundary and building lines is done prior to commencement of ANY work.
The Contractor to verify all local council, utility service providers and existing work(s) which is the responsibility of the Contractor. The contractor to verify all levels, heights and dimensions on site and check the same against drawings before any work commences. Any errors, discrepancies or omissions as well as queries are to be immediately reported to the Architectural Technologist / Designer for clarification before any work is taken in hand.

BRICK TIES & REINFORCEMENT:
Approved SASS butterfly tie wires to be used walls. Where the cavity is greater than 50mm less that 100mm,or the height of the wall is g than 3m, approved SABS galvanized drip wa minimum specifications, to be used. Brickfor parapets and gables and / or balustrade walls used at least every third brick course.

DRAINAGE (TO BE DONE BY SUITABLE QUALIFIED AND REGISTERED PLUMBER:
Closed system to conform to **National Build Regulations.** First inspection eye (I.E.) to be 450mm below ground level with a min. fall of 110mm diameter pipes 1:60 and a max. fall (SANS 10400 PART P). Rodding eyes (R.E.) drain in direction of flow at maximum angle degrees and to be continued up to ground le adequately, marked & protected. A certificate compliance (COC) to be issued by the plumb completion of all works which is to be submi applicable local authority.

ELECTRICITY (TO BE DONE BY A SUITAB QUALIFIED AND REGISTERED ELECTRIC
All electrical cables & wires in the walls, floo concrete soffits and ceilings shall run in SAE approved conduits and / or trunking and / or trays. A certified of compliance (COC) to be the electrician after completion of all works be submitted to he applicable local authority.

HEALTH & SAFETY:
In terms of the occupational Health and Saf (Act 85 of 1993), Section 37(2), The client is as an employer in his/her own right and is l compelled to comply with all of the provisio occupational Health and Safety Act (Act 85 The construction regulations as well as com with quality specifications, Sheq Procedures Safety and Health plan and the project qua All the above also prefers the appointed main contractor. The client is to ensure that the main contractor, in terms of the Occupational Health and Safety Act (Act 85 of 1993), with specific reference to the construction regulations, complies with the minimum requirements.

All drawings,dimensions and quantities must be checked before any materials are ordered or any building work commences. Any discrepancies must be brought under the attention of the Architectural Technologist immediately.

WINDOWS & DOORS:
Refer to Window & Door Schedule. In the absence of a schedule or any reference of window/door sizes or catalogue numbers, report this to the Architectural Technologist/ Designer for clarification. Exact positioning of windows and doors in walls, to be verified with the Architectural Technologist/Designer prior to finish installation thereof. All frames to be fixed to walls with supplied lugs in 3:1 cement mix. Alternative fixing methods to be verified with Architectural Technologist/Designer.

DRAINAGE:
Fall to all 110mm PVC pipes to be minimum 1:60, unless otherwise indicated (SANS 10400, Part P). Rodding eyes to join drain in direction of flow @maximum angle of 45° to be continued up to ground level & adequately supported, marked & protected (SANS 10400, Part P - 2010). Where pipes (Drainage & Stormwater) cross under dwelling, to be encased in concrete without restricting thermal movement to engineers detail. To be laid in 150mm sand bed in accordance with SANS 10400, Part P.

SEWER LINE:
Building drainage line to be set 450mm (Invert level) below the platform (cover level) at the highest point and to be connected with the bulk services reticulation connection point at 1000mm (Invert level) at a minimum fall of 1:40. All bends & lengths exceeding 25m to have a rodding eye, 110mm diameter PVC 45° rodding eye. The highest point to have an open gulley and overflow point, 110mm diameter PVC gulley head & grate. Vent valve to be filled on all vertical stacks, 110mm diameter two-way vent valve soil waste and vent fitting.

ALL RIGHTS COPYRIGHT RESERVED

Project:
PROPOSED SHOP ERF 716 at 2ND AVENUE CHATSWORTH, 7354

Client:
M.J. HASSAN
2ND AVENUE
CHATSWORTH

Client Signature:

.....

The Client hereby agrees to Professional Architectural services up to 4.1 of Stage 4

R ARCH. TECHNOLOGIST
AP REG. NO. PSAT1550

ANNEXURE C

JC chitecture
Swarts
Avenue
ury
2082
Cassiem Jacobs
145 Church Street
Worcester
6850
071 959 6309

Title:
MUNICIPAL SUBMISSION

Number:
ETCH PLAN

SCALE:	AS SHOWN
DATE:	2025/10/01
DRAWN BY:	Dane Williams
CHECKED BY:	Jacques Swarts
PAGE NO:	1 of 1

PUBLIC PARTICIPATION PLAN
PROPOSED REZONING AND DE
ERVEN 716, CHATSWORTH

ANNEXURE D



ANNEXURE E

Marion Adams
16 Lyster Circle
Robinvale
Atlantis
7349
Cell: +27 65 191 0300
Email Address: adamsmarion266@gmail.com
01 December 2025

To:
The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7299

Subject: Formal Objection to Application Reference No. 15/3/3-2/ERF_716 - Proposed Rezoning and departure of development perimeters on Erf 716, Chatsworth

Dear Municipal Manager

I, the undersigned, am the registered owner of Erf 716 and wish to formally **OBJECT** to the application for the proposed rezoning of Erf 716 from a residential zone 1 to a business zone 1.

My interest in this application is that I am a concerned owner whose property and quality of life will be directly and negatively affected by the proposed change.

I reserve the right to amplify and expand upon the formal objection contained in this correspondence at a later stage and in the appropriate forum, if necessary.

My objections are based on the following material considerations:

Increased Traffic Congestion and Safety Concerns: A business premises will inevitably generate a massive increase in traffic, including customer and delivery vehicles, which the existing residential road infrastructure is not designed to handle. This raises significant concerns regarding road capacity, means of access, and pedestrian safety, especially for children and the elderly.

Noise Pollution: The increase in activity, traffic, and potential operating machinery or business operations will lead to a substantial increase in noise pollution, disturbing the peace and quiet expected in a residential zone.

Parking Issues: The proposed development's demand for parking is likely to exceed on-site capacity, resulting in overflow parking on residential streets, which will cause inconvenience to existing residents and create further congestion and safety hazards.

Development has already taken place whilst objections/commentary are still underway. Trenches has been dug and tree which was on Erf 716 (which hung over onto adjoining Erf) has been removed on 14 October 2025 (Please refer to annexure 1 & 2)

I request that this objection be given full consideration during the assessment of the application. Please provide me with an acknowledgement of receipt of this letter and advise me of the date and time of any hearings or meetings pertinent to this objection.

Yours faithfully,

Marion Adams

ANNEXURE F

CK RUMBOLL &
PARTNERS INC.

PROFESSIONELE LANDMETERS ~ ENGINEERING SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 15 December 2025

OUR REF: CHA/14800/MV
YOUR REF: 15/3/3-2/Erf_716
15/3/4-2/Erf_716

BY HAND

MUNISIPALITEIT SWARTLAND

LEER No: 15/3/3-2/Erf_716				REG
Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
cc bel				
Ander Opdrag: 15/3/4-2/Erf_716				
SPERDATUM:				(get)BK

ATTENTION: Mr A. Zaayman

Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

Mr.,

COMMENTS ON OBJECTIONS: PROPOSED REZONING AND DEPARTURE FROM DEVELOPMENT PARAMETERS ON ERF 716, CHATSWORTH

1. Introduction

The land use application regarding the subject dated 8 October 2025 and your letter dated 11 December 2025 received by this office on 12 December 2025 via email, refer.

During the public participation period, one objection was received from a surrounding neighbour:

A. Marion Adams

The objector states in her letter that she is the owner of Erf 716. However, this is incorrect, as Erf 716 is the application property and is owned by Korjon Properties (Pty) Ltd.

Notwithstanding the above, this document provides a formal response to the objection received.

Munisipaliteit Swartland Municipality
ONTVANG
2025 -12- 18
RECEIVED

2. Comments on Objections

Our office's response to the objection is provided in Table 1 below.

Table 1: Comments on Objections

Objector	Objections	Response from CK Rumboll & Partners
A	1. <u>Increased Traffic Congestion and Safety Concerns</u> A business premises will inevitably generate a massive increase in traffic, including customer and delivery vehicles, which the existing residential road infrastructure is not designed to handle. This raises significant concerns regarding road capacity, means of access, and pedestrian safety, especially for children and the elderly.	1. Erf 716 is bordered by two formal public municipal street reserves, namely Cemetery Road and Second Avenue. Both roads have a reserve width of 9.45m, which is considered adequate for accommodating mixed traffic volumes, including those associated with small-scale commercial activity. According to the Swartland Municipal Spatial Development Framework ("MSDF"), 2024-2027 (amended 2025), the property is located within Zone C, designated as the Central Business District ("CBD") of Chatsworth. The MSDF specifically directs higher-intensity land uses, including retail and service-oriented businesses, toward this area. The objector's concern regarding the road network being "residential" is, therefore, factually incorrect, as the spatial planning policy clearly identifies this node for urban and economic intensification. Additionally, Cemetery Road is designated as an Activity Corridor. Activity Corridors are intended to support increased accessibility and the clustering of business activities by virtue of their strategic location and traffic-carrying capacity. The proposal for a small-scale hardware store aligns fully with the intended land-use character and traffic function of Cemetery Road.

		The anticipated trip generation of the proposed use is comparatively low when measured against typical thresholds that trigger Traffic Impact Assessments. Hardware stores of this scale generally have a steady but moderate flow of customers, not the high-turnover or high-impact traffic associated with supermarkets or fast-food outlets. Delivery vehicles are also limited in frequency and typically scheduled, which further reduces congestion concerns. As part of the statutory land-use application process, the proposal is circulated to all relevant internal municipal departments, including the Department: Civil Engineering Services. This department is responsible for confirming the adequacy of existing infrastructure, such as road capacity, access design, stormwater management, and related civil engineering considerations. Should any engineering upgrades or conditions be required, these will be imposed as part of the approval conditions. Regarding pedestrian safety, the property's corner location and dual frontage enhance visibility and access control opportunities. The proposed use will not materially increase risk to children or elderly pedestrians, particularly given the policy direction encouraging business use in this node and the moderate scale and expected vehicle volume of the proposed hardware store.

		The objection's assumptions of "massive" traffic increases are unsubstantiated and inconsistent with planning policy, municipal engineering assessment processes, and the nature of the proposed business itself. The existing road network is adequate, the proposal aligns with the MSDF, and no unacceptable traffic or safety impacts are anticipated.
A	2. <u>Noise Pollution</u> The increase in activity, traffic, and potential operating machinery or business operations will lead to a substantial increase in noise pollution, disturbing the peace expected in a residential zone.	2. As noted in Point 1, Erf 716 is located within the CBD of Chatsworth, as designated by the MSDF. This area is earmarked specifically for business activity, higher-intensity land uses, and associated operational characteristics. The expectation of exclusively residential levels of noise is, therefore, not applicable to this policy-defined business node. The proposed hardware store is a low-intensity retail land use and does not involve industrial manufacturing processes, on-site fabrication, or heavy machinery operation that would typically result in elevated or intrusive noise levels. Activity on the site will predominantly consist of standard customer visits, light vehicle movements, and routine loading/unloading, all of which fall within the normal operational range anticipated for business-zoned environments. Furthermore, all land uses, whether residential or commercial, are required to comply with the municipal Noise Control Regulations, ensuring that operations do not exceed permissible noise thresholds. Should the municipality deem it

		necessary, specific operational conditions (such as delivery hours or screening measures) can be imposed to reinforce compliance. The anticipated noise levels from the proposed development are aligned with the intended land-use character of the CBD node and will remain within regulatory limits. No unacceptable noise impacts are expected.
A	3. <u>Parking Issues</u> The proposed development's demand for parking is likely to exceed on-site capacity, resulting in overflow parking on residential streets, which will cause inconvenience to existing residents and create further congestion and safety hazards.	3. The application includes a departure from 14 required parking bays to 9 due to site-specific design constraints and the functional layout of the hardware store. This request is fully aligned with the provisions of the Swartland Municipal Land Use Planning By-law (PG 8226), which explicitly allows for departures where justified and where no material adverse impact will result. Several factors demonstrate that the proposed on-site parking provision is adequate for the anticipated operational demand: • <u>Travel Behaviour and Local Context</u>: Erf 716 is situated within a predominantly low- to medium-density residential area where private vehicle ownership is comparatively low. The MSDF identifies Cemetery Road as an Activity Corridor, and the surrounding neighbourhood relies significantly on walking and public transport for accessing local facilities. Consequently, the majority of customers are

		expected to arrive on foot or via public transport, rather than by private motor vehicle. This greatly reduces reliance on on-site parking; • Nature and Scale of the Proposed Use: The hardware store is small-scale, with a total floor area of ±347m². Trip generation and parking demand for a neighbourhood-scale hardware store are relatively low compared to other retail categories. In addition, two loading bays, exceeding the minimum requirement of one, are being voluntarily provided to ensure that deliveries occur efficiently within the site boundaries, preventing service vehicles from occupying on-street parking spaces; • Sufficient On-Site Capacity and Functional Layout: The 9 proposed parking bays have been designed to accommodate the expected peak demand comfortably, without causing internal congestion or queuing. The layout also ensures that vehicle movement on-site remains efficient and safe; • No Anticipated Spill-Over or Safety Impact: Considering the pedestrian-oriented context, modest scale of the business, and the adequacy of the on-site parking provided, no overflow parking onto surrounding streets is anticipated.

		This is reinforced by the fact that Cemetery Road is a busier, higher-order corridor (as addressed in Point 1), designed to accommodate mixed-use activity without compromising residential amenity or safety. The proposed reduction in parking provision has been carefully assessed, contextually justified, and is considered fully adequate for the intended use. No unreasonable congestion, spill-over parking, or safety hazards are expected to arise from the development.
A	4. Development has already taken place whilst objections/commentary are still underway. Trenches have been dug, and the tree which was on Erf 716 (which hung over onto the adjoining erf) has been removed on 14 October 2025.	4. Erf 716 may be developed in accordance with its current zoning, which is Residential Zone 1, subject to the standard requirement that any building work must comply with the National Building Regulations and must be supported by an approved building plan. The current land use application pertains to land use rights required to establish business premises on the property. Preliminary building plans have been prepared solely to support the land use application process for acquiring the necessary land use rights, including the rezoning of the property to a business-zoning classification. Should the application be approved, final building plans will be formally submitted to the municipality's Building Control Office for consideration and approval. No construction related to the

		proposed business premises may lawfully commence prior to such approval. With regard to the activities mentioned by the objector (the digging of trenches and the removal of a tree) do not constitute building work that requires building plan approval, nor do they constitute commencement of the business-related development. Property owners are permitted to undertake minor preparatory works and site-clearing activities on their erf, provided such activities do not involve structural construction regulated by the National Building Regulations. Accordingly, if these actions were undertaken by the owner, they were within the owner's rights and do not contravene the land use application process.

3. Conclusion

The concerns raised by the objector have been carefully considered and assessed against the applicable planning policies, municipal by-laws, and the factual characteristics of the site and proposed development. The proposal aligns with the Swartland MSDF (2023-2027, as amended in 2025), complies with the intent of the zoning scheme, and has been designed to operate within the capacity of existing municipal services and infrastructure.

The proposed hardware store is of a modest scale, compatible with the surrounding urban context, and strategically located along an established activity corridor where business uses are specifically encouraged. The application for rezoning and the departure from parking requirements is well motivated, contextually supported, and will not result in adverse impacts relating to traffic, safety, noise, or neighbourhood character.

It is, therefore, recommended that the Municipal Planning Tribunal approve the rezoning and departure application in accordance with the submitted application and supporting documents.

Kind regards,

Mandri Viljoen
For *CK RUMBOLL & PARTNERS*

Verslag ◆ Ingxelo ◆ Report

Kantoor van die Direkteur: Ontwikkelingsdienste
Departement: Ontwikkelingsbestuur

20 January 2026

15/3/3-14/Erf_208
15/3/6-14/Erf_208

WYK: 5

ITEM 6.3 VAN DIE AGENDA VAN 'N MUNISIPALE BEPLANNINGSTRIBUNAAL WAT GEHOU SAL WORD OP WOENSDAG, 11 FEBRUARIE 2026

LAND USE PLANNING REPORT

PROPOSED REZONING AND SUBDIVISION OF ERF 208, YZERFONTEIN

Reference number	15/3/3-14/Erf_208 15/3/6-14/Erf_208	*Application submission date*	*17 September 2025*	*Date report finalised*	20 January 2026

PART A: APPLICATION DESCRIPTION

An application for rezoning of Erf 208, Yzerfontein in terms of section 25(2)(a) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) has been received. It is proposed that portions of erf 208 be rezoned as follows:

- Rezoned from Open Space Zone 2 to Resort Zone (669m² in extent)
- Rezoned from Resort Zone to Open Space Zone 2 (607m² in extent)

An application for subdivision of erf 208, Yzerfontein in terms of section 25(2)(d) of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), has been received. It is proposed that erf 208 (10,3905ha) be subdivided into a remainder (8,1105ha in extent), portion A (1,37ha in extent), portion B (0,49ha in extent) and portion C (0,42ha in extent).

The owner of the property is Swartland Municipality and the applicant is CK Rumboll and Partners

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 208, Yzerfontein					
Physical address	Corner of Dolphin Avenue and Buitenkant Road (Please refer to the location plan attached as Annexure A)		Town	Yzerfontein		
Current zoning	Split zoning (Authority Zone, Open Space Zone 2, Resort Zone and Transport Zone 2)	Extent (m²/ha)	10.3905ha	Are there existing buildings on the property?	**Y**	N

Applicable zoning scheme	Swartland Municipal By-Law on Municipal Land Use Planning (PG 8226 of 25 March 2020)				
Current land use	Erf 208, Yzerfontein, a municipal property currently containing the Yzerfontein Caravan Park, Sport and Recreation Club, Sports Facilities, a community hall, and a public street.			Title Deed number & date	T13577/1937 T3376/2013
Any restrictive title conditions applicable	Y	**N**	If yes, list condition number(s)		
Any third-party conditions applicable?	Y	**N**	If yes, specify		
Any unauthorised land use/building work	Y	**N**	If yes, explain		

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	✓	Permanent departure		Temporary departure		Subdivision	✓
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension, or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion, or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a homeowner's association		Rectify failure by homeowner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use		Phasing	

PART D: BACKGROUND

The application concerns Erf 208, Yzerfontein, a municipal property currently containing the Yzerfontein Caravan Park, Sport and Recreation Club, sports facilities, a community hall, and a public street. The Yzerfontein Bowls Club indicated the need for space in order to accommodate an additional bowling court. The only sensible alternative to accommodate their need is to use a portion of the premises of the Caravan Park. The subject property has a split zoning incl. Authority Zone, Open Space Zone 2, Resort Zone, Transport Zone 2 and it is therefore the purpose of this application to rezone a portion of the premises of the caravan park to accommodate the bowling court. Additionally, application is also made to subdivide the different portions in order to align the zoning with the different land uses.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?	Y	**N**	If yes, provide a summary of the outcomes below.

PART F: SUMMARY OF APPLICANTS MOTIVATION

(Please note that this is a summary of the applicant's motivation and it, therefore, does not express the views of the author of this report)

The applicant motivates that:

1. The title deed in respect of the subject property does not include any restrictive conditions that prohibit the proposed application.
2. This application will have no detrimental impact on the established character of the area as the aim of the subdivision is to establish the existing uses on their own cadastral land units.
3. This application does not entail the creation of new accesses i.e. the existing access points will be maintained. Portions A and B will obtain access from Buitenkant Road and Dolphin Avenue, whilst the Remainder will obtain access from Dolphin Avenue. The status quo in terms of the provision of parking on the resulting land units will be maintained.
4. The development proposal will not have any impact on external municipal engineering services.
5. The proposed rezoning and subdivision do not seek to introduce new land uses nor does it increase the intensity of the existing uses but instead, seeks to realign the Resort Zone and Open Space Zone 2 boundaries in order to ensure consistency with the established land uses accommodated under these zoning categories, and furthermore to accommodate each use on its own land unit.
6. Given that the proposed rezoning and subdivision only seeks to align cadastral boundaries and zoning with the established uses, the proposal will have no discernible impact on the existing character of the area.
7. The impact on traffic volumes and related considerations is considered to be negligible. Access arrangements remain unchanged and the status quo in terms of the provision of parking on the resulting land units will be maintained.
8. The proposed rezoning and subdivision will facilitate in streamlining administrative processes related to land use management and future planning and development processes on the resulting land units.
9. The proposed rezoning and subdivision are deemed to be consistent with the Swartland Municipal Spatial Development Framework, Amendment 2025.
10. The proposal is consistent with the principles as contained in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).

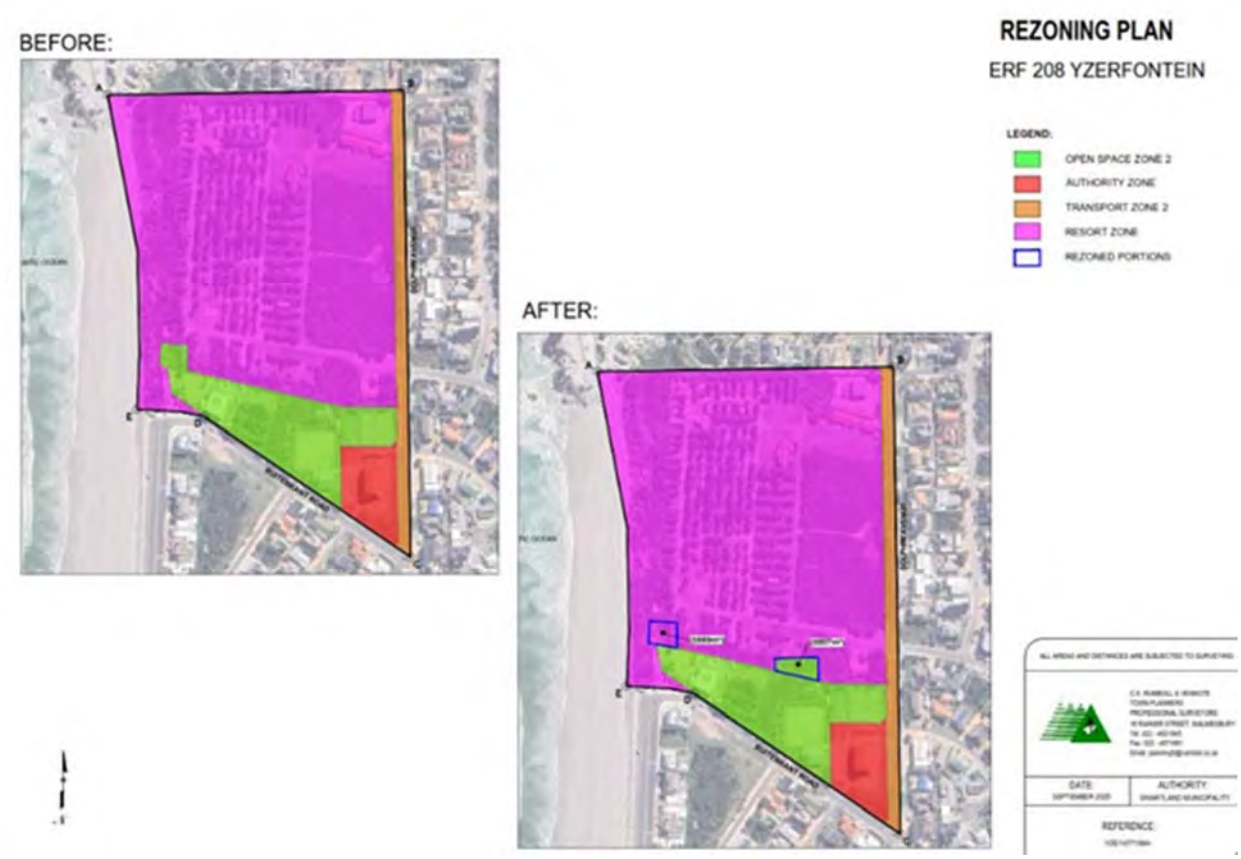


Image 1: Rezoning plan proposed for Erf 208, Yzerfontein

PART G: SUMMARY OF PUBLIC PARTICIPATION		
Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-Law on Municipal Land Use Planning	**Y**	N

With reference to Section 56(2) of the By-Law, the application was published in the local newspapers, the Provincial Gazette and notices were sent to affected property owners. A total of 15 notices were sent via registered mail to the owners of properties which are affected by the application. Although some letters were returned, it can be confirmed that the notices were also sent via email where the municipality has the necessary information to do so. Please refer to Annexure C.

Total valid comments	**12**			Total comments and petitions refused	**0**		
Valid petition(s)	Y	**N**	If yes, number of signatures	**N/A**			
Community organisation(s) response	Y	**N**	N/A	Ward councillor response	Y	**N**	The application was referred to the Ward Councillor and no comments have been received.
Total letters of support	**1**						

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS				
Name	Date received	Summary of comments	Recommendation	
Civil Engineering Services	16 September 2025	No comments	**Positive**	Negative
Electrical Engineering Services	16 September 2025	No comments	**Positive**	Negative
Building Control	23 September 2025	No comments	**Positive**	Negative
Protection Services	25 September 2025	No comment	**Positive**	Negative

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		SUMMARY OF APPLICANT'S REPLY TO COMMENTS Please refer to Annexure R	MUNICIPAL ASSESSMENT OF COMMENTS
K Botha as resident in Yzerfontein Please refer to Annexure E	Me Botha would like to object to the proposed application for the following reasons. The objector states that the proposed rezoning and subdivision is inconsistent with the Swartland MSDF which emphasise the preservation of the town's unique low-density coastal village character. The objector states that in terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest and is of opinion that the proposed application does not meet these requirements. The objector is of opinion that the rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning. The objector highlights environmental concerns and states that in terms of NEMA development must be sustainable and that decision making should consider the precautionary principle. According to the objector the subject property is located in an ecological sensitive coastal zone with potential impacts on fynbos vegetation, bird species and other coastal biodiversity. Increased hard surfaces from subdivision (driveways, roofs and paved areas) will exacerbate stormwater run-off potentially polluting the ocean and damaging sensitive dune systems. The objector states that it is not clear whether a full Environmental Impact Assessment (EIA) has been	The applicant states that it is evident from the objection that there is a fundamental misunderstanding of the purpose of the application for the rezoning and subdivision of Erf 208, Yzerfontein. The applicant provides clarity stating that, the intent of the application is limited, technical in nature, and does not introduce any new land uses on the property. The sole purpose of the application is to realign the existing zoning boundaries in order for it to correspond accurately with the established land uses currently taking place on the ground, namely the caravan park and the sports facilities. This alignment ensures that the zoning map reflects the reality of long-standing and lawful uses already accommodated under these zoning categories. The applicant confirms that the purpose of the subdivision is purely administrative, in other words, to place the existing land uses on separate cadastral units. The applicant emphasize that this application does not introduce any new zoning categories nor does it add new land uses. All current uses will continue exactly as they are at present. The applicant therefore argues that the concerns raised in the objection are not considered to be applicable to this application. These concerns relate to development intensification, which is not proposed in this application.	Because the application is administrative in nature and does not alter any existing rights or introduce new ones, the concerns related to impacts on: 1. property values, 2. character, 3. use of community facilities, 4. safety, 5. environment are not substantiated and not applicable. The proposal clearly aligns with key statutory principles as contained in the relevant legislation: 1. Spatial justice: maintains and formalises public benefit uses. 2. Spatial sustainability: no expansion of footprint; coastal resources unaffected. 3. Efficiency: rationalises cadastral boundaries and reduces future administrative ambiguity. 4. Good administration: full compliance with process and SDF. 5. Spatial resilience: maintains long-standing community, tourism, and recreational assets. The proposal is consistent with the spatial planning proposals as uses remain as per MSDF designation. There is no conflict with zoning objectives: land uses remain compliant. Additionally, the proposal will not have any impact on engineering services or any adverse impact on the environment.

	conducted and if not, is of opinion that approval of the application will be unlawful. The third point highlighted by the objector is that the National Heritage Resources Act requires protection of areas with cultural or historical significance. Densification on erf 208 would, in the objector's opinion compromise the sense of place, undermining both local quality of life and the towns value as a tourism destination. The objector is of opinion that any subdivision should be referred to Heritage Western Cape. Fourthly, the objector states that the existing sewerage, water and electricity infrastructure in Yzerfontein is already strained, particularly in peak holiday periods. Any intensification of land use without prior infrastructure upgrades would be unsustainable and prejudicial to existing residents. Additional housing units will worsen congestion, road safety risks and parking shortfalls already evident during peak tourist season. Fifthly, the objector highlights climate change, disaster as well as safety risks as reasons for the objection. The objector states that with erf 208 being situated within a coastal climate risk area, subdivision and densification increases the number of residents exposed to flooding, sea-level rise and coastal storm events. This is believed to be in contravention of Section 24 of the Constitution. The sixth point highlighted by the objector is concerns regarding public participation and transparency. From the objectors' point of view, it is not clear whether affected residents and the Yzerfontein community at large have been adequately consulted. Without access to information e.g. environmental, traffic impact, heritage as well as services reports, meaningful participation in the decision-making process is not possible.	With regards to the objection on the Public Participation Undertaken the applicant notes that a comprehensive public participation process was undertaken in accordance with the Swartland Municipality Land Use Planning By-Law (PG 8226 of 25 March 2020). The application was duly advertised in both the local newspapers and the Provincial Gazette. In addition, registered notices were issued to all identified affected parties. Where e-mail addresses were available, notices were also sent electronically. This extensive public participation process confirms that all statutory public participation requirements were fully met, and that interested and affected parties were provided with more than adequate opportunity to submit comments or objections.	The objections incorrectly assume an intensification or redevelopment proposal that does not exist. Approval of the proposed application will ultimately allow the Yzerfontein Bowling club to expand their facilities, however it does not create a precedent for tourism expansion or densification.

	Lastly, the objector states that increased subdivision and densification will likely erode existing property values by undermining the exclusivity and low-density nature of the area. Approval of this application, in the objectors' view, will set a precedent that opens the door for similar applications, irreversibly changing the towns character.		
Charl Botha Please refer to Annexure F.	Mr Botha shares the exact same views as Mrs Botha.	Please refer to comment above	As the objection was an exact copy of the objection received from Mrs Botha and in order to avoid preventable duplication in this report, the author herewith refers to the above mentioned comments.
Damian Michael and Marisa Maurer as owner of Erf 2400, Yzerfontein. Please refer to Annexure G	Objection was received from Mr Damian Michael is an exact copy of the objection received from Mr and Mrs Botha.	Please refer to comment above	As the objection was an exact copy of the objection received from Mrs Botha and in order to avoid preventable duplication in this report, the author herewith refers to the above mentioned comments.
E le Roux on behalf of the Le Roux Family Trust owner of erf 2222, Yzerfontein. Please refer to Annexure H.	Mr le Roux objects to the proposed application for the following reasons: 1. The land and its existing facilities are deeply valued by the Yzerfontein community and play a vital role in preserving the town's character and balance between nature and community life. The rezoning is seen as a move toward cold commercialisation driven by financial motives, which would cause irreparable damage to the unique West Coast identity of Yzerfontein. 2. The objector highlights the potential loss of important community assets, including the community centre (used for church services, fitness classes, social gatherings, and bazaars supporting local entrepreneurs), safe open spaces for children, families, and older residents, as well as recreational facilities such as the children's play park, bowling greens, tennis courts, sports club, restaurant, and nature reserve.	On Mr Le Roux's objection the applicant refers to the above statement that clearly there is a misunderstanding in the community on the purpose of the proposed application. Reference is also made to the fact that there will be no increase in land use intensity and the concerns raised by the objector are therefore deemed to be not applicable to this specific application / proposal.	The proposal does propose the expansion of the facilities provided by the Yzerfontein Sport and Recreation Club, specifically the potential accommodation of an additional bowls court. It does **not** authorize any other development, intensification, or commercialisation. Should such an application be submitted in the future it will be subject to its own land use application and public participation process. The proposal will not result in the loss of the community facilities. The proposal does not impact environmental, heritage, traffic, or service systems. The proposal will not have a negative impact on the character of the area or Yzerfontein as a whole. It will result in providing improved land administration and land use management.

	3. The objection further raises concerns that new developments would result in increased traffic, parking problems, noise, and a higher risk of crime, fundamentally altering the town's peaceful atmosphere. 4. The rezoning is viewed as a threat to the heartland of Yzerfontein, transforming it into another characterless commercialised town. The objector urges the municipality to consider alternative areas for rezoning in already developed or commercialised parts of the town, rather than this historically and socially important site.		
Shirley Holmes as concerned resident. Please refer to Annexure I.	Me Holmes wish to object to the rezoning if community facilities will be lost and questions the reason for the rezoning as well as what is planned for the erf.	Please refer to comment above	As mentioned above the proposal will not result in the loss of any of the community facilities.
S W Marais Please refer to Annexure J.	Na kennisname van die voorstel om erf 208 te verdeel in basies 3 gedeeltes maak Mnr Marais beswaar teen die voorgestelde hersonering. Mnr Marais is van mening dat indien die Yzerfontein Rolbalklub ekstra area benodig om 'n extra rolbalbaan in te pas, sou dit makliker en goedkoper wees om die grondgebruik op spesiale ooreenkoms toe te staan vir die gebruik van die spesifieke area vir 'n termyn van 99jaar. Mnr Marais beweer dat enige hersonering dit moontlik maak dat die perseel vir ander gebruike anders as ontspanning en rekreasie toegestaan kan word.	The applicant states that the objection is noted.	The proposal is the most sensible way to ensure that each land use is contained on its own property. This simplifies land administration for example asset management. The long term lease proposal is therefore deemed unsustainable.
Ralph Kumbier as owner of Erf 1297, 4 Haas Avenue, Yzerfontein Please refer to Annexure K.	Mr Kumbier objects to the proposed application for the following reasons: 1. Loss of the community hall 2. Loss of market area in which he takes part. 3. Increased traffic 4. Noise 5. Crime issues 6. Loss of play park and	Please refer to comment above	The concerns raised by the objector have sufficiently been addressed in the comments above.

	7. Over commercialisation of the area		
Karen Cookson on behalf of the Roscoe Cleo Trust, owner of Erf 1206, Yzerfontein. Please refer to Annexure L.	Me Cooksen wish to formally object to the proposed application. According to her Yzerfonteins' appeal as a quiet coastal town is at risk of being lost. The objector states that: 1. The proposal will attract more people, bringing more traffic, noise and unsavoury characters to the area. 2. The old public facilities will become nothing more than buildings for commercial gain. 3. Local entrepreneurs who use the space to sell their goods will lose their platform. 4. The community will lose their home-based space for public events. 5. The safe park is the space used by children will vanish. 6. Crime will increase. 7. The costs to affected property owners will be astronomical, including alarm systems, security gates, electric fences, insurance will increase. 8. Safety will be an issue. 9. Congestion on the roads. 10. The smog in the air. 11. The parking problems. 12. The more rates will need to be paid to keep our roads, surfaced properly due to all the traffic and trucks. 13. Yzerfonteins' character will be changed , the sea with the smell and feel of a city which we chose to leave because of these reasons stated above.	Please refer to comment above	The concerns raised by the objector have sufficiently been addressed. Please refer to the comments above.
Stefan Bauer as resident in Yzerfontein. Please refer to Annexure M.	Unacceptable long-term impact of the proposed zoning change, regardless of the applicant current intent. The objector is of opinion that by approving the rezoning, the municipality is sanctioning the inevitable transformation of the area into a commercial-tourism hub.	Please refer to comment above	The comment made by the objector is inaccurate and it is clear that the objector is misinformed. Please refer to the comments above regarding clarity on the proposal.

	The scale of the development will cause irreversible damage and is incompatible with the existing character and amenity of Yzerfontein.		
Cheryl Burger on behalf of the Lêmar Trust, owners of erf 725, 21 Dolfyn Street. Please refer to Annexure N.	Me Burger objects to the proposed application for the following reasons. Impact on property value and enjoyment of rights due to potential loss of longstanding views and privacy as well as the creation of noise, light and visual intrusion inconsistent with residential living. According to the objector the application undermines the rights of long-standing residents in favour of speculative development. Incompatibility with surrounding residential character. Portion A & B are surrounded by quiet residential streets. The objector is of opinion that the introduction of resort zoning in this context is fundamentally incompatible with the character of the neighbourhood as well as irreversibly alter Yzerfontein' s identity. Increased traffic and safety risk. The objector states that the current infrastructure is not designed to absorb additional pressure, tourist accommodation will increase vehicle movement and parking demand raising safety risks for road users. Community, cultural and entrepreneurial value. The subject property currently hosts valuable community and cultural facilities and rezoning will undermine these shared community assets replacing public benefit with private commercial gain. Environmental and infrastructure concerns. Tourism related development will increase stormwater runoff and environmental pressure on a sensitive coastal ecosystem as well as place additional strain on	Please refer to comment above	The comments made by the objector are inaccurate and it is clear that the objector is misinformed. Please refer to the comments above regarding clarity on the proposal.

	sewerage, water and electricity networks which may not be able to cope with added demand. Precedent for further inappropriate development. Approving the development will set a dangerous precedent, encouraging piecemeal conversion of community and residential land into commercial resort use. The risk of turning Yzerfontein into a tourist hub at the expense of its residents. No demonstrable community benefit. The objector is of opinion that there is no shortage of land already zoned for tourism and resort use in Yzerfontein. Approving the application serves only the developer and municipal financial interests with no clear benefit to the local community. Increased risk of crime and reduced safety. Short-term rentals and transient tourist accommodation typically increase petty crime including theft, break-ins or trespassing as well as a decline in neighbourhood safety, cohesion and trust. Conflict of interest and alternatives. It must be noted that Erf 208 is owned by Swartland Municipality itself, therefore the municipality has a direct financial interest in approving the rezoning, either through sale or lease of the subdivided land. This creates a conflict of interest between its role as landowner and its duty to protect the rights of residents. Lastly the objector states that if more resort development is genuinely needed it should be directed at the caravan park rather than eroding existing community spaces opposite long standing homes. The application should, in the objector's opinion, be refused in its entirety in order to protect the rights of		

	long-standing homeowners and preserve the integrity, identity and safety of the Yzerfontein community.		
Lizanne Hetherington. Please refer to Annexure O.	Me Hetherington wishes to object to the rezoning and subdivision of erf 208. The main reason for the objection is that the proposal will in her opinion harm Yzerfonteins' unique character as it will create the potential for the area to evolve over time into a predominantly commercial, tourism – oriented zone, characterised by holiday accommodation such as lodges, chalets or tourist flats as well as related commercial activities including shops, restaurants and recreational facilities.	Please refer to comment above	As with most of the objections it is clear that the objector is misinformed as the objection does not relate to the actual proposal being considered.
Jessica Keelty on behalf of Yzerfontein Sports & Recreation Club. Please refer to Annexure P	The Yzerfontein Sports and Recreation Club comments that: 1. The proposed northern subdivisional line of Portion A showing a rectangular projection to the north in order to accommodate a new bowling green will create portions of land to the west and east which will make future development of these areas awkward and possibly impractical. 2. Besides the needs of the bowling club for another green there is also a need for the tennis club to have an ablution for easy access for their members. Also, with another green being constructed for the bowling club, the need will arise for an additional ablution for the additional bowling members using the new green. The area to the east near the camp site office will be an ideal area to build a new ablution serving both clubs. 3. The YSRC is rapidly expanding and we are now proposing to build two padel courts to provide a greater sporting opportunity for our members, and visitor's. This will put a greater strain on the land we are currently using. Therefore, the inclusion of the small triangular land to the west of your proposed subdivisional bowling green projection will make the subdivisional line more practical for the YSRC's future use of available open space.	The contents of the comment and proposed amended subdivision are noted. Given that Swartland Municipality is the owner of Erf 208 Yzerfontein, the final decision on any amendment to the proposed subdivision lies solely with the municipality.	The comment of the Yzerfontein Sports and Recreation Club were taken into consideration. The proposal is subsequently amended in order to accommodate the subdivision line that is deemed practical and that would better serve the needs of the Yzerfontein Sports & Recreation Club.

	4. The YSRC proposed an amended subdivisional plan that they believe would be able to address the above mentioned concerns.		
Carel vd Westhuizen as a concerned taxpayer. Please refer to Annexure Q.	Mr. vd Westhuizen objects to the rezoning of the area next to the club. As an affected property owner, the objector states that he objects for all the right reasons.	This objection was not sent to the applicant for comment.	This objection does not comply with the requirements for the submission of comments as contained in Section 60 of the By-Law. Section 60(4) requires reasons for the objection to be set out in sufficient detail in order to: (a) indicate the facts and circumstances that explain the comments; (b) where relevant demonstrate the undesirable effect, the application will have if approved; (c) where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and (d) enable the applicant to respond to the comments. The objection is therefore deemed invalid
SW Engelbrecht on behalf of the Yzerfontein Residents Association Please refer to Annexure R.	The Yzerfontein Residents Association supports the proposed changes submitted.	This objection was not sent to the applicant for comment.	Mr SW Engelbrecht contacted the office of the Division: Town Planning and after explanation was provided

PART J: MUNICIPAL PLANNING EVALUATION

1. **Type of application and procedures followed in processing the application**

The application in terms of the By-law was submitted on the 17th of September 2025. The public participation process commenced on the 22nd of September 2025 and ended on the 27th of October 2025. Objections were received and referred to the applicant for comment on 28th of October 2025 and the municipality received the comments on the objection from the applicant on the 1st of December 2025.

As mentioned above, during the public participation the comments made by the Yzerfontein Sport and Recreation Club were considered and the proposal was consequently amended. The amended subdivision plan is attached as Annexure T.

Division: Planning is now in the position to present the application to the Swartland Municipal Planning Tribunal for decision making.

2. **Legislation and policy frameworks**

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

The application is evaluated according to the principles of spatial planning, as contained in the abovementioned legislation.

Spatial Justice

The application formalises long-standing public and community uses including the caravan park, sports facilities, community hall which serve a broad segment of the public. Aligning zoning and cadastral boundaries reinforces existing community-benefiting land uses and ensures continued access to public facilities.

Formalising the municipal ownership and land-use structure improves long-term accessibility and management of facilities used by diverse groups, including residents and visitors.

Spatial Sustainability

No new development or intensification is proposed. Sensitive coastal environments, agricultural land, or ecologically valuable areas are unaffected. Subdivision and rezoning merely organise existing uses more efficiently, supporting long-term sustainable land management.

Infrastructure is optimally used without requiring expansion.

Spatial Efficiency

The application rationalises existing land uses by placing each use on its own cadastral unit, which will reduce administrative complexity, future uncertainty, and the risk of land use management inefficiencies. Infrastructure use remains unchanged, supporting efficient use of existing urban systems.

Future maintenance and management of facilities will be more cost-effective due to clearly defined land parcels.

Spatial resilience

Retention of the existing spatial structure ensures the settlement remains flexible and adaptive. By keeping established recreational, tourism, and community facilities intact, the proposal maintains the town's ability to absorb environmental or economic shocks.

Good Administration

The application follows due process under the By-Law, includes public participation, and conforms to the MSDF and municipal procedures. Therefore, supporting transparent and accountable administration.

2.2 Provincial Spatial Development Framework (PSDF)

The proposal only consisting of the minor amendment of existing zoning boundaries as well as the demarcation of the various land uses currently on erf 208, each on its own property for the purpose of simplifying land

administration, the proposal will clearly not adversely affect the sense of place of Yzerfontein. The proposed development is therefore deemed consistent with the spatial development principles of the PSDF, 2014.

2.3 Integrated Development Plan (IDP) and Municipal Spatial Development Framework (SDF)

The Swartland IDP emphasises efficient governance, sustainable use of existing infrastructure, and improved municipal asset management, particularly within established urban areas. The proposal aligns with these objectives in that it:

1. Does not introduce new development or intensification, but instead regularises existing community, recreational and tourism-related uses on municipal land.
2. Improves administrative efficiency by rationalising zoning and aligning cadastral boundaries with actual land use, thereby reducing future planning and land-use management uncertainty on a key municipal asset.
3. Supports social infrastructure and community facilities, which are recognised in the IDP as important contributors to quality of life, tourism, and local economic activity in towns such as Yzerfontein.
4. Avoids additional demand on bulk services and municipal infrastructure, consistent with the IDP's focus on optimising existing assets rather than expanding infrastructure unnecessarily.

Accordingly, the proposal supports the IDP's strategic priorities of good governance, sustainability and service delivery efficiency, without creating new financial or infrastructure burdens for the municipality.

The Swartland MSDF (2025) designates Erf 208, Yzerfontein within the urban edge and classifies the area as part of Land Use Proposal Zone E. Please refer to the extract below. Zone E is defined as the residential area around the main beach with supporting community, sport and tourist facilities and a secondary business node. Sport and recreational facilities are supported.



The application largely maintains the status quo with no new land uses being proposed.

Existing uses (caravan park, sports facilities, community hall and public street) remain unchanged and are precisely the types of uses envisaged in Land Use Proposal Zone E.

The minor rezoning between Resort Zone and Open Space Zone 2 merely corrects legacy boundary misalignments where existing uses already occur, ensuring that zoning accurately reflects on-the-ground realities as well as supports the future expansion of the Yzerfontein Sport and Recreational Club.

The subdivision formalises each existing use on its own cadastral unit, promoting clearer long-term planning, asset management and implementation of the MSDF's spatial proposals.

The proposal does not alter settlement character, scale, or intensity, and therefore does not undermine the MSDF's intent to maintain Yzerfontein's coastal town character while supporting recreation and tourism-related functions.

The proposal is therefore deemed consistent with the MSDF, 2025.

2.4 Schedule 2 of the By-Law (Zoning Scheme Provisions)

The amended proposal complies with the provisions of the applicable development management scheme.

3. **The desirability of the proposed development**

The subject properties are situated within the urban edge of Yzerfontein

The title deeds of the subject properties have no restrictions prohibiting the proposal.

Physically there are no restrictions that negatively impact the proposal.

The proposal formalises existing public and recreational uses

Administrative clarity and efficiency will be improved.

The proposal is consistent with municipal and provincial spatial planning policies.

It does not create new impacts on infrastructure or the environment, and

Respects and supports public interest and long-term sustainability.

4. **Impact on municipal engineering services**

The proposal has no adverse impact on municipal engineering services.

5. **Response by applicant**

Refer to Annexure S.

6. **Comments from other organs of state/departments**

None

7. **Public interest**

Public interest is positively served through improved administration and continued access to community assets.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights
N/A

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal
N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended
N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights
N/A

PART L: RECOMMENDATION WITH CONDITIONS

A. The application for rezoning of Erf 208, Yzerfontein 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 subdivision of Erf 208, Yzerfontein be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) as per Annexure T:

The decisions A and B above are subject to the following conditions:

1. TOWN PLANNING AND BUILDING CONTROL

(a) Portions of erf 208 be rezoned from Open Space Zone 2 to Resort Zone (±669m² in extent) and from Resort Zone to Open Space Zone 2 (±1436m² in extent) in order to realise the amended subdivision plan dated December 2025;
(b) Erf 208 be subdivided as follows:
    (i). Portion A - ± 1,47ha (Open Space Zone 2)
    (ii). Portion B - ± 0,53ha (Authority zone)
    (iii). Portion C - ± 0,42ha (Transport Zone 2)
    (iv). Remainder - ± 7,97ha (Resort zone)

2. 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.

PART M: REASONS FOR RECOMMENDATION

1. The application formalises long-standing public and community uses—caravan park, sports facilities, community hall, which serve a broad segment of the public. Aligning zoning and cadastral boundaries reinforces existing community-benefiting land uses and ensures continued access to public facilities.
2. Except for providing space for the Yzerfontein Bowling Club to accommodate an additional court, no new development or intensification is proposed. Sensitive coastal environments, agricultural land, or ecologically valuable areas are unaffected. The proposal merely organises existing uses more efficiently, supporting long-term sustainable land management.
3. The application rationalises existing land uses by placing each use on its own cadastral unit, which will reduce administrative complexity, future uncertainty, and the risk of land use management inefficiencies. Infrastructure use remains unchanged the proposal therefore support efficient use of existing services.
4. Retention of the existing spatial structure ensures the settlement remains flexible and adaptive. By keeping established recreational, tourism, and community facilities intact, the proposal maintains the town's ability to absorb environmental or economic shocks.
5. The proposal does not alter settlement character, scale, or intensity, and therefore does not undermine the MSDF's intent to maintain Yzerfontein's coastal town character while supporting recreation and tourism-related functions. The proposal is deemed consistent with the MSDF, 2025.

6. The proposal does not authorize any other development, intensification, or commercialisation. Should such an application be submitted in the future it will be subject to its own land use application and public participation process.

PART N: ANNEXURES

Annexure A	Locality plan
Annexure B	Proposed subdivision plan
Annexure C	Proposed rezoning plan
Annexure D	Public participation plan
Annexure E	Objection K Botha
Annexure F	Objection C Botha
Annexure G	Objection D Michael
Annexure H	Objection E le Roux
Annexure I	Objection S Holmes
Annexure J	Objection SW Marais
Annexure K	Objection R Kumbier
Annexure L	Objection K Cooksen
Annexure M	Objection S Bauer
Annexure N	Objection C Burger
Annexure O	Objection L Hetherington
Annexure P	Objection Yzerfontein Sport and Recreational Club
Annexure Q	Objection C vd Westhuizen
Annexure R	Support Yzerfontein Residents Association
Annexure S	Applicants comments on the objections
Annexure T	Amended Subdivision Plan

PART O: APPLICANT DETAILS

Name	CK Rumboll & Partners			
Registered owner(s)	Swartland Municipality	Is the applicant authorised to submit this application:	**Yes**	N

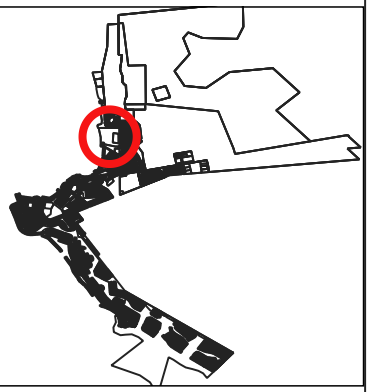
PART P: SIGNATURES

Author details: Herman Olivier Town Planner SACPLAN: A/204/2010			**Date: 22 January 2026**	
Recommendation: Alwyn Zaayman Senior Manager Development Management SACPLAN: A/8001/2001	Recommended	✓	Not recommended	
			Date: **23 January 2026**	

ANNEXURE A

LOCALITY PLAN
ERF 208 YZERFONTEIN

REF:
YZE/14771/MH



LEGEND

Erf 208

NOTE:

ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

N

SCALE : NOT TO SCALE

DATE:	AUTHORITY:
SEPTEMBER 2025	SWARTLAND MUNICIPALITY

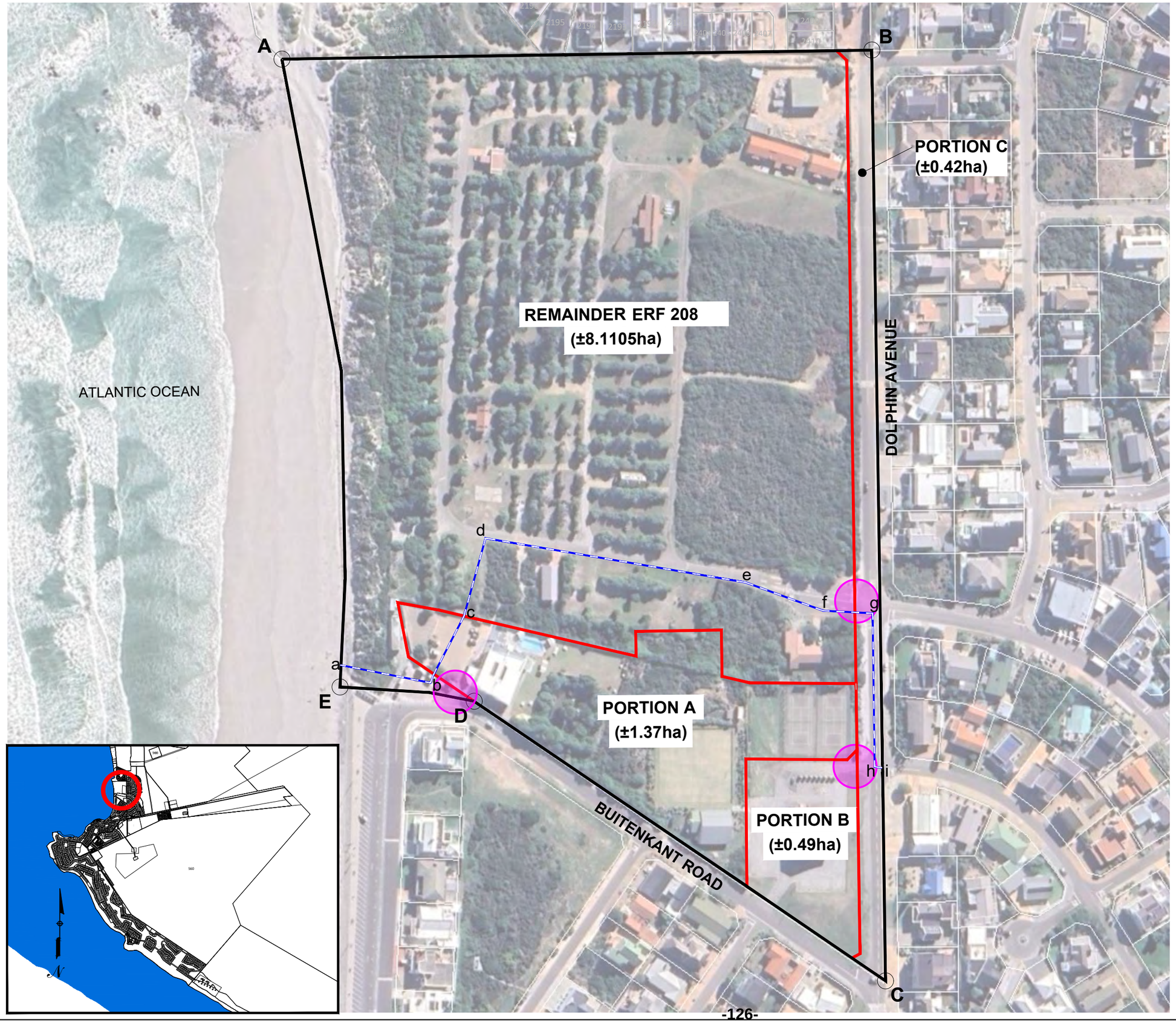
COMPILED BY:

CK RUMBOI & PARTNERS
16 Rainier Street
Malmesbury
Tel: 0224821845
Fax: 0224871661
planning5@rumboll.o.za

ANNEXURE B

SUBDIVISION PLAN

ERF 208 YZERFONTEIN



LEGEND:

- Proposed Subdivisions
- Cable servitude represented by Line abcdefghi (SG No.1446/2011)
- Existing access points

Figure ABCDE represents Erf 208 Yzerfontein

DESCRIPTION OF ZONINGS:

PORTION A	: OPEN SPACE ZONE 2
PORTION B	: AUTHORITY ZONE
PORTION C	: TRANSPORT ZONE 2
REMAINDER ERF 208	: RESORT ZONE

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning5@rumboll.co.za

DATE:	AUTHORITY:
SEPTEMBER 2025	SWARTLAND MUNICIPALITY

REFERENCE:

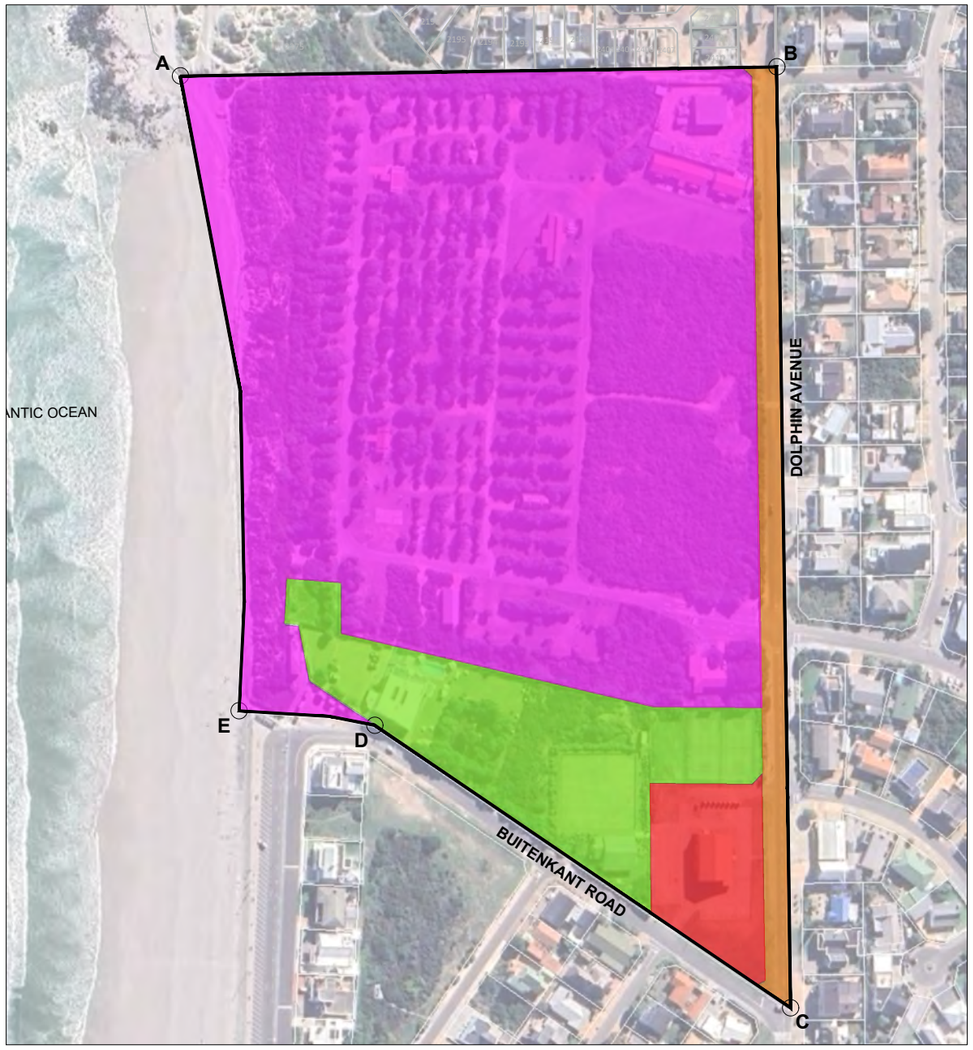
YZE/14771/MH

ANNEXURE C

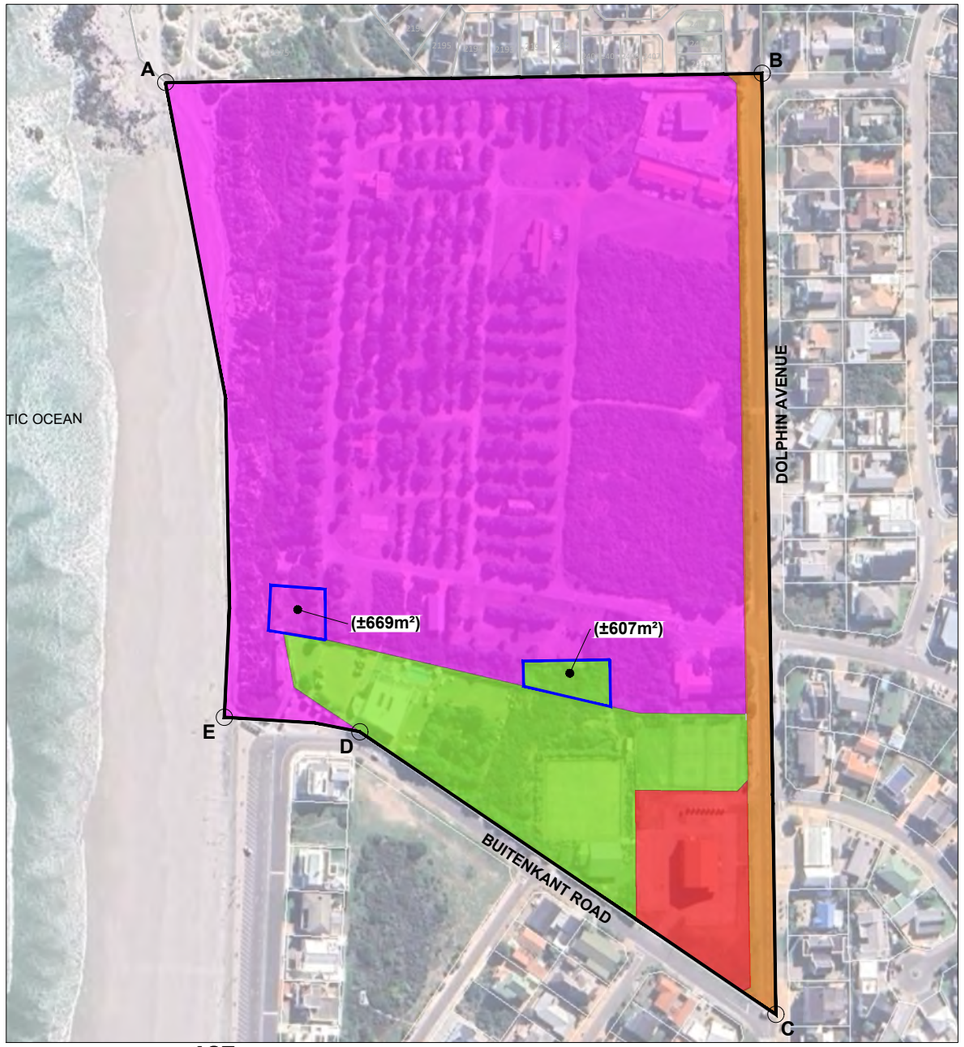
REZONING PLAN

ERF 208 YZERFONTEIN

BEFORE:



AFTER:



LEGEND:

- OPEN SPACE ZONE 2
- AUTHORITY ZONE
- TRANSPORT ZONE 2
- RESORT ZONE
- REZONED PORTIONS

N

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
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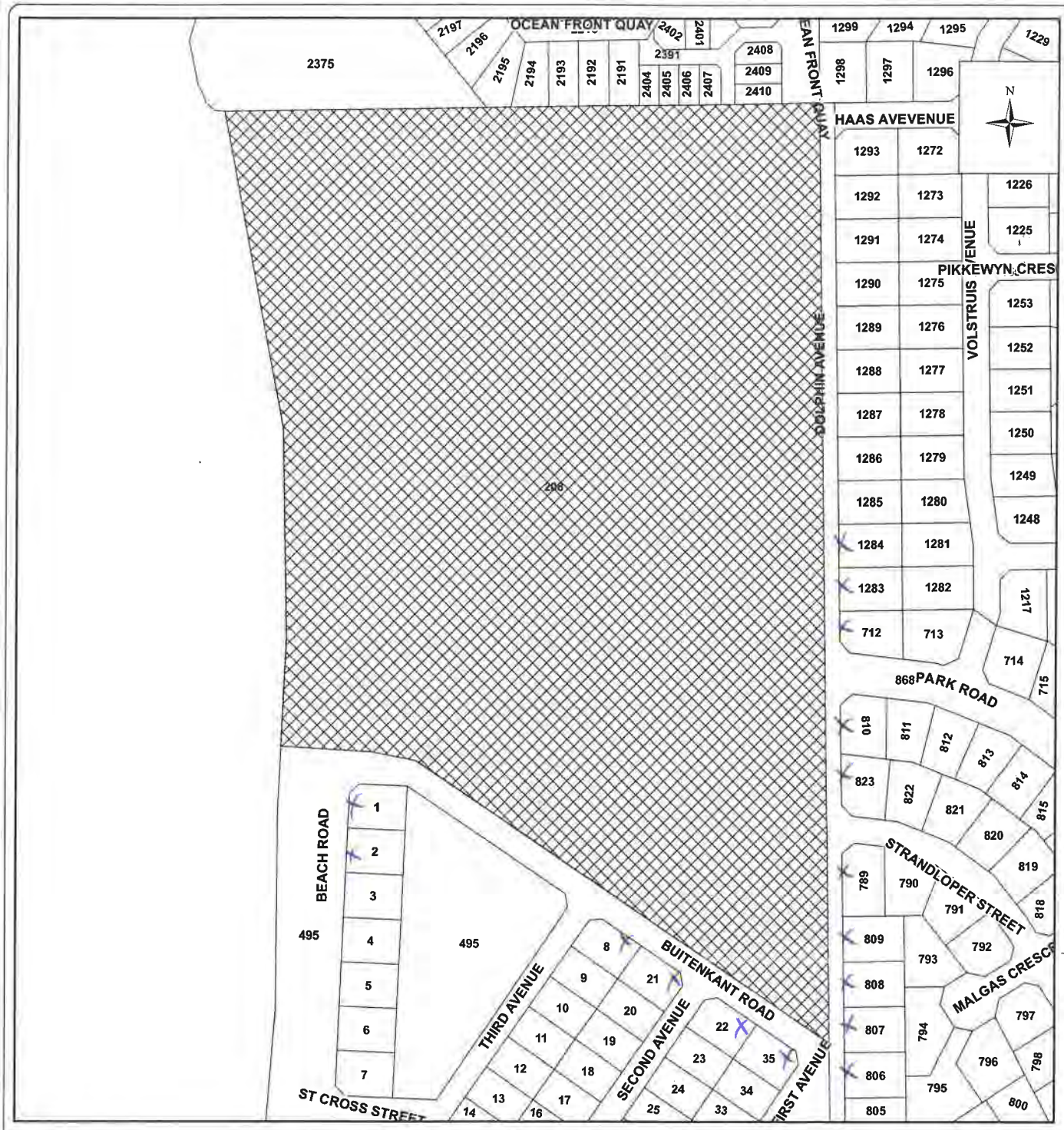
DATE:	AUTHORITY:
SEPTEMBER 2025	SWARTLAND MUNICIPALITY

REFERENCE:

YZE/14771/MH

ANNEXURE D

Liggingsplan

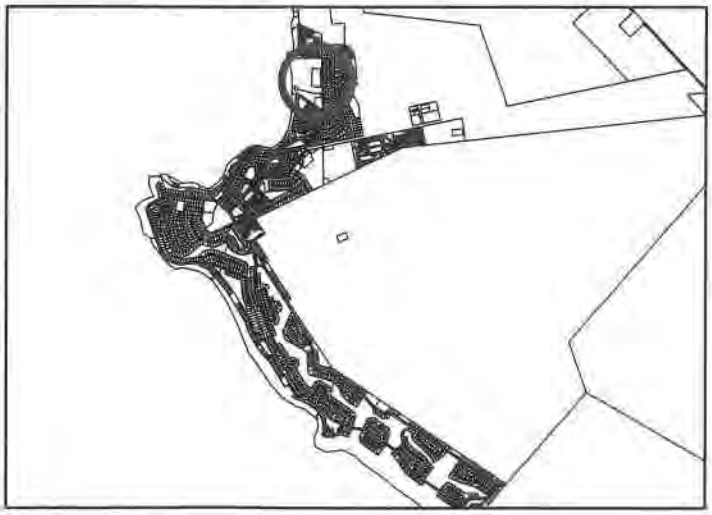


Voorgestelde hersonering en onderverdeling

Erf 208, Malmesbury

Publieke deelname

Skaal: NVT



ANNEXURE E

From: Kirsten Strauss <jitsu12@gmail.com>
Sent: Wednesday, 01 October 2025 18:37
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: Hubby - Charl Botha <maniac.cj@gmail.com>
Subject: Proposed rezoning and subdivision of ERF 208, Yzerfontein

Good Day

As a resident of Yzerfontein, I would like to formally lodge my objection to the proposed rezoning and subdivision of ERF 208 in Yzerfontein. Reference Number: 15/3/3-14 ERF 208 and 5/3/6-14 ERF 208.

Grounds for Objection

1. Contravention of Planning Frameworks

The proposed rezoning and subdivision is inconsistent with the Swartland Municipal Spatial Development Framework (SDF) and the Yzerfontein Local Spatial Development Plan, both of which emphasise the preservation of the town's unique low-density coastal village character.

In terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest. This application does not meet these requirements.

Approving this rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning.

2. Environmental Concerns (NEMA)

The National Environmental Management Act (NEMA) requires that development be sustainable and that decision-making considers the precautionary principle.

Erf 208 lies in an ecologically sensitive coastal zone, with potential impacts on fynbos vegetation, bird species (including flamingos, African oystercatchers, and Cape spurfowl), and other coastal biodiversity.

Increased hard surfaces from subdivision (driveways, roofs, paved areas) will exacerbate stormwater run-off, potentially polluting the ocean and damaging sensitive dune systems.

It is unclear whether a full Environmental Impact Assessment (EIA) has been conducted. If not, approval would be unlawful under NEMA.

3. Heritage, Character and Sense of Place

Yzerfontein's attraction lies in its small-town charm, open coastal spaces, and low-density residential feel.

Densification on Erf 208 would compromise this sense of place, undermining both local quality of life and the town's value as a tourist destination.

The National Heritage Resources Act (NHRA) requires protection of areas with cultural or historical significance. Any subdivision should be referred to Heritage Western Cape.

4. Infrastructure and Services Capacity

Existing sewage, water, and electricity infrastructure in Yzerfontein is already strained, particularly in peak holiday periods.

Any intensification of land use without prior infrastructure upgrades would be unsustainable and prejudicial to existing residents.

Traffic congestion on Yzerfontein's narrow streets is already evident during peak tourist seasons. Additional housing units will worsen congestion, road safety risks, and parking shortfalls.

5. Climate Change, Disaster and Safety Risks

Erf 208 is within a coastal climate risk area. Subdivision and densification increases the number of residents exposed to flooding, sea-level rise, and coastal storm events.

This contravenes Section 24 of the Constitution (right to an environment not harmful to health and well-being) and NEMA's sustainable development principles.

Increased densification also raises fire risks in a coastal town where fire evacuation routes are already limited.

6. Public Participation and Transparency

It is not clear whether affected residents and the Yzerfontein community at large have been adequately consulted.

I request access to all reports relied upon in support of this application, including:

Environmental studies (EIA, ecological impact assessments)

Traffic impact assessment

Heritage assessments

Services capacity reports (water, sewage, electricity)

Without access to this information, meaningful participation in the decision-making process is impossible, contrary to Section 33 of the Constitution (right to just administrative action).

7. Property Value and Precedent

Increased subdivision and densification will likely erode existing property values by undermining the exclusivity and low-density nature of the area.

Approval of this application will set a precedent that opens the door for similar applications, irreversibly changing the town's character.

Conclusion

In light of the above, I respectfully submit that the rezoning and subdivision of Erf 208 should be refused as it is:

Inconsistent with the Municipal SDF and LUPA

Contrary to NEMA and the Constitution's environmental protections

Detrimental to Yzerfontein's character, infrastructure and sustainability

Based on insufficient consultation and inadequate supporting studies

I therefore request written confirmation that this objection has been recorded and that I be informed of all further proceedings relating to this matter.

My preferred communication is through email or WhatsApp.

Kind Regards

Kirsten Botha

37 Ocean Front Quay, Yzerfontein, 7351, South Africa

0829580883

Jitsu12@gmail.com

A2015/3/3-14/Erf_208; 15/3/10-14/Erf_208; 15/3/6-14/Erf_208 -----Original Message-----

From: charl botha

Sent: Wednesday, 01 October 2025 18:47

To: Registrasie Email

Subject: Proposed rezoning and subdivision of ERF 208, Yzerfontein

Good Day

As a resident of Yzerfontein, I would like to formally lodge my objection to the proposed rezoning and subdivision of ERF 208 in Yzerfontein. Reference Number: 15/3/3-14 ERF 208 and 5/3/6-14 ERF 208.

Grounds for Objection

1. Contravention of Planning Frameworks The proposed rezoning and subdivision is inconsistent with the Swartland Municipal Spatial Development Framework (SDF) and the Yzerfontein Local Spatial Development Plan, both of which emphasise the preservation of the town's unique low-density coastal village character. In terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest. This application does not meet these requirements. Approving this rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning.

2. Environmental Concerns (NEMA) The National Environmental Management Act (NEMA) requires that development be sustainable and that decision-making considers the precautionary principle. Erf 208 lies in an ecologically sensitive coastal zone, with potential impacts on fynbos vegetation, bird species (including flamingos, African oystercatchers, and Cape spurfowl), and other coastal biodiversity. Increased hard surfaces from subdivision (driveways, roofs, paved areas) will exacerbate stormwater run-off, potentially polluting the ocean and damaging sensitive dune systems. It is unclear whether a full Environmental Impact Assessment (EIA) has been conducted. If not, approval would be unlawful under NEMA.

3. Heritage, Character and Sense of Place Yzerfontein's attraction lies in its small-town charm, open coastal spaces, and low-density residential feel. Densification on Erf 208 would compromise this sense of place, undermining both local quality of life and the town's value as a tourist destination. The National Heritage Resources Act (NHRA) requires protection of areas with cultural or historical significance. Any subdivision should be referred to Heritage Western Cape.

4. Infrastructure and Services Capacity Existing sewage, water, and electricity infrastructure in Yzerfontein is already strained, particularly in peak holiday periods. Any intensification of land use without prior infrastructure upgrades would be unsustainable and prejudicial to existing residents. Traffic congestion on Yzerfontein's narrow streets is already evident during peak tourist seasons. Additional housing units will worsen congestion, road safety risks, and parking shortfalls.

5. Climate Change, Disaster and Safety Risks Erf 208 is within a coastal climate risk area. Subdivision and densification increases the number of residents exposed to flooding, sea-level rise, and coastal storm events. This contravenes Section 24 of the Constitution (right to an environment not harmful to health and well-being) and NEMA's sustainable development principles. Increased densification also raises fire risks in a coastal town where fire evacuation routes are already limited.

6. Public Participation and Transparency It is not clear whether affected residents and the Yzerfontein community at large have been adequately consulted. I request access to all reports relied upon in support of this application, including: Environmental studies (EIA, ecological impact assessments) Traffic impact assessment Heritage assessments Services capacity reports (water, sewage, electricity) Without access to this information, meaningful participation in the decision-making process is impossible, contrary to Section 33 of the Constitution (right to just administrative action).

7. Property Value and Precedent Increased subdivision and densification will likely erode existing property values by undermining the exclusivity and low-density nature of the area. Approval of this application will set a precedent that opens the door for similar applications, irreversibly changing the town's character. Conclusion In light of the above, I respectfully submit that the rezoning and subdivision of Erf 208 should be refused as it is: Inconsistent with the Municipal SDF and LUPA Contrary to NEMA and the Constitution's environmental protections Detrimental to Yzerfontein's character, infrastructure and sustainability Based on insufficient consultation and inadequate

supporting studies I therefore request written confirmation that this objection has been recorded and that I be informed of all further proceedings relating to this matter. My preferred communication is through email.

Kind Regards

Charl Botha

37 Ocean Front Quay, Yzerfontein, 7351, South Africa 0829580883

A2015/3/3-14/Erf_208; 15/3/10-14/Erf_208; 15/3/6-14/Erf_208 -----Original Message-----

From: Damian Michael

Sent: Thursday, 02 October 2025 06:16

To: Registrasie Email Cc: Marisa Michael

Subject: OBJECTION - Notice to rezone and subdivide Erf 208. This includes Portion A (1.37 ha) and Portion B (0.49 ha)

Dear Swartland Municipality

Please see our comments for objection to the above. Erf 2400 Mile 16 Private Beach Estate Damian Michael Marisa Maurer

1. Contravention of Planning Frameworks The proposed rezoning and subdivision is inconsistent with the Swartland Municipal Spatial Development Framework (SDF) and the Yzerfontein Local Spatial Development Plan, both of which emphasise the preservation of the town's unique low-density coastal village character. In terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest. This application does not meet these requirements. Approving this rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning.

2. Environmental Concerns (NEMA) The National Environmental Management Act (NEMA) requires that development be sustainable and that decision-making considers the precautionary principle. Erf 208 lies in an ecologically sensitive coastal zone, with potential impacts on fynbos vegetation, bird species (including flamingos, African oystercatchers, and Cape spurfowl), and other coastal biodiversity. Increased hard surfaces from subdivision (driveways, roofs, paved areas) will exacerbate stormwater run-off, potentially polluting the ocean and damaging sensitive dune systems. It is unclear whether a full Environmental Impact Assessment (EIA) has been conducted. If not, approval would be unlawful under NEMA.

3. Heritage, Character and Sense of Place Yzerfontein's attraction lies in its small-town charm, open coastal spaces, and low-density residential feel. Densification on Erf 208 would compromise this sense of place, undermining both local quality of life and the town's value as a tourist destination. The National Heritage Resources Act (NHRA) requires protection of areas with cultural or historical significance. Any subdivision should be referred to Heritage Western Cape.

4. Infrastructure and Services Capacity Existing sewage, water, and electricity infrastructure in Yzerfontein is already strained, particularly in peak holiday periods. Any intensification of land use without prior infrastructure upgrades would be unsustainable and prejudicial to existing residents. Traffic congestion on Yzerfontein's narrow streets is already evident during peak tourist seasons. Additional housing units will worsen congestion, road safety risks, and parking shortfalls.

5. Climate Change, Disaster and Safety Risks Erf 208 is within a coastal climate risk area. Subdivision and densification increases the number of residents exposed to flooding, sea-level rise, and coastal storm events. This contravenes Section 24 of the Constitution (right to an environment not harmful to health and well-being) and NEMA's sustainable development principles. Increased densification also raises fire risks in a coastal town where fire evacuation routes are already limited.

6. Public Participation and Transparency It is not clear whether affected residents and the Yzerfontein community at large have been adequately consulted. I request access to all reports relied upon in support of this application, including: Environmental studies (EIA, ecological impact assessments) Traffic impact assessment Heritage assessments Services capacity reports (water, sewage, electricity) Without access to this information, meaningful participation in the decision-making process is impossible, contrary to Section 33 of the Constitution (right to just administrative action).

7. Property Value and Precedent Increased subdivision and densification will likely erode existing property values by undermining the exclusivity and low-density nature of the area. Approval of this application will set a precedent that opens the door for similar applications, irreversibly changing the town's character.

Conclusion

In light of the above, I respectfully submit that the rezoning and subdivision of Erf 208 should be refused as it is: Inconsistent with the Municipal SDF and LUPA Contrary to NEMA and the Constitution's environmental protections Detrimental to Yzerfontein's character, infrastructure and sustainability Based on insufficient consultation and inadequate supporting studies I therefore request written confirmation that this objection has been recorded and that I be informed of all further proceedings relating to this matter.

Thanking you

Damian Michael Sent from my iPhone

ANNEXURE H

From: ettienne.leroux@absamail.co.za <ettienne.leroux@absamail.co.za>
Sent: Monday, 27 October 2025 14:09
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: ettienne.leroux2@gmail.com
Subject: Objection against rezoning of Erf 208 Yzerfontein, Portion A and Portion B
Importance: High

Good afternoon

I hereby wish to object against the intended rezoning of Erf 208 by Swartland Municipality.

That piece of land and the facilities developed over time on it are treasured and valued by the whole of Yzerfontein and plays a very important role in preserving the nature and character of Yzerfontein as a gem on the Wast Coast with a balance between nature and community, which will be lost and be replaced by cold commercialization driven only by financial objectives.

Visitors to Yzerfontein, as well as its inhabitants/residents, are really taken aback and are deeply worried about this intention of the Municipality which will cause irreparably damage to the town's character as said above. Notable losses to visitors and inhabitants are:

The Community Centre: this centre hosts Church services, community fitness classes and get-togethers for people , bazaars (where locals and other entrepreneurs can sell their goods which money are likely to be invested in the community again);

- The safe spaces where children, young people, people of more advanced age, and families can relax and enjoy the beauty that the West Coast offers, in the freedom of nature, which are likely to disappear, for instance;

- The playpark for children, the bowling greens for more senior inhabitants and visitors, the tennis courts for younger people, restaurant, sports club, and nature reserve are all likely to disappear.

In its place could come new developments which will bring more people, more traffic, likely parking problems, noise and also the possibility of more car robberies and other crime activities.

All-in-all the peacefulness of this beautiful West Coast paradise will likely change to yet another commercialized town with no character.

Surely there must be other areas in the town, perhaps further up towards the more developed and already commercialized areas, where rezoning could be considered without rezoning this traditional and highly valued space of land which forms that heartland of proper Yzerfontein??

Thank you

E le Roux (of the Le Roux Family Trust)

Number 65, Ocean Front Quay, Mile 16 Private Beach Estate, Erf 2222

Contact numbers: Cell 0824645641; House (021) 9576074

A2015/3/3-14/Erf_208; 15/3/6-14/Erf_208; 15/3/10-14/Erf_208 -----Original Message-----
From: Shirley Holmes
Sent: Friday, 03 October 2025 18:02
To: Registrasie Email Subject: Rezoning Threat Erf 208 A & B Yzerfontein Dear Sirs I have read with concern about the rezoning of Erf 208, Yzerfontein (Portion A & B)*

I am fairly new to Yzerfontein, having moved here two and a half years ago. But have enjoyed the use of the Community Hall for Markets, Art Exhibitions and Pilates classes along with many other ladies and men alike. The other facilities on the Erf are also great for community use - out of season in particular when the tourists are not here to support local business. For example the Bowls Club where I have attended Tourism Meetings, and shows and Lula's Restaurant, which we have enjoyed regularly. The tennis courts have just been revamped and are also used regularly. The Recycle Bin area will also have to be moved. It is convenient to be there, with adequate parking to avoid congestion whilst depositing recycling. It would be a huge loss to the town to have this area rezoned, if these facilities will be lost to the community. I wish to object to the rezoning if community facilities will be lost to the very tax payers that support the Swartland Municipality. At the last Tourism Meeting I attended, it was stated that the Swartland Municipality was one of the top Municipalities and had over R60 million in reserves.

I would like to know therefore what is the reason for rezoning and what is planned for that Erf.

Concerned Yzerfontein resident.
Yours sincerely

Shirley Holmes Cell: 0823753116 178 Dassen Island Drive Yzerfontein

Malgassingel 9

Yzerfontein

7351

Epos :yzers01@gmail.com

3 Oktober 2025

Die Munisipale Bestuurder

Privaatsak X52

Malmesbury

7299

Geagte Mnr

Beswaar teen Hersonering ERF:208 Yzerfontein

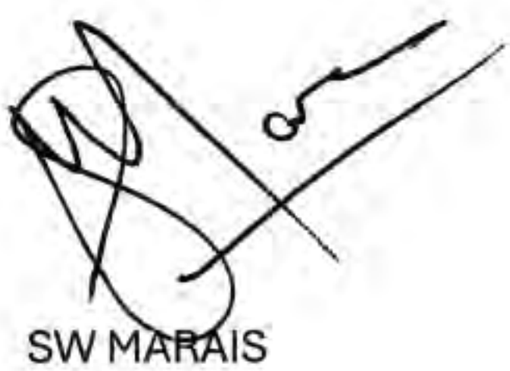
Na kennisname van voorgenome besluit om Erf 208 te verdeel in basies 3 Zones, maak ek beswaar teen die voortgaan met die hersonering.

Sou Yzerfontein Rolbal Klub ekstra area benodig vir hulle vergrote sportgronde om ekstra rolbal baan in te pas , sou dit baie makliker en goedkoper wees om die die grondgebruik op spesiale ooreenkoms toe te staan vir die gebruik van die spesifieke area vir ` n termyn van 99jaar.

Enige hersonering , maak dit moontlik dat die grondgebruik vir ander gebruike , buite onstpanning en rekreasie toegetaan kan word.

Baie dankie vir geleentheid om my beswaar skriftelik in te dien.

Vriendelike groete



SW MARAIS

ANNEXURE K

From: Ralph Kumbier <ralph@motownauto.co.za>
Sent: Tuesday, 30 September 2025 15:39
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: objection to rezone Efr 208 Yzerfontein

Good day

I would like to object to the rezoning application of Erf 208 Yzerfontein.

My reasons are loss of community hall, loss of market area which I also take part in, increased traffic, noise, crime issues, loss of play park and over-commercialisation of our area.

Regards

Ralph Kumbier

4 Haas Ave Yzerfontein - Erf 1297

0828741720

ANNEXURE L

From: Karen Cookson <cookson@csaccountants.co.za>
Sent: Wednesday, 22 October 2025 09:59
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: Stacey May <reception@csaccountants.co.za>; ozzinspace@gmail.com; Karen Cookson <cookson@csaccountants.co.za>
Subject: OBJECTION TO REZONING ERF 208 YZERFONTEIN (Portion A & B)
Importance: High

Dear Sir/Madam

I, Karen Ruth Cookson, in my capacity as Trustee of the Roscoe Cleo Trust, the owner of Erf 1206, Yzerfontein, I vehemently object to these proposed plans based on the following:

- Yzerfontein has been a quiet coastal town and the charm of it will disappear
- This will attract more people, bringing more traffic, noise and unsavoury characters to the area
- The old public facilities will become nothing more than buildings for commercial gain
- Local entrepreneurs who use the space to sell their goods will lose their platform
- The community will lose their home-based space for public events
- The safe park is the space used by children will vanish
- Crime will increase
- The cost to us will be astronomical, alarm systems, security gates, electric fences will be for our cost.
- Our insurance will increase
- Safety will be an issue
- Congestion on the roads
- The smog in the air
- The parking problems
- The more rates will need to be paid to keep our roads, surfaced properly due to all the traffic and trucks
- We will be replacing the nature, the sea with the smell and feel of a city which we chose to leave because of these reasons stated above.

Leave our Yzerfontein alone and build resorts in towns that need them and that could benefit from it.

For the purposes of clarity, this is my ***FORMAL OBJECTION***

Yours faithfully

Karen Cookson

COOKSON & ASSOCIATES

Tel: 0861 266 576

Mobile: 082 216 2378

Email: cookson@csaccountants.co.za

(In association with Swart & Associates)

SAICA Practice No: 00240142

IRBA Practice No: 957119

ANNEXURE M

From: Stefan Bauer <stefan.bauer.sa@gmail.com>
Sent: Monday, 20 October 2025 14:51
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Objection to PROPOSED REZONING AND SUBDIVISION OF ERF 208

Hello,

I submit a formal objection regarding the rezoning and subdivision proposal for Erf 208.

The key concern with this application is the unacceptable long-term impact of the proposed zoning change, regardless of the applicant's current intent. By approving the rezoning, the Municipality is sanctioning the inevitable transformation of the area into a commercial-tourism hub.

This decision will facilitate the future construction of accommodation dedicated to short-term letting, including lodges and flats, and the related necessity of commercial facilities such as retail spaces and eateries. This scale of development will cause irreversible damage and is incompatible with the existing character and amenity of Yzerfontein. This application should be denied as it directly contravenes the need to preserve the distinctive qualities of our town.

Regards

Stefan Bauer

8 Fynbos Cres, Yzerfontein, 7351

ANNEXURE N

From: Cheryl Burger <Cheryl@virtigo.co.za>
Sent: Monday, 20 October 2025 10:34
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Objection to Proposed Rezoning and Subdivision of Erf 208, Yzerfontein (Notice 25/2025/2026)

Dear Municipal Manager,

I, the undersigned, am the registered owner of **Erf 725, situated at 21 Dolfynstraat, Yzerfontein**, held under **Die Lemar Trust**. My family has resided at this address since 1994, and we have paid municipal rates and taxes to Swartland Municipality for more than three decades. My property lies directly opposite **Portion A of Erf 208**, meaning I will be immediately and most severely affected by the proposed rezoning and subdivision.

I hereby lodge a formal objection to the proposed rezoning and subdivision of Erf 208, Yzerfontein (Notice 25/2025/2026), specifically the rezoning of **Portion A (±1.37 ha) and Portion B (±0.49 ha)** from Open Space to Resort Zone.

---

1. Impact on Property Value and Enjoyment of Rights

The proposed rezoning will directly reduce the market value of my home by:

- Blocking long-standing views and privacy, which were a key reason for our investment.
- Creating noise, light, and visual intrusion inconsistent with residential living.

This undermines the rights of long-standing residents in favour of speculative development.

---

2. Incompatibility with Surrounding Residential Character

Portion A and B are surrounded by quiet residential streets. Introducing Resort zoning in this context is fundamentally incompatible with the neighbourhood's character and will irreversibly alter Yzerfontein's identity as a residential coastal town.

---

3. Increased Traffic and Safety Risks

Tourist accommodation will increase vehicle movements and parking demand along **Dolfynstraat and Buitenkant Road**, raising road safety risks for pedestrians, children, and cyclists. The current infrastructure is not designed to absorb this additional pressure.

---

4. Community, Cultural, and Entrepreneurial Value

Portion A and B currently host valuable community and cultural facilities:

- A hall with a long-standing history of **church services, dances, and community events**.
- Facilities such as the **tennis courts, bowling green, and sports club**.
- A **new, safe playground**, the only such play park for children in the neighbourhood.
- Markets and events which provide vital opportunities for **local entrepreneurs and small businesses**.
- Nature reserve areas and small-scale food trucks which bring vibrancy and balance without overwhelming the area.

Rezoning will undermine these shared community assets, replacing **public benefit with private commercial gain**. This would represent a **loss of cultural heritage, community identity, and local entrepreneurial opportunities** that have defined Yzerfontein for decades.

---

5. Environmental and Infrastructure Concerns

Tourism-related development will:

- Increase stormwater runoff and environmental pressure on a sensitive coastal ecosystem.
- Place additional strain on sewerage, water, and electricity networks, which may not be able to cope with added demand.

---

6. Precedent for Further Inappropriate Development

Approving this application will set a dangerous precedent, encouraging piecemeal conversion of community and residential land into commercial Resort use. This risks turning Yzerfontein into a tourist hub at the expense of its residents.

---

7. No Demonstrable Community Benefit

There is no shortage of land already zoned for tourism and Resort use in Yzerfontein. Approving this rezoning serves only developer and municipal financial interests, with no clear benefit to the local community.

---

8. Increased Risk of Crime and Reduced Safety

Short-term rentals and transient tourist accommodation typically increase:

- Petty crime opportunities (theft, break-ins, trespassing).
- A decline in neighbourhood safety, cohesion, and trust.

This would erode the safe, close-knit environment that long-term residents have built over decades.

---

9. Conflict of Interest and Alternatives

It must be noted that Erf 208 is **owned by Swartland Municipality itself**. The Municipality therefore has a direct financial interest in approving the rezoning, either through sale or lease of the subdivided land. This creates a conflict of interest between its role as landowner and its duty to protect the rights of residents.

Furthermore, the Municipality already has **8.11 hectares (the remainder erf) containing the caravan park** available for tourism-related expansion. If more Resort development is genuinely needed, it should be directed there rather than eroding existing community spaces opposite long-standing homes.

Conclusion

For the reasons set out above, I strongly object to the proposed rezoning and subdivision of Erf 208, particularly Portions A and B. This application represents:

- Loss of property value and amenity
- Loss of privacy and views
- Incompatibility with the residential character of Yzerfontein
- Traffic and safety concerns

- Loss of community, cultural, and entrepreneurial spaces
- Environmental and infrastructure strain
- Increased risk of crime
- A conflict of interest due to municipal ownership and profit motive
- The availability of suitable alternative land already zoned for such uses

I therefore request that Swartland Municipality **refuse the application in its entirety** in order to protect the rights of long-standing homeowners and preserve the integrity, identity, and safety of the Yzerfontein community.

Full Name: Cheryl Burger (Die Lemar Trust)

Property Address & Erf: 21 Dolfynstraat, Erf 725, Yzerfontein

Contact Details: Cheryl@virtigo.co.za / 082 552 4086

Preferred Communication: Email

ANNEXURE O

From: Lizanne Hetherington <lizbigbay@gmail.com>
Sent: Monday, 20 October 2025 14:47
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Objection to PROPOSED REZONING AND SUBDIVISION OF ERF 208

Hi there,

I'd like to object to the rezoning and subdivision of Erf 208.

While the current intentions may appear unobjectionable, the approval would create the potential for the area to evolve over time into a predominantly commercial, tourism-oriented zone — characterised by holiday accommodation such as lodges, chalets, or tourist flats, as well as related commercial activities including shops, restaurants, and recreational facilities. This will further harm Yzerfontein's unique character.

Regards

Lizanne Hetherington

8 Fynbos Cres, Yzerfontein, 7351

Preferred communication method: email (lizbigbay@gmail.com)

ANNEXURE P

SPORT & RECREATION CLU
YZERFONTEIN
SPORT & ONTSPANNINGSKLUB

61 Beach Road, Yzerfontein, 7351
info@yzersportclub.co.za
Reg nr: 93 003 5367

022 451 2819
Facebook YZERFONTEIN SPORTSKLUB
VAT nr: 468 015 4244

Date: 27 October 2025

To:

The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7299
Email : swartlandmun@swartland.org.za

Subject: PROPOSED REZONING AND SUBDIVISION OF ERF 208, YZERFONTEIN (NOTICE 25/2025/2026) (REFERENCE NUMBER 15/3/3-14/Erf 208)

Dear Sir/Madam,

This letter of objection is written on behalf of the Yzerfontein Sports & Recreation Club (representing all our members and all the sports clubs that fall under our administration). On behalf of the Yzerfontein Sports & Recreation Club (YSRC), I hereby make the following comments in regard to the proposed subdivision in notice 25/2025/2026 and reference 15/3/3-14/Erf 208:

1. The proposed northern subdivisional line of Portion A showing a rectangular projection to the north in order to accommodate a new bowling green will create portions of land to the west and east which will make future development of these areas awkward and possibly impractical.
2. Besides the needs of the bowling club for another green there is also a need for the tennis club to have an ablution for easy access for their members. Also, with another green being constructed for the bowling club, the need will arise for an additional ablution for the additional bowling members using the new green. The area to the east near the camp site office will be an ideal area to build a new ablution serving both clubs.
3. The YSRC is rapidly expanding and we are now proposing to build two padel courts to provide a greater sporting opportunity for our members, and visitor's. This will put a greater strain on the land we are currently using. Therefore, the inclusion of the small triangular land to the west of your proposed subdivisional bowling green projection will make the subdivisional line more practical for the YSRC`s future use of available open space.
4. Please see attached our proposed amended subdivisional line to remedy the above points. Note that the additional areas to be included in Portion A are currently covered in bush – so the function of the camp site will not be affected. Note that the area of the new proposed Portion A will only increase by approximately 0.1 Ha.

5. Note that our surveyor has accurately surveyed the area concerned and has slightly amended the proposed subdivisional lines in line with existing fences, walls and infrastructure.

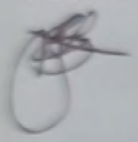
We respectfully request that this revision be considered as part of the current public participation and comment process.
Please confirm receipt of this correspondence and advise if any additional documentation is required to support this amendment.
We request that all correspondence with the YSRC be via email.

Yours faithfully,

Deane Roberts
083 6300894

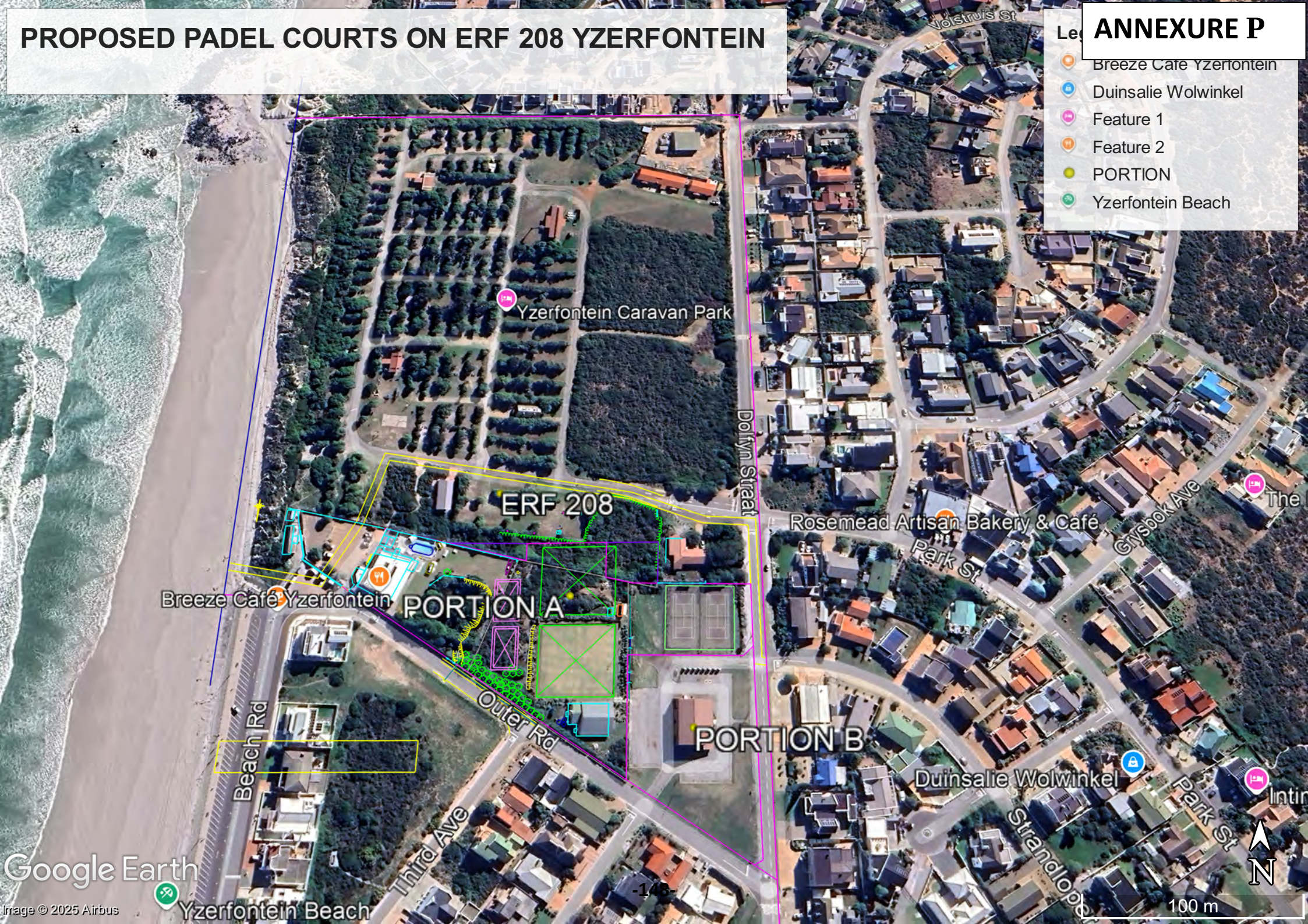
On behalf of the Yzerfontein Sports & Recreation Club

Jessica Keelty
Cub Manager



PROPOSED PADEL COURTS ON ERF 208 YZERFONTEIN

ANNEXURE P



ANNEXURE P

ERF 208

PROPOSED AMENDING SUB-DIVISIONAL PLAN OF ERF 208 YZERFONTEIN

SCALE 1:500

(A2 size plot)

PROPOSED AMENDED PORTION A :

THE FIGURE A, B, A1, B1, C1, H, J. K, L, M, N, P, Q, R, A

1.47 Ha

PORTION A
1.47 Ha

PORTION B
0.53 Ha

YZERFONTEIN CAMP SITE

SITE 93 | SITE 94 | SITE 95

TAP

YZERFONTEIN SPORTS & REC CLUB

YZERFONTEIN BOWLING CLUB HOUSE

CARAVAN PARK OFFICE

TENNIS COURTS

Proposed Bowling Green

Existing Bowling Green

Proposed Padel Court

Proposed Padel Court

Swartland Proposed Subdivisional Line

Social Club Proposed Subdivisional Line

Swartland Proposed Subdivisional Line

Cadastral Boundary

Underground Cable Servitude

4m Underground Cable Servitude

DOLPHIN AVE (7.41m) (Tar)

OUTER ROAD (12.19m) (Tar)

High Water Mark

Public Parking Area

Tar Road

Concrete Fence

Wire Fence

Tar Pavement

Stormwater Drainage Ditch

STORMWATER SOAK AWAY PIT

Jungle Gym

Palm Stump

Wooden Pergola

Wooden Deck

Pool

Stage

Shed

Toilet

Public Ablutions

LULA`S

Block/Asb. Shed

Container Shed

Wind Sock Pole

Solar Panel Pole

Water Tanks

Sign Post

Stormwater

BUSH

LP

SURVEYED BY:

GLEN MILLAR SURVEYS

REGISTERED GEOMATIC TECHNOLOGIST
GTg ES0394
H.N.Dip.(Civil) N.Dip.(Survey) S.(S.A.)

Cell. 082-9261031

Email: glen@glenmillar.co.za
Web Site: www.glenmillar.co.za

DATE: OCT 2025 | JOB No. 25/4711

ANNEXURE Q

From: Carel van der westhuizen <koejawels@gmail.com>
Sent: Tuesday, 30 September 2025 19:45
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Objection to rezoning

I hereby object to the rezoning of the area next to the club. I am a owner and I object for all the right reasons. Stop this.

Worried taxpayer.

Ch vd Westhuizen

0814286766

Tenth street

Serendipity

ANNEXURE R

From: admin@yzerfontein.org <admin@yzerfontein.org>
Sent: Monday, October 20, 2025 10:22 AM
To: Lenay Abdol <PlanIntern1@swartland.org.za>
Subject: RE: Voorgestelde hersonering en onderverdeling van erf 208, Yzerfontein

The proposed zoning circular for erf 208 Yzerfontein refers.

The Yzerfontein Residents Association supports the proposed changes submitted.

Regards,

SW Engelbercht

On behalf of YRA

CK RUMBOLL &
PARTNERS INC.

PROFESSIONELE LANDMETERS ~ ENGINEERING SURVEYORS ~ STAD- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 27 November 2025 **OUR REF:** YZE/14771/MH

PER HAND, E-MAIL AND PORTAL SUBMISSION

Attention: Mr A Zaayman
Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300
StellenbergD@swartland.org.za

RESPONSE TO OBJECTIONS & COMMENTS:

APPLICATION FOR PROPOSED REZONING AND SUBDIVISION IN ACCORDANCE WITH THE SWARTLAND MUNICIPALITY LAND USE PLANNING BY-LAW (2020) IN RESPECT OF ERF 208, YZERFONTEIN

With reference to the below correspondence:

a) Your letter dated 28 October 2025

The table below provides a summary of the comments/objections that were received during the commenting period of the public participation along with the response from CK Rumboll and Partners on behalf of, Swartland Municipality, registered owner of Erf 208 Yzerfontein. Comments and objections were received from the following parties:

Damian and Marisa Micheal, E le Roux, Shirley Holmes, SW Marais, Charl Botha, K Botha, Ralph Kumbier, Karen Cookson, Stefan Bauer, Cheryl Burger, Lizanne Hetherington and Jessica Keelty on behalf of Yzerfontein Sports & Recreation Club.

Please note that our response is provided in the language that the objections was received.

Objector	Objection/Comments	Response on objections
1. **Damian and Marisa Micheal**	a) Contravention of Planning Frameworks The proposed rezoning and subdivision is inconsistent with the Swartland Municipal Spatial Development Framework (SDF) and the Yzerfontein Local Spatial Development Plan, both of which emphasise the preservation of the town's unique low-density coastal village character. In terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest. This application does not meet these requirements. Approving this rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning. Environmental Concerns (NEMA) The National Environmental Management Act (NEMA) requires that development be sustainable and that decision-making considers the precautionary principle. Erf 208 lies in an ecologically sensitive coastal zone, with potential impacts on fynbos vegetation, bird species (including flamingos, African oystercatchers, and Cape spurfowl), and other coastal biodiversity. Increased hard surfaces from subdivision (driveways, roofs, paved areas) will exacerbate stormwater run-off, potentially polluting the ocean and damaging sensitive dune systems. It is unclear whether a full Environmental Impact Assessment (EIA) has been conducted. If not, approval would be unlawful	a) It is evident from the objection that there is a fundamental misunderstanding of the purpose of the application for the rezoning and subdivision of Erf 208, Yzerfontein. For the sake of clarity, the intent of the application is limited, technical in nature, and does not introduce any new land uses on the property. **<u>Purpose of the Application:</u>** **Rezoning of specific portions of Erf 208, Yzerfontein** • From *Open Space Zone 2* to *Resort Zone* (±669m²) • From *Resort Zone* to *Open Space Zone 2* (±607m²) The sole purpose of the above amendments is to realign the existing zoning boundaries so that they correspond accurately with the established land uses currently taking place on the ground, namely the caravan park and the sports facilities. This alignment ensures that the zoning map reflects the reality of long-standing and lawful uses already accommodated under these zoning categories. **Subdivision of Erf 208, Yzerfontein** Erf 208, Yzerfontein is proposed to be subdivided into four portions, as follows: • Portion A (±1.37 ha) • Portion B (±0.49 ha) • Portion C (±0.42 ha) • Remainder Erf 208 (±8.1105 ha)

	under NEMA. Heritage, Character and Sense of Place Yzerfontein's attraction lies in its small-town charm, open coastal spaces, and low-density residential feel. Densification on Erf 208 would compromise this sense of place, undermining both local quality of life and the town's value as a tourist destination. The National Heritage Resources Act (NHRA) requires protection of areas with cultural or historical significance. Any subdivision should be referred to Heritage Western Cape. Infrastructure and Services Capacity Existing sewage, water and electricity infrastructure in Yzerfontein is already strained, particularly in peak holiday periods. Any intensification of land use without prior infrastructure upgrades would be unsustainable and prejudicial to existing residents. Traffic congestion on Yzerfontein's narrow streets is already evident during peak tourist seasons. Additional housing units will worsen congestion, road safety risks, and parking shortfalls. Climate Change, Disaster and Safety Risks Erf 208 is within a coastal climate risk area. Subdivision and densification increases the number of residents exposed to flooding, sea-level rise, and coastal storm events. This contravenes Section 24 of the Constitution (right to an environment not harmful to health and well-being) and NEMA's sustainable development principles. Increased densification also raises fire risks in a coastal town	The purpose of the subdivision is purely administrative, in other words, to place the existing land uses on separate cadastral units. **No Increase in Land Use Intensity** Importantly, this application does not introduce any new zoning categories nor does it add new land uses. All current uses will continue exactly as they are at present. **Relevance of the Objection** Given the above, the concerns raised in the objection are not considered to be applicable to this application. These concerns relate to development intensification, which is not proposed in this application. This application is administrative in nature, aimed solely at bringing the zoning and cadastral configuration into alignment with the long-established, existing uses on the property. **Public Participation Undertaken** A comprehensive public participation process was undertaken in accordance with the Swartland Municipality Land Use Planning By-Law (PG 8226 of 25 March 2020). The application was duly advertised in both the local newspapers and the Provincial Gazette. In addition, registered notices were issued to all identified affected parties. Where e-mail addresses were available, notices were also sent electronically. This extensive public participation process confirms that all statutory public participation requirements were fully met, and that interested and affected parties were provided with more than adequate opportunity to submit comments or

	where fire evacuation routes are already limited. Public Participation and Transparency It is not clear whether affected residents and the Yzerfontein community at large have been adequately consulted. I request access to all reports relied upon in support of this application, including: Environmental studies (EIA, ecological impact assessments) Traffic impact assessment Heritage assessments Services capacity reports (water, sewage, electricity) Without access to this information, meaningful participation in the decision-making process is impossible, contrary to Section 33 of the Constitution (right to just administrative action). Property Value and Precedent Increased subdivision and densification will likely erode existing property values by undermining the exclusivity and low-density nature of the area. Approval of this application will set a precedent that opens the door for similar applications, irreversibly changing the town's character. Conclusion In light of the above, I respectfully submit that the rezoning and subdivision of Erf 208 should be refused as it is: Inconsistent with the Municipal SDF and LUPA Contrary to NEMA and the Constitution's environmental protections Detrimental to Yzerfontein's character, infrastructure and sustainability Based on insufficient consultation and inadequate supporting studies I therefore request written confirmation that this objection has been recorded and that I be	objections.

	informed of all further proceedings relating to this matter.	
2. E le Roux	a) That piece of land and the facilities developed over time on it are treasured and valued by the whole of Yzerfontein and plays a very important role in preserving the nature and character ofYzerfontein as a gem on the Wast Coast with a balance between nature and community, which will be lost and be replaced by cold commercialization driven only by financial objectives. Visitors to Yzerfontein, as well as its inhabitants/residents, are really taken aback and are deeply worried about this intention of the Municipality which will cause irreparably damage to the town's character as said above. Notable losses to visitors and inhabitants are: • The Community Centre: this centre hosts Church services, community fitness classes and get-togethers for people , bazaars (where locals and other entrepreneurs can sell their goods which money are likely to be invested in the community again); • The safe spaces where children, young people, people of more advanced age, and families can relax and enjoy the beauty that the West Coast offers, in the freedom of nature, which are likely to disappear, for instance; o The playpark for children, the bowling greens for more senior inhabitants and visitors, the tennis courts for younger	a) It is evident from the objection that there is a fundamental misunderstanding of the purpose of the application for the rezoning and subdivision of Erf 208, Yzerfontein. For the sake of clarity, the intent of the application is limited, technical in nature, and does not introduce any new land uses on the property. **<u>Purpose of the Application:</u>** **Rezoning of specific portions of Erf 208, Yzerfontein** • From *Open Space Zone 2* to *Resort Zone* (±669m²) • From *Resort Zone* to *Open Space Zone 2* (±607m²) The sole purpose of the above amendments is to realign the existing zoning boundaries so that they correspond accurately with the established land uses currently taking place on the ground, namely the caravan park and the sports facilities. This alignment ensures that the zoning map reflects the reality of long-standing and lawful uses already accommodated under these zoning categories. **Subdivision of Erf 208, Yzerfontein** Erf 208, Yzerfontein is proposed to be subdivided into four portions, as follows: • Portion A (±1.37 ha) • Portion B (±0.49 ha) • Portion C (±0.42 ha)

	people, restaurant, sports club, and nature reserve are all likely to disappear. In its place could come new developments which will bring more people, more traffic, likely parking problems, noise and also the possibility of more car robberies and other crime activities. All-in-all the peacefulness of this beautiful West Coast paradise will likely change to yet another commercialized town with no character. Surely there must be other areas in the town, perhaps further up towards the more developed and already commercialized areas, where rezoning could be considered without rezoning this traditional and highly valued space of land which forms that heartland of proper Yzerfontein??	• Remainder Erf 208 (±8.1105 ha) The purpose of the subdivision is purely administrative, in other words, to place the existing land uses on separate cadastral units. **No Increase in Land Use Intensity** Importantly, this application does not introduce any new zoning categories nor does it add new land uses. All current uses will continue exactly as they are at present. **Relevance of the Objection** Given the above, the concerns raised in the objection are not considered to be applicable to this application. These concerns relate to development intensification, which is not proposed in this application. This application is administrative in nature, aimed solely at bringing the zoning and cadastral configuration into alignment with the long-established, existing uses on the property.
3. Shirley Holmes	a) Dear Sirs I have read with concern about the rezoning of Erf 208, Yzerfontein (Portion A & B)* I am fairly new to Yzerfontein, having moved here two and a half years ago. But have enjoyed the use of the Community Hall for Markets, Art Exhibitions and Pilates classes along with many other ladies and men alike. The other facilities on the Erf are also great for community use - out of season in particular when the tourists are not here to support local business. For example the Bowls Club where I have attended Tourism Meetings, and shows	a) Please refer to comment under 2(a).

	and Lula's Restaurant, which we have enjoyed regularly. The tennis courts have just been revamped and are also used regularly. The Recycle Bin area will also have to be moved. It is convenient to be there, with adequate parking to avoid congestion whilst depositing recycling. It would be a huge loss to the town to have this area rezoned, if these facilities will be lost to the community. I wish to object to the rezoning if community facilities will be lost to the very tax payers that support the Swartland Municipality. At the last Tourism Meeting I attended, it was stated that the Swartland Municipality was one of the top Municipalities and had over R60 million in reserves. I would like to know therefore what is the reason for rezoning and what is planned for that Erf.	
4. SW Marais	a) Na kennisname van voorgenome besluit om Erf 208 te verdeel in basies 3 Zones, maak ek beswaar teen die voortgaan met die hersonering. Sou Yzerfontein Rolbal Klub ekstra area benodig vir hulle vergrote sportgronde om ekstra rolbal baan in te pas, sou dit baie makliker en goedkoper wees om die die grondgebruik op spesiale ooreenkoms toe te staan vir die gebruik van die spesifieke area vir n termyn van 99jaar.	Hierdie kantoor neem kennis van die beswaar.

	Enige hersonering, maak dit moontlik dat die grondgebruik vir ander gebruike, buite onstpanning en rekreasie toegetaan kan word.	
5. Charl Botha	a) Contravention of Planning Frameworks The proposed rezoning and subdivision is inconsistent with the Swartland Municipal Spatial Development Framework (SDF) and the Yzerfontein Local Spatial Development Plan, both of which emphasise the preservation of the town's unique low-density coastal village character. In terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest. This application does not meet these requirements. Approving this rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning. Environmental Concerns (NEMA) The National Environmental Management Act (NEMA) requires that development be sustainable and that decision-making considers the precautionary principle. Erf 208 lies in an ecologically sensitive coastal zone, with potential impacts on fynbos vegetation, bird species (including flamingos, African oystercatchers, and Cape spurfowl), and other coastal biodiversity. Increased hard surfaces from subdivision (driveways, roofs, paved areas) will exacerbate stormwater run-off, potentially polluting the ocean and damaging	Please refer to comment under 1(a).

	sensitive dune systems. It is unclear whether a full Environmental Impact Assessment (EIA) has been conducted. If not, approval would be unlawful under NEMA. Heritage, Character and Sense of Place Yzerfontein's attraction lies in its small-town charm, open coastal spaces, and low-density residential feel. Densification on Erf 208 would compromise this sense of place, undermining both local quality of life and the town's value as a tourist destination. The National Heritage Resources Act (NHRA) requires protection of areas with cultural or historical significance. Any subdivision should be referred to Heritage Western Cape. Infrastructure and Services Capacity Existing sewage, water and electricity infrastructure in Yzerfontein is already strained, particularly in peak holiday periods. Any intensification of land use without prior infrastructure upgrades would be unsustainable and prejudicial to existing residents. Traffic congestion on Yzerfontein's narrow streets is already evident during peak tourist seasons. Additional housing units will worsen congestion, road safety risks, and parking shortfalls. Climate Change, Disaster and Safety Risks Erf 208 is within a coastal climate risk area. Subdivision and densification increases the number of residents exposed to flooding, sea-level rise, and coastal storm events. This contravenes Section 24 of the Constitution (right to an environment not harmful to health and well-being) and NEMA's	

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	therefore request written confirmation that this objection has been recorded and that I be informed of all further proceedings relating to this matter.	
6. K Botha	a) Contravention of Planning Frameworks The proposed rezoning and subdivision is inconsistent with the Swartland Municipal Spatial Development Framework (SDF) and the Yzerfontein Local Spatial Development Plan, both of which emphasise the preservation of the town's unique low-density coastal village character. In terms of the Western Cape Land Use Planning Act, 2014 (LUPA) and the Municipal Planning By-Law, rezonings must be consistent with the SDF and in the public interest. This application does not meet these requirements. Approving this rezoning will create a precedent for further densification in areas not earmarked for such development, leading to fragmented and ad hoc planning. Environmental Concerns (NEMA) The National Environmental Management Act (NEMA) requires that development be sustainable and that decision-making considers the precautionary principle. Erf 208 lies in an ecologically sensitive coastal zone, with potential impacts on fynbos vegetation, bird species (including flamingos, African oystercatchers, and Cape spurfowl), and other coastal biodiversity. Increased hard surfaces from subdivision (driveways, roofs, paved areas) will exacerbate stormwater run-off, potentially polluting the ocean and damaging sensitive dune systems. It is unclear whether a full	Please refer to comment under 1(a).

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	sustainability Based on insufficient consultation and inadequate supporting studies I therefore request written confirmation that this objection has been recorded and that I be informed of all further proceedings relating to this matter.	
7. Ralph Kumbier	a) I would like to object to the rezoning application of Erf 208 Yzerfontein. My reasons are loss of community hall, loss of market area which I also take part in, increased traffic, noise, crime issues, loss of play park and over-commercialisation of our area.	Please refer to comment under 2(a).
8. Karen Cookson	a) I Karen Ruth Cookson, in my capacity as Trustee of the Roscoe Cleo Trust, the owner of Erf 1206, Yzerfontein, I vehemently object to these proposed plans based on the following: • Yzerfontein has been a quiet coastal town and the charm of it will disappear • This will attract more people, bringing more traffic, noise and unsavoury characters to the area • The old public facilities will become nothing more than buildings for commercial gain • Local entrepreneurs who use the space to sell their goods will lose their platform • The community will lose their home-based space for public events • The safe park is the space used by children will vanish • Crime will increase • The cost to us will be astronomical, alarm systems, security gates, electric fences will be for our cost. • Our insurance will increase • Safety will be an issue	Please refer to comment under 2(a).

	• Congestion on the roads • The smog in the air • The parking problems • The more rates will need to be paid to keep our roads, surfaced properly due to all the traffic and trucks • We will be replacing the nature, the sea with the smell and feel of a city which we chose to leave because of these reasons stated above. Leave our Yzerfontein alone and build resorts in towns that need them and that could benefit from it.	
9. Stefan Bauer	a) The key concern with this application is the unacceptable long-term impact of the proposed zoning change,regardless of the applicant's current intent. By approving the rezoning, the Municipality is sanctioning the inevitable transformation of the area into a commercial-tourism hub. This decision will facilitate the future construction of accommodation dedicated to short-term letting, including lodges and flats, and the related necessity of commercial facilities such as retail spaces and eateries. This scale of development will cause irreversible damage and is incompatible with the existing character and amenity of Yzerfontein. This application should be denied as it directly contravenes the need to preserve the distinctive qualities of our town.	Please refer to comment under 2(a).

10. Cheryl Burger	a) I hereby lodge a formal objection to the proposed rezoning and subdivision of Erf 208, Yzerfontein (Notice 25/2025/2026), specifically the rezoning of Portion A (±1.37 ha) and Portion B (±0.49 ha) from Open Space to Resort Zone. **Impact on Property Value and Enjoyment of Rights** The proposed rezoning will directly reduce the market value of my home by: • Blocking long-standing views and privacy, which were a key reason for our investment. • Creating noise, light, and visual intrusion inconsistent with residential living. This undermines the rights of long-standing residents in favour of speculative development. **Incompatibility with Surrounding Residential Character** Portion A and B are surrounded by quiet residential streets. Introducing Resort zoning in this context is fundamentally incompatible with the neighbourhood's character and will irreversibly alter Yzerfontein's identity as a residential coastal town. **Increased Traffic and Safety Risks** Tourist accommodation will increase vehicle movements and parking demand along Dolfynstraat and Buitenkant Road, raising road safety risks for pedestrians, children, and cyclists. The current infrastructure is not designed to absorb this additional pressure. **Community, Cultural, and Entrepreneurial Value** Portion A and B currently host valuable community	Please refer to comment under 2(a).

	and cultural facilities: • A hall with a long-standing history of church services, dances, and community events. • Facilities such as the tennis courts, bowling green, and sports club. • A new, safe playground, the only such play park for children in the neighbourhood. • Markets and events which provide vital opportunities for local entrepreneurs and small businesses • Nature reserve areas and small-scale food trucks which bring vibrancy and balance without overwhelming the area. Rezoning will undermine these shared community assets, replacing public benefit with private commercial gain. This would represent a loss of cultural heritage, community identity, and local entrepreneurial opportunities that have defined Yzerfontein for decades. **Environmental and Infrastructure Concerns** Tourism-related development will: • Increase stormwater runoff and environmental pressure on a sensitive coastal ecosystem. • Place additional strain on sewerage, water, and electricity networks, which may not be able to cope with added demand. **Precedent for Further Inappropriate Development** Approving this application will set a dangerous precedent, encouraging piecemeal conversion of community and residential land into commercial Resort use. This risks turning Yzerfontein into a tourist	

	hub at the expense of its residents. **No Demonstrable Community Benefit** There is no shortage of land already zoned for tourism and Resort use in Yzerfontein. Approving this rezoning serves only developer and municipal financial interests, with no clear benefit to the local community. **Increased Risk of Crime and Reduced Safety** Short-term rentals and transient tourist accommodation typically increase: • Petty crime opportunities (theft, break-ins, trespassing). • A decline in neighbourhood safety, cohesion, and trust. This would erode the safe, close-knit environment that long-term residents have built over decades. **Conflict of Interest and Alternatives** It must be noted that Erf 208 is owned by Swartland Municipality itself. The Municipality therefore has a direct financial interest in approving the rezoning, either through sale or lease of the subdivided land. This creates a conflict of interest between its role as landowner and its duty to protect the rights of residents. Furthermore, the Municipality already has 8.11 hectares (the remainder erf) containing the caravan park available for tourism-related expansion. If more Resort development is genuinely needed, it should be directed there rather than eroding existing community spaces opposite long-standing	

	homes. **Conclusion** For the reasons set out above, I strongly object to the proposed rezoning and subdivision of Erf 208, particularly Portions A and B. This application represents: • Loss of property value and amenity Loss of privacy and views • Incompatibility with the residential character of Yzerfontein • Traffic and safety concerns • Loss of community, cultural, and entrepreneurial spaces • Environmental and infrastructure strain • Increased risk of crime • A conflict of interest due to municipal ownership and profit motive • The availability of suitable alternative land already zoned for such uses I therefore request that Swartland Municipality refuse the application in its entirety in order to protect the rights of long-standing homeowners and preserve the integrity, identity, and safety of the Yzerfontein community.	
11. Lizanne Hetherington	a) I'd like to object to the rezoning and subdivision of Erf 208. While the current intentions may appear unobjectionable, the approval would create the potential for the area to evolve over time into a predominantly commercial, tourism-oriented zone - characterised by holiday accommodation such as lodges, chalets, or tourist flats, as well as related	Please refer to comment under 2(a).

	commercial activities including shops,restaurants, and recreational facilities. This will further harm Yzerfontein's unique character.	
12. Jessica Keelty on behalf of Yzerfontein Sports & Recreation Club.	a) This letter of objection is written on behalf of the Yzerfontein Sports & Recreation Club (representing all our members and all the sports clubs that fall under our administration). On behalf of the Yzerfontein Sports & Recreation Club (YSRC),I hereby make the following comments in regard to the proposed subdivision in notice 25/2025/2026and reference 15/3/3-14/Erf 208: The proposed northern subdivisional line of Portion A showing a rectangular projection to the north in order to accommodate a new bowling green will create portions of land to the west and east which will make future development of these areas awkward and possibly impractical. Besides the needs of the bowling club for another green there is also a need for the tennis club to have an ablution for easy access for their members. Also, with another green being constructed for the bowling club, the need will arise for an additional ablution for the additional bowling members using the new green. The area to the east near the camp site office will be an ideal area to build a new ablution serving both clubs. The YSRC is rapidly expanding and we are now proposing to build two padel courts to provide a greater sporting opportunity for our members, and visitor's. This will put a greater strain on the land we are currently using. Therefore, the inclusion of the small triangular land to the west of your proposed subdivisional bowling green projection will make the subdivisional line more practical for the YSRC's future	The contents of the comment and proposed amended subdivision are noted. Given that Swartland Municipality is the owner of Erf 208 Yzerfontein, the final decision on any amendment to the proposed subdivision lies solely with the municipality.

	use of available open space. Please see attached our proposed amended subdivisional line to remedy the above points. Note that the additional areas to be included in Portion A are currently covered in bush – so the function of the camp site will not be affected. Note that the area of the new proposed Portion A will only increase by approximately 0.1 Ha. Note that our surveyor has accurately surveyed the area concerned and has slightly amended the proposed subdivisional lines in line with existing fences, walls and infrastructure. We respectfully request that this revision be considered as part of the current public participation and comment process.	

We trust that the above will be duly considered during the assessment of this application.

Yours faithfully,

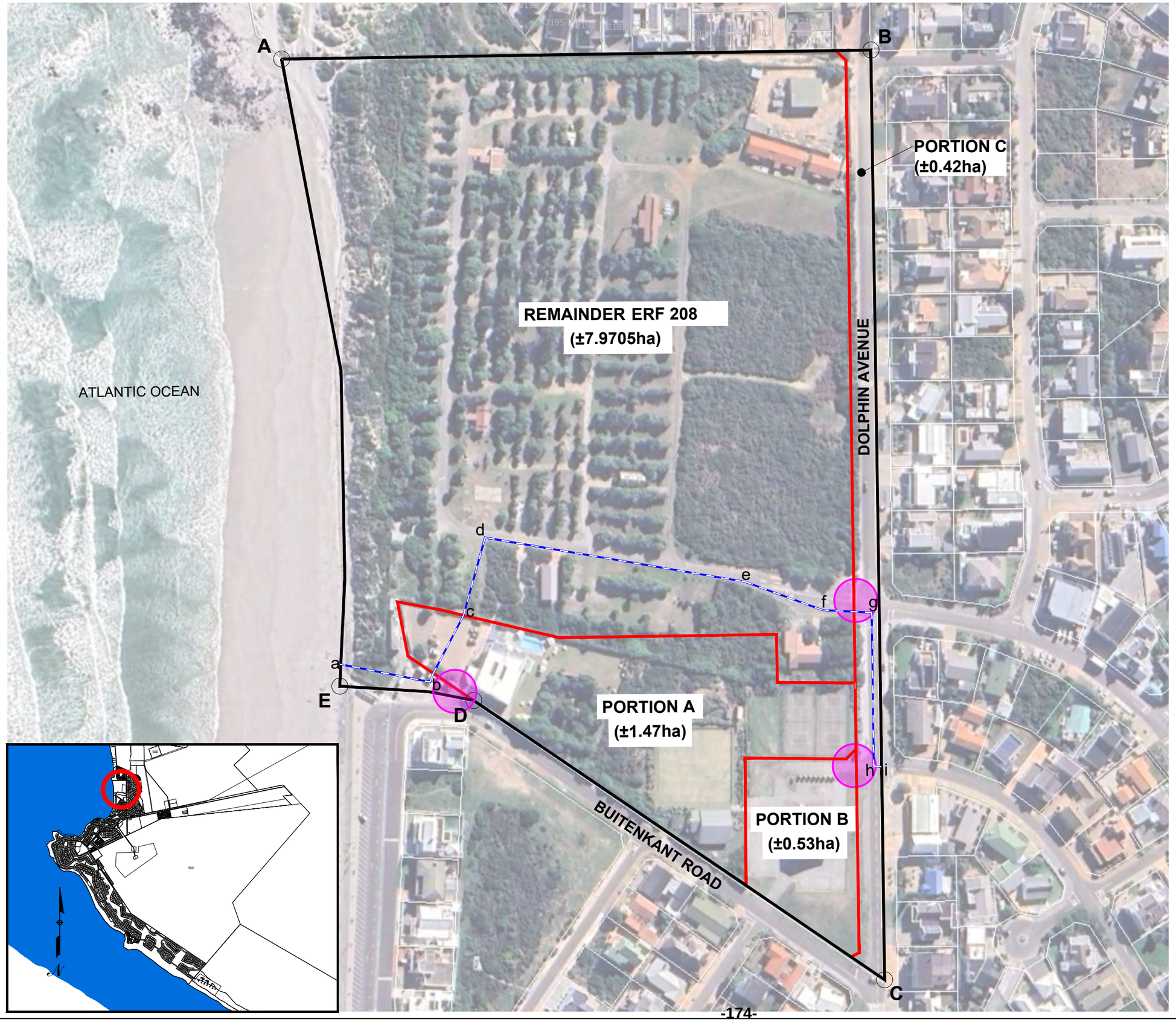


Mornay Herling

For CK Rumboll and Partners

SUBDIVISION PLAN

ERF 208 YZERFONTEIN



LEGEND:

- Proposed Subdivisions
- Cable servitude represented by Line abcdefghi (SG No.1446/2011)
- Existing access points

Figure ABCDE represents Erf 208 Yzerfontein

DESCRIPTION OF ZONINGS:

PORTION A	: OPEN SPACE ZONE 2
PORTION B	: AUTHORITY ZONE
PORTION C	: TRANSPORT ZONE 2
REMAINDER ERF 208	: RESORT ZONE

*NOTE - REVISION 1

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning5@rumboll.co.za

DATE:	AUTHORITY:
DECEMBER 2025	SWARTLAND MUNICIPALITY

REFERENCE:
YZE/14771/MH

Office of the Director: Development Services
Department: Development Management

27 January 2026

15/3/3-15/22

WYK: 5

ITEM 6.4 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 11 FEBRUARY 2026

LAND USE PLANNING REPORT
PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL: REZONING AND SUBDIVISION OF PORTION 25 OF THE FARM TYGERFONTEIN, NO. 564, DIVISION MALMESBURY

Reference number	15/3/3-15/22	*Application submission date*	*27 August 2025*	*Date report finalised*	*28 January 2026*

PART A: APPLICATION DESCRIPTION

a) Application for the amendment of the conditions of approval pertaining to the rezoning and subdivision of Portion 25 of the farm Tygerfontein, no. 564, Division Malmesbury, in terms of section 25(2)(h) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020), as follows:

Condition B.4) in approval letter 15/3/3-15/22, dated 16 November 2005, that reads:

"…1.a) dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no. 564 skakel, slegs vir nooddoeleindes gebruik sal word.…"

translated as follows:

"…1.a) that the proposed emergency road that links the farm Tygerfontein, no. 564, with Yzerfontein, be used for emergency purposes only…"

be amended to read as follows:

"…The residents of the Tygerfontein Coastal Estate, their guests, employees and authorised service providers may obtain access to the estate, directly from the Yzerfontein township, via Dasseneiland Drive…"

The applicant is C.K. Rumboll and Partners and the property is owned by Tygerfontein Estates (Pty) Ltd.

PART B: PROPERTY DETAILS

Property description (as in Title Deed)	PORTION 25 OF THE FARM TYGERFONTEIN 564 IN THE SWARTLAND MUNICIPALITY DIVISION OF MALMESBURY PROVINCE OF THE WESTERN CAPE						
Physical address	The first farm directly South-east of Yzerfontein town			Town	Yzerfontein		
Current zoning	Open Space Zone 3 and Residential Zone 3	Extent (m²/ha)		940,9233ha	Are there existing buildings on the property?	**Y**	**N**
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020)						
Current land use	Conservation usage and estate housing				Title Deed number & date	T47427/2013	
Any restrictive title conditions applicable	Y	**N**	If Yes, list condition number(s)				
Any third party conditions applicable?	Y	**N**	If Yes, specify				
Any unauthorised land use/building work	**Y**	**N**	If Yes, elaborate				

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning		Permanent departure		Temporary departure		Subdivision	

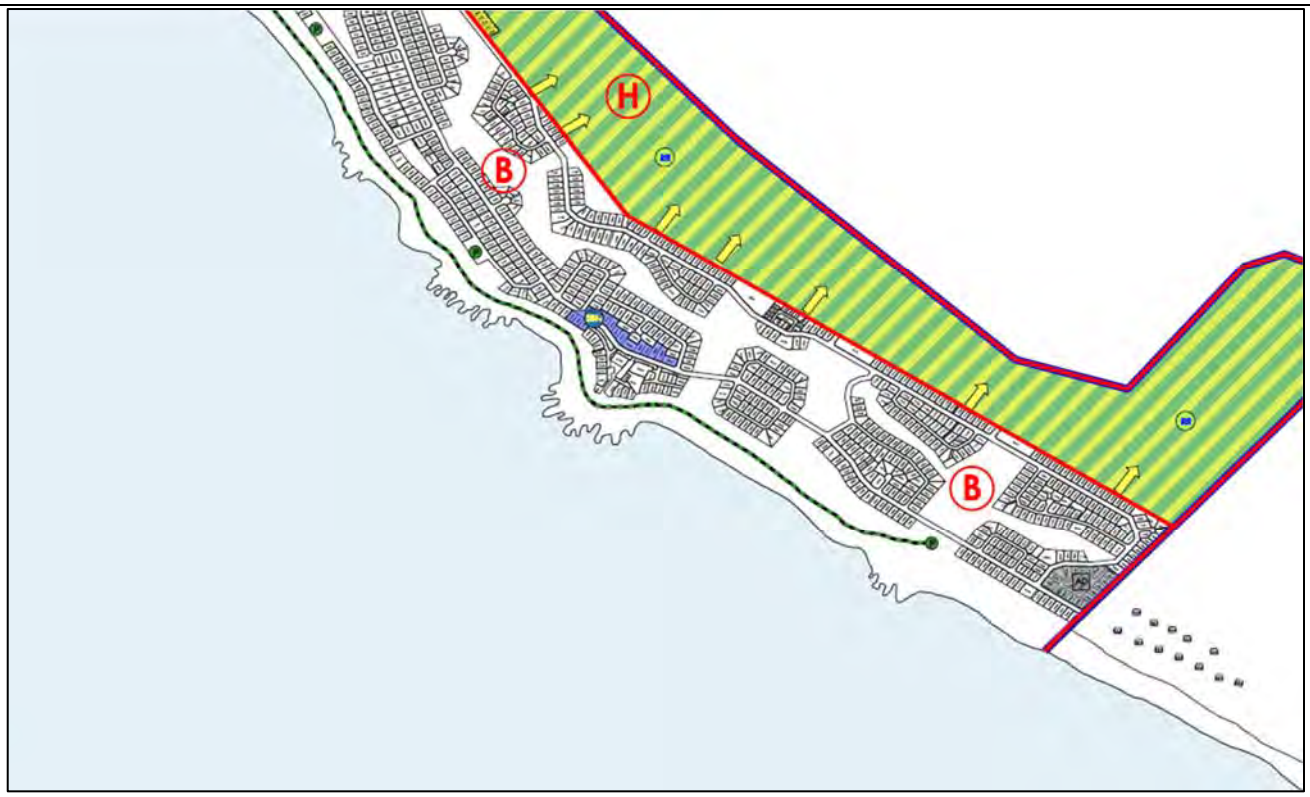
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion or imposition of conditions in respect of existing approval	✓	Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a home owner's association		Rectify failure by home owner's association to meet its obligations		Permission to reconstruct an existing building that constitutes a non-conforming use			

PART D: BACKGROUND

Portion 25 of the farm Tygerfontein, no. 564 was a large portion of vacant farm land directly abutting the south-eastern town border of Yzerfontein. The property is further bordered by agricultural land towards the north-east, west of the R27 (West Coast Road), conservation/nature reserve towards the south-east and state land and the ocean towards the south-west (refer to Locality Map, Annexure A)



Locality Map



SDF Map (2025)

On 16 November 2005,Swartland Municipality approved the rezoning of Farm 564/25 from Agricultural Zone 1 to Open Space Zone 3: Nature Reserve, with footprint subdivision and rezoning to Resort Zone 2 of 24 portions, 350m² in extent each, to allow for the development of holiday accommodation on each portion.

The application was submitted and considered in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and included the required studies and statements - environmental authorisation was obtained, traffic impact was assessed and consent was obtained from the relevant external departments, including Department of Agriculture and Cape Nature.

The Department of Environmental Affairs and Development Planning (DEADP), in their letter E17/2/2/1AM3FARM 564 MALMESBURY, dated 23 August 2006 required, as a condition of approval, that the *"…proposed emergency road that connects Yzerfontein with the property concerned be used for emergency purposes only…". (refer to Annexure C)*

The condition was included in the final approval, the motivation being that the development is located outside the urban edge and considered as a transitional zone between urban and rural. The concern stated was that creating a direct vehicular link between the town and the development would create the risk of the resort to have the appearance and character of a typical suburban residential development and, in turn, the threat of linear development along the sensitive coastline.

Access to the residential erven was, and continues to be, obtained via the R27 provincial road, right-of-way servitudes over abutting properties and right-of-way servitudes over the application property

During 2010 the developer applied for the amendment of the abovementioned condition, in order to allow for direct access and while the Municipality approved the amendment, the decision was appealed. DEADP, as the deciding authority on appeals at the time, supported the appeal, reiterating the previous reasons for refusal, as well as section 39 of the Ordinance, namely that local authorities were obliged to comply with the conditions imposed by DEADP. The condition subsequently remained unamended.

Since the 2010 decision, a number of circumstances have changed:

1. SPLUMA (2013) and LUPA (2014) came into effect, affording local municipalities the authority of deciding over land use applications and appeals;
2. The zoning category of Resort Zone 2 and the definition of holiday housing was removed from the zoning scheme regulations, amending all such zoned properties in the Swartland to Residential Zone 3: Estate housing, as the closest correlating zoning category;
3. Yzerfontein, as a town, developed exponentially;
4. Infrastructure, such as public roads, have been developed and upgraded in relation to the growth of the town;
5. The Municipal Spatial Development Framework (SDF, 2025) for Yzerfontein clearly directs the future growth of the town towards the north-east, limiting linear development along the coastline.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)			
Has pre-application consultation been undertaken?	Y	**N**	

PART F: SUMMARY OF APPLICANT'S MOTIVATION

1. The Proposal

The approval letter of 16 November 2005, granted the rezoning and subdivision of the Farm Tygerfontein No. 564, Division Malmesbury, to establish 24 portions zoned Resort Zone II, with the Remainder zoned Open Space III. The approval was subject to conditions. Subsequently, the Remainder of Farm Tygerfontein No. 564, Division Malmesbury, was resurveyed and is now designated as Portion 25 of Farm Tygerfontein No. 564, Division Malmesbury (the application property), as reflected on General Plan No. 112/2008, with an extent of 940,9233ha.

The purpose of the application is to obtain approval for the amendment of Condition B.(4) contained in the November 2005 approval. The condition currently restricts the use of Dassen Island Drive, which links Yzerfontein with the Tygerfontein Coastal Estate, to emergency purposes only. It is proposed to amend Condition B.(4) contained in the approval as follows:

Condition B.(4) Current text:
"…dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no.564 skakel slegs vir nooddoeleindes gebruik sal word…"

Proposed amendment:
"...dat inwoners van die Tygerfontein Coastal Estate, hul gaste, werknemers en gemagtigde diensverskaffers beheerde toegang mag verkry via Dasseneilandrylaan na en van Yzerfontein dorpsgebied en die Tygerfontein Coastal Estate..."

2. Desirability

The proposed amendment can be considered favourable based on the following key considerations:

a) The proposed amendment does not increase the scale or intensity of the approved development but instead introduces controlled access to and from Yzerfontein to support the estate's long-term viability and functionality;
b) Controlled access to and from the Tygerfontein Coastal Estate will enhance the overall attractiveness of the development by improving ease of movement. The proposed amendment will also provide practical benefits to service providers and employees, reducing travel time and associated costs, promoting both efficiency and sustainability, as well as supporting the local economy and employment in Yzerfontein. The proposed access will improve integration with Yzerfontein and strengthen functional links, creating opportunities for local businesses to benefit from the demand generated by the Estate;
c) The current restriction limiting the road to emergency use only has effectively hindered the development and functioning of the Estate, with less than 10% of the properties being developed since approval. It demonstrates that the condition has become an obstacle to realising the ultimate development potential of the Estate. The proposed amendment is therefore essential to unlock the viability of the Tygerfontein Coastal Estate. By permitting controlled access for residents, their guests, employees, and authorised service providers, the amendment introduces a balanced solution that supports development of the Estate while ensuring that access remains regulated.
d) Traffic generated by construction vehicles will be temporary in nature and limited to the development phase. In the long term, the road will be subject to controlled access, resulting in limited and manageable traffic volumes that will not have a significant impact on the surrounding road network. Furthermore, ITS Engineers (Traffic engineer) prepared a letter dated December 2010 in which they assessed the impact on the road network, specifically Dasseneiland Drive, as a result of construction activities related to the development of the Estate. The report included calculations on the number of vehicles that can use Dasseneiland Drive during the construction period, and concluded that such traffic would not have a significant impact on the road. The development is still limited to the originally approved 24 land units. Furthermore, the number of vehicle trips to be generated after the construction phase will be minimal. The conclusions regarding traffic volumes and road capacity remain applicable and support the proposed controlled access for residents, guests, employees, and authorised service providers;
e) The restriction on access between Yzerfontein and the Tygerfontein Estate undermines the potential synergy between the two areas. The condition significantly limits access to Yzerfontein facilities, such as retail, restaurants, and professional services, effectively forcing Tygerfontein residents to undertake a detour via the R27 to reach the town.
f) A previous application for the amendment was approved by the Swartland Municipality but was not supported by the Provincial Government. Recent legislative changes have since shifted the decision-making authority to Swartland Municipality;
g) It is foreseen that 80% of the residents of Tygerfontein may gain access via the R27 entrance to their homes seeing that they will be travelling from Cape Town. During their period of stay it is an approximate 20km round trip to reach Yzerfontein via the R27, which is not sustainable seeing that Yzerfontein is adjacent to Tygerfontein Estate. Furthermore, Yzerfontein-based building contractors working in Tygerfontein will face a minimum daily commute of 40km, unnecessarily increasing the carbon footprint. Facilitating more direct access would therefore promote efficiency and reduce environmental impact.

3. Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

a) Spatial Justice: The application remains consistent with the Swartland Municipal Spatial Development Framework, Amendment 2025. The right of the owner to apply in terms of the relevant planning legislation should also be recognised. Furthermore, it should be recognised that the proposed amendment will improve ease of movement for residents and their guests as well as providing practical benefits to service providers and employees in Yzerfontein..

b) Spatial sustainability: The application will not adversely affect any natural conservation areas or areas of high potential agricultural land. Furthermore, reducing unnecessary travel distances directly lowers fuel consumption and carbon emissions.

Efficiency: The proposed amendment ensures that the existing road network is used optimally, without requiring unnecessary new infrastructure or upgrades. The proposed amendment will provide practical benefits to service providers and employees by reducing travel time and associated costs, and in turn supporting the local economy and creation of employment opportunities in Yzerfontein.

c) Principles of good administration: The proposed subdivision will be forwarded to the relevant departments for comment and be advertised to invite public comment. Comments from different relevant departments and the public will ensure an informed decision.

d) Spatial Resilience: The principle of spatial resilience aims to accommodate flexibility in spatial plans, policies and land use systems to ensure sustainable livelihoods in communities most likely to suffer the impact of economic and environmental shocks. The proposal is resilient in terms of retaining the character of the property and surrounding area.

4. Conclusion

The amendment of the condition restricting access to the existing development on Portion 25 of the Farm Tygerfontein, no. 564, is considered to be desirable.

PART G: SUMMARY OF PUBLIC PARTICIPATION

Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipality: Municipal Land Use Planning By-Law.	**Y**	N

A total of 9 written notices, as well as e-mails were sent via registered mail to the affected property owners in the area, including homeowners associations, companies and trusts, in terms of Section 56(1) & (2) of the By-Law.

A total of eleven objections were received against the proposal. The applicant was afforded 30 days, from 28 October 2025 to 28 November 2025, to respond to comments and objections issued by affected parties.

The applicant requested a 14 day extension of the response time, in order to more comprehensively address the objections lodged. Extension was granted and the response to 12 December 2025.

The response to comments was received on 11 December 2025. (Annexure K).

Total valid comments	**11**			Total comments and petitions refused		**0**
Valid petition(s)	**Y**	N	If yes, number of signatures	10		
Community organisation(s) response	Y	**N**	Ward councillor response	Y	**N**	Comments were requested from Councillor Rangisamy, but none were forthcoming.
Total letters of support	**0**					

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recom-mend
Department: Civil Engineering Services	10 Oct. 2025	Die bestaande padnetwerk in Yzerfontein beskik oor voldoende kapasiteit om die 24 addisionele eenhede te akkommodeer. Vaste ontwikkelingsheffing ten bedrae van R155 892.56 (BTW ingesluit en 55% afgetrek) ten opsigte van strate is betaalbaar. Die berekening is gemaak vir 24 eenhede en volgens die kategorie Res I > 1000m².	Yes

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS
Urban Eye Planning and Development on behalf of several registered landowners **Annexure E**	1. This objection will clearly demonstrate the following: a. The application submitted is legally flawed in terms of minimum submission requirements as it does not comply with Section 48 of the By-law and should not have been accepted in terms of Section 51(3). b. The application advertising process is legally flawed as the notification of the application does not comply with Section 55(1) of the By-Law. The application is to be re-advertised with the additional minimum required information as well as correctly advertised in order to ensure that all the relevant and legally required information is available to all the interested and affected parties. This will enable the surrounding property owners to make an informed determination if they are negatively impacted on by the proposed amendment. c. The application has not considered section 42(2) of the Spatial Planning and Land Use Management Act as required in terms of Section 75(q) of the Swartland Municipal Planning by law. The objective of the objection is to show that the application in its current form and processes to date does not allow for either the Municipality nor the adjacent landowners to make a clear determination of the impact of the proposed amendment on the	1. The following provides a response to the key points raised in the objection. a. The objection on the basis of power of attorney or HOA approval does not materially affect the merits of the application. The application was duly accepted by the Municipality, which confirms that all submission requirements were met. b. Public participation was undertaken by Swartland Municipality in accordance with the section 55 of the By-Law (PG 8226 of 25 March 2020). As outlined in the notice, the application was available for inspection at the municipality, and telephonic enquiries could be made to the Town Planning Division. It ensured that interested and affected parties could seek clarity on the purpose of the application. c. The land use approvals dated 16 November 2005 and 23 August 2006 as well as the Environmental Record of Decision dated 16 September 2005 clearly defined the Tygerfontein development as a low-density, conservation-orientated resort development comprising 24 units arranged in three carefully placed clusters along the coastline. It is also important to note that the access restriction was not included as a condition of approval in the Environmental Authorisation (EA)	1. The assessment of objections and comments are as follows: a. Only two properties have been development within the estate and was registered and transferred to the developer. Property owners inside the development automatically become part of the home owners' association, in accordance with the title deed conditions. The developer is also the only current member of the home owners' association. A company resolution provided authorisation to P. Lug to act on behalf of the developer (which also constitutes the only homeowner) and was submitted with the application, to provide the applicant with power of attorney, as required by the By-Law. The application was thus considered as compliant with the minimum submission standards and accepted by the Municipality. b. Written notices were provided to the affected property owners, in terms of the By-Law. Where e-mail addresses were available, additional e-mailed notices were sent to affected parties. The advertising process complied with the requirements of the By-Law and it is thus unclear as to why the objectors consider the process as legally flawed. All relevant information was available for inspection during the public participation process. Should an objector/affected party request specific information electronically, it was made available through e-sharing or, where information was deemed sensitive in terms of POPIA, the correct process was followed by the Directorate: Corporate Services, to ensure that information was shared in a legal, transparent manner. c. Section 42(2) states that the Tribunal must ensure compliance with environmental legislation. Environmental Authorisation (E.A.) was obtained during the original application in 2006. The authorisation included the layout of the erven and the associated road network and did not restrict the access point of the development. The road connecting with Dasseneiland Drive formed part of the proposal from the onset and was also available for consideration

	surrounding property owners nor the receiving natural and urban environment. This is due to the fact that the application for the amendment of the condition is based on a number of unsubstantiated statements without any supporting evidence and proof of such.	issued in 2005. If vehicular access posed an environmental risk, the EA would have expressly imposed such a condition. Instead, the EA focused on the strategic placement of erven in the three clusters to limit impact on vegetation and heritage resources, development setback lines, limiting the width of roads to 1.5m with a road reserve on either side of 1.5m and building design, among other aspects. The fact that no such restriction was imposed indicates that access between the Tygerfontein Estate and Yzerfontein was not viewed as an activity requiring environmental mitigation. The proposal does not involve any increase in the scale or intensity of the approved low-density development. Accordingly, the environmental impacts remain unchanged.	during the environmental process. Regardless, the restriction of an access point was not included as a condition of approval of the E.A. As the application at hand does not involve the amendment of the zoning, land use, nature, scale, number of land units, or any other aspect related to the original proposal, other than permanently opening an existing access gate closer to the town, no additional environmental considerations are considered necessary.
	2. Not all applications required as part of the application has been submitted as the application also includes the amendment of the subdivision plan so as to not limit the access to an emergency access only. The development of Tygerfontein as an eco-estate has a complex history dating back to 2005 when the original approval was granted. The application submitted at the time was for the creation of 24 erven/portions within the farm to be developed with strict guidelines and clear requirement's as to what is permitted. Such approval/decision was carefully considered to ensure compliance with the forward planning of the area especially along the coast. As such, a condition that no access be provided to the development directly from 'Yzerfontein, except for emergencies, was imposed by both the Swartland Municipality and the Department of Environmental Affairs and Development Planning as the final decision maker in this regard. Due to the slow development uptake of the development a previous application was submitted for the amendment of the condition. Such application was strongly objected to by various property owners within 'Yzerfontein. Despite such the application was approved by the Swartland Municipality in terms of the then planning legislation LUPO.	2. The term “emergency road” is not included on the endorsed subdivision plan. Nevertheless, the decision making process should assess whether the emergency-only restriction remains justified, taking into account environmental considerations, road capacity, the operational requirements of the approved development, and whether the condition continues to serve a valid purpose. As pointed out by the objector, the EA includes a condition that a development setback line of 100m from the northern boundary of Tygerfontein must be maintained. A development setback line imposed under NEMA is primarily intended to regulate the placement of buildings and permanent structures to protect environmental features. It is therefore argued that the primary purpose of this development setback line is to maintain a visual buffer (placement of erven and buildings) between Yzerfontein and the Tygerfontein Estate and not to restrict movement or access. The proposed amendment does not alter the placement of erven or buildings, therefore the setback cannot serve as justification for maintaining an access restriction that the EA itself did not require. “Integration” in this context simply improves operational accessibility, not physical expansion or densification, in other words, urban sprawl. Since the Council no longer permits the use of septic tanks, it must provide services from Yzerfontein. This again reflects operational accessibility rather than development expansion. The objection fails to recognise that controlled access for residents, guests,	2. The application does not include, nor does it need to include the amendment of the subdivision plan, as stated by the objector. The emergency road was registered as a right-of-way servitude over private land and will remain as such, to the same extent as it was approved.

	In terms of LUPO, the appeal authority was the Department of Environmental Affairs and Development Planning. An appeal by the objectors was submitted and based on such the appeal was upheld and the amendment of the condition refused.	estate employees and authorised service providers does not increase the footprint of the approved development. Accordingly, the amendment will not transform the estate into a typical residential neighbourhood. The resort remains a low-density, conservation-orientated resort development comprising 24 units arranged in three carefully placed clusters with controlled access. Vehicle trips associated with residents, guests, employees and essential services remain extremely low and consistent with the nature of a conservation-focused resort. The suggestion that allowing controlled access would generate daily commuter patterns comparable to those of a fully urbanised area is significantly overstated.	
	3. Non-compliant with Section 48 of the Swartland Municipal Planning By-Law The application submitted does not include a legal power of attorney as the power of attorney attached is signed by Petra Lug on behalf of Tygerfontein Estates Pty Ltd. However, the Trustee/Directors/members Resolution attached to the application does not nominate a person to sign on their behalf and thus the application submitted is legally flawed as the person submitting the application did not have required power of attorney. Further to the above the application should not have been submitted on behalf of the Tygerfontein Estates Pty Ltd. This is due to the fact that with the original approval a condition was imposed that a Homeowners Association be formed for the management and enforcement of the conditions of approval of the rezoning as well as the ROD and compliance with the constitution and design guidelines. The fact that two erven/portions have already been transferred (Portion 7 and 24) confirms that any application that affects the estate will require a resolution of the HOA and not the developer/property owner and be submitted on behalf of such. The function and responsibility of the HOA is clearly defined and stipulated in section 39 of the Swartland Municipal Planning By Law, that is binding and must be adhered to and thus further confirms that the application was submitted without the required Power of Attorneys or mandate of the Estate and on such alone is grounds for review by any interested and affected party.		3. The objection has been addressed. The HOA, its constitution and the design guidelines were approved during April 2008. However, because only two erven have been developed and transferred, and the ownership remains that of the developer, the HOA currently also comprised only of the developer. The entities are thus considered interchangeable.

	4. The ROD that was issued further makes it clear that none of the existing or new roads/or tracks are to be no wider than l ,5m with a l ,5m road reserve so as to ensure limited disturbance of the natural vegetation condition. This read with condition 37 is clear that no development or activities can be undertaken outside the identified area without the required application being submitted and approval obtained for such, and such activities are subject to an archaeologist and a botanical survey of the area and submitted to Heritage Western Cape and DEADP for consideration prior to any disturbances. It is further noteworthy that over and above the high watermark setback line referred to in condition 10 of the ROD that a development setback line of 100m was also imposed on the development measured from the northern boundary of Tygerfontein and must be maintained. This line is clearly depicted on the endorsed subdivision plan. Therefore the current hardened road that is the reason for the application and the objection was constructed and formalised in contravention of various conditions of approval and without the required assessment required for such proposal that is also not part of the application at hand. As part of the review and evaluation of the application and information gathering an approval for the creation of the current servitudes on the General Plan was obtained dated 12 May 2012 (see Annexure C). This application was submitted under LUPO with no proof of any advertisement of such nor any approvals from DEADP for the creation of such nor the amendment of the subdivision plan/general plan and this raises concerns if the process for the creation of the existing servitudes that is now to be converted to access roads for not only emergencies was created as a result of such, without compliance with condition 37 of the ROD. The biggest impact the proposal may have is on traffic to and from Yzerfontein and the current application is based on an outdated support letter by TIS. The broad statement is made that as there is no increase in number of units the impact remains the same and thus the letter by ITS is relevant and applicable.	4. Traffic impact: Current access to the property is obtained from the R27 via private right of way servitudes over Remainder of the Farm Vyge Valley No.570, Division Malmesbury. These servitudes confer rights exclusively on Tygerfontein and do not grant any access rights to third parties. The objector provides no factual information for the claim that other farms or neighbouring developments could make use of the access point under consideration. Furthermore, there is no direct linkage, by means of vehicle access, between Jakkalsfontein (resort development to the south) and Tygerfontein making it impossible for the residents of Jakkalsfontein to gain access to Yzerfontein via Tygerfontein. Accordingly, the proposed amendment will not create a thoroughfare across Farm Tygerfontein between Yzerfontein and the R27. Dassen Island Drive is classified as a Class 4B road, known as a collector road primarily aimed at providing access to individual properties, and can comfortably accommodate the very limited traffic generated by a 24-unit low-density resort. This position is further validated by the Civil Engineering Services Department of Swartland Municipality, which reviewed the application and confirmed that the existing road network in Yzerfontein can adequately accommodate the anticipated traffic generated by residents, guests, employees, and essential services. This department therefore recognises that maintaining a restriction that limits the reasonable use of a lawful municipal street directly contradicts the functional purpose of a Class 4B municipal road - namely, to provide safe and equitable access, especially considering the small scale of this development.	4. The proposal does not entail amendments to any of the aspects of the development that were previously approved. The existing internal road network and all the right-of-way servitudes have been previously considered in terms of the required legislative measures and approved. The 100m setback line mentioned by the objector clearly pertains to the location of the residential erven in relation to the urban edge, and do comply with the restriction. Building lines/setback lines are not applicable to boundary walls or entrance gates, in terms of section 12 of the By-Law. The proposal poses the question of whether or not the public roads of Yzerfontein will be able to accommodate the traffic of 24 residential properties, should they be directly connected to the town via a servitude. The impact of the existing development will remain unchanged, but Yzerfontein has developed exponentially since the original approval. The Swartland Department: Civil Engineering Services, confirmed that Dasseneiland Drive is a Class 4B municipal road with sufficient capacity to accommodate the traffic volume, should both the town and the coastal estate be developed to capacity. A development contribution toward road infrastructure will be levied against each residential property in the development, in terms of the Capital Contribution Policy of 2024, to mitigate the impact. No other engineering services will be affected by the proposal and do not need to be addressed.

	However, since the letter was issued the overall development of Yzerfontein as well as the surrounding towns have changed significantly. As the letter is outdated no real conclusion on the possible impact of traffic can be made based on such. It is further critical to note that the letter only refers to construction trucks and the impact on the road surface and not traffic itself nor the cumulative impact of such and only deals with construction vehicles whereas the application at hand not only to include construction vehicles but all workers, guest property owners, visitors and suppliers of various goods and thus a much larger number of traffic flow that will be generated either during and after construction with no assessment. Given the above the application in its current form does not meet the minimum requirements as required in terms of Section 48 of the By-Law in order to enable the application to be evaluated in terms of the decision making criteria as contained in Section 75 of the By Law. and must either be refused in totality or the application must be resubmitted with all the required information as stipulated. 5. Assessment criteria and general desirability of the proposal in terms of Section 75 of the Swartland Planning By Law In terms of Section 75(c) of the Swartland Planning By Law the municipality must have regard for the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses, and the applicant makes the following statements in support of such. The statement is made in paragraph 5.4 of the motivation that the proposal will not result in an increase in scale or intensity of the development and that the proposal is to support the estates long term viability and functionality while remaining within the intent of the development. This is substantiated by a statement that such additional controlled access will increase the attractiveness of the development and benefits to employees and service providers. The proposal will assist in improving the integration with Yzerfontein and the link with the town that will result in increase in demand for services by the estate, while the current limitations hinder such and	5. Spatial Development Framework: The proposed controlled access for residents, guests, estate employees, and authorised service providers does not alter the nature, scale, or impact of the approved resort development. In other words, the amendment neither introduces nor facilitates any form of coastal expansion. “Integration” in this context simply improves operational accessibility, not physical expansion or densification, in other words, it does not translate into urban sprawl. The estate will therefore continue to function exactly as approved: a low-density, conservation-orientated resort comprising 24 units in three environmentally sensitive clusters, with controlled access. Importantly, the MSDF makes it clear that no further expansion of Tygerfontein is proposed. On the contrary, the MSDF identifies Tygerfontein as forming part of the proposed West Coast Conservation Corridor, intended to create a continuous ecological link between the West Coast National Park to the north and the Blaauwberg Nature Reserve to the south. The proposed amendment, intended solely to improve operational access, will maintain the intended character of the resort and remain fully consistent with the intent of the MSDF. SPLUMA and LUPA principles:	5. The reasons stated for the initial refusal to grant direct access to the Tygerfontein Coastal Estate, via Yzerfontein, cited the potential impact of the development on urban sprawl (linear development) and the threat that it would cause to the environment and the coastline. Since the land use approval of 2005 and the condition imposed by DEADP in 2006, prohibiting direct access via Dasseneiland Drive, Swartland Municipality has formulated a number of credible Spatial Development Frameworks, beginning 2008/2009. The very first SDF already indicated a clear urban edge, limiting urban development to the south-western end of Dasseneiland Drive. Furthermore, apart from the 24 residential properties, the remainder of Farm 564/12 is zoned Open Space Zone 3: Nature Reserve and is a private nature reserve under the stewardship of Cape Nature. The reserve will remain on private land and forms part of the West Coast Conservation Corridor. The spatial planning and environmental legislative measures currently applicable to the development effectively limit the expansion of the estate in future

	such amendment is essential to unlock the viability of the estate. The reasons provided is exactly why the condition was imposed. The fact that the current limitation has the effect is proof that the current approval and conditions are ensuring that the original intend and purpose of the development and approval for the eco estate was to function as a buffer and mechanism to limit and control urban sprawl along the coast. The fact that the 24 units have very limited service and stringent requirements of access and access roads etc is to ensure the low impact low density eco estate functions as such. Any change to such will have the opposite impact and will in essence integrate such with Yzerfontein that is exactly the opposite of the reason such was approved. The statement is made that should access be granted it will shorten the trips of various people to the benefit of reduced emissions etc. Although that may be true the intended use of the estate was not to become a typical extension or integrated portion of Yzerfontein but effectively a selfsustained limited service development with no need for daily trips as would be the case of a typical dwelling house with daily commutes and needs as that was never the intention or reason for approval, as clearly stated in the EIA ROD. The fact that a clear 100m development setback line from the Northern Boundary was imposed was to ensure that no development or activities are undertaken between the first cluster of units and the Southern part of Yzerfontein, so as to create that buffer with limited access only for emergencies such as fire etc. In terms of Section 75(h) any proposal must consider the impact of such proposal on engineering services. The fact that the motivation relies on an outdated traffic statement that only focuses on the construction vehicles to make use of the access does not reflect the full impact on services (roads). It does not provide sufficient information to determine the impact of all the additional vehicles that may be a result of the proposed amended access that may include additional access by the other farms and developments to the south due to existing agreements as well. Thus, until a detailed traffic impact statement is made taking all the possible users of the access	As previously noted, the proposed amendment will not create a through-route between Yzerfontein and the R27, thereby eliminating any suggestion of increased security risks or uncontrolled movement through Farm Tygerfontein. Instead, the amendment allows only controlled, estate-related access. Yzerfontein residents may also experience indirect benefits through the increased likelihood that residents and guests will make use of local businesses and professional services owned by Yzerfontein residents, thereby supporting the local economy. Furthermore, the Civil Engineering Services Department of Swartland Municipality has confirmed that Yzerfontein's existing road network has more than sufficient capacity to accommodate the limited traffic associated with the 24-unit estate, ensuring that there will be no significant impact on Yzerfontein residents who also use these roads.	and are considered much more appropriate, enforceable mechanisms to prevent urban sprawl and linear development in future. The existing, approved development will remain unchanged as extremely low density, clustered, but scattered, residential footprints within a private conservation area. Subsequently, the character and nature of the estate can in no way be construed as being a regular residential neighbourhood. 24 Erven were approved and no possibility of expansion will be considered, as it will be contrary to spatial planning. The condition of approval restricting direct access to the estate is thus considered superfluous and ineffective and will be replaced by the aforementioned legislative mechanisms. Refer to assessment 4.

	into account, council cannot make a determination of the true impact on the engineering services specifically roads and traffic in Yzerfontein. In terms of Section75(i) the proposal must also include an assessment in terms of the spatial development framework, and such framework as approved as recently as May 2025 with a clear urban edge on the southern town boundary of 'Yzerfontein with growth and expansion proposed to the east inland and not along the coast. The amendment of the condition to effectively link the eco estate with the town to create a more integrated urban environment will be against the vision and plans as per the SDF that is not outdated and the overall vision of the Municipality. In terms of Section 75(q) and (r) any proposal must consider the principles contained in section 42 of SPLUMA and Section 59 of LUPA when considering an application. The motivation and assessment of the application as per table 2 of the motivation does not provide any motivation or proof that the granting of the amendment of the condition will be to the benefit of the residents and property owners of Yzerfontein nor does it promote sustainable urban compact developments or protect sensitive natural environments for future generations. The motivation only motives why the amendment will be beneficial for the developer to make the proposal viable and commercially viable, where such aspects are not a criteria or grounds for approval.		Statement was addressed. 6. The principles of LUPA and SPLUMA were addressed by the applicant, as illustrated in Part F of the report.
Eddie and Carolyn Scott Annexure F	7. Concerns regarding traffic, pollution and environmental impacts.	7. Refer to previous response to obhjections.	7. Refer to previous assessment of comments.
Nick van Huyssteen Annexure G	8. Hierdie aansoek word nie ondersteun nie en beswaar word hiermee aangeteken vir oa. die volgende redes nl. dat alle inwoners/eienaars en belanghebbende partye, Plaaslik sowel as Provinsiaal, bv. Departemente van oa. Vervoer/ Omgewingsake/Ontwikkeling hierin geraadpleeg en hul goedkeuring verkry word. Volgens my inligting was die "eko ontwikkeling" aanvaar deur die ontwikkelaar en departemente en is Tygerfontein nie afhanklik van Yzerfontein se Dienste (oa. Water, Vullisverwydering, Elektrisiteit,	8. Hierdie kantoor neem kennis. Die volgende dien as uitklaring: Alle belanghebbende en geaffekteerde partye, soos geindentifiseer deur Swartland Munisipaliteit, word geleentheid gegee om kommentaar te lewer. Hierdie aansoek het ten doel om 'n goedkeuringsvoorwaarde te wysig ten einde voorsiening te maak dat slegs inwoners, hul gaste, werknemers van Tygerfontein en gemagtigde diensverskaffers beheerde toegang via Dassen-Eilandrylaan kan verkry, en nie vir die breër publiek via motors nie.	8. The proposal will have no additional impact on any municipal services, other than roads, which have been previously assessed. Farm 564/25 remains private property and the proposed access will be gated/controlled.

	Padinstandhouding ens) nie. Word die "hek" ongemagtig gebruik - dit is daar in geval van Nood en nie vir die bree publiek oa. toeriste, gaste, aflewerings, diensveskaffers, werkers ens en/of deurgang na ander eiendomme of Kaapstad nie.		
DJ van der Merwe on behalf of Pearl Point Homeowners Association Annexure H R.van der Merwe (sales manager at Pearl Point Estate) Annexure I	9. The original approval explicitly limited access via Dasseneiland Drive to emergency purposes, reflecting concerns about environmental sensitivity, traffic impact, and the preservation of Yzerfontein's coastal character. Pearl Point Estate marketed and sold residential stands based on clear assurances - consistent with the approved land use conditions - that the Dassen Island Drive access point would remain closed, save for emergencies. Residents and investors therefore have a legitimate expectation that the municipality will uphold and enforce the original restriction. Amending the condition at this stage would amount to a fundamental departure from those commitments, creating reputational and financial harm to both the municipality, developers who relied on the approved planning framework and the estate agents marketing properties within the development and the Pearl Bay suburb.	9. Previously assessed. Applicable legislation expressly allows for the amendment of conditions of approval through a transparent, statutory process. Purchasers in Pearl Point Estate could not reasonably expect the municipality to treat a land use condition as permanent when planning legislation itself provides a mechanism for its reassessment. The decision making process should assess whether the emergency-only restriction remains warranted, taking into account environmental impact considerations, road capacity impacts, the operational requirements of the approved development, and whether the condition continues to serve any legitimate purpose.	9. Refer to assessment 1 – 6. The applicants acts within their right to apply for and motivate their reasons for removing or amending conditions of approval. The Pearl Point development cannot claim any rights pertaining to other private developments in the area, based on the commercial impact it may hold, as no such rights have been established through legal structures such as title deed restrictions etc. Representatives of Pearl Point do possess the right to comment on developments in the area, which is the case here, and said comments are evaluated in terms of the relevant legislation and By-Law.
T. Daniller Annexure J	10. Concerns regarding increase in traffic volumes and the effect on quality of life.	10. Previously addressed.	10. Refer to previous assessments 1 – 6.
F. de Beer Annexure R	11. My objections are based on, but not limited to, the following critical grounds: Increased Security Risks and Loss of Privacy; Negative Impact on the Tranquil Character and Amenity; Flawed and Outdated Traffic Assessment; Contravention of the Original Approval's Intent and Environmental Principles; Vague and Unenforceable "Controlled Access" Proposal; The applicant's argument that the condition has hindered the estate's development is a commercial problem for the developer, not a planning justification to override the rights and amenity of existing residents. The viability of their private business venture cannot come at the cost of our security and peace. We contend that this application is not in the public interest and does not promote spatial justice or	11. Previously assessed.	11. Refer to previous assessments 1 – 6.

	sustainability for the existing community of Yzerfontein. It primarily serves the private interests of a single commercial entity to the detriment of the established residential community.		
A. van Ellewee, Annexure K JH van Onselen Annexure L T. du Toit Annexure M L. du Toit Annexure N G. Needham Annexure O A.R. and J.D. Miller Annexure P	Concerns regarding traffic volumes and security.	Previously addressed.	12. Refer to previous assessments 1 - 6.
S.W. Engelbrecht Annexure Q	Concerns regarding the spatial and environmental implications of the proposal.	Previously addressed	13. Refer to previous assessments 1 – 6.

PART J: MUNICIPAL PLANNING EVALUATION

1. **Type of application and procedures followed in processing the application**

Application was made for the amendment of the conditions of approval pertaining to the rezoning and subdivision of Portion 25 of the farm Tygerfontein, no. 564, Division Malmesbury, in terms of section 25(2)(h) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020), as follows:

Condition B.4) in approval letter 15/3/3-15/22, dated 16 November 2005, that reads:

"…1.a) dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no. 564 skakel, slegs vir nooddoeleindes gebruik sal word.…"

translated as follows:

"…1.a) that the proposed emergency road that links the farm Tygerfontein, no. 564, with Yzerfontein, be used for emergency purposes only…"

be amended to read as follows:

"…The residents of the Tygerfontein Coastal Estate, their guests, employees and authorised service providers may obtain access to the estate, directly from the Yzerfontein township, via Dasseneiland Drive…"

A total of 9 written notices, as well as e-mails were sent via registered mail to the affected property owners in the area, including homeowners associations, companies and trusts, in terms of Section 56(1) & (2) of the By-Law.

A total of eleven objections were received against the proposal. The applicant was afforded 30 days, from 28 October 2025 to 28 November 2025, to respond to comments and objections issued by affected parties.

The applicant requested a 14 day extension of the response time, in order to more comprehensively address the objections lodged. Extension was granted and the response to 12 December 2025.

The response to comments was received on 11 December 2025.

The applicant is C.K. Rumboll and Partners and the property is owned by Tygerfontein Estates (Pty) Ltd.

2. **Legislation and policy frameworks**

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

a) Spatial Justice: The proposed amendment will promote access to economic opportunity, social amenities and promote environmentally sustainable links through creating direct access with the existing town.

All the relevant facts and considerations surrounding the application have been taken into account during the decision-making process. Therefore, the application may be deemed consistent with spatial justice.

b) Spatial Sustainability: The proposed amendment will create a direct link between the estate and Yzerfontein, without promoting further linear development along the sensitive coastline, as spatial planning legislation restricts further development. The road link will improve environmental sustainability through limiting travel time and reducing emissions.

c) Efficiency: The proposal ensures the optimisation of existing resources, namely municipal roads. No other resources are affected by the proposal.

d) Good Administration: The application was communicated to the public through written notices per registered mail and e-mail to affected landowners. The application was also circulated to the relevant departments for comment. Consideration was given to all correspondence received and the application was dealt with in a timeous manner. It is therefore argued that the principles of good administration were complied with by the Municipality.

e) Spatial Resilience: The existing municipal road network was deemed of sufficient capacity to accommodate the existing development approval. proposed development will not limit any future benefits of the application property or those of the surrounding area.

2.2 Integrated Development Plan (IDP) and Spatial Development Framework (SDF)

This application contributes to healthy management of the urban and rural area. IDP outcome 5.2.

The proposal does not include the expansion of the existing, approved development. The Tygerfontein Coastal Estate (TCE) is located outside of the urban edge within a conservation area, under stewardship of Cape Nature and as part of the West Coast Conservation Corridor.

The SDF and environmental legislation associated with the development, are robust spatial mechanism, managing and limiting future development beyond the urban edge, onto Farm 564/25.

The TCE is an existing development, but poses very little risk of expanding or giving rise to further linear development in future, regardless of the proposed direct vehicular link.

2.3 Zoning Scheme Provisions

The residential portions were previously zoned Resort Zone 2, as the zoning category was the only mechanism that allowed for a low-density residential development on land outside of the urban edge.

The 2020 amendment of the By-Law removed the zoning category from the Zoning Scheme and all such zoned properties are now zoned Residential Zone 3: Estate Housing. The new zoning category is the most compatible with Resort Zone 2 and does not afford the land owners any additional land use rights.

The remainder of the application property is zoned Open Space Zone 3: Conservation, and is under stewardship in conjunction with Cape Nature.

3. **Desirability of the proposed utilisation**

The Tygerfontein Coastal Estate development was approved, with conditions, during 2006. At the time, Yzerfontein, and especially the south-eastern portion, was only sparsely developed. Creating a direct link between the TCE and Yzerfontein was not considered necessary or expedient, as the link would not offer any notable advantages in terms of access to available amenities in the CBD.

The entire development was subject to all the spatial, environmental, agricultural, services, traffic and other studies and processes that were required at the time and the development was subsequently approved. DEADP, as a deciding authority regarding land use applications at the time, included the condition of approval to limit the direct access to emergencies only, in order to prevent the risk of further linear development in future, that would threaten the unspoiled coastline.

In terms of the planning ordinance (LUPO), the Municipality was obligated to include the condition in the approval and to enforce it. Access to the TCE was subsequently provided via the R27 and right-of-way servitudes over abutting properties and the development property itself.



GIS aerial photograph: 2006

Since the original approval 20 years ago, only two of the residential properties within the estate have been developed. The town of Yzerfontein, however, has grown exponentially.

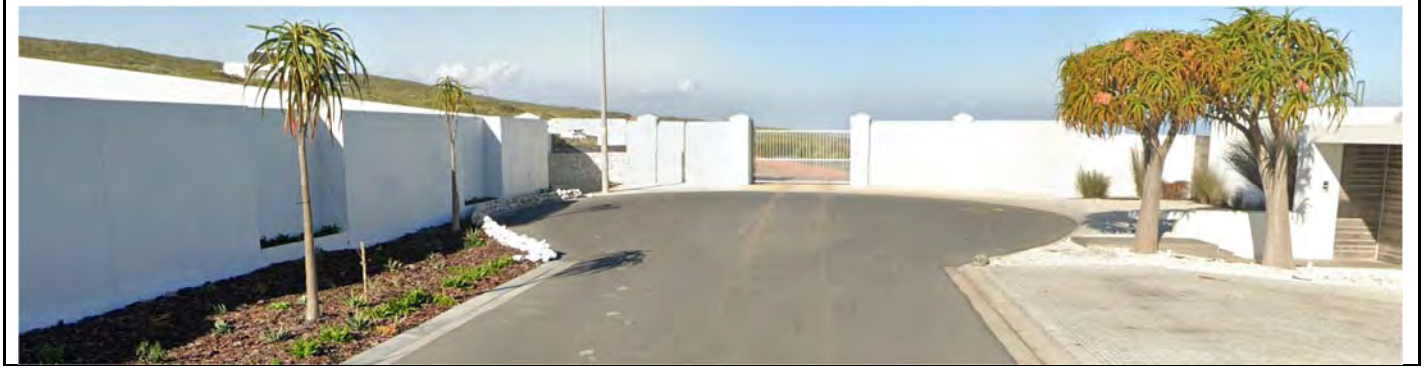


GIS aerial photograph: 2023

The town currently possesses an active CBD, within 5km from the estate, as well as a secondary business node less than 1km from the estate. Despite the growth and availability of amenities in Yzerfontein, access between the TCE and Dasseneiland Drive remains restricted by means of a locked gate.

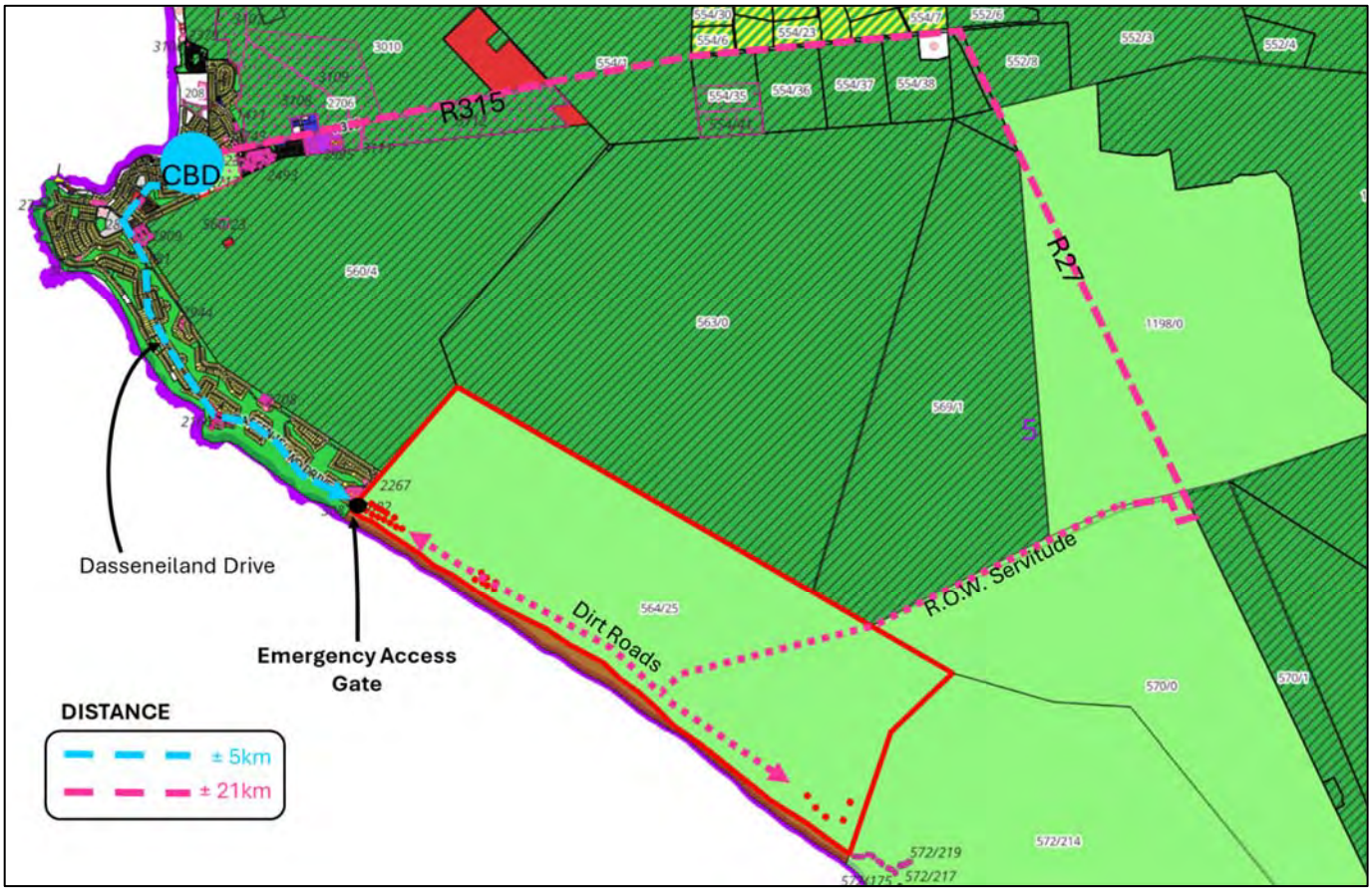


Street View: 2024



Street View: 2024

The existing access is obtained via the R27 and a network of right-of-way servitudes and driving to Yzerfontein, for any service or amenity, involves a 21km long route.



The application for the amendment of the condition of approval that limits the direct access point between the estate and Yzerfontein, seems logical and in support of orderly planning.

The application does not include the expansion of the existing development or the approved road network/right/of/way servitudes. It does not propose additional land units, nor changes to the design guidelines or the character of the estate.

Dasseneiland Drive, that connects with the servitude in question, is a public road, open to use by anybody, while the r.o.w. servitude in question, will be restricted to use by residents, service providers and visitors to a private estate.

The proposed amendment is considered desirable, as:

a. The use of Dasseneiland Drive is open to the public and no additional rights of property owners along the road will be impacted;
b. Congestion caused by construction vehicles will be temporary, as is applicable to any other property under construction, whether on the estate or in Yzerfontein itself;
c. Dasseneiland Drive is of sufficient capacity to accommodate 24 residential units, as confirmed the municipal Department: Civil Engineering Services;
d. The additional impacts on the street will be mitigated by means of development charges levied against the estate erven;
e. Farm 564/25 remains private property and access will be restricted. Granting direct access for estate residential will have no impact on the safety of residents along Dasseneiland Drive;
f. Shorter travelling distances to and from the Yzerfontein CBD is considered to have a positive environmental impact, due to lower emissions;
g. A direct link between the estate and town will promote access to social amenities and economic opportunities for residents, without negatively impacting on the rights of Yzerfontein residents;
h. Sound spatial planning and robust environmental legislative measures limit the risk of linear urban sprawl;
i. The character of the estate remains unchanged, namely a very low density development, as will the residential character of properties along Dasseneiland Drive remain unaltered.

4. **<u>Impact on municipal engineering services</u>**

The affected municipal public roads were deemed of sufficient capacity by the Swartland Department: Civil Engineering Services, to accommodate the additional traffic that will be generated by 24 residential units.

The expected impacts will be mitigated through development contributions levied in terms of the Capital Contribution Policy of 2024.

No other engineering services will be impacted by the amendment.

5. **Comments of organs of state**

N/A

6. **Response by applicant**

Refer to Annexure S.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights	**N/A**
The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal	**N/A**
The social benefit of the restrictive condition remaining in place, and/or being removed/amended	**N/A**
Will the removal, suspension or amendment remove all rights enjoyed by the beneficiary or only some of those rights	**N/A**

PART L: RECOMMENDATION WITH CONDITIONS

A. The application for the amendment of a condition of approval pertaining to the rezoning and subdivision Portion 25 of the farm Tygerfontein, no. 564/, Malmesbury Division, be 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:

1. TOWN PLANNING AND BUILDING CONTROL

a) Condition B.4) in approval letter 15/3/3-15/22, dated 16 November 2005, that reads:

"…1.a) dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no. 564 skakel, slegs vir nooddoeleindes gebruik sal word.…"

be amended to read as follows:

"…The Tygerfontein Coastal Estate, may obtain direct access from Yzerfontein township via Dasseneiland Drive, connecting with the registered right-of-way servitude depicted in Inset 3 on Sheet 2 of General Plan no. 112/2008, dated 4 March 2008…"

b) The remaining conditions of approval contained in approval letter 15/3/3-15/22, dated 16 November 2005, remain unchanged and applicable;

2. DEVELOPMENT CHARGES

a) The owner/developer is responsible for the development charge of R367 218,00 (R15 300,75 per residential portion) towards roads 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 9/247-188-9210);

b) 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;

3. GENERAL

a) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law, from the 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. All conditions of approval be implemented before the new land use comes into operation/or the occupancy certificate 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.

b) The applicant/objector 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 decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 in order 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;

PART M: REASONS FOR RECOMMENDATION

1. The use of Dasseneiland Drive is open to the public and no additional rights of property owners along the road will be impacted;
2. Congestion caused by construction vehicles will be temporary, as is applicable to any other property under construction, whether on the estate or in Yzerfontein itself;
3. Dasseneiland Drive is of sufficient capacity to accommodate 24 residential units, as confirmed the municipal Department: Civil Engineering Services;
4. The additional impacts on the street will be mitigated by means of development charges levied against the estate erven;
5. Farm 564/25 remains private property and access will be restricted. Granting direct access for estate residential will have no impact on the safety of residents along Dasseneiland Drive;
6. Shorter travelling distances to and from the Yzerfontein CBD is considered to have a positive environmental impact, due to lower emissions;
7. A direct link between the estate and town will promote access to social amenities and economic opportunities for residents, without negatively impacting on the rights of Yzerfontein residents;
8. Sound spatial planning and robust environmental legislative measures limit the risk of linear urban sprawl;
9. The character of the estate remains unchanged, namely a very low density development, as will the residential character of properties along Dasseneiland Drive remain unaltered..
10.

PART N: ANNEXURES

Annexure A	Locality Plan
Annexure B	Site Development Aerial Photo
Annexure C	Previous Approvals
Annexure D	Servitudes Diagram
Annexure E	Objection from Urban Eye Planning
Annexure F	Objection from E. and C. Scott
Annexure G	Objection from N. van Huyssteen
Annexure H	Objection from Pearl Point HOA
Annexure I	Objection from R. van der Merwe
Annexure J	Objection from T. Danillier
Annexure K	Objection from A. van Ellewee
Annexure L	Objection from J.H. van Onselen
Annexure M	Objection from T. du Toit
Annexure N	Objection from L. du Toit
Annexure O	Objection from G. Needham
Annexure P	Objection from A.R. and J.D. Miller
Annexure Q	Objection from S.W. Engelbrecht
Annexure R	Objection from F. de Beer
Annexure S	Response to Objections

PART O: APPLICANT DETAILS

First name(s)	C.K. Rumboll and Partners			
Registered owner(s)	Tygerfontein Estates (Pty) Ltd.	Is the applicant authorised to submit this application:	**Y**	N

PART P: SIGNATURES

Author details: Annelie de Jager Senior Town Planner SACPLAN: (A/2203/2015)			Date**: 29 January 2026**	
Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN: (B/8001/2001)	Recommended	✓	Not recommended	
			Date: **29 January 2026**	

LOCALITY PLAN - PTN 25 OF FARM TYGERFONTEIN NO.564 DIVISION MALMESBURY



Legend

Farm Portions

Map Center: Lon: 18°1
Lat: 33°2

Scale: 1:72,224

Date created: 2025/27/0

Western Governm
FOR YOU

ANNEXURE A

ANNEXURE B



ANNEXURE C

Lêer verw/ 15/3/3-15/22
File ref: 15/3/6-15

Mnr I Adams

16 November 2005

CNdV Africa (Pty) Ltd.
Posbus 10211
CALEDON SQUARE
7905

Meneer

VOORGESTELDE HERSONERING EN ONDERVERDELING VAN PLAAS TYGERFONTEIN 564, MALMESBURY

U aansoek namens W Lofler wat op 21 September 2004 in hierdie kantoor ontvang is, het betrekking.

A. Die Raad het goedgekeur dat die aansoek om hersonering van die restant van die plaas Tygerfontein no. 564, gedeelte A1-A12, B1-B7 en C1-C5, Malmesbury ingevolge Artikel 16 van Ordonnansie 15 van 1985 by die Departement van Omgewingsake en Ontwikkelingsbeplanning aanbeveel word, onderhewig aan die volgende voorwaardes:

(1) dat die voorwaardes soos gestel in die Rekord van Besluitneming met verwysing AN/68/25/4 FARM 564 van die Departement Omgewingsake en Ontwikkelingsbeplanning van toepassing sal wees op die voorgestelde hersoneringsaansoek;

(2) dat die voorwaardes van die Departement van Waterwese en Bosbou soos vervat in skrywe 16/2/7/G200/A/8 van 4 Maart 2005 nagekom word;

(3) dat die restant van plaas Tygerfontein no. 564 hersoneer word vanaf landbousone I na oop ruimte sone III;

(4) dat gedeeltes A1-A12, B1-B7 en C1-C5 hersoneer word vanaf landbousone I na oordsone II;

(5) dat 'n huiseienaarsvereniging en konstitusie met 'n ontwerphandleiding gestig word in terme van Artikel 29.2(b)(i) van Ordonnansie 15 van 1985, welke konstitusie die voorwaardes van die Rekord van Besluitneming moet inkorporeer;

B. Dat die aansoek vir die onderverdeling van die plaas Tygerfontein no. 564 in Gedeelte A1-A12, B1-B7 en C1-C5 en die restant ingevolge Artikel 24 van die Ordonnansie op Grondgebruiksbeplanning by die Departement van Omgewingsake en Ontwikkelingsbeplanning aanbeveel word, op voorwaarde

(1) dat die voorwaardes soos gestel in die Rekord van Besluitneming met verwysing AN/68/25/4 FARM 564 van die Departement van Omgewingsake en Ontwikkelingsbeplanning van toepassing sal wees op die voorgestelde onderverdelingsaansoek;

(2) dat die voorwaardes van die Departement van Waterwese en Bosbou soos vervat in skrywe 16/2/7/G200/A/8 van 4 Maart 2005 nagekom word;

(3) dat 24 eenhede van 350 m² geskep word met 'n restant van ±919,0319 Ha;

(4) dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no. 564 skakel, slegs vir nooddoeleindes gebruik sal word;

(5) dat die aangeleentheid rakende septiese tenke en syferputte na die Departement vir klarigheid verwys word.

Die uwe

WAARNEMENDE MUNISIPALE BESTUURDER
per Departement Korporatiewe Dienste

IA/ds

Afskrifte : Die Landmeter-Generaal, Privaatsak X9028, Kaapstad, 8000

W Lofler, Posbus 156, Darling, 7345

Direkteur : Siviele Ingenieursdienste

Direkteur : Finansiële Dienste

GENERAL PLAN 112/2008

PLAN NO. 1291/2012

L.G. No.
1291/2012
Goedgekeur
nms
LANDMETER-
GENERAAL
2012-12-14

Die figuur A B C D 37,78m bo hoogwatermerk E F uitsluitende figure GHJK, LMNP, QRST, UVWX, YZ A1 B1, C1 D1 E1 F1, G1 H1 J1 K1, L1 M1 N1 P1, Q1 R1 S1 T1, U1 V1 W1 X1, Y1 Z1 A2 B2, C2 D2 E2 F2, G2 H2 J2 K2, L2 M2 N2 P2, Q2 R2 S2 T2, U2 V2 W2 X2, Y2 Z2 A3 B3 C3 D3 E3 F3, G3 H3 J3 K3 L3 M3 N3 P3, Q3 R3 S3 T3 U3 V3 W3 X3, Y3 Z3 A4 B4, C4 D4 E4 F4, G4 H4 J4 K4, L4 M4 N4 P4en Q4 R4 S4 T4

stel voor 940,9233 hektaar grond synde

GEDEELTE 25 van die plaas TYGERFONTEIN No.564

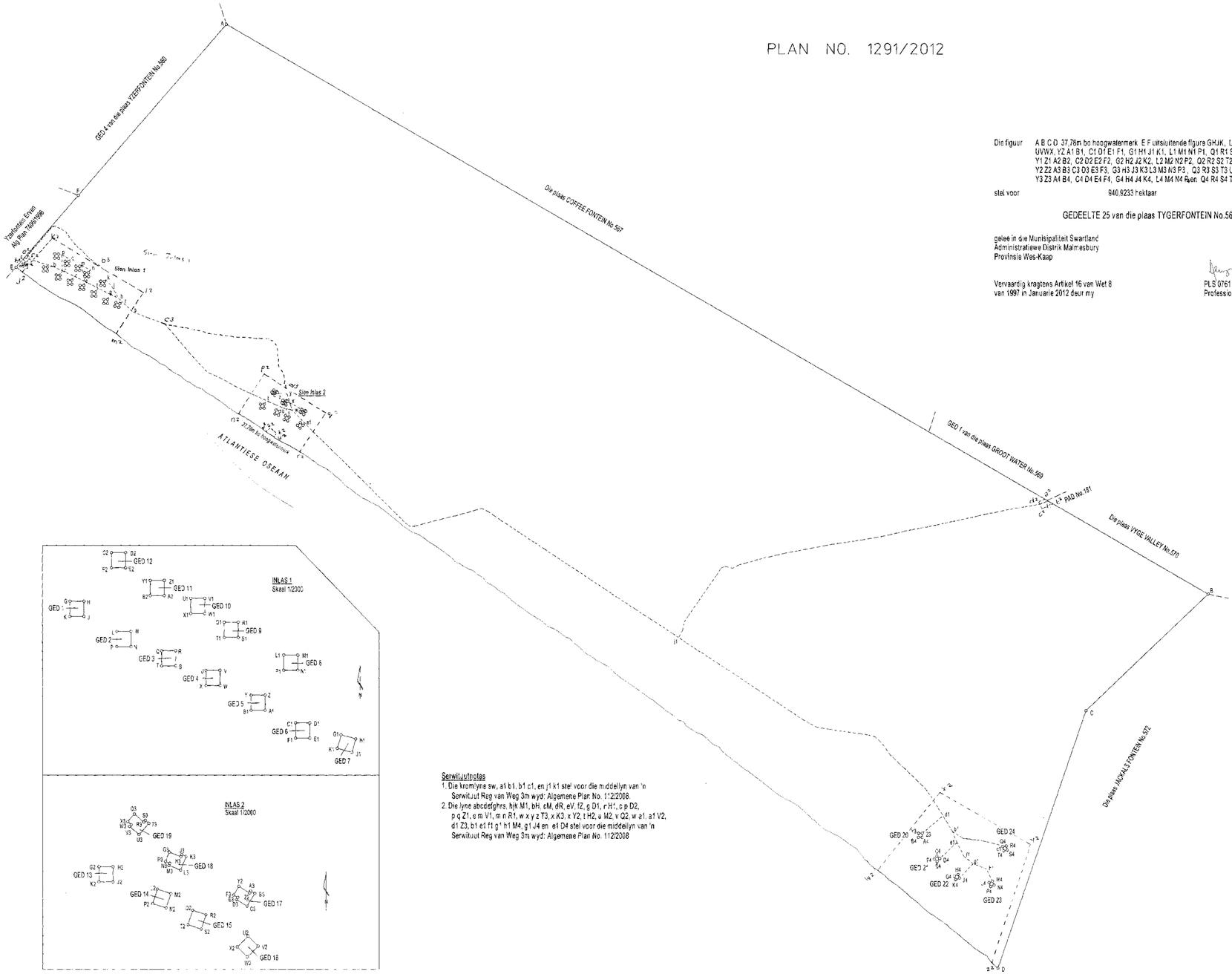
gelee in die Munisipaliteit Swartland
Administratiewe Distrik Malmesbury
Provinsie Wes-Kaap

Vervaardig kragtens Artikel 16 van Wet 8 van 1997 in Januarie 2012 deur my

PLS 0761 A.P.Steyl
Professionele Landmeter

SERWITUTE/REGTE/KONTRAKGEBIEDE				
HEKTSTUKKE	KAARTNO	BESKRYWING	AKTE	GEPARAFEER
E564/12	1285/12	Die figuur a1 b1 c1 d1 stel voor n serwituut gebied		
E564/12	1286/12	Die figuur e1 f1 g1 h1 stel voor n serwituut gebied		
E564/12	1287/12	Die figuur s1 t1 u1 37,78 m bo hoogwater merk v1 stel voor n serwituutgebied		
E564/12	1288/12	Die figuur w1 x1 y1 37,78m bo hoogwater merk v1 stel voor n serwituutgebied (Ged 30-2A uitgesluit)		
E564/12	1289/12	Die kromlyn a1 b1 c1 d1 stel voor die middellyn van n serwituut reg van weg 3m wyd		
E564/12	1290/12	Die figuur p1 q1 r1 37,78 m bo hoogwater merk u1 v1 s1 t1 stel voor n serwituut gebied (Kaart 13-19 uitgesluit)		
E564/12	1292/12	Die figuur k1 l1 m1 37,78 m bo hoogwater merk stel n serwituut gebied voor (Kaart 1-12 uitgesluit)		

SKAAL 1/7500



Serwituutnotes
1. Die kromlyne sw, a1 b1, b1 c1, en j1 k1 stel voor die middellyn van 'n Serwituut Reg van Weg 3m wyd: Algemene Plan No. 112/2008.
2. Die lyne abcdefghrs, hjk M1, bH, cM, dR, eV, fZ, g D1, r H1, c p D2, p q Z1, e m V1, m n R1, w x y z T3, x K3, x Y2, t H2, u M2, v Q2, w a1. a1 V2, d1 Z3, b1 e1 f1 g1 h1 M4, g1 J4 en e1 D4 stel voor die middellyn van 'n Serwituut Reg van Weg 3m wyd: Algemene Plan No. 112/2008

Hierdie diagram is geheg aan No. ged. L.G.V. Registrateur van Aktes	Die oorspronklike diagram is L.G. No.	Leer Malm.564 (V1) M.S. Vervaardig A.P. 112/2008 Komp. BH-3C(3687) LPI C0460000

ANNEXURE D

David Hellig, Abrahamse, Le Brun : Professional Land Surveyors Ref L7421

112/2008 Sht 1

GENERAL PLAN No.112/2008
OF
Subdivision of Farm Tygerfontein No. 564

Vide Diagram No.937/2008, D/G C.F.8.8
comprising 25 portions numbered Portions 1 to 25

Situated in the Swartland Municipality
Administrative District of Malmesbury
Province of the Western Cape

Scale: 1/10000

Surveyed in September 2007
by me

S.G. Le Brun PLS0337
Professional Land Surveyor

CDR

S.G. No.112/2008	
SHEET 1 OF 3 SHEETS	
APPROVED	
for SURVEYOR GENERAL	2008-03-04
APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15/1985	
REFERENCE: 15/3/3-2/22	
DATE: 18 december 2006	
ACT 70/1970 NOT APPLICABLE	

2012.11.30

ENDORSEMENTS					
No	AMENDMENT	ADDITION	AUTHORITY	INTD	DATE

MAIN FIGURE

SIDES	METRES	ANGLES OF DIRECTION Constant	
AB	5431.56	300 06 17	
BC	809.76	46 21 00	
CD	1304.42	18 49 20	
DE	5773.76	125 31 30	
EF	955.38	281 50 00	
FA	1083.22	229 54 10	
GH	2594.33	245 04 12	
HJ	962.04	258 27 00	
JK	234.98	334 15 30	

CO-ORDINATES Y System MG 19° X		
	Y 00	X 3620 000.00
A	+75 480.68	+93 436.50
B	+70 781.78	+96 160.87
C	+71 367.69	+96 719.81
D	+74 786.51	+97 954.49
E	+76 467.57	+94 599.52
F	+76 198.95	+94 355.22
G	+73 553.47	+95 713.45
H	+69 591.80	+94 615.71
J	+68 647.79	+94 474.51
K	+68 546.99	+94 685.63

AREAS

PORTION NUMBER	SQUARE METRES
1	950
2	950
3	950
4	950
5	950
6	950
7	950
8	950
9	950
10	950
11	950
12	950
13	950
14	950
15	950
16	950
17	950
18	950
19	950
20	950
21	950
22	950
23	950
24	950
25	940,9233ha

BEACON DESCRIPTIONS

A, B – heavy iron rail corner fence post
C – heavy iron standard corner fence post
G – iron rail fence post
H – iron standard
J – wooden corner fence post
K – wall corner
Z3 – no beacon
All others are – 12mm iron peg

SERVITUDE NOTES

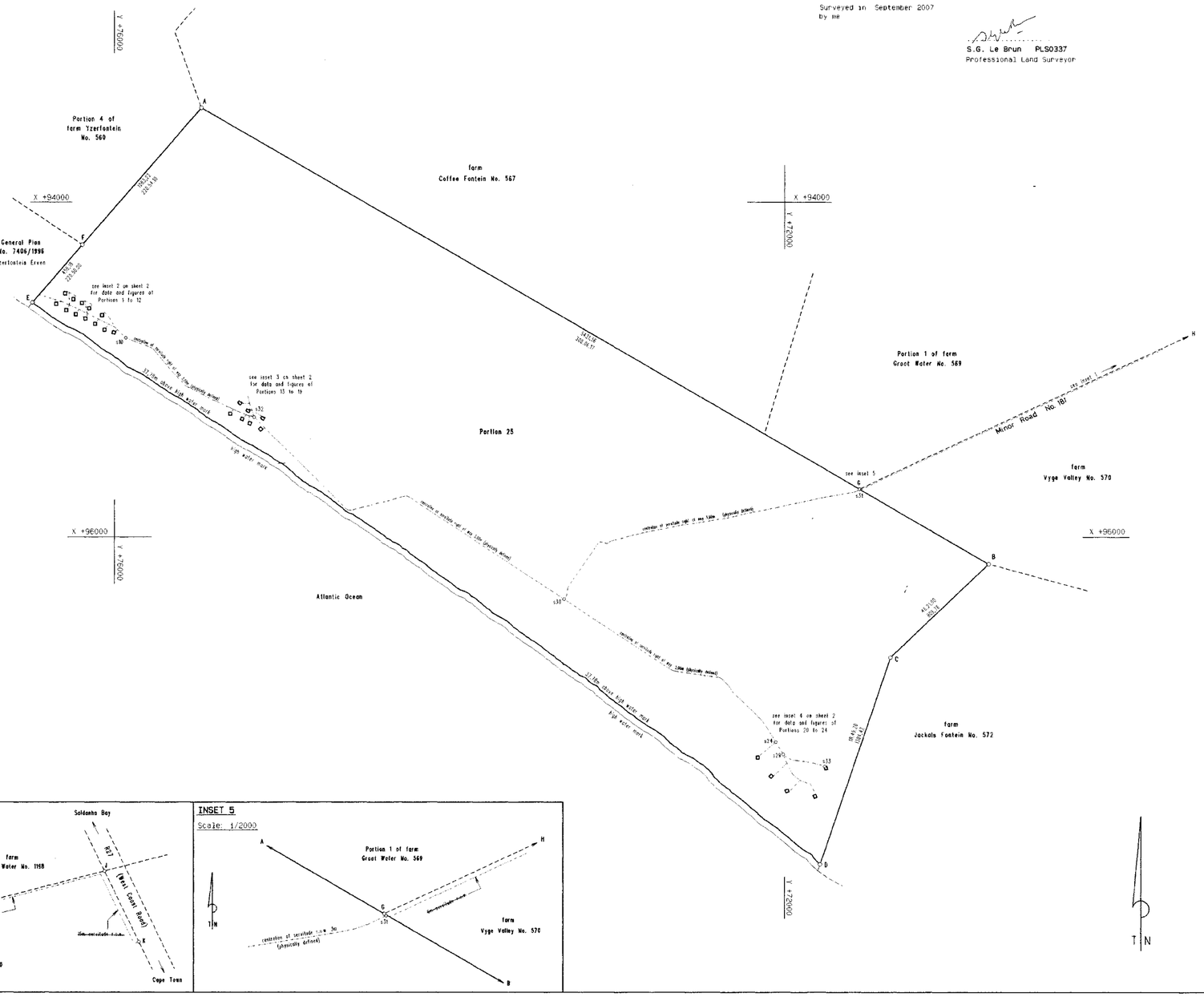
1. The lines s10 s32 s30 s24 s29 s33 and s30 s31 represent the centreline of a servitude right of way 3.00m wide over Portion 25 as shown. Physically defined
2. The lines s10 s9 s8 s11 s12 M2 and s8 s7 s6 s5 s4 s3 s2 s1 and s3 s16 M2 and s16 s15 L2 and s2A2 and s1B2 and s4 C2 and s5 s14 K2 and s14 s13 J2 and s5 D2 and s6 E2 and s7 F2 and s9 G2 and s32 s20 s21 s22 U4 and s20 S1 and s20 T4 and s17 N2 and s18 P2 and s19 Q1 and s23 R2 and s24 s29 s25 s26 s27 s28 Y1 and s24 V2 and s25 W2 and s27 X2 represent the centreline of a servitude right of way 3.00m wide over Portion 25 as shown
3. ~~The lines GH and HJ represent the northern boundary of a 6.00m wide right of way servitude over the farm Vyge Valley No. 570 as shown~~
4. ~~The line JK represents the eastern Boundary of a 15.00m wide right of way servitude over the farm Vyge Valley No. 570 as shown~~

* For amended co-ordinate values see sheet 3

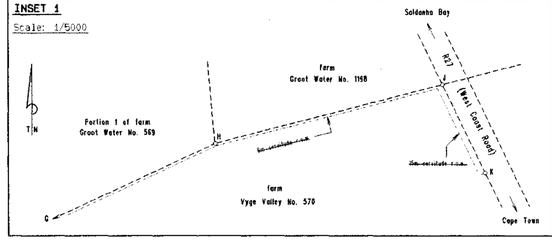
PORTION CO-ORDINATES *		
M1	+76 388.03	+94 598.61
N2	+76 237.02	+94 598.61
A6	+76 237.02	+94 618.05
A4	+76 355.93	+94 618.04
B1	+76 284.80	+94 637.18
B5	+76 276.90	+94 637.19
B3	+76 276.91	+94 656.63
B4	+76 294.92	+94 656.64
C1	+76 238.61	+94 661.77
C2	+76 220.00	+94 661.76
C3	+76 220.01	+94 681.20
C4	+76 238.91	+94 681.21
D1	+76 181.35	+94 686.81
D2	+76 161.32	+94 686.84
D3	+76 161.35	+94 706.28
D4	+76 181.34	+94 706.27
E1	+76 163.75	+94 718.42
E2	+76 106.72	+94 718.41
E3	+76 106.74	+94 737.82
E4	+76 123.72	+94 737.83
F1	+76 067.63	+94 753.97
F2	+76 049.03	+94 753.97
F3	+76 049.03	+94 773.41
F4	+76 067.03	+94 773.41
G1	+76 008.96	+94 769.06
G2	+75 990.03	+94 774.28
G3	+75 990.05	+94 795.60
G4	+76 011.78	+94 786.40
H1	+76 062.05	+94 687.30
H2	+76 064.05	+94 687.33
H3	+76 064.05	+94 686.74
H4	+76 062.05	+94 686.74
J1	+76 151.91	+94 625.40
J2	+76 136.91	+94 625.40
J3	+76 136.91	+94 644.84
J4	+76 157.91	+94 644.84
K1	+76 200.86	+94 584.79
K2	+76 180.89	+94 584.99
K3	+76 180.89	+94 564.43
K4	+76 200.89	+94 564.43
L1	+76 252.34	+94 571.39
L2	+76 234.34	+94 571.39
L3	+76 234.34	+94 591.43
L4	+76 250.34	+94 591.43
M1	+76 301.69	+94 536.55
M2	+76 283.69	+94 536.55
M3	+76 283.69	+94 555.99
M4	+76 301.69	+94 555.99
N1	+76 317.59	+94 254.82
N2	+76 299.56	+95 254.82
N3	+76 299.59	+95 274.28
N4	+76 317.58	+95 274.28
P1	+76 243.16	+95 283.62
P2	+76 225.59	+95 289.19
P3	+76 242.08	+95 307.72
P4	+76 245.13	+95 302.13
Q1	+76 190.27	+95 310.53
Q2	+76 161.11	+95 316.17
Q3	+76 161.17	+95 334.60
Q4	+76 204.28	+95 326.50
R1	+76 127.15	+95 343.61
R2	+76 114.47	+95 356.39
R3	+76 138.27	+95 370.08
R4	+76 140.95	+95 357.30
S1	+76 109.88	+95 380.01
S2	+76 107.35	+95 288.37
S3	+76 105.78	+95 285.81
S4	+76 106.68	+95 288.97
S5	+76 110.65	+95 305.13
S6	+76 124.19	+95 296.77
S7	+76 122.61	+95 294.22
S8	+76 107.72	+95 291.07
T1	+76 209.80	+95 236.15
T2	+76 195.17	+95 242.15
T3	+76 194.64	+95 228.27
T4	+76 188.46	+95 241.64
T5	+76 195.69	+95 259.23
T6	+76 210.38	+95 253.93
T7	+76 209.25	+95 250.46
T8	+76 214.60	+95 248.13
U1	+76 254.49	+95 187.40
U2	+76 240.47	+95 197.82
U3	+76 240.51	+95 195.55
U4	+76 235.97	+95 196.49
U5	+76 248.41	+95 213.04
U6	+76 259.43	+95 203.43
U7	+76 258.47	+95 201.16
U8	+76 263.00	+95 197.23
V1	+72 158.76	+97 307.91
V2	+72 150.70	+97 307.89
V3	+72 150.72	+97 327.51
V4	+72 168.70	+97 327.32
W1	+72 080.34	+97 416.93
W2	+72 066.94	+97 428.94
W3	+72 079.91	+97 443.41
W4	+72 093.34	+97 431.41
X1	+71 978.88	+97 506.18
X2	+71 972.87	+97 523.05
X3	+71 990.84	+97 529.77
X4	+71 992.14	+97 512.89
Y1	+71 818.93	+97 537.87
Y2	+71 806.63	+97 555.88
Y3	+71 823.32	+97 562.64
Y4	+71 830.80	+97 544.64
Z1	+71 764.41	+97 302.07
Z2	+71 747.53	+97 308.51
Z3	+71 743.34	+97 388.28
Z4	+71 760.22	+97 391.50
Z5	+71 747.74	+97 389.34

SERVITUDE CO-ORDINATES *		
s1	+76 448.34	+94 554.22
s2	+76 312.27	+94 594.80
s3	+76 266.89	+94 616.03
s4	+76 230.77	+94 642.29
s5	+76 161.22	+94 665.88
s6	+76 094.82	+94 699.69
s7	+76 036.33	+94 729.17
s8	+75 996.45	+94 748.84
s9	+75 990.43	+94 764.59
s10	+75 931.11	+94 811.69
s11	+76 329.10	+94 891.40
s12	+76 356.63	+94 658.72
s13	+76 139.76	+94 612.55
s14	+76 173.03	+94 590.21
s15	+76 229.46	+94 560.89
s16	+76 268.90	+94 540.95
s17	+76 286.55	+95 237.75
s18	+75 215.32	+95 270.00
s19	+75 194.74	+95 278.98
s20	+75 178.06	+95 247.95
s21	+75 140.61	+95 269.07
s22	+75 230.62	+95 203.92
s23	+75 194.32	+95 348.15
s24	+72 052.51	+97 324.80
s25	+71 985.75	+97 351.78
s26	+71 951.85	+97 417.34
s27	+71 909.26	+97 453.53
s28	+71 845.20	+97 477.51
s29	+72 007.39	+97 299.95

TRIGONOMETRICAL BEACONS			
156 YZERFONTEIN	△	+77 638.59	+92 808.06
263 PORDEBERG-TOWERS	△	+64 884.40	+99 898.65



INSET 1
Scale: 1/5000



INSET 5
Scale: 1/2000

S.G. OFFICE NOTES
1 Portion 25 Framed - Vide Dgm. No. 1291/2012.

S.G. FILE Nos Malm.564
S.R. Nos E52/2008
COMPILATIONS 3679, 3687
LPI C0460000

David Hellig, Abrahamse, Le Brun : Professionsal Land Surveyors Ref L7421

112/2008 Sht 2

GENERAL PLAN No.112/2008
OF
Subdivision of Farm Tygerfontein No. 564

Vide Diagram No.937/2008, D/G C.F.8.8
comprising 25 portions numbered Portions 1 to 25

Situated in the Swartland Municipality
Administrative District of Malmesbury
Province of the Western Cape

Surveyed in September 2007
By me

S.G. Le Brun PLS0337
Professional Land Surveyor

CDR

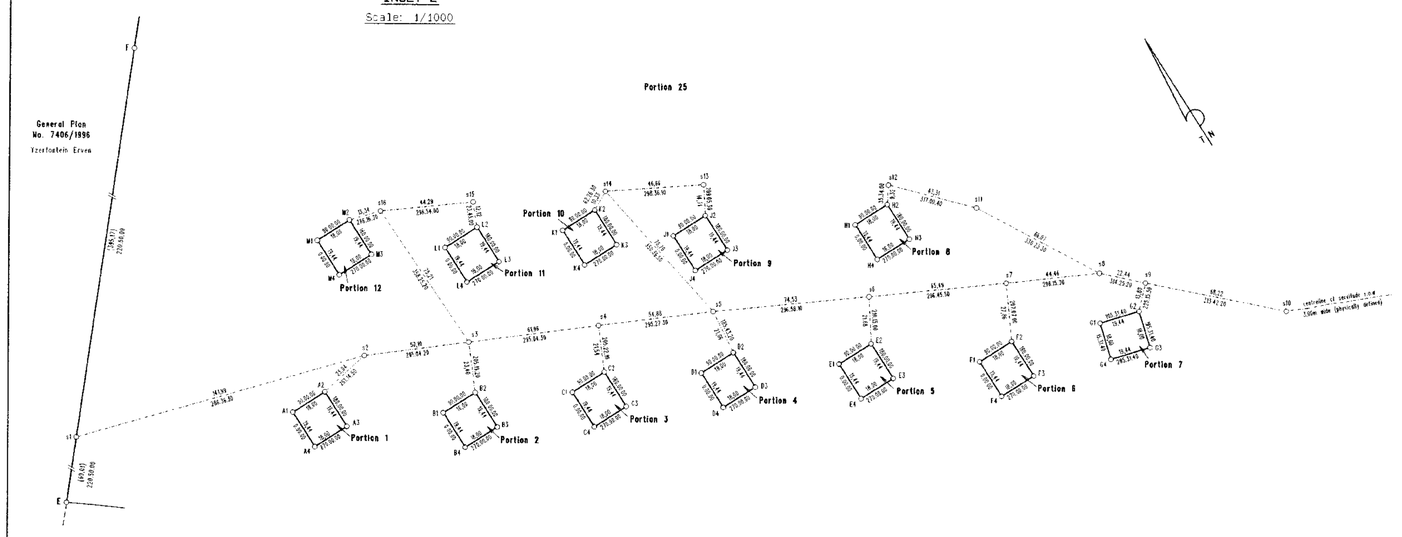
S.G. No. 112/2008
SHEET 2 OF 3 SHEETS

APPROVED
for SURVEYOR GENERAL
2008-03-04

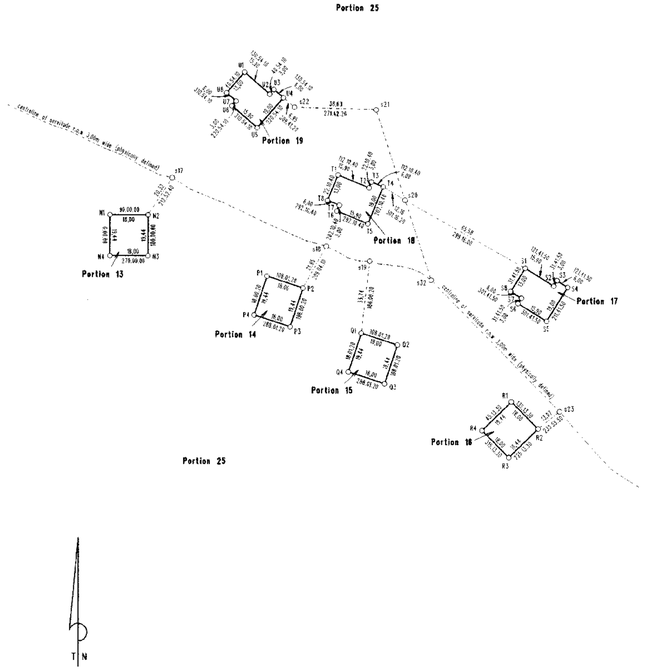
APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15/1985
REFERENCE 15/3/3-12/22
DATE 18 DECEMBER 2006

2012-11-30

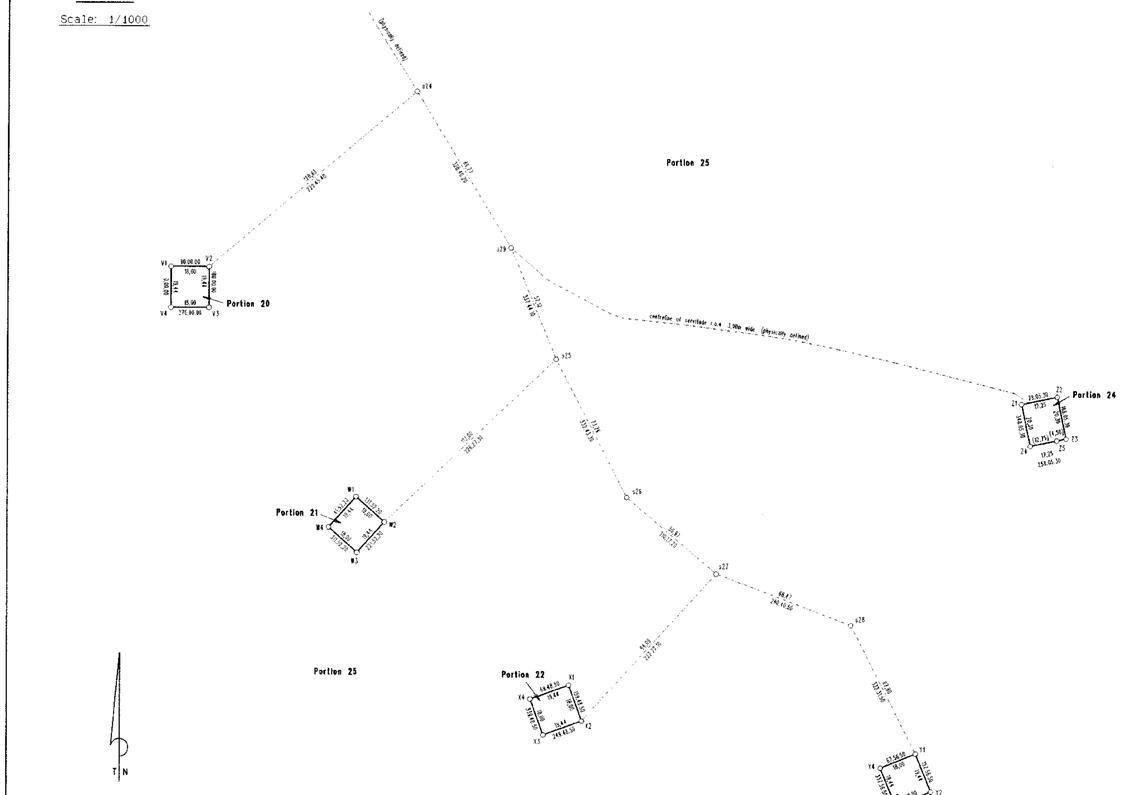
INSET 2
Scale: 1/1000



INSET 3
Scale: 1/1000



INSET 4
Scale: 1/1000



S.G. FILE No: Main.564
S.H. No: E52/2008
COMPILATION: 3679, 3687
LPI C0460000

S.G. No. 112/2008

SHEET 3 OF 3 SHEETS

CORRECTION SHEET

APPROVED

for SURVEYOR - GENERAL

2012 - 11 - 30

CDR

GENERAL PLAN No. 112/2008

OF

SUBDIVISIONS OF THE FARM TYGERFONTEIN No. 564

SITUATE IN THE SWARTLAND MUNICIPALITY
ADMINISTRATIVE DISTRICT OF MALMESBURY
PROVINCE OF WESTERN CAPE

SURVEYED IN SEPTEMBER 2007
BY ME

S. G. LE BRUN
PROFESSIONAL LAND SURVEYOR
P.L.S. No. 0337

PORTION CO-ORDINATES		
A1	+76 355,81	+94 598,33
A2	+76 337,80	+94 598,33
A3	+76 337,80	+94 617,77
A4	+76 355,79	+94 617,76
B1	+76 295,68	+94 636,90
B2	+76 277,68	+94 636,91
B3	+76 277,69	+94 656,35
B4	+76 295,70	+94 656,36
C1	+76 238,79	+94 661,49
C2	+76 220,78	+94 661,48
C3	+76 220,79	+94 680,92
C4	+76 238,79	+94 680,93
D1	+76 182,14	+94 686,53
D2	+76 164,10	+94 686,56
D3	+76 164,13	+94 706,00
D4	+76 182,12	+94 705,99
E1	+76 124,53	+94 718,14
E2	+76 106,50	+94 718,13
E3	+76 106,52	+94 737,54
E4	+76 124,50	+94 737,55
F1	+76 067,81	+94 753,69
F2	+76 049,81	+94 753,69
F3	+76 049,81	+94 773,13
F4	+76 067,81	+94 773,13
G1	+76 009,74	+94 768,78
G2	+75 991,01	+94 773,98
G3	+75 995,83	+94 791,32
G4	+76 014,56	+94 786,12
H1	+76 082,83	+94 667,02
H2	+76 064,83	+94 667,02
H3	+76 064,83	+94 686,46
H4	+76 082,83	+94 686,46
J1	+76 158,69	+94 625,12
J2	+76 140,69	+94 625,12
J3	+76 140,69	+94 644,56
J4	+76 158,69	+94 644,56
K1	+76 201,67	+94 594,71
K2	+76 183,67	+94 594,71
K3	+76 183,67	+94 614,15
K4	+76 201,67	+94 614,15
L1	+76 253,12	+94 571,70
L2	+76 235,12	+94 571,70
L3	+76 235,12	+94 591,14
L4	+76 253,12	+94 591,14
M1	+76 302,47	+94 536,27
M2	+76 284,47	+94 536,27
M3	+76 284,47	+94 555,71
M4	+76 302,47	+94 555,71
N1	+75 318,37	+95 254,54
N2	+75 300,36	+95 254,54
N3	+75 300,37	+95 274,00
N4	+75 318,36	+95 274,00
P1	+75 243,88	+95 283,34
P2	+75 226,77	+95 288,91
P3	+75 232,78	+95 307,44
P4	+75 249,91	+95 301,82
Q1	+75 199,05	+95 310,25
Q2	+75 181,89	+95 315,82
Q3	+75 187,95	+95 334,32
Q4	+75 205,06	+95 328,71
R1	+75 127,93	+95 343,33
R2	+75 115,25	+95 356,11
R3	+75 129,05	+95 369,80
R4	+75 141,73	+95 357,02
S1	+75 121,66	+95 279,73
S2	+75 108,14	+95 288,09
S3	+75 106,56	+95 285,53
S4	+75 101,46	+95 288,69
S5	+75 111,44	+95 304,85
S6	+75 124,97	+95 296,49
S7	+75 123,39	+95 293,94
S8	+75 128,50	+95 290,79
T1	+75 210,68	+95 235,87
T2	+75 195,95	+95 241,87
T3	+75 194,82	+95 239,09
T4	+75 189,26	+95 241,36
T5	+75 196,43	+95 258,95
T6	+75 211,16	+95 252,95
T7	+75 210,03	+95 250,18
T8	+75 215,58	+95 247,91
U1	+75 255,27	+95 187,12
U2	+75 243,25	+95 197,54
U3	+75 241,29	+95 195,27
U4	+75 236,75	+95 199,20
U5	+75 249,19	+95 213,56
U6	+75 261,21	+95 203,15
U7	+75 259,25	+95 200,88
U8	+75 263,78	+95 196,95
V1	+72 169,48	+97 307,63
V2	+72 151,48	+97 307,61
V3	+72 151,50	+97 327,05
V4	+72 169,48	+97 327,04
W1	+72 081,12	+97 416,65
W2	+72 067,72	+97 428,66
W3	+72 080,69	+97 443,13
W4	+72 094,12	+97 431,13
X1	+71 979,66	+97 505,90
X2	+71 973,45	+97 522,77
X3	+71 991,72	+97 529,49
X4	+71 997,92	+97 512,61
Y1	+71 814,71	+97 537,59
Y2	+71 807,41	+97 555,60
Y3	+71 824,10	+97 562,36
Y4	+71 831,38	+97 544,36
Z1	+71 765,19	+97 371,79
Z2	+71 748,31	+97 368,23
Z3	+71 744,12	+97 388,10
Z4	+71 761,00	+97 391,65
Z5	+71 748,52	+97 389,03

SERVITUDE CO-ORDINATES		
s1	+76 448,30	+94 554,18
s2	+76 313,05	+94 594,52
s3	+76 267,67	+94 615,75
s4	+76 211,55	+94 642,01
s5	+76 162,00	+94 665,60
s6	+76 095,58	+94 698,40
s7	+76 037,11	+94 728,89
s8	+75 997,24	+94 748,56
s9	+75 981,21	+94 764,27
s10	+75 931,89	+94 811,41
s11	+76 029,88	+94 691,12
s12	+76 059,41	+94 659,44
s13	+76 133,54	+94 612,27
s14	+76 174,51	+94 589,93
s15	+76 230,24	+94 560,61
s16	+76 269,74	+94 540,57
s17	+75 289,33	+95 237,47
s18	+75 218 10	+95 269,72
s19	+75 195 52	+95 276,70
s20	+75 178 87	+95 247,67
s21	+75 192 79	+95 204,79
s22	+75 231 40	+95 203,64
s23	+75 105 10	+95 347,87
s24	+72 053 29	+97 224,52
s25	+71 986,53	+97 351,59
s26	+71 952,73	+97 417,06
s27	+71 910,04	+97 453,25
s28	+71 845,98	+97 477,43
s29	+72 008,17	+97 298,64

S. G. FILE No. MALM 564
S. G. S.R. 52/2008
COMPILATION BH-3A (3679)
BH-3AD (3681)
BH-3C (3687)
LPI C0460000

John@urbaneye.co.za

20 October 2025

Attention: The Municipal Manager - Swartland Municipality
Private Bag X52
Malmesbury
7299

By Email: swartlandmun@swartland.org.za
AlwynBurger@swartland.org.za
wiidm@swartland.org

Dear Sir

OBJECTION PROPOSED AMENDMNT OF CONDITION B.(4) IMPOSED AS PART OF THE REZONING AND SUBDIVISION OF FARM TYGERFONTEIN NO 564, MALMESBURY – REFERENCE 15/3/3-22

1. This objection is submitted in terms of Section 60 of the Swartland Municipality Land Use Planning By- Law ("the By-Law") and in response to the notice dated 25 September 2025.

   Urban Eye Planning and Development has been appointed to submit a written objection to the application at hand on behalf of the registered landowners as listed that are directly adjacent to the application erf or directly affected by the application (see attached power of attorney), and therefore interested and affected parties to the application at hand:

   - D Kneale
   - F De Beer
   - K Konig
   - M Botha
   - N van Huyssteen
   - PR van der Merwe
   - W Ackerman
   - G Wylie
   - G Needham
   - T Sieber

2. The closing date for comments and objections is 27 October 2025 at 17:00 and this objection is therefore submitted in time.

3. This objection will clearly demonstrate the following:

   a. The application submitted is legally flawed in terms of minimum submission requirements as it does not comply with Section 48 of the By-law and should not have been accepted in terms of Section 51(3).

b. The application advertising process is legally flawed as the notification of the application does not comply with Section 55(1) of the By-Law.

c. The application has not considered section 42(2) of the Spatial Planning and land Use Management Act as required in term of Section 75(q) of the Swartland Municipal Planning by law.

4. The objective of the objection is to show that the application in its current form and processes to date does not allow for either the Municipality nor the adjacent landowners to make a clear determination of the impact of the proposed amendment on the surrounding property owners nor the receiving natural and urban environment.

5. This is due to the fact that the application for the amendment of the condition is based on a number of unsubstantiated statements without any supporting evidence and proof of such.

6. Not all applications required as part of the application has been submitted as the application also includes the amendment of the subdivision plan so as to not limit the access to an emergency access only.

7. The notice that was sent refers to different types of applications in the notice that has caused confusion on the application at hand.

8. The information regarding the current access arrangement and agreements have not been clarified in the application and the cumulative impact of such.

9. That the application is to be re-advertised with the additional minimum required information as well as correctly advertised in order to ensure that all the relevant and legally required information is available to all the interested and affected parties. This will enable the surrounding property owners to make an informed determination if they are negatively impacted on by the proposed amendment.

Background information to the objection

10. The development of Tygerfontein as an eco-estate has a complex history dating back to 2005 when the original approval was granted. The application submitted at the time was for the creation of 24 erven/portions within the farm to be developed with strict guidelines and clear requirement's as to what is permitted. Such approval/decision was carefully considered to ensure compliance with the forward planning of the area especially along the coast. As such, a condition that no access, be provided to the development directly from 'Yzerfontein, except for emergencies was imposed by both the Swartland Municipality and the Department of Environmental Affairs and Development Planning as the final decision maker in this regard.

11. The conditions were imposed as clear conditions to ensure and prohibit possible future expansion or development creep. Such conditions were accepted by the developer, and the development was acted on and the rights subsequently vested.

12. Due to the slow development uptake of the development a previous application was submitted for the amendment of the condition. Such application was strongly objected to by various property owners within 'Yzerfontein. Despite such the application was approved by the Swartland Municipality in terms of the then planning legislation LUPO.

13. In terms of LUPO, the appeal authority was the Department of Environmental Affairs and Development Planning. An appeal by the objectors was submitted and based on such the appeal was upheld and the amendment of the condition refused.

14. Over the years numerous complaints about the illegal use of the gate for access for non-emergencies have been reported with no or minimal action. It is evident from correspondence issued by the Municipality that such use is in contravention of not only the rezoning conditions but also the Environmental Authorisation (see Annexure A). This however has not resulted in any additional action by the Authorities to address such while the surrounding neighbours and interested and affected parties must feel the brunt of such non action by the mandated authorities to enforce such.

<u>Non-compliant with Section 48 of the Swartland Municipal Planning By-Law</u>

15. The application submitted does not include a legal power of attorney as the power of attorney attached is signed by Petra Lug on behalf of Tygerfontein Estates Pty Ltd. However, the Trustee/Directors/members Resolution attached to the application does not nominate a person to sign on their behalf and thus the application submitted is legally flawed as the person submitting the application did not have required power of attorney.

16. Further to the above the application should not have been submitted on behalf of the Tygerfontein Estates Pty Ltd. This is due to the fact that with the original approval a condition was imposed that a Homeowners Association be formed for the management and enforcement of the conditions of approval of the rezoning as well as the ROD and compliance with the constitution and design guidelines. The fact that two erven/portions have already been transferred (Portion 7 and 24) confirms that any application that affects the estate will require a resolution of the HOA and not the developer/property owner and be submitted on behalf of such.

17. The function and responsibility of the HOA is clearly defined and stipulated in section 39 of the Swartland Municipal Planning By Law, that is binding and must be adhered to and thus further confirms that the application was submitted without the required Power of Attorneys or mandate of the Estate and on such alone is grounds for review by any interested and affected party.

18. The application submitted as listed in the motivation is for the amendment of a condition of approval in terms of Section 25(2)(h). However the original application for the rezoning and subdivision included a subdivision plan and on such plan the access/road in question is not shown nor is the current servitudes in the most northern pocket of the development that links with Yzerfontein (see fig 1 and Annexure B).

19. Therefore, as is evident the endorsed subdivision plan did not



Figure 1 Extract 2006 Endorsed Subdivision plan

make any reference or provision for either a servitude nor a road and included a note that the gate at the northern boundary of Tygerfontein is a locked gate. The term emergency access is only referred to in the decision letter and no other documentation that could be obtained. Thus it can only be deducted that such was stated/referred to as such in the motivation of the original application. Therefore such clear use of the existing gate was a factor in the decision making of the original application, including the Environmental Authorisation with reference number AN/68/25/4 FARM 564 and the decision by the Department of Water in their approval dated 4 March 2004 with reference 16/2/7/G200/A/8 as the application was an integrated decision made by DEADP based on all the relevant role players.

20. The ROD that was issued further makes it clear that none of the existing or new roads/or tracks are to be no wider than 1,5m with a 1,5m road reserve so as to ensure limited disturbance of the natural vegetation condition 12. This read with condition 37 is clear that no development or activities can be undertaken outside the identified area without the required application being submitted and approval obtained for such, and such activities are subject to an archaeologist and a botanical survey of the area and submitted to Heritage Western Cape and DEADP for consideration prior to any disturbances.

21. It is further noteworthy that over and above the high watermark setback line referred to in condition 10 of the ROD that a development setback line of 100m was also imposed on the development measured from the norther boundary of Tygerfontein and must be maintained. This line is clearly depicted on the endorsed subdivision plan and Insert 1 (see Annexure B)

22. Therefore the current hardened road that is the reason for the application and the objection was constructed and formalised in contravention of various conditions of approval and without the required assessment required for such proposal that is also not part of the application at hand.

23. As part of the review and evaluation of the application and information gathering an approval for the creation of the current servitudes on the General Plan was obtained dated 12 May 2012 (see Annexure C). This application was submitted under LUPO with no proof of any advertisement of such nor any approvals from DEADP for the creation of such nor the amendment of the subdivision plan/general plan and this raises concerns if the process for the creation of the existing servitudes that is now to be converted to access roads for not only emergencies was created as a result of such, without compliance with condition 37 of the ROD.

24. The current application does not contain any motivation on the collected impacts and criteria for such an application, nor does it include an application for the amendment of the ROD issued as such approval will also be required before the access limitation can be amended. The application therefore does not include all the required applications to allow for the proposed amendment and therefore is procedurally flawed and open for review to any interested and affected party.

25. The biggest impact the proposal may have is on traffic to and from Yzerfontein and the current application is based on an outdated support letter by ITS. The broad statement is made that as there is no increase in number of units the impact remains the same and thus the letter by ITS is relevant and applicable.

26. However, since the letter was issued the overall development of Yzerfontein as well as the surrounding towns have changed significantly. As the letter is outdated no real conclusion

on the possible impact of traffic can be made based on such. It is further critical to note that the letter only refers to construction trucks and the impact on the road surface and not traffic itself nor the cumulative impact of such and only deals with construction vehicles whereas the application at hand not only to include construction vehicles but all workers, guest, property owners, visitors and suppliers of various goods and thus a much larger number of traffic flow that will be generated either during and after construction with no assessment.

27. The application also does not advise or clarify any legal or written agreements with the adjacent erven/developments such as Vyge Valley and Jackalsfontein in terms of registered servitudes etc and if such directly or indirectly provides access to the proposed access road, as there are few servitudes registered over the property that may allow for such that further exacerbates the impact on the residents of Yzerfontein. Reference to such agreements is in the correspondence between the applicant and Swartland Municipality as part of the previous application to amend the condition in undated letter with reference YZ/7588/R (see attached Annexure D)

28. Given the above the application in its current form does not meet the minimum requirements as required in terms of Section 48 of the By-Law in order to enable the application to be evaluated in terms of the decision making criteria as contained in Section 75 of the By Law, and must either be refused in totality or the application must be resubmitted with all the required information as stipulated.

Non-compliant with Section 55 of the Swartland Municipal Planning By-Law

29. The application advertising and procedure is legally flawed as the notification of the application does not comply with Section 57(c) as the notices served are materially incorrect as the Afrikaans version refers to an application for the amendment of a rezoning and subdivision condition whereas the English version /paragraph refers to the amendment of the restrictive title condition that is not only a different application type but requires a different process and means of evaluation.

30. The result is that the intent of the application is not clear and therefore confusing to interested and affected parties. This therefore will require an application to be re-advertised as the application process and means of advertising is flawed and misleading to interested and affected parties

Assessment criteria and general disability of the proposal in terms of Section 75 of the Swartland Planning By law

31. In terms of Section 75(c) of the Swartland Planning By Law the municipality must have regard for the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses, and the applicant makes the following statements in support of such.

32. The statement is made in paragraph 5.4 of the motivation that the proposal will not result in an increase in scale or intensity of the development and that the proposal is to support the estates long term viability and functionality while remaining within the intent of the development. This is substantiated by a statement that such additional controlled access will increase the attractiveness of the development and benefits to employees and service providers.

33. The proposal will assist in improving the integration with Yzerfontein and the link with the town that will result in increase in demand for services by the estate, while the current limitations hinder such and such amendment is essential to unlock the viability of the estate.

34. The reasons provided is exactly why the condition was imposed. The fact that the current limitation has the effect is proof that the current approval and conditions are ensuring that the original intend and purpose of the development and approval for the eco estate was to function as a buffer and mechanism to limit and control urban sprawl along the coast. The fact that the 24 units have very limited service and stringent requirements of access and access roads etc is to ensure the low impact low density eco estate functions as such. Any change to such will have the opposite impact and will in essence integrate such with Yzerfontein that is exactly the opposite of the reason such was approved.

35. The statement is made that should access be granted it will shorten the trips of various people to the benefit of reduced emissions etc. Although that may be true the intended use of the estate was not to become a typical extension or integrated portion of Yzerfontein but effectively a selfsustained limited service development with no need for daily trips as would be the case of a typical dwelling house with daily commutes and needs as that was never the intention or reason for approval, as clearly stated in the EIA ROD.

36. The fact that a clear 100m development setback line from the Northern Boundary was imposed was to ensure that no development or activities are undertaken between the first cluster of units and the Southern part of Yzerfontein, so as to create that buffer with limited access only for emergencies such as fire etc.

37. In terms of section 75(f) of the Swartland By-law any application considered by the Municipality must take into account any other laws that are relevant to the application at hand. As the proposal requires not only an amendment of the rezoning conditions but also the EIA conditions to allow for such a road as well as the servitudes that were created in contrast to the specific conditions of such, is a clear indication that the required environmental laws and criteria also needs to be taken into account and the fact that the minimum required information specified in the conditions for any further development has not been provided does not result in sufficient information for a decision by either the municipality or the Department of Environmental Affairs.

38. In terms of Section 75(h) any proposal must consider the impact of such proposal on engineering services. The fact that the motivation relies on an outdated traffic statement that only focuses on the construction vehicles to make use of the access does not reflect the full impact on services (roads). It does not provide sufficient information to determine the impact of all the additional vehicles that may be a result of the proposed amended access, that may include additional access by the other farms and developments to the south due to existing agreements as well. Thus, until a detailed traffic impact statement is made taking all the possible users of the access into account, council cannot make a determination of the true impact on the engineering services specifically roads and traffic in Yzerfontein.

39. In terms of Section75(i) the proposal must also include an assessment in terms of the spatial development framework, and such framework as approved as recently as May 2025 with a clear urban edge on the southern town boundary of 'Yzerfontein with growth and expansion proposed to the east inland and not along the coast. The amendment of the condition to effectively link the eco estate with the town to create a more integrated urban environment will be against the vision and plans as per the SDF that is not outdated and the overall vision of the Municipality.

40. In terms of Section 75(q) and (r) any proposal must consider the principles contained in section 42 of SPLUMA and Section 59 of LUPA when considering an application. The motivation and assessment of the application as per table 2 of the motivation does not provide any motivation or proof that the granting of the amendment of the condition will be to the benefit of the residents and property owners of Yzerfontein nor does it promote sustainable urban compact developments or protect sensitive natural environments for future generations. The motivation only motives why the amendment will be beneficial for the developer to make the proposal viable and commercially viable, where such aspects are not a criteria or grounds for approval.

Conclusion

41. In conclusion we are of the opinion that the application in its current form and process to date is legally flawed for reasons as stated and should be refused on this basis alone as the evaluation of the application is not possible due to crucial information required for an application of this nature not being available to all parties involved including the decision making authority as well as not all applications required for such have been submitted as part of the application.

42. It is trusted that the decision-making authority will recognise and take cognisance of the issues and concerns raised and ensure that the correct information is obtained to ensure all parties can provide meaningful and clear comment on the proposal as well as to make an informed decision that adheres to the development principles of the LUPA and SPLUMA and the vision of the spatial development framework.

43. Lastly the previous application was supported by the Municipality on the basis that the condition was not clear and could result in misunderstanding or interpretation as per the closing statements in the assessment report (paragraph 7-9) dated 24 August 2011, as the municipality is the author of such condition as well as the competent authority to enforce such. The final say in terms of interpretation of such condition and the intention of such lies with the municipality and therefore the statement made that it leaves room for interpretation is unfounded and not unsubstantiated.

44. It is also noteworthy that since the condition was imposed no changes in terms of policy or view or any other aspect that may be deemed to be grounds for the amendment of the condition is evident and therefore the question arises what has changed in terms of such in the view of the Municipality that will warrant an amendment to the condition that was also overruled on appeal with the previous application.

Kind regards

John Smit
PR/A 1458/2011
Director: Urban Eye Planning and Development

Annexure A

John and Anita Miller

From: graham katz [g.k@iafrica.com]
Sent: 29 June 2010 03:04 PM
To: John Anita Miller and
Subject: Tygerfontein Oordontwikkeling - Toegang
Attachments: Approval_from_Swartland[1].pdf; ATT00025.htm; subdivision_showing_roads_,servitudes [1].pdf; ATT00028.htm

Hello John

As far as I can gather there should be no more access through the boundary fence unless due to an emergency.

Mr Wiehan Carstens - 082 925 2244 Yzerfontein Manager (Police Officer)

Mr Ed Britten - 0833186170 Head of rate payers association Yzerfontein.

Regards

From: "Martin Langenhoven" <planscape@telkomsa.net>
Date: 29 June 2010 9:58:26 AM
To: "'graham katz'" <g.k@iafrica.com>
Subject: FW: Tygerfontein Oordontwikkeling - Toegang

Graham

See the attached documentation as well as e-mail below from Alwyn Burger to Wiehan Carstens, confirming that road my only be used for emergency purposes.

Martin Langenhoven
TRP(SA), SACPLAN Reg: A/048/2007

Planscape
Town and Regional Planners
PO Box 557
Moorreesburg, 7310
Tel: 022 4334408
Fax: 086 697 2069
Sel: 0722026587
planscape@telkomsa.net

-----Original Message-----
From: Alwyn Burger [mailto:AlwynBurger@swartland.org.za]
Sent: Tuesday, June 29, 2010 11:36 AM
To: Martin Langenhoven
Subject: FW: Tygerfontein Oordontwikkeling - Toegang

Martin

Vind aangeheg die epos wat ek vir verduideliking aan Wiehan Carstens gestuur het asook die goedkeurings van die Raad en Provinsie asook die ontwikkelingsplan.

Groete

Alwyn Burger

Senior Town Planner / Senior Stadsbeplanner

Swartland Munisipaliteit / Municipality

Tel no : 022-487 9400

Faks no : 022-487 9440

Sel no : 076 480 9870

From: Alwyn Burger
Sent: 24 March 2010 11:56 AM
To: Wiehan Carstens
Cc: Swartlandmun
Subject: Tygerfontein Oordontwikkeling - Toegang

Oom Wiehan

Ons gesprekke vanoggend rakende die onderwerp hou verband.

Toegang tot die Tygerfontein Oordontwikkeling mag slegs verkry word vanaf die R27 (Weskuspad).

Die pad wat Yzerfontein dorpsgebied verbind met die oordontwikkel is SLEGS 'n noodpad en kan nie gebruik word as toegang tot die oordontwikkel vir konstruksie voertuie of vir toegang vir die publiek na die oordontwikkel nie.

Die Raad het op 9 November 2005 die hersonering en onderverdeling van die plaas Tygerfontein no 564, Afdeling Malmesbury goedgekeur onder andere die volgende voorwaarde:

"…B(4) dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no 564 skakel, slegs die nooddoeleindes gebruik sal word…"

Volgens die Rekord van Besluit uitgereik deur die Departement van Omgewingsake en Ontwikkelingsbeplanning op 16 September 2005 in terme van die NEMA regulasies is daar ook voorwaardes opgelê ten opsigte van die noodpad, wat lees soos volg:

"…G(12) Existing roads must be utilized. New internal access roads must be kept to a maximum width of 1,5m with a road reserve on either side of 1,5m. Roads must meander following topography to reduce their visual impact. The roads must be sufficiently cambered to ensure effective run-off and long term maintenance.

…G(13) The materials used in road building may not be obtained from any part of the property, but must be sourced off-site and must not be contaminated with alien vegetation seed…"

Verder, volgens die Departement van Omgewingsake en Ontwikkelingsbeplanning se goedkeuring van die oordontwikkeling op 23 Augustus 2006 rakende die hersonering van eiendom was die volgende voorwaarde opgelê:

"…2.7 the proposed emergency road that connects Yzerfontein with the property concerned be used for emergency purposes only…"

Dit word dus baie duidelik gestel uit die goedkeurings van toepassing op die oordontwikkeling dat die pad vanaf Yzerfontein na die oordontwikkeling slegs gebruik mag word vir 'n noodpad.

Die Huiseienaarsvereniging is gestig en 'n konstitusie asook argitektoniese ontwerpshandleiding is deur die Raad goedgekeur op 16 Julie 2008. Die goedkeuring van die argitektoniese ontwerpshandleiding is onderhewig aan die

goedkeuring van Erfenis Weskaap. Hierdie goedkeuring het ons onlangs ontvang. Verskeie wysigings is aangebring aan die dokument deur Erfenis Weskaap. Gevolglik sal die gewysigde argitektoniese ontwerpshandleiding in April 2010 voorgelê word aan die Raad ten einde die bestaande argitektoniese ontwerpshandleiding te vervang.

Daar is tans nog geen uitklarings gegee vir enige van die nuutgeskepte eenhede nie in die oordontwikkeling nie. Gevolglik sal geen bouplanne op hierdie stadium oorweeg (goedgekeur) kan word nie.

Dus kan daar op hierdie stadium voort gegaan word om uitvoering gegee te word aan die goedkeuringsvoorwaards.

Groete

Alwyn Burger

Senior Town Planner / Senior Stadsbeplanner

Swartland Munisipaliteit / Municipality

Tel no : 022-487 9400

Faks no : 022-487 9440

Sel no : 076 480 9870

Tygerfontein No.564

COFFEE FONTEIN No 563

Groot Water No.569

Vyge Valley No.570

Jackalsfontein No.572

Atlantic Ocean

TYGERFONTEIN

INSET 1

INSET 2

60m Building Line

15m

40m

5m

H.W.M

Existing Borehole

Water Storage Tanks

Ex. HOMESTEAD

1

Private Road (Existing gravel access road)

SEE INSET A

VYGE VALLEY
boundary fence to be confirmed

New Borehole Position

EXISTING WINDMILL

PRIVATE ACCESS ROAD & SERVICES SERVITUDE IN FAVOUR OF H.O.A.

Resort Management & Utilities

2

60m Building Line

bore hole

Dwars River

X + 98 000

SUBDIVISION PLAN

LAND USE TABLE	AREA	%
TOTAL SITE AREA	963.2371HA	
RESORT ZONE II (24x350)	0.84Ha	0.087
OPEN SPACE III	962.3971Ha	99.913
TOTAL	963.2371Ha	100

LEGEND

PROPOSED ZONING

RESORT ZONE II (350m footprints)

OPEN SPACE III - PRIVATE NATURE RESERVE

PHASE 1	12 UNITS	portions 1 to 12
PHASE 2	7 UNITS	portions 13 to 19
PHASE 3	5 UNITS	portions 20 to 24
TOTAL	24 UNITS	

1 Existing Homestead

2 Resort Management & Utilities

TYGERFONTEIN

REZONING & SUBDIVISION PLAN:
INDICATING ACCESS ROADS & SERVITUDES

SCALE 1:7500 @ A1

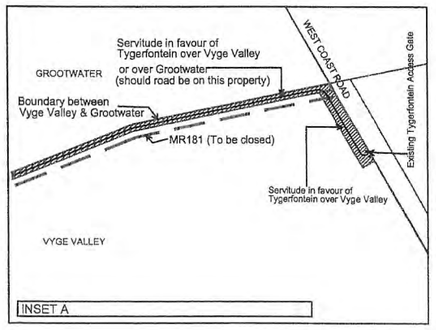
CHITTENDEN NICKS de VILLIERS

Environmental planning Urban design Landscape architecture

72 Barrack Street Cape Town PO Box 10211Caledon Square 7905
Tel. 461 6302 Fax. 461 6466 E-mail: cndv@iafrica.com

Job:	03 1049	Dwg:	03-1049-AC-004	Date:	Feb 2006

CNdV



SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan kragtens artikel 25 van Ordonnansie 15 van 1985, onderhewig aan voorwaardes

Subdivision granted in terms of section 25 of Ordinance 15 of 1985, subject to conditions.

30 AUG 2006 .....
DATUM/DATE

.....
MUNISIPALE LEESBURDER/MUNICIPAL MANAGER

Annexure B

INSET 1
scale 1:2000

12
11
10
9
1
2
3
4
5
6
7
8

Plan No 03-1049-004a
Cluster 1 portions 1 to 12

KEY

Approx c/l of servitude R.O.W. & services servitude

Private access road & services servitude in favour of H.O.A.

Building footprint (350m²)

TYGERFONTEIN

PROPOSED SUBDIVISION OF FARM 564

SCALE 1:2000 @ A3

0 50 100 200 300 400 500

CHITTENDEN NICKS de VILLIERS
Environmental planning Urban design Landscape architecture
72 Barrack Street Cape Town PO Box 10211Caledon Square 7905
Tel. 461 6302 Fax. 461 6466 E-mail: cndv@iafrica.com

Job:	03 1049	Dwg:	03-1049-AC-004a	Date:	Feb 2006

CNdV

SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan kragtens artikel 25 van Ordonnansie 15 van 1985, onderhewig aan voorwaardes

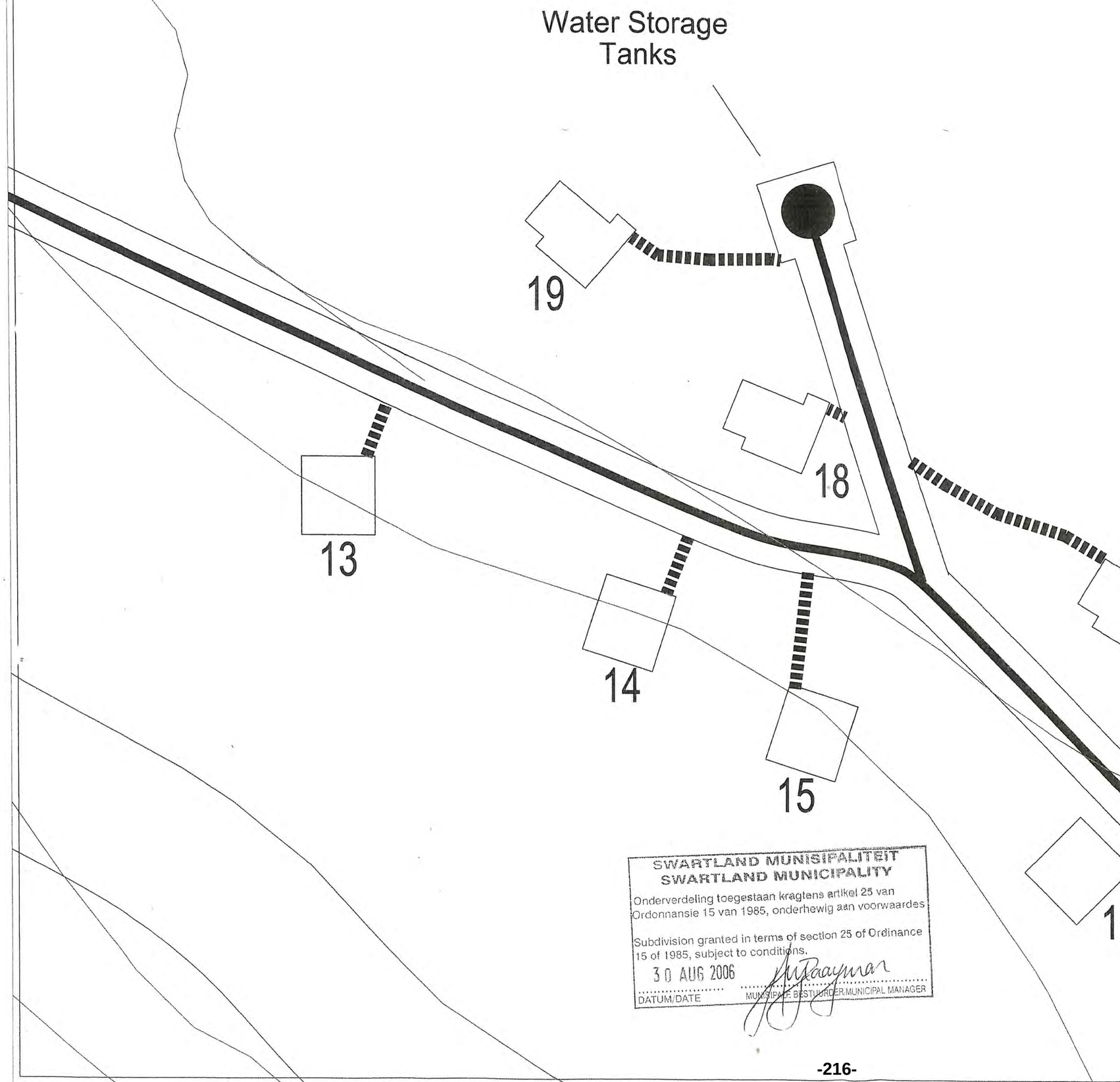
Subdivision granted in terms of section 25 of Ordinance 15 of 1985, subject to conditions.

30 AUG 2006 .....
DATUM/DATE

.....
MUNISIPALE BESTUURDER/MUNICIPAL MANAGER

INSET 2

scale 1:2000



Plan No 03-1049-004b
Cluster 2 portions 13 to 19

KEY

Approx c/l of servitude R.O.W. & services servitude

Private access road & services servitude in favour of H.O.A.

Building footprint (350m²)

TYGERFONTEIN

PROPOSED SUBDIVISION OF FARM 564

SCALE 1:2000 @ A3

0 50 100 200 300 400 500

CHITTENDEN NICKS de VILLIERS

Environmental planning Urban design Landscape architecture

72 Barrack Street Cape Town PO Box 10211Caledon Square 7905
Tel. 461 6302 Fax. 461 6466 E-mail: cndv@iafrica.com

Job:	03 1049	Dwg:	03-1049-AC-004b	Date:	Feb 2006

CNdV

SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan kragtens artikel 25 van Ordonnansie 15 van 1985, onderhewig aan voorwaardes

Subdivision granted in terms of section 25 of Ordinance 15 of 1985, subject to conditions.

30 AUG 2006

DATUM/DATE

MUNISIPALE BESTUURDER/MUNICIPAL MANAGER

INSET 3

scale 1:2500

20

21

22

23

24

Ex. Building

Approx c/l of servitude R.O.W. & services servitude

Dwars River

Plan No 03-1049-004c
Cluster 3 portions 20 to 24

KEY

- Approx c/l of servitude R.O.W. & services servitude
- Private access road & services servitude in favour of H.O.A.
- Building footprint (350m²)

TYGERFONTEIN

PROPOSED SUBDIVISION OF FARM 564

SCALE 1:2000 @ A3

CHITTENDEN NICKS de VILLIERS
Environmental planning Urban design Landscape architecture
72 Barrack Street Cape Town PO Box 10211 Caledon Square 7905
Tel. 461 6302 Fax. 461 6465 E-mail: cndv@iafrica.com

Job: 03 1049 | Dwg: 03-1049-AC-004c | Date: Feb 2006

CNdV

SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY
...verdeling toegestaan kragtens artikel 25 van
...ansie 15 van 1985, onderhewig aan voorwaardes
...bdivision granted in terms of section 25 of Ordinance
... of 1985, subject to conditions
30 AUG 2006
DATUM/DATE
MUNISIPALE BESTUURDER/MUNICIPAL MANAGER

Maln. 564

Annexure C

SWARTLAND
Munisipaliteit
Municipality
Umasipala

NATIONAL WINNER OF:

CLEANEST TOWN COMPETITION
2006/07 & 2007/08

NATIONAL VUNA AWARD
FOR MUNICIPAL EXCELLENCE
2007

KANTOOR VAN DIE LANDMETER GENERAL
KAAPSTAD
28 MAY 2012
CAPE TOWN
SURVEYOR GENERAL'S OFFICE

Lêer verw/
File ref: 15/3/6-15/Farm_564

Navrae/Enquiries:
Me D N Stallenberg

10 May 2012

C K Rumboll & Partners
PO Box 211
MALMESBURY
7299

By Registered Mail

Sir/ Madam

PROPOSED REGISTRATION OF SERVITUDE AREAS ON THE FARM TYGERFONTEIN NO 564, DIVISION MALMESBURY

Your application dated 27 March 2012 with reference RK/7588/IJ on behalf of Mr Willy Loffler, regarding the subject refers.

By virtue of the authority that is delegated to this Council, in terms of the Act on the Delegation of Powers of the Western Cape, Act no. 7 of 1994, Council hereby approves the application for the subdivision for the creation of servitude areas on the farm Tygerfontein no. 564, division Malmesbury as indicated on the attached plan, in terms of Section 25(1) of Ordinance 15 of 1985, subject to the following conditions:

1. That the following servitude areas are created:

   a) Servitude 1, ±0,05152ha in extend;
   b) Servitude 2, ±11,5590ha in extend;
   c) Servitude 3, ±8,12179ha in extend;
   d) Servitude 4, ±0,18248ha in extend;
   e) Servitude 5, ±31,1258ha in extend;
   f) Servitude 6, ±0.15193ha in extend;
   g) Right of way servitude.

Five

Onsgee om! We care! Sinenkathalo!

2. That this municipality be provided with approved SG diagrams.

Yours faithfully

MUNICIPAL MANAGEER
per Department Development Services

AJB/ds

Copies : The Land Surveyor General, Private Bag X9028, Cape Town, 8000

Tygerfontein Estates Pty Ltd, PO Box 156, Darling, 7345

Director: Financial Services

Malm 564

4/560

Yzerfontein

Coffee Fontein
563

SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY
Onderverdeling toegestaan kragtens artikel 25 van Ordonnansie 15 van 1985, onderhewig aan voorwaardes
Subdivision granted in terms of section 25 of Ordinance 15 of 1985, subject to conditions.
10/05/2012
DATUM/DATE
MUNISIPALE BESTUURDER/MUNICIPAL MA...

Farm Tygerfontein
nr. 564
± 978.207ha

1/569
Groot Water

Minor Road 181

Vyge Valley
RE/570

Right of way servitude

Right of way servitude

Right of way servitude

Right of way servitude

ATLANTIC OCEAN

572
Jackals Fontein

KEY:

SERVITUDE 1	± 0.05152ha
SERVITUDE 2	± 11.5590ha
SERVITUDE 3	± 8.12179ha
SERVITUDE 4	± 0.18248ha
SERVITUDE 5	± 31.1258ha
SERVITUDE 6	± 0.15193ha
RIGHT OF WAY SERVITUDE	

Servitude areas 2, 3, 4 and 5 are located 37.78 meters above the high water mark, which constitutes the property boundary along the coast.

TITLE
PROPOSED SERVITUDE AREAS
ON THE FARM TYGERFONTEIN 564

NOTE
ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEY

COMPILED BY
C.K. RUMBOLL AND PARTNERS
TOWN AND REGIONAL PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIERSTREET, MALMESBURY
Tel: 022 – 4821845
Fax: 022 – 4871661
e-mail: ian@rumboll.co.za

DATE:	SCALE:
MARCH 2012	Not to scale
REF: #7588	NORTH

CK RUMBOLL &
VENNOTE / PARTNERS

PROFESSIONELE LANDMETERS - ENGINEERING AND MINE SURVEYORS - STADS- EN STREEKSBEPLANNERS - SECTIONAL TITLE CONSULTANTS

Your ref nr: 15/3/6-15
Our ref nr. YZ/7588/IR

15/5/3-15/22
BBEM
Ger afgehandel na
DF
16/3/6-15/30

The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7299

For Attention: Mr A. Zaayman

Dear Sir,

Application for the Amendment of Condition Pertaining to the Rezoning and Subdivision of the Farm Tygerfontein No 564.

C K Rumboll and Partners has been instructed by Mr Dave Venter on behalf of Mr Willy Loffler, the owner developer of the resort on the Farm Tygerfontein No 564, Division Malmesbury to bring the DEADP Ordinance 15/85 and Council's LUPO approval in line with the agreement reached between the Tygerfontein Coastal Estate and Jakkalsfontein.

To facilitate the above we hereby apply in terms of Section 42 (3a, b) of The Land Use Planning Ordinance for the amendment of condition B (4) that states: "dat die voorgestelde noodpad wat Yzerfontein en die plaas Tygerfontein no.564 skakel slegs vir nooddoeleindes gebruik sal word". This condition has also been taken up in the DEADP approval dated 23/08/08. As per our discussion Council will in due course inform Province of their decision. This application has as its objective to clarify a situation that is leading to misinterpretations of the term "noodpad". Currently the Building Contractor is using the road because it is convenient and much shorter than the round trip, truly an emergency situation. Mr Loffler wants to control the access point from Yzerfontein to Tygerfontein. Only residents of Tygerfontein, their bona fide guests and any employee of farm Tygerfontein, or any authorized service provider to such resident will be granted access at this point of entrée.

The traffic generated by the development will be negligible compared to the traffic that can be foreseen when all the houses near the gate has been built. Even then, Yzerfontein being a holiday town, the traffic will be far less than what the roads in the area has been designed to cope with. The condition is also wasteful and impractical in terms of fuel costs and inconvenience. When the resort is up and running probably 60% of residents will prefer the entrance off the R27 (Weskuspad) as it is shorter when coming from Cape Town. The selected opening of the road would mean easier access to the commercial facilities in Yzerfontein bringing the expected customers to town with all the benefits that goes with that.

We would gladly meet with any party that wants to discuss the merits of this application and try to address their fears if any.

Yours Faithfully

I H Rumboll

Izak Rumboll
Co CK Rumboll and Partners

Swartland Municipality
2010 -10- 26
Malmesbury

VENNOTE / PARTNERS:
IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl Prl. (SA), BSc (Surv), M.I.P.L.S., CJ Nortjé (SA) BSc (Landm), L.I.P.L.

ADDRESS/ ADRES: izak@rumboll.co.za / PO Box 211 / Reinierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661
PIKETBERG (T) 022 913 1973 (F) 022 913 2312
VREDENBURG (T) 022 718 1014

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners SARONSBERG CELLAR (PTY) LTD, registered owners of the following property 218 DASSEN EILAND DRIVE wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name NICK VAN HUYSSTEEN Signature _____

Date 24/10/2025

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners Nicholaas Cornelius van Huyssteen obo Saronsberg Eiland (Pty) Ltd, registered owners of the following property ERF1679, 218 Dassen Eiland Dr wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name NC van Huyssteen Signature _____

Date 27 October 2025

RESOLUTION PASSED AT A MEETING OF THE DIRECTORS OF SARONSBERG CELLAR PROPRIETARY LIMITED, REGISTRATION NUMBER: 2003/007907/07

HELD AT Cape Town

ON THE 17th October 2025

RESOLVED THAT:

Saronsberg Cellar Properietary Limited approve that Nicholaas Cornelius van Huyssteen with ID: 5907105125083 represent the company in the formal objection in respect of application for amendment of conditions Portion 25 of the Farm Tygerfontein no 564, Division Malmesbury

NC van Huyssteen in his capacity as Director of Saronsberg Cellar Proprietary Limited is hereby authorised to sign the relevant documents which may be necessary to give effect to above.



NC van Huyssteen
DIRECTOR

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners ERF 572 PIETERSBURG (PTY) LTD, registered owners of the following property ERF 3084 PEARL POINT wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name MARIUS BOTHA FOR ERF 572 PIETERSBURG (PTY) LTD Signature

Date 24/10/2025

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners Thomas & Marianne Sieber, registered owners of the following property 226 Dasen Island Drive wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name THOMAS SIEBER MARIANNE SIEBER Signature

Date 24-10-2025

SPECIAL POWER OF ATTORNEY

I, the undersigned,

PETRUS RAYNARDT VAN DER MERWE (RSA ID# 800728 5022 08 0)
In my capacity as a permanent resident of Yzerfontein and the project sales and marketing manager of Pearl Point Estate and as a registered property practitioner with both the PPRA and FIC:

Hereby confirm that I oppose the application for the proposed amendment of restrictive title conditions: rezoning and subdivision of farm Tygerfontein Nr. 564, division Malmesbury (now known as portion 25 of farm Tygerfontein Nr. 564, Division Malmesbury) which proposed amendment aims to amend the restricted access from the Tygerfontein development to and from Yzerfontein by allowing controlled access for residents, their guests, employees, and authorized service providers from the development to and from Yzerfontein.

AND

I hereby nominate, constitute, and appoint:-

MARIUS BOTHA and/or JOHN SMIT (URBAN EYE PLANNING AND DEVELOPMENT)

With power of Substitution to be my lawful Agent/s in my name, place, and stead, to oppose the application for the proposed amendment of restrictive title conditions: rezoning and subdivision of farm Tygerfontein Nr. 564, division Malmesbury (now known as portion 25 of farm Tygerfontein Nr. 564, Division Malmesbury) which proposed amendment aims to amend the restricted access from the Tygerfontein development to and from Yzerfontein by allowing controlled access for residents, their guests, employees, and authorized service providers from the development to and from Yzerfontein;

and generally, for effecting the purposes aforesaid:

- to appear before the Swartland Municipality and/or any other Tribunal on my behalf to argue the opposition; and
- to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever the said Agent shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED AT YZERFONTEIN THIS 22ND DAY OF OCTOBER 2025 in the presence of the undersigned witnesses.

AS WITNESSES:

1.

2.

PR VAN DER MERWE

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners Ackhardt Trust, registered owners of the following property 220 Dassen Island wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name W Ackerman Signature 

Date 2025/10/25

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners GRAHAM WYNNE, registered owners of the following property ERF 1682 wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name GRAHAM WYNNE Signature

Date 7th Oct. '25

www.urbaneye.co.za Cell: 063 772 1223 Tel: 021 591 1513
25 Fitzroy Street, Goodwood, 7460 | Cape Town, South Africa

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners D A & J S KOLGATE, registered owners of the following property ERF 2744 wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name D A KOLGATE Signature

Date 24. 10. 25

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners Fred de Beer, registered owners of the following property 222 Dassen Island Drive wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name Fred de Beer Signature 

Date 24th October 2025

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners GODFREY NEEDHAM, registered owners of the following property 216 DASSEN ISLAND DRIVE wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name G. A. NEEDHAM Signature

Date 25.10.2025

URBAN EYE
PLANNING & DEVELOPMENT

JOHN SMIT
John@urbaneye.co.za

POWER OF ATTORNEY (Registered Owners consent)

I/we the registered owners Karin König, registered owners of the following property 222 Dassen Island Drive wish to certify that authority has been granted to **URBAN EYE PLANNING AND DEVELOPMENT PTY LTD** to submit a formal objection against the application for the amendment of condition B.4 of the approval granted with the approval of rezoning and subdivision of Farm Tygerfontein (now known as Portion 25 of Farm Tygerfontein No 564) submitted to the Swartland Municipality with reference no 15/3/3-15/22.

The undersigned therefore nominates, constitutes and appoint the above party with power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owners in the above regard in respect of the matter referred to above during the application process.

Owners name Karin König Signature König

Date 24th October 2025

ANNEXURE F

From: Edward Scott <Edward@crfund.co.za>
Sent: Tuesday, 21 October 2025 18:25
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: AMENDMENT OF RESTRICTIVE TITLE CONDITIONS TO ALLOW FOR ACCESS TO AND FROM YZERFONTEIN

Dear Sir/Madam
We are totally opposed to the lifting of the above restrictions to allow access to and from Yzerfontein for the following reasons;
1 Traffic along Dassen Eiland Drive where we reside, is already congested at certain times of the day due to excessive vehicular traffic related to residents, builders, service providers, taxis and visitors
2 The noise pollution is unacceptable as these vehicles are very loud and often have to engage in low gears which reverberates around our space
3 Pollution from the huge increase in traffic iro exhaust fumes
4 traffic noise will extend into the early morning and late at night during the entire week including weekends
5 The fact that Pearl Point has not even started building residential homes which is ongoing will compete for road space and exacerbate the noise and exhaust pollution
6 The honey sucker will be busier down our road and the mess from these trucks will increase causing environmental and health problems to increase
7 The taxis usage will increase and cause more inconvenience on our roads as they drive with impunity and violate traffic laws with reckless abandon
8 The safety of our community of runners, walkers, cyclists and others will be compromised and there is park or area for such activities in Yzerfontein
9 The wild life and specifically bird life including ostriches will be endangered as traffic becomes more congested and th same potential danger applies to the children who walk along the road regularly to get to their various places
10 The tranquil nature of our space will be compromised and ruined should the restrictions be lifted due to all the above.
11 The reasons above apply to our entire community en route to the enclosed gate at the end of Dassen Eiland Drive and will impact negatively on local commuting, shopping and life styles
12 The road was not built to withstand the large trucks and volumes and will need constant maintenance lest Yzerfontein also slips into unserviced facilities which could impact negatively on general service delivery and cause Swartland to lose its current status of being the top municipality in the country.
13 I fail to see how the entrance on Dassen Eiland Drive will be controlled given the existing traffic with similar interests

I propose that they use the R27 entrance which will save our roads and preserve that which we currently enjoy failing which we will require many guarantees and Swartland have to monitor the activities as well as impose additional traffic calming measure in Dassen Eiland Drive and possible other roads en route.

Yours faithfully
Eddie and Carolyn Scott
94 Dassen Eiland Drive
Yzerfontein
0842445824

Kind Regards

Edward Scott | Licentiate Trustee (LT)

Edward@crfund.co.za | 084 244 5824

T: 0861 CRFund (0861 273863)

E: support@crfund.co.za

A: 3rd Floor, CRF Building, 4 Bridal Close, Tyger Falls, Bellville, 7530

P.O.Box 4740, Tygervalley, 7536

ANNEXURE G

From: Nick van Huyssteen <nick.vh@me.com>
Sent: Wednesday, 22 October 2025 15:23
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: rene@saronsberg.com; Lenay Abdol <PlanIntern1@swartland.org.za>; Harold Cleophas <Mayor@swartland.org.za>; M Rangasamy <Speaker@swartland.org.za>
Subject: Re: Voorgestelde wysiging van voorwaardes: Hersonering en onderverdeling van plaas Tygerfontein no 564, afdeling Malmesbury

Die Munisipale Bestuurder
Swartland Munisipalireit
Malmesbury

DIE AANGEHEGTE KORRESPONDENSIE VERWYS:

Hierdie aansoek word nie ondersteun nie en beswaar word hiermee aangeteken vir oa. die volgende redes nl. dat alle inwoners/eienaars en belanghebbende partye, Plaaslik sowel as Provinsiaal, bv. Departemente van oa. Vervoer/Omgewingsake/Ontwikkeling hierin geraadpleeg en hul goedkeuring verkry word.

Volgens my inligting was die “eko ontwikkeling” aanvaar deur die ontwikkelaar en departemente en is Tygerfontein nie afhanklik van Yzerfontein se Dienste (oa. Water, Vullisverwydering, Elektrisiteit, Padinstandhouding ens..) nie.

Word die “hek” ongemagtig gebruik - dit is daar in geval van Nood en nie vir die breë publiek oa. toeriste, gaste, aflewerings, diensveskaffers, werkers ens.. en/of deurgang na ander eiendomme… of Kaapstad nie.

Ek doen hierdie beroep as besorgde inwoner en verneem graag van U per e-pos, selfoon en Whatsapp.

Groete

Nick van Huyssteen
218 Dassen Eiland Drive
0827735110

ANNEXURE H

Pearl Point Homeowners Association NPC
227 Atlantic Drive
Yzerfontein
7351
fimbrio2@gmail.com
083 268 5017

Date: 23 October 2025

To:
The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7299
Email: swartlandmun@swartland.org.za and wiidm@swartland.org.za
Fax: 022-487 9440

Dear Sir,

OBJECTION TO APPLICATION FOR AMENDMENT OF CONDITION B.(4) // Portion 25 of Farm Tygerfontein No. 564, Division Malmesbury

Reference: MAL/14670/MH | Municipal Reference: 15/3/3-15/22

1. **INTEREST IN THE APPLICATION**

1.1. The Pearl Point Homeowners Association ("HOA") represents all the owners of erven in the Pearl Point residential development ("Pearl Point") situated at Yzerfontein directly adjacent to Portion 25 of Farm Tygerfontein No. 564, Division Malmesbury.

1.2. Sourcepeople (Pty) Ltd is the developer of Pearl Point and owner of several remaining erven in Pearl Point and as such is a member of the HOA.

1.3. Dassen Eiland Drive is the road giving access to the Pearl Point residential development as this is where the only entrance to the Pearl Point residential development is situated.

1.4. As such, the HOA in its representative capacity aforesaid is a resident property owner and therefore an interested party in Yzerfontein and have a direct interest in the proposed amendment due to its potential impact on the:

1.4.1. Environmental integrity, infrastructure, and character of the surrounding area; and

1.4.2. Security aspects of the surrounding area in particular and of Yzerfontein as a whole, generally, from a crime perspective.

1.5. Dawid Johannes van der Merwe in his capacity as director of the HOA has been duly authorized by resolution of the directors of the HOA to make and lodge this objection, as is more fully evident from the copy of the resolution of the directors of the HOA annexed hereto marked "HOA1" and the pursuant Power of Attorney marked "HOA2".

2. NATURE OF THE APPLICATION

2.1. The application seeks to amend Condition B.(4) of the 2005 approval to allow controlled access via Dassen Eiland Drive for residents, guests, employees, and service providers of the Tygerfontein Coastal Estate.

2.2. The current Condition B.(4) restricts this access to emergency use only.

3. GROUNDS FOR OBJECTION

3.1. Deviation from Original Approval Intent

3.1.1. The original approval explicitly limited access via Dassen Eiland Drive to emergency purposes, reflecting concerns about environmental sensitivity, traffic impact, and the preservation of Yzerfontein's coastal character.

3.1.2. The proposed amendment materially deviates from this intent.

3.1.3. It is a well established fact that the "emergency access gate" is constantly being abused by the current residents / occupants of Tygerfontein Coastal Estate, including short term letting (AirBnb) occupants that use the gate whenever they feel like it.

3.1.4. It must be noted that none of the concerns referred to in paragraph 3.1.1 has changed since the original approval for the emergency access gate and for this reason alone, the application should be refused.

3.2. **Separate Township**

3.2.1. The coastal village of Yzerfontein was officially proclaimed a township in 1936 and its transformation into a formal township marked the beginning of the structured development and land use planning in the area that subsists today.

3.2.2. The reality is that Yzerfontein is a township totally separate from the Tygerfontein Coastal Estate development and, should the application be approved, this will be tantamount to a tacit consent to open the door for the Tygerfontein Coastal Estate to "merge" and become part of Yzerfontein.

3.2.3. The Tygerfontein Coastal Estate has no inherent right to be granted the amendment as applied for in terms of the application.

3.3. **Environmental and Heritage Impact**

3.3.1. The surrounding area includes ecologically sensitive coastal vegetation and habitats.

3.3.2. Increased traffic and human activity will most likely lead to degradation, noise, and disturbance to wildlife.

3.3.3. In this regard, the road from Tygerfontein Coastal Estate leading up to the access gate is a dirt road and, bearing in mind that the prevailing wind direction is South-Western, the amount of dust generated by the increased traffic should the application be granted will have seriously deleterious effects not only on

Pearl Point and the property owners in Dassen Eiland Drive adjacent to the access gate, but also on the coastal vegetation and habitats as well as the wildlife.

3.3.4. It is, *inter alia*, for the reasons referred to in this paragraph above, that the 100 meter setback line from the Northern boundary of Tygerfontein Coastal Estate was imposed, so as to protect the Southern part of Yzerfontein from any adverse effects caused by activities on the Tygerfontein Coastal Estate.

3.3.5. In addition, no updated environmental impact assessment (EIA) has been submitted.

3.4. **Traffic and Infrastructure Concerns**

3.4.1. The application relies on a 2010 traffic engineer's letter, which is outdated, and should respectfully be ignored, especially as this letter refers to construction vehicles only and does not consider the traffic flow that will be caused by additional road users.

3.4.2. Notably, no current traffic impact study has been provided to support the application.

3.4.3. Increased use of Dassen Eiland Drive will inevitably place severe, undue pressure on local roads in Yzerfontein, particularly during peak seasons, when Yzerfontein notoriously bursts from its seams.

3.4.4. It is respectfully submitted that approving the application for the amendment of Condition B.(4) of the 2005 approval will add another onerous dimension to this issue, which is unsustainable.

3.5. **Security Concerns**

3.5.1. It is common cause that one of the main reasons why the incidences of crime in Yzerfontein is relatively low compared to most other similar towns, is that there is just the one road giving access to and egress from Yzerfontein, making it that much easier for Law Enforcement agencies to protect the inhabitants.

3.5.2. Should the application be granted, it will create another front for Yzerfontein to be concerned with that will have an obviously adverse effect upon the already limited resources of Yzerfontein.

3.6. **Precedent and Planning Integrity**

3.6.1. Approval of the application may set a precedent for similar relaxations, eroding planning controls that protect Yzerfontein's unique character.

3.6.2. It may also incentivize further intensification of development within the Tygerfontein Coastal Estate.

3.7. **Public Participation and Transparency**

3.7.1. The application was previously rejected by the Provincial Government.

3.7.2. While legislative changes have shifted authority to the Municipality, the underlying concerns that previously caused the rejection remain valid.

3.7.3. Updated technical studies should have been made available for public scrutiny, which the applicant has notably failed to provide.

3.8. **CONCLUSION AND RELIEF SOUGHT**

In light of the above, I respectfully request that the Swartland Municipality:

3.8.1. Decline the proposed amendment to Condition B.(4);

3.8.2. Uphold the original intent of the 2005 approval to preserve the environmental and planning integrity of the Yzerfontein area.

SIGNED AT YZERFONTEIN ON 23 OCTOBER 2025

DJ VAN DER MERWE (PR.ENG)

"HOA1"

RESOLUTION PASSED AT A MEETING OF THE DIRECTORS OF PEARL POINT HOMEOWNERS ASSOCIATION NPC (PTY) LTD REGISTRATION NUMBER: K2023738868 HELD ELECTRONICALLY AT YZERFONTEIN ON 20 OCTOBER 2025
(the "Company")

RESOLVED THAT:

1. The Company shall oppose the application for the proposed amendment of restrictive title conditions: rezoning and subdivision of farm Tygerfontein Nr. 564, division Malmesbury (now known as portion 25 of farm Tygerfontein Nr. 564, Division Malmesbury) which proposed amendment aims to amend the restricted access from the Tygerfontein development to and from Yzerfontein by allowing controlled access for residents, their guests, employees and authorized service providers from the development to and from Yzerfontein.

2. Dawid Johannes van der Merwe in his capacity as director be and is hereby authorised to take all action and sign all relevant documents which may be necessary for such opposition.

DIRECTORS	**SIGNATURE**
JOHN HATZYPOLYCHRONIS	
DAWID JOHANNES VAN DER MERWE	
MARIUS BOTHA	

"HOA2"

SPECIAL POWER OF ATTORNEY

I, the undersigned,

DAWID JOHANNES VAN DER MERWE
in my capacity as the duly authorized representative of:
PEARL POINT HOMEOWNERS ASSOCIATION NPC (PTY) LTD REGISTRATION NUMBER: K2023738868
("the Company")

Hereby confirm that the Company has resolved to oppose the application for the proposed amendment of restrictive title conditions: rezoning and subdivision of farm Tygerfontein Nr. 564, division Malmesbury (now known as portion 25 of farm Tygerfontein Nr. 564, Division Malmesbury) which proposed amendment aims to amend the restricted access from the Tygerfontein development to and from Yzerfontein by allowing controlled access for residents, their guests, employees and authorized service providers from the development to and from Yzerfontein.

AND

The Company hereby nominate, constitute and appoint

MARIUS BOTHA and/or JOHN SMIT (URBAN EYE PLANNING AND DEVELOPMENT)

With power of Substitution to be the lawful Agent/s in the name, place and stead of the Company,

to oppose the application for the proposed amendment of restrictive title conditions: rezoning and subdivision of farm Tygerfontein Nr. 564, division Malmesbury (now known as portion 25 of farm Tygerfontein Nr. 564, Division Malmesbury) which proposed amendment aims to amend the restricted access from the Tygerfontein development to and from Yzerfontein by allowing controlled access for residents, their guests, employees and authorized service providers from the development to and from Yzerfontein;

and generally for effecting the purposes aforesaid:

- to appear before the Swartland Municipality and/or any other Tribunal on behalf of the Company to argue the opposition; and

- to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as the Company might or could do if personally

present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever the said Agent shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED AT YZERFONTEIN THIS 22ND DAY OF OCTOBER 2025 in the presence of the undersigned witnesses.

AS WITNESSES:

1. _____

2. _____

_____

DJ VAN DER MERWE

ANNEXURE I

From: info@pearlpoint.co.za <info@pearlpoint.co.za>
Sent: Friday, 24 October 2025 17:22
To: Registrasie Email <RegistrasieEmail@swartland.org.za>; Melanie Thiart-Wiid <WiidM@swartland.org.za>
Subject: Objection to Application for Amendment of Condition B.(4) - Portion 25 of Farm Tygerfontein No. 564, Division Malmesbury (Tygerfontein Coastal Estate)

The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7299

Email: swartlandmun@swartland.org.za and wiidm@swartland.org.za
Fax: 022-487 9440
22 October 2025

Attention: Town Planning Department

Subject: Objection to Application for Amendment of Condition B.(4) – Portion 25 of Farm Tygerfontein No. 564, Division Malmesbury (Tygerfontein Coastal Estate)
Applicant: CK Rumboll & Partners on behalf of Tygerfontein Estates (Pty) Ltd
Reference: Amendment of November 2005 Approval – Condition B.(4)

Dear Sir / Madam,

I write in my capacity as the Sales Manager for Pearl Point Estate, an established and adjacent residential development to the Tygerfontein Coastal Estate. I hereby lodge a formal objection to the proposed amendment of Condition B.(4) of the original approval granted in November 2005, which currently restricts the use of Dassen Island Drive to emergency access only.

1. Background and Original Approval Conditions
The 2005 approval expressly limited the use of Dassen Island Drive for emergency purposes only. This restriction was a key planning and marketing assurance communicated to prospective purchasers within Pearl Point Estate and surrounding Pearl Bay Suburb. **The understanding that Dassen Island Drive would not serve as a general access route was a decisive factor influencing buyer confidence, investment decisions, and overall property values.**

Any amendment to this condition would therefore contradict the basis upon which properties in Pearl Point Estate were sold and developed, creating a material change in the planning context that existed at the time of approval.

2. Negative Impact on Property Values and Residential Amenity
Opening Dassen Island Drive for regular use by residents, guests, employees, and service providers of Tygerfontein Coastal Estate will:
- Significantly increase traffic volumes through a previously quiet and controlled residential environment.
- Introduce noise, congestion, and safety risks for existing homeowners and pedestrians.
- **Diminish the exclusivity and security appeal that underpin property values within Pearl Point Estate and the southernmost end of Pearl Bay suburb.**
- Create a perception of through-access, undermining the private and tranquil character of the area that buyers relied upon when making investment decisions.

These impacts are contrary to the principles of responsible spatial planning and inconsistent with the intentions of the original land use approval.

3. Breach of Legitimate Expectation
Pearl Point Estate marketed and sold residential stands based on clear assurances — consistent with the approved land use conditions — that the Dassen Island Drive access point would remain closed, save for emergencies.

Residents and investors therefore have a legitimate expectation that the municipality will uphold and enforce the original restriction. **Amending the condition at this stage would amount to a fundamental departure from those commitments, creating reputational and financial harm to both the municipality, developers who relied on the approved planning framework and the estate agents marketing properties within the development and the Pearl Bay suburb.**

4. Planning Considerations
The amendment does not demonstrate any compelling public benefit or infrastructure necessity that would justify lifting the restriction.
The proposed change would shift private convenience costs onto the public and neighbouring estates in the form of reduced property values and increased maintenance and security burdens.
The 2005 approval conditions were imposed to mitigate precisely these risks; altering them now would undermine the integrity of the municipality's prior decision-making process.

5. Conclusion
For the reasons set out above, I, in my capacity as the Sales Manager for the Pearl Point Estate Development (and as the founder and chairman of the Yzerfontein Multi-Listing Service - which represents several of the local real estate agents marketing properties within the Pearl Bay suburb and greater Yzerfontein) strongly object to the proposed amendment of Condition B.(4) and urge the Municipality to retain the existing restriction limiting the use of Dassen Island Drive to emergency purposes only.

I request written acknowledgment of this objection and confirmation that it will be duly considered as part of the decision-making process in terms of the Swartland Municipality Land Use Planning By-Law (PG 8226 of 25 March 2020).

Yours faithfully,
Ray van der Merwe
Sales Manager – Pearl Point Estate
info@pearlpoint.co.za
(M) +27 (0)82 773 2116

ANNEXURE J

From: tamaryn daniller <tdaniller@gmail.com>
Sent: Sunday, 26 October 2025 19:24
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Objection raised to NOTIFICATION REFERENCE: 15/3/3 – 15/22

To whom it may concern:

RE: FORMAL OBJECTION TO THE PROPOSED AMENDMENT OF RESTRICTIVE TITLE CONDITIONS: REZONING AND SUBDIVISION OF FARM TYGERFONTEIN NR 564, DIVISION MALMESBURY (NOW KNOWN AS PORTION 25 OF FARM TYGERFONTEIN NR 564, DIVISION MALMESBURY)

I hereby submit my formal objection to the abovementioned application submitted by CK Rumboll & Partners on behalf of Tygerfontein Estates Proprietary Limited. I am opposed to the proposed amendment of Condition B.(4) which seeks to change the use of Dassen Island Drive from “Emergency Purposes Only” to a road with “Controlled Access” for entry and exit to and from the Tygerfontein Coastal Estate. Dassen Eiland Drive has become a race track with lawless, reckless drivers. The volumes of traffic have increased significantly over the years. Construction and heavy duty vehicles included. This has led to a concern for safety as well as a disruption of the quiet, causing noise and environmental pollution. It is also a concern for maintaining safety within the area on a broader scale as currently there is only one way in and out which keeps intruders scarce. Will the infrasftructure be sufficient to sustain additional development? I think the bottom line is to try and maintain the quality of life we have come to expect and enjoy in this area (and pay dearly for).

Best regards,
Tamaryn

ANNEXURE K

From: Christa van Ellewee <cvanellewee@gmail.com>
Sent: Tuesday, 07 October 2025 13:43
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Voorgestelde wysiging van voorwaarde: Hersonering en onderverdeling van plaas Tygerfontein no 564, afdeling Malmesbury (nou bekend as Gedeelte 25 van plaas Tygerfontein no 564, Afdeling Malmesbury)

Wie dit mag aangaan,

Ek verwys na bogemelde en keur dit af om die volgende redes:

Die skrywe praat van beperkte toegang - wie gaan die toegang tot Dasseneiland rylaan monitor? Dag en nag?

Dasseneiland rylaan is n straat in n woonbuurt- nie n deurpad nie.

Daar is al reeds n geweldige verkeer in Dasseneiland rylaan agv al die ontwikkeling in Pearl Bay. Tel 2 voertuie vir elke woning wat by Tygerfontein opgerig gaan word, plus al die konstruksie voertuie by en die huidige verkeer en kyk waar beland dit die inwoners van Dasseneiland rylaan.

Die groot konstruksie vragmotors veroorsaak erge vibrasie in ons huise - die straat is nie gebou vir sulke swaar voertuie nie.

Die straat word net meer en meer onveilig vir mens en dier.

Voertuie, veral die groot vragmotors hou nie by die spoed grens nie.

Yzerfontein as dorp, was nog altyd ‘n veilige dorp a.g.v. die een ingang en uitgang. Die hek na en van Tygerfontein gee n lekker ontsnaproete na die R27.

Ons vertrou die Swartland Munisipaliteit sal in die guns van ons Yzerfontein inwoners besluit.

Groete uit Yzerfontein
Andrè van Ellewee
Erf 1137,
98 Dasseneiland rylaan
Yzerfontein
0723997533

ANNEXURE L

Die Minusipale Bestuurder

Swartland Munisipaliteit.

Voorgestelde wysiging van voorwaarde: Hersonering en onderverdeling van

Plaas Tygerfontein No 564, afd Malmesbury (nou bekende as gedeelte 25 van

Plaas Tygerfontein No 564, afdeling Malmesbury)Kennis van Swartland Munisipaliteit

Beswaar.

Beperkte toegang vanf Tygerfonteinontwikkeling na en van Yzerfontein te wysig deur

Beheerde toegang vir inwoners, hul gaste, werknemers en gemagtigde diensverskaffers

Van die ontwikkeling nae n van Yzerfontein toe te laat via Dasseneiland Weg en die hek aan die Suide kant.

Ek J H van Onselen, ID 4707055102087, Dasseneiland Weg 71, Yzerfontein. Standplaas 4-40-0098-001-7 maak Hiermee beswaar teen die voorgestelde kennisgewing Leerverw. 15/3-15/22

My redes is as volg;

Yzerfontein beskik oor een uit- en een uitgang. Indien Dasseneiland Weg vir hierdie doel gebruik word verander die in- en uitgang na twee. Dit hou 'n veiligheids risiko in vir alle inwoners van Yzerfontein.

Verkeer sal aansienlik toeneem in die straat waar inwoners, bouers , riool trokke, diensverskaffers.

Die sypaadjies van Yzerfontein is lank reeds 'n probleem, hoofsaaklik vanwee dorings. Inwoners moet in die strate loop wat reeds 'n veiligheids risiko is. Met verkeer wat vermeerder, verhoog die risiko ook.

Dasseneiland Weg is 'n straat en nie 'n deurpad nie, die waarde van eiendom langs Dasseneiland Weg kan moontlik beiinvloed word weens die verhoogte verkeer.

Verder is die vraag waar die nuwe ontwikkeling water en riool dienste gaan ontvang/ Indien Swartland dit doen , plaas dit Yzerfontein verder onder druk.

Geen SAPS of brandweer, moontlikheid van brand en diefstal sal verhoog.

Dankie.

.....

J H van Onselen

08.OKT.2025

Datum.

ANNEXURE M

From: Tanya du Toit <tanyadutoit0506@gmail.com>
Sent: Friday, 17 October 2025 17:40
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Rezoning of Portion 25 of farm Tygerfontein Nr564, Div Malmesbury

Good day

My husband, Leon du Toit, and I reside permanently at 100 Dassen Eiland Drive, Yzerfontein.

Herewith our objection to the access from the proposed development to and from Yzerfontein.

Dassen Eiland Drive will become the main road for access to and from this development. It is already a long drive, carrying a lot of traffic iro residents, visitors and service providers. This development will create an overflow and the current quality of our lives will be drastically impaired. Traffic, air and noise pollution, damage to our road will increase. Vibrations due to the traffic may affect our foundation and walls over time.

Kindly provide full explanation regarding the "controlled access" mentioned in your file reference 15/3/3-15/22 and how this will ensure the abovementioned isnt of note.

Should Yzerfontein be the only access from the R27 to the development, this will create further congestion at the intersection which is already a dangerous intersection.

My contact details are as follows:
Tanya du Toit 067-5449586

Preferred method of communication is via this email address viz tanyadutoit0506@gmail.com

Regards,

Tanya du Toit

ANNEXURE N

From: Leon du Toit <leondutoit0311@gmail.com>
Sent: Friday, 17 October 2025 17:44
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: Rezoning of Portion 25 of farm Tygerfontein Nr564, Div Malmesbury

Good day

My wife, Tanya du Toit, and I reside permanently at 100 Dassen Eiland Drive, Yzerfontein.

Herewith our objection to the access from the proposed development to and from Yzerfontein.

Dassen Eiland Drive will become the main road for access to and from this development. It is already a long drive, carrying a lot of traffic iro residents, visitors and service providers. This development will create an overflow and the current quality of our lives will be drastically impaired. Traffic, air and noise pollution, damage to our road will increase. Vibrations due to the traffic may affect our foundation and walls over time.

Kindly provide full explanation regarding the "controlled access" mentioned in your file reference 15/3/3-15/22 and how this will ensure the abovementioned isnt of note.

Should Yzerfontein be the only access from the R27 to the development, this will create further congestion at the intersection which is already a dangerous intersection.

My contact details are as follows:
Leon du Toit 083-3572873

Preferred method of communication is via this email address viz leondutoit0311@gmail.com

Regards,

Leon du Toit

ANNEXURE O

The Municipal Manager
Swartland Municipality
Malmesbury,
7300

Per email: swartlandmun@swartland.org.za

25 October 2025

SUBJECT: **NOTIFICATION REF: 15/3/3-15/22 - FORMAL OBJECTION**

APPLICATION FOR AMENDMENT OF CONDITION B.(4) (REF: MAL/ 14670/MH) IN RESPECT OF FARM TYGERFONTEIN NO. 564, PORTION 25.

Dear Sir,

Your subject Notification was received with dismay. In my opinion, this application appears to be no more than 'a swing for the fence' with the hope of getting anything more than they have presently.

Our strong objections to the subject applications are:

1. **The possible convenience for only 24 homes in Tygerfontein will cause extended and significant disruption to the major portion of Yzerfontein's inhabitants.**

Yzerfontein's road infrastructure, designed for the planned development of this town, was never considered to include providing through access to adjacent developments.

There is only one way into and out of town is the R315. This route arrives in town as a suburban road, via a 4 way stop, which cannot be avoided. It has direct access into our major retail centres, within 20 metres of the intersection. Traffic entering or leaving these centres already cause traffic obstructions, more so with large trucks. An influx of truck and contractor traffic will surely negatively impact the current traffic flows.

Transit to or from Tygerfontein, through Yzerfontein suburbia, has two route options only – Dassen Island Drive or Atlantic Drive. The three-way stop, at the Atlantic Drive intersection, with its steep gradients, will absolutely frustrate traffic flows at this crucial intersection. There are up to 11 sleeping policeman speed-bumps to ensure slow traffic flow on Dassen Island Drive.

2. **This application provides for a greater development expectation (for improved financial project viability), making their application for access into Yzerfontein town the thin edge of the wedge.**

24 Houses are stated to be built on the Tygerfontein Farm. Construction of these and the support infrastructure will extend the thoroughfare of all of the above noted traffic invasion, to endure for years to come.

The subject application for the rezoning and subdivision of Tygerfontein Farm seems nothing less than a free pass for convenient access to the nearest retail outlets for currently only 24 households, while still preserving their own vast peaceful environment for further development.

Provision of a decent paved roadway to the R27, preserves the integrity of the small town that is Yzerfontein, yet provides new residents of Tygerfontein with equal free access to both nearby Darling and Yzerfontein towns.

3. **No evidence is provided of the impact on Yzerfontein of these applications. We cannot authorise these departures without full disclosure, for proper understanding of the extent and duration of the negative consequences of the project.**

Any application for a rezoning or departure should include current versus expected traffic density, composition and flows. The subject application shows no mention of traffic effects.

The base reality is that the entire central and southern sides of Yzerfontein will be subjected to ramping heavy vehicle traffic, with a dramatic increase in both commuter and contractor traffic flows. Their application says as much.

We live in close proximity to Pearl Point, which development commenced a year ago. Simply for building the perimeter walls and security access point, endless loads of industrial material; imposing set-ups of concrete pourers and delivery systems; earth moving activities; contractors of all disciplines – with no regard for courtesy; literally endless streams of possible buyers / Agents / curious public / owners – all arriving in their own separate vehicles. We even had a large helicopter land and later take-off just 100 metres from our home! This low-key project to date has resulted in a great deal of trespass on our peace and tranquillity. All of this disruption without one of the 19 houses having started their typically year-long build process!

We purchased our property in the cul-da-sac at 216 Dassen Island Drive, specifically to benefit from the low passing traffic volumes. Opening up of the emergency access point to Tygerfontein will forever convert our end-of-the-road peaceful haven into an industrial thoroughfare!

Their so-called security access will ensure that the new traffic will be required to noisily reduce speed on approach, or to accelerate away, as it endlessly passes our houses – to say nothing of the build-up of stopped trucks and contractor vehicles in our short road length, awaiting their turn for security clearances to enter or depart the Farm. There is no benefit for a Security Controlled access point to those of us outside their boundary.

This cheeky application is as outrageous as Yzerfontein requesting a servitude to be created directly between our town and the shopping district in Vredenburg. It is nonsense!

Godfrey Needham
216 Dassen Island Drive

ANNEXURE P

2 Jeffs Place,

Pearl Bay,

Yzerfontein

7351

27nd October 2025

The Municipal Manager,

Swartland Municipality,

Private bag X2,

MALMESBURY,

7300

E-Mail: swartlandmun@swartland.gov.za

RE: FORMAL OBJECTION TO THE PROPOSED AMENDMENT OF RESTRICTIVE TITLE CONDITONS: REZONING AND SUBDIVISION OF FARM TYGERFONTEIN NR 564, DIVISION MALMESBURY (NOW KNOWN AS PORTION 25 OF FARM TYGERFONTEIN NR 564, DIVISION MALMESBURY)

NOTIFICATION REFERENCE: 15/3/3 – 15/22

Dear Sir/Madam,

We, the undersigned, affected residents and homeowners of Pearl Bay, Yzerfontein, (ERF 1697 on the corner of Dassen Island Drive and Jeffs Place), hereby submit our formal objection to the abovementioned application submitted by CK Rumboll & Partners on behalf of Tygerfontein Estates Proprietary Limited. We have studied and analysed the Application submitted by Rumboll & Partners and are fundamentally opposed to the proposed amendment of Condition B.(4) which seeks to change the use of Dassen Island Drive from "Emergency Purposes Only" to a road with "Controlled Access" for entry and exit to and from the Tygerfontein Coastal Estate.

Our objections are based on, but not limited to, the following critical criteria:

1. **SAFETY AND SECURITY**

Condition B. (4) acts as a vital security barrier for, specifically, the residents of Pearl Bay and the entirety of Yzerfontein more generally. Opening up this gate, even

under the generalised term of "controlled access", will create an alternative and direct entry point from a neighbouring farm and low impact estate into the Yzerfontein municipal area. "One road in and one road out" has always been regarded as a major security advantage of owning a property in Yzerfontein. If the gate was opened, even with so called "controlled access", it will create a potential "back door" onto the R27, which is where the main Tygerfontein entrance is located.

This will inevitably increase the risk of crime and burglary access opportunities, as well as unauthorized through-traffic which will compromise the security of especially the residents of Pearl Bay. The crime statistics of Yzerfontein indicate that over the past number of years the number of break ins in the central and northern areas of the town have been significantly higher than in Pearl Bay. There is a reason for this: access is more difficult as Dassen Island Drive is effectively a cul de sac.

The approval of a *de facto* new access road will compromise the very nature of Yzerfontein by removing a key factor to the sense of place of Yzerfontein. It will negatively impact the ability of the authorities to police the town by the YAR (Yzerfontein Armed Response), Yzerfontein Neighbourhood Watch and SAPS. Also, and perhaps more fundamentally, the application will result in the *de facto* extension of the cadastral and town boundaries of Yzerfontein. By allowing free movement between the R27, the Tygerfontein development and Yzerfontein, the town will in effect start at the entrance to Tygerfontein. Such an extension will by its nature require very careful consideration. The application does not afford anywhere near the level of detailed scrutiny required and should for this reason alone be refused. To summarise, the application is an opportunistic and disingenuous attempt to water down the original rezoning conditions.

Further, the applicant's document provides no details of what and how "controlled access" is defined, especially 24 hour monitoring, and the relationship with Yzerfontein Armed Response etc. Without this the application is meaningless, and cannot be adjudicated.

It needs to be stated for the record, that the applications submitted between 2010 and 2012 by Rumboll & Partners to, firstly, remove Condition B.(4) in it's entirety, was rejected by your Municipality, and then to apply for "Controlled Access" as per the latest application, which was refused by the Directorate Land Management: Region 2 of DEADP of the Western Cape Government in November 2012. **There is no objective or rational reasoning as to why these decisions could or should be reversed**. In fact, to the contrary, the general security and law and order situation in the RSA has deteriorated substantially since that time, which is even more pressing that Condition B. (4) must and should stay in place, **and the Swartland**

- **Municipality has a very distinct responsibility to protect the interests of it's ratepayers in this regard.** (Copies of relevant letters attached.)

2. TRAFFIC AND LAW ENFORCEMENT IMPACT

Traffic flows along Dassen Island Drive continue to increase and place additional stress on the road infrastructure due to ongoing construction of new houses and the general densification of Pearl Bay. There are a disproportionate number of construction and heavy delivery vehicles which operate at the maximum axle loadings allowed under the SA Road Ordinance using Dassen Island Drive, and this will only increase substantially if Condition B. (4) is relaxed.

The flawed and outdated traffic impact assessment dated December 2010 cannot be considered a reliable basis for a decision in 2025. The assertion that (additional?) traffic will be negligible cannot be quantified and is therefore essentially speculative. Further, traffic law enforcement along Dassen Island Drive is minimal at the best of times, with at least 50% of motorists for most of the time, and 90% of taxi drivers ignoring the stop streets. This can only deteriorate if there is a substantial increase in traffic flow.

3. AFFECT ON OUR SENSE OF PLACE AND VALUE

Pearl Bay and Yzerfontein generally are prized for their peaceful small town, coastal atmosphere. The additional heavy vehicle traffic to and from Tygerfontein will disrupt the tranquil nature of our neighbourhoods, **especially for those residents whose properties border on Dassen Island Drive, which our property does.** This will significantly increase the levels of dust, noise and other forms of pollution, thereby degrading our quality of life and sense of place and value.

4. RIGHTS AND INTERESTS OF PROPERTY OWNERS OF YZERFONTEIN

The Applicant's argument that the B. (4) restriction has held back or hindered the estate's development is a business or commercial issue for the developer, which could have been anticipated during their early planning stage. The condition which is sought to be amended formed an integral part of the conditions of approval of the Re-zoning and Subdivision of the Farm Tygerfontein No. 564, Division Malmesbury. The developer therefore knew very clearly what the restrictions were in relation to the gate right at the outset. To now manipulate the process by turning it into a legal and planning justification and process seriously overrides the rights and amenity of the existing owners and residents of Yzerfontein. Taking all of the above into consideration, the viability of the developer's private business interest and venture cannot come at the cost of the security and investment interests of the property owners of Yzerfontein.

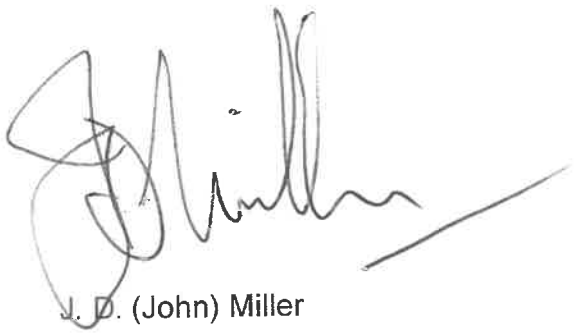
- **We therefore strongly recommend that the Swartland Municipality must protect the interests of its residents and ratepayers and reject this application in it's entirety. It is the right thing to do!**

We kindly request that you keep us fully informed regarding all of the proceedings relating to the developer's application and to be given the opportunity to make further representations if this is deemed necessary.

We continue to reserve our rights,

Yours faithfully,

A.R. Miller



A.R. (Anita) Miller

I.D. No: 470217 0091 083

J. D. (John) Miller

I.D. No: 460921 5095 088

Contact No: 082 550 1860

Western Cape Government
Environmental Affairs and Development Planning

DIRECTORATE LAND MANAGEMENT: REGION 2
PRINCIPAL LAND USE MANAGEMENT REGULATOR
Mr. G van Lille
Email : Gerhard.vanLille@westerncape.gov.za

Reference: E17/2/2/3/AM3/FARM TYGERFONTEIN 564 MALMESBURY

Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7299

Sir

AMENDMENT OF CONDITION OF REZONING IN TERMS OF SECTION 42(3) OF THE LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985): FARM TYGERFONTEIN NO. 564, MALMESBURY

1. Your reference is 15/3/6-15/36 and 15/3/3-15/22.

2. The Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) has, on 29 October 2012, decided that the application for the amendment of condition B(4) in the Council's conditions of approval of November 2005 and the same condition in the approval of the Competent Authority, dated 23 August 2006, **be refused** in terms of section 42(3) of the said Ordinance.

Yours faithfully

G. van Lille

HEAD OF DEPARTMENT
DATE: 5/11/12

6th Floor, 1 Dorp Street, Cape Town, 8001
tel: +27 21 4834588 fax: +27 21 483 3098

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za

DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING
Provincial Government of the Western Cape

DIRECTORATE INTEGRATED ENVIRONMENTAL MANAGEMENT

Gvlille@pgwc.gov.za
tel: +27 21 4834588: +27 21 4833098
1 Dorp Street, Cape Town, 8001
www.capegateway.gov.za

REFERENCE: E17/2/2/1/AM3/FARM 564 MALMESBURY
ENQUIRIES: G van Lille

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7299

Sir

FARM TYGERFONTEIN NO. 564, YZERFONTEIN

1. Your letter 15/3/3-15/22 dated 21 April 2010, refers.

2. The request for consent to use the emergency access road between the Tygerfontein Coastal Estate and Yzerfontein during the construction phase of the development, is not supported.

3. The possibility of linear development along the coastline between Cape Town and Yzerfontein is a serious threat to the natural and aesthetic beauty of the area. It is for this reason that the said proposed development was approved in a low impact form only. This included, amongst others, a particular condition to ensure that the access road to the town of Yzerfontein be used only for emergency purposes such as fires or medical emergencies, in order to facilitate quick evacuation and to provide access to emergency vehicles. This road was indicated by the applicant as an emergency access route and not a general access road.

4. The reasons provided by your Council, for not supporting the request, are also agreed with.

5. Council's attention is drawn to section 39 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in terms of which every local authority shall comply and enforce compliance with conditions imposed in terms of this Ordinance.

6. This department received a complaint from Mr J.D. Miller at No. 2 Jeffs Place, Pearl Bay, Yzerfontein, in the above respect (illegal usage of the emergency access road).

7. Your Council's urgent attention to this problem would therefore be appreciated.

Yours faithfully

A.P Barnes

HEAD OF DEPARTMENT

DATE: 30/9/10

Farm tygerfontein letter

ENDORSEMENT

Mr J.D. Miller
12 Pinewoods
3 Pinewood Road
RONDEBOSCH
7700

Copy for your information.

A.P. Barnes

HEAD OF DEPARTMENT

ANNEXURE Q

From: admin@yzerfontein.org <admin@yzerfontein.org>
Sent: Wednesday, 22 October 2025 11:36
To: Lenay Abdol <PlanIntern1@swartland.org.za>; Harold Cleophas <Mayor@swartland.org.za>; M Rangasamy <Speaker@swartland.org.za>; 'admin@bewarea.org.za' <admin@bewarea.org.za>; 'info.ynhw@gmail.com' <info.ynhw@gmail.com>; 'yzerfontein@swartlandtourism.co.za' <yzerfontein@swartlandtourism.co.za>; 'henk@vnboerdery.co.za' <henk@vnboerdery.co.za>; Melanie Thiart-Wiid <WiidM@swartland.org.za>; Joggie Scholtz <ScholtzJJ@swartland.org.za>
Cc: Registrasie Email <RegistrasieEmail@swartland.org.za>; Sherleque Willemse <willemses@swartland.org.za>
Subject: Re: Wysiging van voorwaardes hersonering en onderverdeling van plaas Tygerfontein,afdeling Malmesbury

The attached e mail refers.

The application was evaluated and discussed after additional information was requested from Swartland Municipality, Alwyn Burger.

No additional information could be obtained neither could more clarity on some of the application conditions be determined allowing YRA, Buurtwag and Bewarea to submit feedback supporting the application.

The application as submitted is thus not supported. Concerns are raised below, however only highlight some of the important issues:

1. Tygerfontein does not fall in the Spatial boundaries of Yzerfontein. It is not clear if this farm is to be included into the Spatial development in future. Is this application a step closer to open the town boundaries to adjacent farms for access as well?
2. Safety. Yzerfontein has one entrance and the safety and security of the town is developed around this entrance only. It is unclear how a change in the gate access will be managed as this could result into open access through to the R 27. The access gate from the R 27 is mostly left open anyway….information regarding access management and agreements have not been clarified and the potential risk impact was not published.
3. It Is unclear to what extent this application will open up access points to the east of town from farms into the town.
4. The current application supports ease of access to potential future home/land owners, however, no new traffic assessment is available to evaluate the situation. Further it is mentioned that traffic will include guests, deliveries, home workers, etc however it remains unclear how potential subletting might impact traffic at the end of Dassen Drive.

It is thus impossible to support the application in the current format where limited information is available for further discussions.

Regards,

SW Engelbrecht

ANNEXURE R

Fred de Beer
222 Dassen Island Drive, Yzerfontein, 7351
ERF 1681
+27 71 687 8448
fred@pomalifestyle.com

23rd October 2025

Per Registered Post & Email

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

Email: swartlandmun@swartland.org.za, AlwynBurger@swartland.org.za, joggiescholtz@swartland.org.za

RE: FORMAL OBJECTION - APPLICATION FOR AMENDMENT OF CONDITION B.(4) (REF: MAL/14670/MH)

IN RESPECT OF PORTION 25 OF THE FARM TYGERFONTEIN NO. 564, DIVISION MALMESBURY

NOTIFICATION REF: 15/3/3-15/22

Dear Sir/Madam,

1. I, the undersigned affected residents of Yzerfontein, hereby submit our formal and strong objection to the above-mentioned application submitted by CK Rumboll & Partners on behalf of Tygerfontein Estates Proprietary Limited.

2. I have reviewed the Motivation Report and are fundamentally opposed to the proposed amendment of Condition B.(4), which seeks to change the use of Dassen Island Drive from "emergency purposes only" to a road with "controlled access" for the Tygerfontein Coastal Estate.

3. My objections are based on, but not limited to, the following critical grounds:

3.1. Increased Security Risks and Loss of Privacy:
* The current restriction acts as a vital security buffer for the residents of Yzerfontein. Opening this gate, even under the vague term "controlled access," will create a new and direct access point from a remote, private estate into our residential area.
* This will significantly increase the risk of crime, including opportunistic burglary, vandalism, and unauthorized through-traffic, compromising the safety and security of our homes and families. The applicant's report fails entirely to address these legitimate security concerns for existing Yzerfontein residents.

3.2. Negative Impact on the Tranquil Character and Amenity:
* Yzerfontein is prized for its peaceful, small-town coastal character. The introduction of additional and non-essential traffic from the estate will disrupt the quiet and tranquil nature of our neighbourhoods, particularly for those residents whose properties border the Dassen Island Drive access route.
* This will result in increased noise, dust, and light pollution, significantly degrading our quality of life and the rural amenity we currently enjoy.

3.3. Flawed and Outdated Traffic Assessment:
* The applicant relies heavily on a traffic impact assessment letter from **December 2010**—a document that is **15 years** old. This assessment is utterly irrelevant and cannot be considered a reliable basis for a decision in 2025.

* The demographics, vehicle ownership rates, and traffic patterns in the broader region have changed dramatically since 2010. The assertion that traffic will be "negligible" is speculative and self-serving. The "controlled access" is the very benefit the estate is seeking to sell, guaranteeing it will be used, not remain negligible.

3.4. Contravention of the Original Approval's Intent and Environmental Principles:
* The emergency-only condition was imposed for a critical reason in the original 2005 approval: to limit the environmental and social impact of the estate on Yzerfontein and to preserve the separation between the private resort and the public town.
* Granting this amendment undermines the original planning intent and sets a dangerous precedent for eroding development conditions. Furthermore, the applicant's claim of environmental benefits from reduced travel distances is cynical when the core aim is to facilitate increased activity and development of the estate, which will have a net negative environmental impact on the sensitive coastal zone.

3.5. Vague and Unenforceable "Controlled Access" Proposal:
* The application provides no concrete details on what "controlled access" entails. There are no specified plans for the type of gate, fencing, 24/7 security personnel, monitoring systems, or funding for its perpetual maintenance and enforcement.
* Without these details, the proposal is meaningless and unenforceable. It would inevitably lead to access creep, disputes, and the Municipality being left with a compliance and enforcement burden.

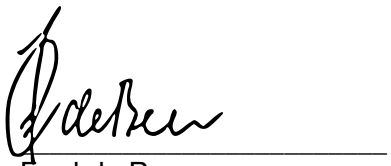
4. The applicant's argument that the condition has hindered the estate's development is a commercial problem for the developer, not a planning justification to override the rights and amenity of existing residents. The viability of their private business venture cannot come at the cost of our security and peace.

5. We contend that this application is not in the public interest and does not promote spatial justice or sustainability for the existing community of Yzerfontein. It primarily serves the private interests of a single commercial entity to the detriment of the established residential community.

6. We therefore strongly urge the Swartland Municipality to protect the interests of its residents and reject this application in its entirety.

We request to be kept fully informed of all proceedings related to this application and to be given the opportunity to make further representations if required.

Yours faithfully,



Fred de Beer
On behalf of the Affected Residents of Yzerfontein

CC:
Councillor M Rangasamy
Councillor J H Cleophas
Department of Development Management, Swartland Municipality

DATE: 11 December 2025 **OUR REF:** MAL/14670/MH

PER HAND, E-MAIL AND PORTAL SUBMISSION

Attention: Mr A Zaayman
Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300
StellenbergD@swartland.org.za

RESPONSE TO OBJECTIONS & COMMENTS:

APPLICATION FOR PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL IN TERMS OF THE SWARTLAND MUNICIPALITY LAND USE PLANNING BY-LAW (2020) IN RESPECT OF PORTION 25 OF THE FARM TYGERFONTEIN 564, DIVISION MALMESBURY

With reference to the below correspondence:

a) Your letter dated 28 October 2025
b) This office's letter dated 24 November 2025
c) Your e-mail dated 26 November 2025
d) Your letter dated 5 December 2025

The table below presents a summary of the comments and objections submitted during the public participation commenting period, alongside the responses provided by CK Rumboll and Partners on behalf of the registered owner of Portion 25 of the Farm Tygerfontein 564, Division Malmesbury, Tygerfontein Estates Proprietary Limited. The following parties submitted comments and objections:

1) Urban Eye Planning and Development on behalf of several registered landowners
2) Eddie and Carolyn Scott
3) Nick van Huyssteen
4) DJ van der Merwe on behalf of Pearl Point Homeowners Association
5) Tamaryn Daniller
6) Fred de Beer
7) Andre van Ellewee
8) JH van Onselen
9) Tanya du Toit
10) Leon du Toit
11) SW Engelbrecht

12) Ray van der Merwe (capacity as sales manager for Pearl Point Estate)
13) Godfrey Needham
14) AR and JD Miller

Our response has been provided in the same language in which each objection/comment was received.

Objector	Objection/Comments	Response on objections
1) Urban Eye Planning and Development on behalf of several registered landowners	This objection will clearly demonstrate the following: • The application submitted is legally flawed in terms of minimum submission requirements as it does not comply with Section 48 of the By-law and should not have been accepted in terms of Section 51(3). • The application advertising process is legally flawed as the notification of the application does not comply with Section 55(1) of the By-Law. • The application has not considered section 42(2) of the Spatial Planning and land Use Management Act as required in terms of Section 75(q) of the Swartland Municipal Planning by law. The objective of the objection is to show that the application in its current form and processes to date does not allow for either the Municipality nor the adjacent landowners to make a clear determination of the impact of the proposed amendment on the surrounding property owners nor the receiving natural and urban environment. This is due to the fact that the application for the amendment of the condition is based on a number of unsubstantiated statements without any supporting evidence and proof of such. Not all applications required as part of the application has been submitted as the application also includes the amendment of the subdivision plan	The background information provided in the objection is acknowledged. It must be highlighted that Swartland Municipality previously approved this application, and remains the final decision-making authority for the current application. The following provides a response to the key points raised in the objection. **Section 48 of the Swartland Municipal Planning By-Law:** It is noted that the objector raises concerns regarding the power of attorney and the role of the Homeowners Association. The objection on the basis of power of attorney or HOA approval does not materially affect the merits of the application. The application was duly accepted by the Municipality, which confirms that all submission requirements were met. It is noted that the term "*emergency road*" is not included on the endorsed subdivision plan. Nevertheless, the decision making process should assess whether the emergency-only restriction remains justified, taking into account environmental considerations, road capacity, the operational requirements of the approved development, and whether the condition continues to serve a valid purpose.

	so as to not limit the access to an emergency access only. The notice that was sent refers to different types of applications in the notice that has caused confusion on the application at hand. The information regarding the current access arrangement and agreements have not been clarified in the application and the cumulative impact of such. That the application is to be re-advertised with the additional minimum required information as well as correctly advertised in order to ensure that all the relevant and legally required information is available to all the interested and affected parties. This will enable the surrounding property owners to make an informed determination if they are negatively impacted on by the proposed amendment. **Background information to the objection** The development of Tygerfontein as an eco-estate has a complex history dating back to 2005 when the original approval was granted. The application submitted at the time was for the creation of 24 erven/portions within the farm to be developed with strict guidelines and clear requirement's as to what is permitted. Such approval/decision was carefully considered to ensure compliance with the forward planning of the area especially along the coast. As	The remainder of the objections is addressed under the heading *"Assessment criteria and general desirability of the proposal in terms of Section 75 of the Swartland Planning By law"* below. **Section 55 of the Swartland Municipal Planning By-Law:** It should be noted that public participation was undertaken by Swartland Municipality in accordance with the Swartland Municipality Land Use Planning By-Law (PG 8226 of 25 March 2020). As outlined in the notice, the application is available for inspection at the municipality, and telephonic enquiries can be made to the Town Planning Division. This ensures that interested and affected parties can seek clarity on the purpose of the application. **Assessment criteria and general desirability of the proposal in terms of Section 75 of the Swartland Planning By law:** *Environmental impact:* The land use approvals dated 16 November 2005 and 23 August 2006 as well as the Environmental Record of Decision dated 16 September 2005 clearly defined the Tygerfontein development as a **low-density, conservation-orientated resort development** comprising **24 units arranged in three carefully placed clusters** along the coastline. It is also important to note that the **access**

	such,a condition that no access, be provided to the development directly from 'Yzerfontein, except for emergencies was imposed by both the Swartland Municipality and the Department of Environmental Affairs and Development Planning as the final decision maker in this regard. The conditions were imposed as clear conditions to ensure and prohibit possible future expansion or development creep. Such conditions were accepted by the developer, and the development was acted on and the rights subsequently vested. Due to the slow development uptake of the development a previous application was submitted for the amendment of the condition. Such application was strongly objected to by various property owners within 'Yzerfontein. Despite such the application was approved by the Swartland Municipality in terms of the then planning legislation LUPO. In terms of LUPO, the appeal authority was the Department of Environmental Affairs and Development Planning. An appeal by the objectors was submitted and based on such the appeal was upheld and the amendment of the condition refused.	**restriction was not included as a condition of approval in the Environmental Authorisation (EA)** issued in 2005. If vehicular access posed an environmental risk, the EA would have expressly imposed such a condition. Instead, the EA focused on the strategic placement of erven in the three clusters to limit impact on vegetation and heritage resources, development setback lines, limiting the width of roads to 1.5m with a road reserve on either side of 1.5m and building design, among other aspects. The fact that no such restriction was imposed indicates that access between the Tygerfontein Estate and Yzerfontein was not viewed as an activity requiring environmental mitigation. The proposal does not involve any increase in the scale or intensity of the approved low-density development. Accordingly, the environmental impacts remain unchanged. As pointed out by the objector, the EA includes a condition that a development setback line of 100m from the northern boundary of Tygerfontein must be maintained. A development setback line imposed under NEMA is primarily intended to regulate the placement of buildings and permanent structures to protect environmental features. It is therefore argued that the primary purpose of this development setback line is to maintain a visual buffer (placement of erven and buildings) between Yzerfontein and the Tygerfontein Estate and not to restrict

	Over the years numerous complaints about the illegal use of the gate for access for non-emergencies have been reported with no or minimal action. It is evident from correspondence issued by the Municipality that such use is in contravention of not only the rezoning conditions but also the Environmental Authorisation (see Annexure A). This however has not resulte in any additional action by the Authorities to address such while the surrounding neighbours and interested and affected parties must feel the brunt of such non action by the mandated authorities to enforce such. **Non-compliant with Section 48 of the Swartland Municipal Planning By-Law** The application submitted does not include a legal power of attorney as the power of attorney attached is signed by Petra Lug on behalf of Tygerfontein Estates Pty Ltd. However, the Trustee/Directors/members Resolution attached to the application does not nominate a person to sign on their behalf and thus the application submitted is legally flawed as the person submitting the application did not have required power of attorney. Further to the above the application should not have been submitted on behalf of the Tygerfontein Estates Pty Ltd. This is due to the fact that with the original approval a condition was imposed that a Homeowners Association be formed for the management and enforcement of the conditions	movement or access. The proposed amendment does not alter the placement of erven or buildings, therefore the setback cannot serve as justification for maintaining an access restriction that the EA itself did not require. "*Integration*" in this context simply improves operational accessibility, not physical expansion or densification, in other words, urban sprawl. Since the Council no longer permits the use of septic tanks, it must provide services from Yzerfontein. This again reflects operational accessibility rather than development expansion. The objection fails to recognise that controlled access for residents, guests, estate employees and authorised service providers does not increase the footprint of the approved development. Accordingly, the amendment will not transform the estate into a typical residential neighbourhood. The resort remains a low-density, conservation-orientated resort development comprising 24 units arranged in three carefully placed clusters with controlled access. Vehicle trips associated with residents, guests, employees and essential services remain extremely low and consistent with the nature of a conservation-focused resort. The suggestion that allowing controlled access would generate daily commuter patterns comparable to those of a fully urbanised area is significantly overstated.

	of approval of the rezoning as well as the ROD and compliance with the constitution and design guidelines. The fact that two erven/portions have already been transferred (Portion 7 and 24) confirms that any application that affects the estate will require a resolution of the HOA and not the developer/property owner and be submitted on behalf of such. The function and responsibility of the HOA is clearly defined and stipulated in section 39 of the Swartland Municipal Planning By Law, that is binding and must be adhered to and thus further confirms that the application was submitted without the required Power of Attorneys or mandate of the Estate and on such alone is grounds for review by any interested and affected party. The application submitted as listed in the motivation report is for the amendment of a condition of approval in terms of Section 25(2)(h). However the original application for the rezoning and subdivision included a subdivision plan and on such plan the access/road in question is not shown nor is the current servitudes in the most northern pocket of the development that links with Yzerfontein 19. Therefore, as is evident the endorsed subdivision plan did not make any reference or provision for either a servitude nor a road and included a note that the gate at the northern boundary of Tygerfontein is a	<u>*Traffic impact:*</u> Current access to the property is obtained from the R27 via private right of way servitudes over Remainder of the Farm Vyge Valley No.570, Division Malmesbury. These servitudes confer rights exclusively on Tygerfontein and do not grant any access rights to third parties. The objector provides no factual information for the claim that other farms or neighbouring developments could make use of the access point under consideration. Furthermore, there is no direct linkage, by means of vehicle access, between Jakkalsfontein (resort development to the south) and Tygerfontein making it impossible for the residents of Jakkalsfontein to gain access to Yzerfontein via Tygerfontein. Accordingly, the proposed amendment will not create a thoroughfare across Farm Tygerfontein between Yzerfontein and the R27. Dassen Island Drive is classified as a Class 4B road, known as a collector road primarily aimed at providing access to individual properties, and can comfortably accommodate the very limited traffic generated by a 24-unit low-density resort. This position is further validated by the Civil Engineering Services Department of Swartland Municipality, which reviewed the application and confirmed that the existing road network in Yzerfontein can adequately accommodate the anticipated traffic generated by residents, guests, employees, and essential services. This department therefore recognises that

	locked gate. The term emergency access is only referred to in the decision letter and no other documentation that could be obtained. Thus it can only be deducted that such was stated/referred to as such in the motivation of the original application. Therefore such clear use of the existing gate was a factor in the decision making of the original application, including the Environmental Authorisation with reference number AN/68/25/4 FARM 564 and the decision by the Department of Water in their approval dated 4 March 2004 with reference 16/2/7 /G200/ A/8 as the application was an integrated decision made by DEADP based on all the relevant role players. The ROD that was issued further makes it clear that none of the existing or new roads/or tracks are to be no wider than 1,5m with a 1,5m road reserve so as to ensure limited disturbance of the natural vegetation condition. This read with condition 37 is clear that no development or activities can be undertaken outside the identified area without the required application being submitted and approval obtained for such, and such activities are subject to an archaeologist and a botanical survey of the area and submitted to Heritage Western Cape and DEADP for consideration prior to any disturbances. It is further noteworthy that over and above the high watermark setback line referred to in condition 10 of the ROD that a development setback line of 100m was also imposed on the development measured from	maintaining a restriction that limits the reasonable use of a lawful municipal street directly contradicts the functional purpose of a Class 4B municipal road - namely, to provide safe and equitable access, especially considering the small scale of this development. <u>*Spatial Development Framework:*</u> The proposed controlled access for residents, guests, estate employees, and authorised service providers does not alter the nature, scale, or impact of the approved resort development. In other words, the amendment neither introduces nor facilitates any form of coastal expansion. "*Integration*" in this context simply improves operational accessibility, not physical expansion or densification, in other words, it does not translate into urban sprawl. The estate will therefore continue to function exactly as approved: a low-density, conservation-orientated resort comprising 24 units in three environmentally sensitive clusters, with controlled access. Importantly, the MSDF makes it clear that no further expansion of Tygerfontein is proposed. On the contrary, the MSDF identifies Tygerfontein as forming part of the proposed West Coast Conservation Corridor, intended to create a continuous ecological link between the West Coast National Park to the north and the Blaauwberg Nature Reserve to the south. The proposed amendment, intended solely to improve

	the northern boundary of Tygerfontein and must be maintained. This line is clearly depicted on the endorsed subdivision plan and Insert 1 (see Annexure B) Therefore the current hardened road that is the reason for the application and the objection was constructed and formalised in contravention of various conditions of approval and without the required assessment required for such proposal that is also not part of the application at hand. As part of the review and evaluation of the application and information gathering an approval for the creation of the current servitudes on the General Plan was obtained dated 12 May 2012 (see Annexure C). This application was submitted under LUPO with no proof of any advertisement of such nor any approvals from DEADPfor the creation of such nor the amendment of the subdivision plan/general plan and this raises concerns if the process for the creation of the existing servitudes that is now to be converted to access roads for not only emergencies was created as a result of such, without compliance with condition 37 of the ROD. The current application does not contain any motivation on the collected impacts and criteria for such an application, nor does it include an application for the amendment of the ROD issued as such approval will also be required before the access limitation can be amended. The application	operational access, will maintain the intended character of the resort and remain fully consistent with the intent of the MSDF. <u>*SPLUMA and LUPA principles:*</u> As previously noted, the proposed amendment will not create a through-route between Yzerfontein and the R27, thereby eliminating any suggestion of increased security risks or uncontrolled movement through Farm Tygerfontein. Instead, the amendment allows only controlled, estate-related access. Yzerfontein residents may also experience indirect benefits through the increased likelihood that residents and guests will make use of local businesses and professional services owned by Yzerfontein residents, thereby supporting the local economy. Furthermore, the Civil Engineering Services Department of Swartland Municipality has confirmed that Yzerfontein's existing road network has more than sufficient capacity to accommodate the limited traffic associated with the 24-unit estate, ensuring that there will be no significant impact on Yzerfontein residents who also use these roads.

	therefore does not include all the required applications to allow for the proposed amendment and therefore is procedurally flawed and open for review to any interested and affected party. The biggest impact the proposal may have is on traffic to and from Yzerfontein and the current application is based on an outdated support letter by TIS. The broad statement is made that as there is no increase in number of units the impact remains the same and thus the letter by ITS is relevant and applicable. However, since the letter was issued the overall development of Yzerfontein as well as the surrounding towns have changed significantly. As the letter is outdated no real conclusion on the possible impact of traffic can be made based on such. It is further critical to note that the letter only refers to construction trucks and the impact on the road surface and not traffic itself nor the cumulative impact of such and only deals with construction vehicles whereas the application at hand not only to include construction vehicles but all workers, guest property owners, visitors and suppliers of various goods and thus a much larger number of traffic flow that will be generated either during and after construction with no assessment. The application also does not advise or clarify any legal or written agreements with the adjacent erven/developments such as Vyge Valley and Jackalsfontein in terms of registered servitudes etc	

	and if such directly or indirectly provides access to the proposed access road, as there are few servitudes registered over the property that may allow for such that further exacerbates the impact on the residents of Yzerfontein. Reference to such agreements is in the correspondence between the applicant and Swartland Municipality as part of the previous application to amend the condition in undated letter with reference YZ/7588/R (see attached Annexure D). Given the above the application in its current form does not meet the minimum requirements as required in terms of Section 48 of the By-Law in order to enable the application to be evaluated in terms of the decision making criteria as contained in Section 75 of the By Law. and must either be refused in totality or the application must be resubmitted with all the required information as stipulated. **Non-compliant with Section 55 of the Swartland Municipal Planning By-Law** The application advertising and procedure is legally flawed as the notification of the application does not comply with Section 57(c) as the notices served are materially incorrect as the Afrikaans version refers to an application for the amendment of a rezoning and subdivision condition whereas the Englishversion /paragraph refers to the amendment of the restrictive title condition that is not only a different application type but requires a different	

	process and means of evaluation. The result is that the intent of the application is not clear and therefore confusing to interested and affected parties. This therefore will require an application to be re-advertised as the application process and means of advertising is flawed and misleading to interested and affected parties **Assessment criteria and general desirability of the proposal in terms of Section 75 of the Swartland Planning By law** In terms of Section 75(c) of the Swartland Planning By Law the municipality must have regard for the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses, and the applicant makes the following statements in support of s u c h . The statement is made in paragraph 5.4 of the motivation that the proposal will not result in an increase in scale or intensity of the development and that the proposal is to support the estates long term viability and functionality while remaining within the intent of the development. This is substantiated by a statement that such additional controlled access will increase the attractiveness of the development and benefits to employees and service providers.	

	The proposal will assist in improving the integration with Yzerfontein and the link with the town that will result in increase in demand for services by the estate, while the current limitations hinder such and such amendment is essential to unlock the viability of the estate. The reasons provided is exactly why the condition was imposed. The fact that the current limitation has the effect is proof that the current approval and conditions are ensuring that the original intend and purpose of the development and approval for the eco estate was to function as a buffer and mechanism to limit and control urban sprawl along the coast. The fact that the 24 units have very limited service and stringent requirements of access and access roads etc is to ensure the low impact low density eco estate functions as such. Any change to such will have the opposite impact and will in essence integrate such with Yzerfontein that is exactly the opposite of the reason such was approved. The statement is made that should access be granted it will shorten the trips of various people to the benefit of reduced emissions etc. Although that may be true the intended use of the estate was not to become a typical extension or integrated portion of Yzerfontein but effectively a selfsustained limited service development with no need for daily trips as would be the case of a typical dwelling house with daily commutes and needs as that was never the intention or reason for approval, as clearly stated in the	

	EIA ROD. The fact that a clear 100m development setback line from the Northern Boundary was imposed was to ensure that no development or activities are undertaken between the first cluster of units and the Southern part of Yzerfontein, so as to create that buffer with limited access only for emergencies such as fire etc. In terms of section 75(f) of the Swartland By-law any application considered by the Municipality must take into account any other laws that are relevant to the application at hand. As the proposal requires not only an amendment of the rezoning conditions but also the EIA conditions to allow for such a road as well as the servitudes that were created in contrast to the specific conditions of such, is a clear indication that the required environmental laws and criteria also needs to be taken into account and the fact that the minimum required information specified in the conditions for any further development has not been provided does not result in sufficient information for a decision by either the municipality or the Department of Environmental Affairs. In terms of Section 75(h) any proposal must consider the impact of such proposal on engineering services. The fact that the motivation relies on an outdated traffic statement that only focuses on the construction vehicles to make use of the access does not reflect the full impact on	

	services (roads). It does not provide sufficient information to determine the impact of all the additional vehicles that may be a result of the proposed amended access. that may include additional access by the other farms and developments to the south due to existing agreements as well. Thus, until a detailed traffic impact statement is made taking all the possible users of the access into account, council cannot make a determination of the true impact on the engineering services specifically roads and traffic in Yzerfontein. In terms of Section75(i) the proposal must also include an assessment in terms of the spatial development framework, and such framework as approved as recently as May 2025 with a clear urban edge on the southern town boundary of 'Yzerfontein with growth and expansion proposed to the east inland and not along the coast. The amendment of the condition to effectively link the eco estate with the town to create a more integrated urban environment will be against the vision and plans as per the SDF that is not outdated and the overall vision of the Municipality.40. In terms of Section 75(q) and (r) any proposal must consider the principles contained in section 42 of SPLUMA and Section 59 of LUPA when considering an application. The motivation and assessment of the application as per table 2 of the motivation does not provide any motivation or proof that the granting of the amendment of the condition will be to the benefit of the residents and property	

	owners of Yzerfontein nor does it promote sustainable urban compact developments or protect sensitive natural environments for future generations. The motivation only motives why the amendment will be beneficial for the developer to make the proposal viable and commercially viable, where such aspects are not a criteria or grounds for approval. **Conclusion** In conclusion we are of the opinion that the application in its current form and process to date is legally flawed for reasons as stated and should be refused on this basis alone as the evaluation of the application is not possible due to crucial information required for an application of this nature not being available to all parties involved including the decision making authority as well as not all applications required for such have been submitted as part of the application. It is trusted that the decision-making authority will recognise and take cognisance of the issues and concerns raised and ensure that the correct information is obtained to ensure all parties can provide meaningful and clear comment on the proposal as well as to make an informed decision that adheres to the development principles of the LUPA and SPLUMA and the vision of the spatial development framework.	

	Lastly the previous application was supported by the Municipality on the basis that the condition was not clear and could result in misunderstanding or interpretation as per the closing statements in the assessment report (paragraph 7-9) dated 24 August 2011, as the municipality is the author of such condition as well as the competent authority to enforce such. The final say in terms of interpretation of such condition and the intention of such lies with the municipality and therefore the statement made that it leaves room for interpretation is unfounded and not unsubstantiated. It is also noteworthy that since the condition was imposed no changes in terms of policy or view or any other aspect that may be deemed to be grounds for the amendment of the condition is evident and therefore the question arises what has changed in terms of such in the view of the Municipality that will warrant an amendment to the condition that was also overruled on appeal with the previous application.	
2) Eddie and Carolyn Scott	We are totally opposed to the lifting of the above restrictions to allow access to and from Yzerfontein for the following reasons; Traffic along Dassen Eiland Drive where we reside, is already congested at certain times of the day due to excessive vehicular traffic related to residents, builders, service providers, taxis and visitors	Refer to previous comments regarding traffic impact.

	The noise pollution is unacceptable as these vehicles are very loud and often have to engage in low gears which reverberates around our space Pollution from the huge increase in traffic iro exhaust fumes traffic noise will extend into the early morning and late at night during the entire week including weekends The fact that Pearl Point has not even started building residential homes which is ongoing will compete for road space and exacerbate the noise and exhaust pollution The honey sucker will be busier down our road and the mess from these trucks will increase causing environmental and health problems to increase The taxis usage will increase and cause more inconvenience on our roads as they drive with impunity and violate traffic laws with reckless abandon The safety of our community of runners, walkers, cyclists and others will be compromised and there is park or area for such activities in Yzerfontein The wild life and specifically bird life including ostriches will be endangered as traffic becomes more congested and th same potential danger applies to the children who walk along the road regularly to get	

	to their various places The tranquil nature of our space will be compromised and ruined should the restrictions be lifted due to all the above. The reasons above apply to our entire community en route to the enclosed gate at the end of Dassen Eiland Drive and will impact negatively on local commuting, shopping and life styles The road was not built to withstand the large trucks and volumes and will need constant maintenance lest Yzerfontein also slips into unserviced facilities which could impact negatively on general service delivery and cause Swartland to lose its current status of being the top municipality in the country. I fail to see how the entrance on Dassen Eiland Drive will be controlled given the existing traffic with similar interests I propose that they use the R27 entrance which will save our roads and preserve that which we currently enjoy failing which we will require many guarantees and Swartland have to monitor the activities as well as impose additional traffic calming measure in Dassen Eiland Drive and possible other roads en route.	

3) Nick van Huyssteen	Hierdie aansoek word nie ondersteun nie en beswaar word hiermee aangeteken vir oa. die volgende redes nl. dat alle inwoners/eienaars en belanghebbende partye, Plaaslik sowel as Provinsiaal, bv. Departemente van oa. Vervoer/Omgewingsake/Ontwikkeling hierin geraadpleeg en hul goedkeuring verkry word. Volgens my inligting was die "eko ontwikkeling" aanvaar deur die ontwikkelaar en departemente en is Tygerfontein nie afhanklik van Yzerfontein se Dienste (oa. Water, Vullisverwydering, Elektrisiteit, Padinstandhouding ens) nie. Word die "hek" ongemagtig gebruik - dit is daar in geval van Nood en nie vir die bree publiek oa. toeriste, gaste, aflewerings, diensveskaffers, werkers ens en/of deurgang na ander eiendomme of Kaapstad nie.	Hierdie kantoor neem kennis. Die volgende dien as uitklaring: • Alle belanghebbende en geaffekteerde partye, soos geindentifiseer deur Swartland Munisipaliteit, word geleentheid gegee om kommentaar te lewer. • Hierdie aansoek het ten doel om 'n goedkeuringsvoorwaarde te wysig ten einde voorsiening te maak dat slegs inwoners, hul gaste, werknemers van Tygerfontein en gemagtigde diensverskaffers beheerde toegang via Dassen-Eilandrylaan kan verkry, en nie vir die breër publiek via motors nie.
4) DJ van der Merwe on behalf of Pearl Point Homeowners Association	**NATURE OF THE APPLICATION** The application seeks to amend Condition B.(4) of the 2005 approval to allow controlled access via Dassen Eiland Drive for residents, guests, employees, and service providers of the Tygerfontein Coastal Estate. The current Condition B.(4) restricts this access to emergency use only. **GROUNDS FOR OBJECTION** **Deviation from Original Approval Intent** The original approval explicitly limited access via Dassen	Refer to previous comments relating to environmental and traffic impacts. *Security concerns* Security is a high priority for Tygerfontein as well. The proposed amendment is not to allow for unrestricted access; entry will remain strictly controlled for residents, their guests, employees, and authorised service providers, ensuring the Estate remains secure. The development is fully enclosed with security fencing, and the access will be electronically controlled and monitored with security cameras, making unauthorised entry virtually impossible. Security will be coordinated between Tygerfontein

	Eiland Drive to emergency purposes, reflecting concerns about environmental sensitivity, traffic impact, and the preservation of Yzerfontein's coastal character. The proposed amendment materially deviates from this intent. It is a well established fact that the "emergency access gate" is constantly being abused by the current residents / occupants of Tygerfontein Coastal Estate, including short term letting (AirBnb) occupants that use the gate whenever they feel like it. It must be noted that none of the concerns referred to in paragraph 3.1.1 has changed since the original approval for the emergency access gate and *for* this reason alone, the application should be refused. **Separate Township** The coastal village of Yzerfontein was officially proclaimed a township in 1936 and its transformation into a formal township marked the beginning of the structured development and land use planning in the area that subsists today. The reality is that Yzerfontein is a township totally separate from the Tygerfontein Coastal Estate development and, should the application be approved, this	Estate and Yzerfontein, with the same professional security company proposed to manage both, ensuring effective oversight. Combined with modern estate security practices and standard policing, these measures adequately mitigate any potential security concerns. *Precedent and Planning Integrity* Land use decisions are made on their individual merits, guided by the Swartland Municipality Land Use Planning By-law and the relevant spatial planning frameworks. The municipality must assess all the relevant facts and considerations surrounding this application during the decision-making process.

	will be tantamount to a tacit consent to open the door for the Tygerfontein Coastal Estate to "merge" and become part of Yzerfontein. The Tygerfontein Coastal Estate has no inherent right to be granted the amendment as applied for in terms of the application. **Environmental and Heritage Impact** The surrounding area includes ecologically sensitive coastal vegetation and habitats. Increased traffic and human activity will most likely lead to degradation, noise, and disturbance to wildlife. In this regard, the road from Tygeriontein Coastal Estate leading up to the access gate is a dirt road and, bearing in mind that the prevailing wind direction is South-Western, the amount of dust generated by the increased traffic should the application be granted will have seriously deleterious effects not only on Pearl Point and the property owners in Dassen Eiland Drive adjacent to the access gate, but also on the coastal vegetation and habitats as well as the wildlife. It is, *inter alia,* for the reasons referred to in this paragraph above, that the 100 meter setback line from the Northern boundary of Tygerfontein Coastal Estate was imposed, so as to protect the Southern part of Yzerfontein from any adverse effects caused by activities on the Tygerfontein Coastal Estate.	

	In addition, no updated environmental impact assessment (EIA) has been submitted. **Traffic and Infrastructure and Concerns** The application relies on a 2010 traffic engineer's letter, which is outdated, and should respectfully be ignored, especially as this letter refers to construction vehicles only and does not consider the traffic flow that will be caused by additional road users. Notably, no current traffic impact study has been provided to support the application. Increased use of Dassen Eiland Drive will inevitably place severe, undue pressure on local roads in Yzerfontein, particularly during peak seasons, when Yzerfontein notoriously bursts from its seams. It is respectfully submitted that approving the application for the amendment of Condition B.(4) of the 2005 approval will add another onerous dimension to this issue, which is unsustainable. **Security Concerns** It is common cause that one of the main reasons why	

	the incidences of crime in Yzerfontein is relatively low compared to most other similar towns, is that there is just the one road giving access to and egress from Yzerfontein, making it that much easier for Law Enforcement agencies to protect the inhabitants. Should the application be granted, it will create another front for Yzerfontein to be concerned with that will have an obviously adverse effect upon the already limited resources of Yzerfontein. **Precedent and Planning Integrity** Approval of the application may set a precedent for similar relaxations, eroding planning controls that protect Yzerfontein's unique character. It may also incentivize further intensification of development within the Tygerfontein Coastal Estate. **Public Participation and Transparency** The application was previously rejected by the Provincial Government. While legislative changes have shifted authority to the Municipality, the underlying concerns that previously caused the rejection remain valid. Updated technical studies should have been made available for public scrutiny, which the applicant has notably failed to provide.	

	CONCLUSION AND RELIEF SOUGHT In light of the above, I respectfully request that the Swartland Municipality: Decline the proposed amendment to Condition B(4); Uphold the original intent of the 2005 approval to preserve the environmental and planning integrity of the Yzerfontein area.	
5) Tamaryn Daniller	I hereby submit my formal objection to the abovementioned application submitted by CK Rumboll & Partners on behalf of Tygerfontein Estates Proprietary Limited. I am opposed to the proposed amendment of Condition B.(4) which seeks to change the use of Dassen Island Drive from "Emergency Purposes Only" to a road with "Controlled Access" for entry and exit to and from the Tygerfontein Coastal Estate. Dassen Eiland Drive has become a race track with lawless, reckless drivers. The volumes of traffic have increased significantly over the years. Construction and heavy duty vehicles included. This has led to a concern for safety as well as a disruption of the quiet, causing noise and environmental pollution. It is also a concern for maintaining safety within the area on a broader scale as currently there is only one way in and out which keeps intruders scarce. Will the infrastructure be sufficient to sustain additional development? I think the bottom line is to try and maintain the quality of life we have come to expect and enjoy in this area (and pay dearly for).	Refer to previous comments on traffic impact and security concerns.

6) Fred de Beer	**My objections are based on, but not limited to, the following critical grounds:** **Increased Security Risks and Loss of Privacy:** The current restriction acts as a vital security buffer for the residents of Yzerfontein. Opening this gate, even under the vague term "controlled access," will create a new and direct access point from a remote, private estate into our residential area. This will significantly increase the risk of crime, including opportunistic burglary, vandalism, and unauthorized through-traffic, compromising the safety and security of our homes and families. The applicant's report fails entirely to address these legitimate security concerns for existing Yzerfontein residents. **Negative Impact on the Tranquil Character and Amenity:** Yzerfontein is prized for its peaceful, small-town coastal character. The introduction of additional and non-essential traffic from the estate will disrupt the quiet and tranquil nature of our neighbourhoods, particularly for those residents whose properties border the Dassen Island Drive access route. This will result in increased noise, dust, and light pollution, significantly degrading our quality of life and the rural amenity we currently enjoy. **Flawed and Outdated Traffic Assessment:** The applicant relies heavily on a traffic impact	Refer to previous comments on traffic impact, environmental impact and security concerns.

	assessment letter from December 2010-a document that is 15 years old. This assessment is utterly irrelevant and cannot be considered a reliable basis for a decision in 2025. The demographics, vehicle ownership rates, and traffic patterns in the broader region have changed dramatically since 2010. The assertion that traffic will be "negligible" is speculative and self-serving. The "controlled access" is the very benefit the estate is seeking to sell, guaranteeing it will be used, not remain negligible. **Contravention of the Original Approval's Intent and Environmental Principles:** The emergency-only condition was imposed for a critical reason in the original 2005 approval: to limit the environmental and social impact of the estate on Yzerfontein and to preserve the separation between the private resort and the public town. Granting this amendment undermines the original planning intent and sets a dangerous precedent for eroding development conditions. Furthermore, the applicant's claim of environmental benefits from reduced travel distances is cynical when the core aim is to facilitate increased activity and development of the estate, which will have a net negative environmental impact on the sensitive coastal zone. **Vague and Unenforceable "Controlled Access" Proposal:** The application provides no concrete details on what "controlled access" entails. There are no specified plans for the type of gate, fencing, 24/7 security personnel,	

	monitoring systems, or funding for its perpetual maintenance and enforcement. Without these details, the proposal is meaningless and unenforceable. It would inevitably lead to access creep, disputes, and the Municipality being left with a compliance and enforcement burden. The applicant's argument that the condition has hindered the estate's development is a commercial problem for the developer, not a planning justification to override the rights and amenity of existing residents. The viability of their private business venture cannot come at the cost of our security and peace. We contend that this application is not in the public interest and does not promote spatial justice or sustainability for the existing community of Yzerfontein. It primarily serves the private interests of a single commercial entity to the detriment of the established residential community. We therefore strongly urge the Swartland Municipality to protect the interests of its residents and reject this application in its entirety. We request to be kept fully informed of all proceedings related to this application and to be given the opportunity to make further representations if required.	

7)	Andre van Ellewee	Die skrywe praat van beperkte toegang - wie gaan die toegang tot Dasseneiland rylaan monitor? Dag en nag? Dasseneiland rylaan is n straat in n woonbuurt- nie n deurpad nie. Daar is al reeds n geweldige verkeer in Dasseneiland rylaan agv al die ontwikkeling in Pearl Bay. Tel 2 voertuie vir elke woning wat by Tygerfontein opgerig gaan word, plus al die konstruksie voertuie by en die huidige verkeer en kyk waar beland dit die inwoners van Dasseneiland rylaan. Die groot konstruksie vragmotors veroorsaak erge vibrasie in ons huise - die straat is nie gebou vir sulke swaar voertuie nie. Die straat word net meer en meer onveilig vir mens en dier. Voertuie, veral die groot vragmotors hou nie by die spoed grens nie. Yzerfontein as dorp, was nog altyd 'n veilige dorp a.g.v. die een ingang en uitgang. Die hek na en van Tygerfontein gee n lekker ontsnaproete na die R27. Ons vertrou die Swartland Munisipaliteit sal in die guns van ons Yzerfontein inwoners besluit.	Huidige toegang tot die eiendom word vanaf die R27 verkry via privaat reg van weg serwitute oor die Restant van die Plaas Vyge Valley No. 570, Afdeling Malmesbury. Hierdie serwitute verleen uitsluitlik regte aan Tygerfontein en skep geen toegangsregte vir derde partye nie. Daar bestaan geen direkte koppeling, deur middel van voertuigtoegang, tussen Jakkalsfontein en Tygerfontein nie, wat dit dus onmoontlik maak vir inwoners van Jakkalsfontein om via Tygerfontein toegang tot Yzerfontein te verkry. Die voorgestelde wysiging sal gevolglik nie 'n deurpad oor Plaas Tygerfontein tussen Yzerfontein en die R27 skep nie. Dassen Island Drive is geklassifiseer as 'n Klas 4B-pad en kan die baie beperkte verkeer wat deur die lae-digtheid-oord van 24 eenhede gegenereer word, gemaklik akkommodeer. Hierdie standpunt word verder bevestig deur die Departement Siviele Ingenieursdienste van Swartland Munisipaliteit, wat die aansoek hersien het en bevestig het dat Yzerfontein se bestaande padnetwerk die verwagte verkeer deur inwoners, gaste, werknemers en noodsaaklike diensverskaffers voldoende kan hanteer. Die departement herken dus dat die handhawing van 'n beperking wat die redelike gebruik van 'n wettige munisipale straat beperk, direk in stryd is met die funksionele doel van 'n Klas 4B-munisipale pad - naamlik om veilige en billike toegang te

		verseker, veral gegewe hierdie kleinskaalse ontwikkeling.
8) JH van Onselen	Ek JH van Onselen, ID 4707055102087, Dasseneiland Weg 71, Yzerfontein. Standplaas 4-40-0098-001-7 maak Hiermee beswaar teen die voorgestelde kennisgewing Leerverw. 15/3-15/22 My redes is as volg; Yzerfontein beskik oor een uit- en een uitgang. Indien Dasseneiland Weg vir hierdie doel gebruik word verander die in- en ultgang na twee. Dit hou 'n veiligheids risiko in vir alle inwoners van Yzerfontein. Verkeer sal aansienlik toeneem in die straat waar inwoners, bouers, riool trokke, diensverskaffers. Die sypaadjies van Yzerfontein is lank reeds n probleem, hoofsaaklik vanwee dorings. Inwoners moet in die strate loop wat reeds 'n veiligheids risiko is. Met verkeer wat vermeerder, verhoog die risiko ook. Dasseneiland Weg is 'n straat en nie 'n deurpad nle, die waarde van eiendom langs Dasseneiland Weg kan moontlik beinvloed word weens die verhoogte verkeer. Verder is die vraag waar die nuwe ontwikkeling water en riool dienste gaan ontvang/ Indien Swartland dit doen, plaas dit Yzerfontein verder onder druk.	Verwys na vorige kommentaar rakende verkeersimpak.

	Geen SAPS of brandweer, moontlikheid van brand en diefstal sal verhoog.	
9) Tanya du Toit	Dassen Eiland Drive will become the main road for access to and from this development. It is already a long drive, carrying a lot of traffic iro residents, visitors and service providers. This development will create an overflow and the current quality of our lives will be drastically impaired. Traffic, air and noise pollution, damage to our road will increase. Vibrations due to the traffic may affect our foundation and walls over time. Kindly provide full explanation regarding the "controlled access" mentioned in your file reference 15/3/3- 15/22 and how this will ensure the abovementioned isnt of note. Should Yzerfontein be the only access from the R27 to the development, this will create further congestion at the intersection which is already a dangerous intersection.	Refer to previous comment regarding impact on traffic.
10) Leon du Toit	Dassen Eiland Drive will become the main road for access to and from this development. It is already a long drive, carrying a lot of traffic iro residents, visitors and service providers. This development will create an overflow and the current quality of our lives will be drastically impaired. Traffic, air and noise pollution, damage to our road will increase. Vibrations due to the traffic may affect our foundation and walls over time. Kindly provide full explanation regarding the "controlled access" mentioned in your file reference 15/3/3- 15/22 and how this will ensure the abovementioned isnt of note.	Refer to previous comment regarding impact on traffic.

	Should Yzerfontein be the only access from the R27 to the development, this will create further congestion at the intersection which is already a dangerous intersection.	
11) SW Engelbrecht	The application was evaluated and discussed after additional information was requested from Swartland Municipality, Alwyn Burger. No additional information could be obtained neither could more clarity on some of the application conditions be determined allowing YRA, Buurtwagand Bewarea to submit feedback supporting the application. The application as submitted is thus not supported. Concerns are raised below, however only highlight some of the important issues: Tygerfontein does not fall in the Spatial boundaries of Yzerfontein. It is not clear if this farm is to be included into the Spatial development in future. Is this application a step closer to open the town boundaries to adjacent farms for access as well? Safety. Yzerfontein has one entrance and the safety and security of the town is developed around this entrance only. It is unclear how a change in the gate access will be managed as this could result into open access through to the R 27. The access gate from the R 27 is mostly left open anyway.... information regarding access management and agreements have not been clarified and the potential risk	Refer to previous comment regarding impact on traffic, security concerns and the Municipal Spatial Development Framework.

	impact was not published. It Is unclear to what extent this application will open up access points to the east of town from farms into the town. The current application supports ease of access to potential future home/landowners, however, no new traffic assessment is availableto evaluate the situation. Further it is mentioned that traffic will include guests, deliveries, home workers, etc however it remains unclear how potential subletting might impact traffic at the end of Dassen Drive. It is thus impossible to support the application in the current format where limited information is available for further discussions.	
12) Ray van der Merwe (capacity as sales manager for Pearl Point Estate)	I write in my capacity as the Sales Manager for Pearl Point Estate, an established and adjacent residential development to the Tygerfontein Coastal Estate. I hereby lodge a formal objection to the proposed amendment of Condition B.(4) of the original approval granted in November 2005, which currently restricts the use of Dassen Island Drive to emergency access only. **Background and Original Approval Conditions** The 2005 approval expressly limited the use of Dassen Island Drive for emergency purposes only. This restriction was a key planning and marketing assurance communicated to prospective purchasers within Pearl Point Estate and surrounding Pearl Bay Suburb. The	Refer to comments on traffic and environmental impacts. *Legitimate Expectations:* Applicable legislation expressly allows for the amendment of conditions of approval through a transparent, statutory process. Purchasers in Pearl Point Estate could not reasonably expect the municipality to treat a land use condition as permanent when planning legislation itself provides a mechanism for its reassessment. The decision making process should assess whether the emergency-only restriction remains warranted, taking into account environmental impact considerations, road capacity impacts, the operational requirements of the

	understanding that Dassen Island Drive would not serve as a general access route was a decisive factor influencing buyer confidence, investment decisions, and overall property values. Any amendment to this condition would therefore contradict the basis upon which properties in Pearl Point Estate were sold and developed, creating a material change in the planning context that existed at the time of approval. **Negative Impact on Property Values and Residential Amenity** Opening Dassen Island Drive for regular use by residents, guests, employees, and service providers of Tygerfontein Coastal Estate will: • Significantly increase traffic volumes through a previously quiet and controlled residential environment. • Introduce noise, congestion, and safety risks for existing homeowners and pedestrians. • Diminish the exclusivity and security appeal that underpin property values within Pearl Point Estate and the southernmost end of Pearl Bay suburb. • Create a perception of through-access, undermining the private and tranquil character of the area that buyers relied upon when making investment decisions. These impacts are contrary to the principles of responsible spatial planning and inconsistent with the intentions of the original land use approval.	approved development, and whether the condition continues to serve any legitimate purpose.

	Breach of Legitimate Expectation Pearl Point Estate marketed and sold residential stands based on clear assurances - consistent with the approved land use conditions - that the Dassen Island Drive access point would remain closed, save for emergencies. Residents and investors therefore have a legitimate expectation that the municipality will uphold and enforce the original restriction. Amending the condition at this stage would amount to a fundamental departure from those commitments, creating reputational and financial harm to both the municipality, developers who relied on the approved planning framework and the estate agents marketing properties within the development and the Pearl Bay suburb. **Planning Considerations** The amendment does not demonstrate any compelling public benefit or infrastructure necessity that would justify lifting the restriction. The proposed change would shift private convenience costs onto the public and neighboring estates in the form of reduced property values and increased maintenance and security burdens. The 2005 approval conditions were imposed to mitigate precisely these risks; altering them now would	

	undermine the integrity of the municipality's prior decision-making process. **Conclusion** For the reasons set out above, I, in my capacity as the Sales Manager for the Pearl Point Estate Development (and as the founder and chairman of the Yzerfontein Multi-Listing Service - which represents several of the local real estate agents marketing properties within the Pearl Bay suburb and greater Yzerfontein) strongly object to the proposed amendment of Condition B.(4) and urge the Municipality to retain the existing restriction limiting the use of Dassen Island Drive to emergency purposes only.	
13) Godfrey Needham	Your subject Notification was received with dismay. In my opinion, this application appears to be no more than 'a swing for the fence' with the hope of getting anything more than they have presently. Our strong objections to the subject applications are: • The possible convenience for only 24 homes in Tygerfontein will cause extended and significant disruption to the major portion of Yzertontein's inhabitants. Yzerfontein's road infrastructure, designed for the planned development of this town, was never considered to include providing through access to adjacent developments.	Refer to previous comments on traffic impacts.

	There is only one way into and out of town is the R315. This route arrives in town as a suburban road, via a 4 way stop, which cannot be avoided. It has direct access into our major retail centres, within 20 metres of the intersection. Traffic entering or leaving these centres already cause traffic obstructions, more so with large trucks. An influx of truck and contractor traffic will surely negatively impact the current traffic flows. Transit to or from Tygerfontein, through Yzerfontein suburbia, has two route options only - Dassen Island Drive or Atlantic Drive. The three-way stop, at the Atlantic Drive intersection, with its steep gradients, will absolutely frustrate traffic flows at this crucial intersection. There are up to 11 steeping policeman speed- bumps to ensure slow traffic flow on Dassen Island Drive. This application provides for a greater development expectation (for improved financial project viability), making their application for access into Yzertontein town the thin edge of the wedge. 24 Houses are stated to be built on the Tygerfontein Farm. Construction of these and the support infrastructure will extend the thoroughfare of all of the above noted traffic invasion, to endure for years to come. The subject application for the rezoning and subdivision of Tygerfontein Farm seems nothing less than a free pass for convenient access to the nearest retail outlets for currently only 24 households, while still preserving	

	their own vast peaceful environment for further development. Provision of a decent paved roadway to the R27, preserves the integrity of the small town that is Yzerfontein, yet provides new residents of Tygerfontein with equal free access to both nearby Darling and Yzerfontein towns. No evidence is provided of the impact on Yzerfontein of these applications. We cannot authorise these departures without full disclosure, for proper understanding of the extent and duration of the negative consequences of the project. Any application for a rezoning or departure should include current versus expected traffic density, composition and flows. The subject application shows no mention of traffic effects. The base reality is that the entire central and southern sides of Yzerfontein will be subjected to ramping heavy vehicle traffic, with a dramatic increase in both commuter and contractor traffic flows. Their application says as much. We live in close proximity to Pearl Point. which development commenced a year ago. Simply for building the perimeter walls and security access point, endless loads of industrial material; imposing set-ups of concrete pourers and delivery systems; earth moving activities; contractors of all disciplines- with no	

	regard for courtesy; literally endless streams of possible buyers / Agents / curious public /owners - all arriving in their own separate vehicles. We even had a large helicopter land and later take-off just 100 metres from our home! This low-key project to date has resulted in a great deal of trespass on our peace and tranquillity. All of this disruption without one of the 19 houses having started their typically year-long build process! We purchased our property in the cul-de-sac at 216 Dassen Island Drive, specifically to benefit from the low passing traffic volumes. Opening up of the emergency access point to Tygerfontein will forever convert our end-of-the-road peaceful haven into an industrial thoroughfare! Their so-called security access will ensure that the new traffic will be required to noisily reduce speed on approach, or to accelerate away, as it endlessly passes our houses - to say nothing of the build-up of stopped trucks and contractor vehicles in our short road length, awaiting their turn for security clearances to enter or depart the Farm. There is no benefit for a Security Controlled access point to those of us outside their boundary. This cheeky application is as outrageous as Yzerfontein requesting a servitude to be created directly between our town and the shopping district in Vredenburg. It is nonsense!	

14) AR and JD Miller	Our objections are based on, but not limited to, the following critical criteria: **SAFETY AND SECURITY** Condition B. (4) acts as a vital security barrier for, specifically, the residents of Pearl Bay and the entirety of Yzerfontein more generally. Opening up this gate, even under the generalised term of "controlled access", will create an alternative and direct entry point from a neighbouring farm and low impact estate into the Yzerfontein municipal area. "One road in and one road out" has always been regarded as a major security advantage of owning a property in Yzerfontein. If the gate was opened, even with so called "controlled access", it will create a potential "back door" onto the R27, which is where the main Tygerfontein entrance is located. This will inevitably increase the risk of crime and burglary access opportunities, as well as unauthorized through-traffic which will compromise the security of especially the residents of Pearl Bay. The crime statistics of Yzerfontein indicate that over the past number of years the number of break ins in the central and northern areas of the town have been significantly higher than in Pearl Bay. There is a reason for this: access is more difficult as Dassen Island Drive is	Refer to previous comments relating to security, traffic impact and legitimate expectations.

	effectively a cul de sac. The approval of a *de facto* new access road will compromise the very nature of Yzerfontein by removing a key factor to the sense of place of Yzerfontein. It will negatively impact the ability of the authorities to police the town by the YAR (Yzerfontein Armed Response), Yzerfontein Neighbourhood Watch and SAPS. Also, and perhaps more fundamentally, the application will result in the *de facto* extension of the cadastral and town boundaries of Yzerfontein. By allowing free movement between the R27, the Tygerfontein development and Yzerfontein, the town will in effect start at the entrance to Tygerfontein. Such an extension will by its nature require very careful consideration. The application does not afford anywhere near the level of detailed scrutiny required and should for this reason alone be refused. To summarise, the application is an opportunistic and disingenuous attempt to water down the original rezoning conditions. Further, the applicant's document provides no details of what and how "controlled access" is defined, especially 24 hour monitoring, and the relationship with Yzerfontein Armed Response etc. Without this the application is meaningless, and cannot be adjudicated.	

	It needs to be stated for the record, that the applications submitted between 2010 and 2012 by Rumboll & Partners to, firstly, remove Condition B.(4) in it's entirety, was rejected by your Municipality, and then to apply for ."Controlled Access" as per the latest application, which was refused by the Directorate Land Management: Region 2 of DEADP of the Western Cape Government in November 2012. **There is no objective or rational reasoning as to why these decisions could or should be reversed.** In fact, to the contrary, the general security and law and order situation in the RSA has deteriorated substantially since that time, which is even more pressing that Condition B. (4) must and should stay in place, **and the Swartland Municipality has a very distinct responsibility to protect the interests of it's ratepayers in this regard.** (Copies of relevant letters attached.) **TRAFFIC AND LAW ENFORCEMENT IMPACT** Traffic flows along Dassen Island Drive continue to increase and place additional stress on the road infrastructure due to ongoing construction of new houses and the general densification of Pearl Bay. There are a disproportionate number of construction and heavy delivery vehicles which operate at the	

	maximum axle loadings allowed under the SA Road Ordinance using Dassen Island Drive, and this will only increase substantially if Condition B. (4) is relaxed. The flawed and outdated traffic impact assessment dated December 2010 cannot be considered a reliable basis for a decision in 2025. The assertion that (additional?) traffic will be negligible cannot be quantified and is therefore essentially speculative. Further, traffic law enforcement along Dassen Island Drive is minimal at the best of times, with at least 50% of motorists for most of the time, and 90% of taxi drivers ignoring the stop streets. This can only deteriorate if there is a substantial increase in traffic flow. **3. AFFECT ON OUR SENSE OF PLACE AND VALUE** Pearl Bay and Yzerfontein generally are prized for their peaceful small town, coastal atmosphere. The additional heavy vehicle traffic to and from Tygerfontein will disrupt the tranquil nature of our neighbourhoods, **especially for those residents whose properties border on Dassen Island Drive, which our property does.** This will significantly increase the levels of dust, noise and other forms of pollution, thereby degrading our quality of life and sense of place and	

	value. **RIGHTS AND INTERESTS OF PROPERTY OWNERS OF YZERFONTEIN** The Applicant's argument that the B. (4) restriction has held back or hindered the estate's development is a business or commercial issue for the developer, which could have been anticipated during' their early planning stage. The condition which is sought to be amended formed an integral part of the conditions of approval of the Re-zoning and Subdivision of the Farm Tygerfontein No. 564, Division Malmesbury. The developer therefore knew very clearly what the restrictions were in relation to the gate right at the outset. To now manipulate the process by turning it into a legal and planning justification and process seriously overrides the rights and amenity of the existing owners and residents of Yzerfontein. Taking all of the above into consideration, the viability of the developer's private business interest and venture cannot come at the cost of the security and investment interests of the property owners of Yzerfontein. We therefore strongly recommend that the Swartland Municipality must protect the interests of its residents and ratepayers and reject this application in it's	

	entirety. It is the right thing to do!	

We trust that the above will be duly considered during the assessment of this application.

Yours faithfully,



Mornay Herling

For CK Rumboll and Partners

Munisipaliteit
Municipality
Umasipala

Verslag ◆ Ingxelo ◆ Report

Kantoor van die Direkteur: Ontwikkelingsdienste
Departement: Ontwikkelingsbestuur

2 Februarie 2026

15/3/3-6/Erf_322
15/3/4-6/Erf_322

WYK: 7

ITEM 6.5 VAN DIE AGENDA VAN 'N MUNISIPALE BEPLANNINGSTRIBUNAAL WAT GEHOU SAL WORD OP WOENSDAG, 11 FEBRUARIE 2026

LAND USE PLANNING REPORT
PROPOSED REZONING AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 322, KALBASKRAAL

Reference number	15/3/3-6/Erf_322 15/3/4-6/Erf_322	*Application submission date*	*3 September 2025*	*Date report finalised*	*2 February 2026*

PART A: APPLICATION DESCRIPTION

An application for rezoning of erf 322, Kalbaskraal in terms of section 25(2)(a) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) has been received. It is proposed that erf 322 (227m² in extent) be rezoned from Residential Zone 2 to Business Zone 2 in order to legalise the existing shop on the premises.

The application for the departure of development parameters on erf 322, Kalbaskraal, in terms of section 25(2)(b) of Swartland Municipality : Municipal Land Use Planning By-law (PK 8226 of 25 March 2020) has been received. The departure entails the following :

- Departure of the 3m side building line (eastern boundary) to 0m;
- Departure of the 3m side building line (northern boundary) to 2m;
- Departure of the required 5 on-site parking bays to 2;
- Departure to allow access to the erf within 5m of the splay.

The applicant is CK Rumboll & Partners and owners are TH Anamo & BE Wachomo.

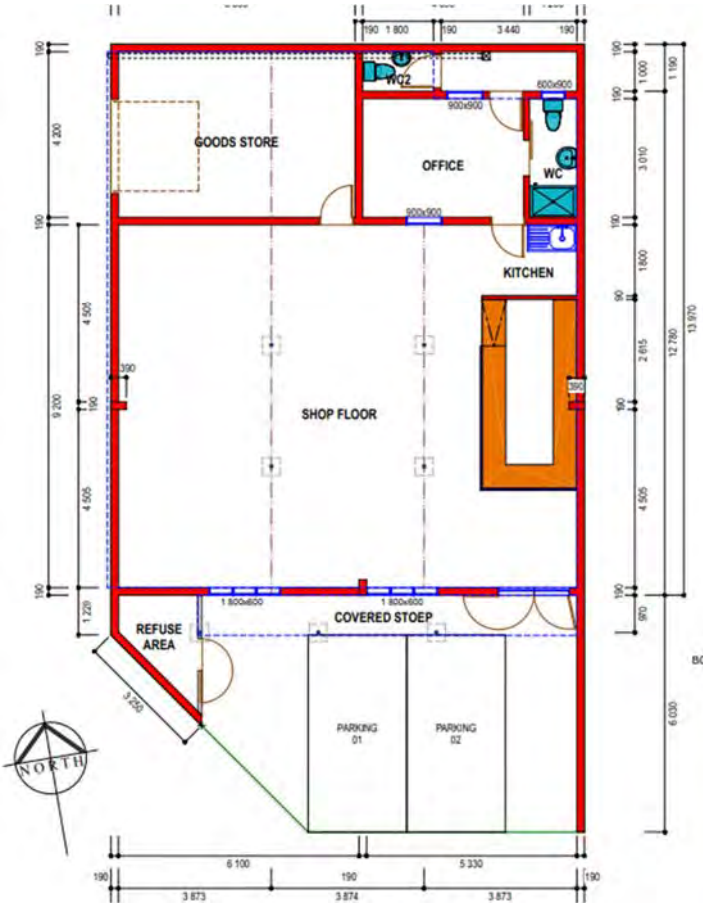
PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 339, Kalbaskraal, in the Swartland Municipality, Division of Malmesbury, Western Cape						
Physical address	33 Rivier Street			Town	Kalbaskraal		
Current zoning	Residential zone 2		Extent (m²/ha)	227 m²	Are there existing buildings on the property?	**Y**	N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020)						
Current land use	Shop				Title Deed number & date	T13932/23	
Any restrictive title conditions applicable	Y	**N**	If Yes, list condition number(s)				
Any third party conditions applicable?	Y	**N**	If Yes, specify				
Any unauthorised land use/building work	Y	**N**	If Yes, explain				

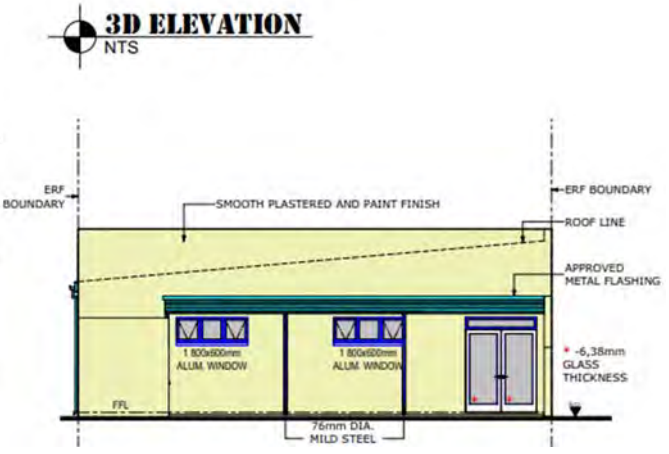
PART C: LIST OF APPLICATIONS (TICK APPLICABLE)							
Rezoning	✓	Permanent departure		Temporary departure	✓	Subdivision	
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a home owner's association		Rectify failure by home owner's association to meet its obligations		Permission for the reconstruction of an existing non-conforming use			

PART D: BACKGROUND

The intention of the application is to legalise the existing shop on erf 322, Kalbaskraal. The original development proposal indicates the new shop being up to 0m on the side boundaries (eastern and northern boundaries) of the property. See the floor plan and photo of the shop below.



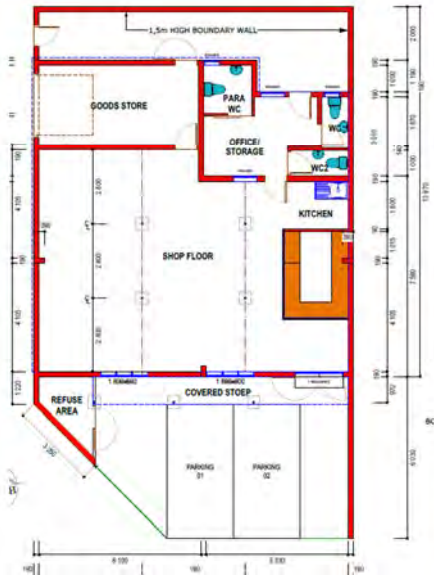






Comments from the Department: Civil Engineering Services indicates that there is a mid-block sewerage line running between erven 322 and 295. The department did not support the departure of the building line on that boundary. This resulted in the development proposal being amended. Please see below the amended site/floor plan.









Please note that if approval is obtained the existing buildings will be demolished and a new building will be erected.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)			
Has pre-application consultation been undertaken?	Y	**N**	

PART F: SUMMARY OF APPLICANT'S MOTIVATION

The land use application can be motivated on the basis of the following:

- The proposed development complies with Swartland SDF.
- The proposed development enhances the principles of LUPA and SPLUMA.
- The proposal complies with the Swartland Planning By-law.
- The property is already used for commercial purposes (shop). The proposed rezoning will formalise the existing use. With the approval of this application, the existing structure will be demolished and a new building erected.
- The proposal will enhance economic growth of the area.
- The shop provides easy access to basic needs to the residents in the surrounding area, where vehicle transport is not always available.

PART G: SUMMARY OF PUBLIC PARTICIPATION

Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?	**Y**	N

The application was advertised in the local newspapers and Provincial Gazette and a total of 22 notices which were send to affected parties. 20 of the notices were delivered by hand and 2 notices were send via email.

The application was also send to Eskom and the Department of Infrastructure for comments. No comments were received within the permitted commenting period.

The public participation process started on 9 September 2025 and ended on 13 October 2025 for affected parties and on 10 November for external departments.

The objections were sent to the applicant for comments on 15 October 2025. The comments from the applicant on the objection was received on 24 October 2025.

Total valid comments	**12**			Total comments and petitions refused		**0**	
Valid petition(s)	Y	**N**	If yes, number of signatures	N/A			
Community organisation(s) response	Y	**N**	Ward councillor response	Y	**N**	Comment was requested but no comment received.	
Total letters of support	**0**						

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

1. Department Civil Engineering Services

a) Sewerage

The existing connection be used and that no additional connections be provided.

b) Water

The existing connection be used and that no additional connections be provided.

c) Streets & Stormwater

That delivery be made with a vehicle whose GVM does not exceed 16 000kg.

d) Other comments

That development charges be made as follows:

Water R1 519,01
Bulk Water R2 704,13
Sewer R826,54
WWTW R896,03
Roads R8 663,22

2. Division Building Control

a) Building plans be submitted to the Senior Manager: Development Management for consideration and approval for the conversion of the dwelling into offices.

Department of Infrastructure – Dated 21 November 2025

This Branch offers no objection to the proposal in terms of the Land Use Planning Act 3 of 2014.

West Coast District Municipality – Dated 11 September 2025

1. The existing shop complied with requirements of Regulation 638 of 22 June 2018, Regulations Governing General Hygiene Requirements for Food Premises, the Transport of Food and Related Matters under the Foodstuffs, Cosmetics and Disinfectants Act 1972 (Act 54 of 1972);
2. A valid Certificate of Acceptability was issued to this food premises.

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL COMMENTS ON THE OBJECTIONS
Lubabalo Marhobobo	1. I do not give permission for the shop to be opened.	1. Noted. The proposal supports the Swartland Spatial Development Framework, and is located along an activity corridor, which accommodate higher order uses. The following are extracts from the SDF: • Allow house shops/home occupation in residential areas. • Allow for mixed uses along activity corridors and activity streets. • Support integrated development and mixed uses in neighbourhoods. • Create affordable and integrated commercial properties in previously disadvantaged neighbourhoods to allow access to opportunities. The proposed neighbourhood shop aligns well with the Municipality's Spatial Development Framework (SDF) by promoting integrated, accessible, and sustainable land use within the residential fabric of the area. Firstly, the development supports the SDF's directive to allow shops in residential areas, enabling small-scale commercial activity that serves the daily needs of the local community. Secondly, the shop is strategically located within an area that functions as an activity corridor in line with the policy to encourage mixed uses along such routes, thereby enhancing accessibility and street vitality. Furthermore, the shop contributes to integrated development and mixed-use neighbourhoods, which the SDF prioritises to create inclusive, walkable urban environments.	1. Noted. The comments from the applicant is supported.

		Finally, by offering a small, accessible commercial space within a rezoned property in an established area, the proposal advances the SDF's goal to create affordable and integrated commercial opportunities, particularly within historically underserved communities, thereby expanding access to local economic participation and essential services.	
Brendon Kotella C Goliath M. Solomans A & AE Lewis CR Abrahams F Toontjies	2. This is a residential area and not a business node. We are members of the community development committee. We do not support the application for the shop. The area in front of the shop has become a gathering place for youth who drink and use drugs, and there has even been an incident of gunfire there. There is no control over the shop.	2. The proposed business activity is directly in line with the SDF, which encouraged this type of development within the area. While the community's concerns about safety and public order are entirely understandable, it is important to recognize that this application process is focused on assessing the land use and compliance aspects of the proposed business, not law enforcement matters. Issues relating to crime, antisocial behaviour, or disorder fall under the mandate of the South African Police Service (SAPS) and other relevant authorities. Therefore, any unlawful activity occurring in the vicinity should be reported to SAPS for appropriate action, while the business application itself should be evaluated on its planning merits and alignment with the SDF's vision for sustainable community development.	2. Erf 322 is situated on Rivier Street which is an activity corridor. Mixed uses, including business and residential land uses, can be accommodated along the activity corridor. The proposed business use is therefore in compliance with spatial planning of Kalbaskraal. The owner of the shop have a responsibility to manage the business in such a manner as to not cause any disturbance to the neighbouring properties. This shop is located in residential area and are subject to the social contract between residents. The function of a residential neighbourhood is first and foremost to provide a safe and secure place for families and households to live. If the presence of the neighbourhood business notably disrupts the health and safety of the surrounding residents, both Law Enforcement and the SAPD may be contacted in terms of nuisance By-Laws. Non-compliance with the requirements set by any of the sectors concerned, will cause administrative actions to be taken against the owner immediately.
Danicke Smith CR Abrahams	3. Criminal elements surrounding the shop: • There is no safety when going to buy groceries at that shop	3. Noted. Refer to point 2.	3. See the comments at point 2.

	• criminals hang there day and smoke dagga in front of that shop • no order or fear of safety is implemented in front of the shop. Shop is a magnet for gang violence: • all criminal gather in front of that shop. • There had been incidents of shooting and fighting in front of that shop. I am a resident in this street and am against the shop being renovated. Please consider my complaints.		
Kalbaskraal Gemeenskap	4. The municipality will have to investigate the shop, as unlawful activity may occur there in front of the shop.	4. Noted. As mentioned in point 2, this is a police matter and not a town planning issue.	4. Any criminal activities must be dealt with by the municipal law enforcement or SAPS. This land use application is evidence that the owner intends to legalise the shop in terms of land use rights.
L Diedericks	5. No, because the children will be unsafe in the area.	5. Noted.	5. Noted.
Johanna	6. The shop's bins and boxes end up in my yard, and young children sit there all day. Fights often break out, with groups bringing guns, knives, and pangas, threatening people and hiding drugs in the shop.	6. Noted. Refer to point 2.	6. See the comments at point 2.

PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

An application for rezoning of erf 322, Kalbaskraal in terms of section 25(2)(a) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) has been received. It is proposed that erf 322 (227m² in extent) be rezoned from Residential Zone 2 to Business Zone 2 in order to legalise the existing shop on the premises.

The application for the departure of development parameters on erf 322, Kalbaskraal, in terms of section 25(2)(b) of Swartland Municipality : Municipal Land Use Planning By-law (PK 8226 of 25 March 2020) has been received. The departure entails the following :

- Departure of the 3m side building line (eastern boundary) to 0m;
- Departure of the 3m side building line (northern boundary) to 2m;
- Departure of the required 5 on-site parking bays to 2;
- Departure to allow access to the erf within 5m of the splay.

The application was advertised in the local newspapers and Provincial Gazette and a total of 22 notices which were send to affected parties. 20 of the notices were delivered by hand and 2 notices were send via email.

The application was also send to Eskom and the Department of Infrastructure for comments. No comments were received within the permitted commenting period.

The public participation process started on 9 September 2025 and ended on 13 October 2025 for affected parties and on 10 November for external departments.

The objections were sent to the applicant for comments on 15 October 2025. The comments from the applicant on the objection was received on 24 October 2025.

The Division: Land Use & Town Planning is now in the position to present the application to the Swartland Municipal Planning Tribunal for decision making.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

a) Spatial Justice: Erf 322 is situated on Rivier Street which is an activity corridor. Mixed uses, including business and residential land uses, can be accommodated along the activity corridor. The proposed business use is therefore in compliance with spatial planning of Kalbaskraal. The application complies with the principle of spatial justice.

b) Spatial Sustainability: The propose business use on an activity corridor is seen strengthening the corridor, making Kalbaskraal a more spatially compact, resource-efficient town. Existing infrastructure are deemed sufficient to accommodate the proposed neighbourhood shop. The application complies with the principle of spatial sustainability.

c) Efficiency: The proposed land use change contributes to achieving the desired mix of land uses along the activity corridor, in other words, strengthening the business uses along the corridor. The application complies with the principle of efficiency.

d) Good Administration: The application was communicated to the affected landowners through registered mail and was advertised in the local newspapers and Provincial Gazette. The application was also circulated to the relevant municipal departments for comment. Consideration was given to all correspondence received and the application was dealt with in a timeous manner. It is therefore argued that the principles of good administration were complied with by the Municipality.

e) Spatial Resilience: The application is proof that the owner intends to legalise the existing shop which consist of mostly building work without building plan approval. The existing structures will be demolished and a new shop will be build which will improve the shopping experience of the shop. The change of use from residential to business reflects to the need for business activities from when the dwelling was originally build in 1999.

2.3 Spatial Development Framework(SDF)

Erf 322 is situated on Rivier Street which is an activity corridor. Mixed uses, including business and residential land uses, can be accommodated along the activity corridor. The proposed business use is therefore in compliance with spatial planning of Kalbaskraal.

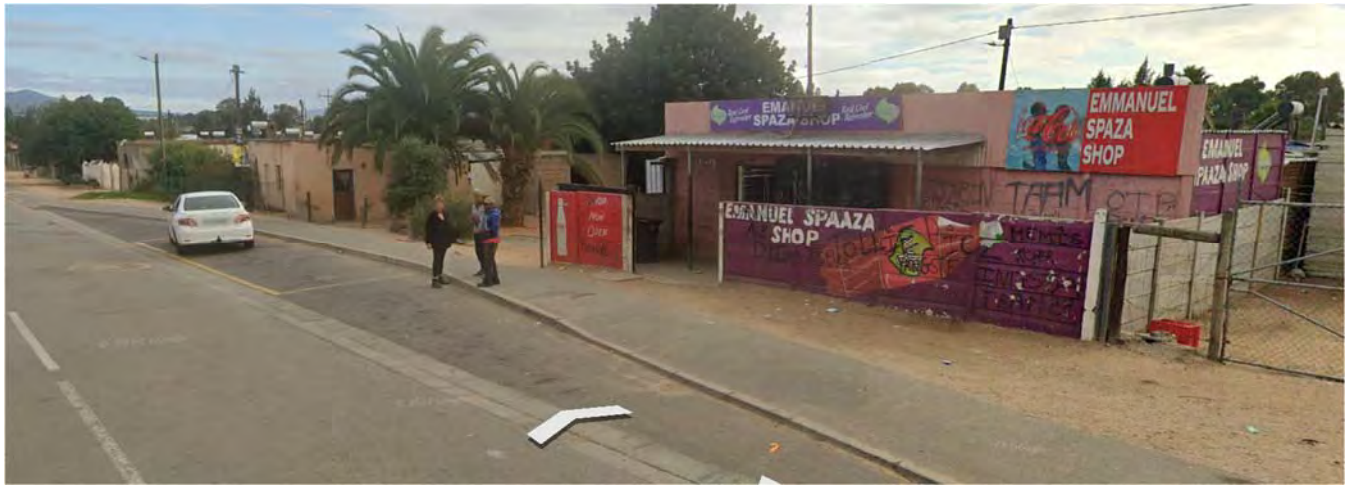
2.4 Schedule 2 of the By-Law: Zoning Scheme Provisions

The existing structures will be demolished.

The proposed shop is optimised in terms of size. The placement of the proposed shop results in departure of side building lines to 2m and 0m respectively. No objections were received regarding the departure of the development parameters. The impact on the adjoining erven is deemed to be low.

Only 2 of the required 5 on-site parking bays can be provided. Most of the clients of the shop will visit the shop by foot. The provision of the 2 parking bays are therefore deemed sufficient.

The size, shape and street front (Rivier Street) of erf 322 makes it impossible to provide access to the property without obtaining access closer than 5m to the splay. Access from Kokkewiet Street is not desirable is it is a cul-de-sac and has a residential character. The bus parking area next to erf 322 will not affect the access to the property. See the bus parking area in Rivier Street below. The proposed access for Rivier Street to Erf 322 is supported.



2.5 Desirability of the proposed utilisation

Erf 322, Kalbaskraal is zoned Residential zone 2 and is developed with a dwelling which will be demolished. The property has no physical restrictions which may impact negatively on this application.

The character of the surrounding area is mainly residential with the closest business use being ±120m away on erf 293. The house shop on erf 293 does not consist of land use approval. The business uses on Rivier Street, which is an activity corridor, is deemed not to be out of character with the area.

The shop on erf 322 has been in operation for many years. Legalising the business use and buildings will result in the continued use of the property for business purposes.

The impact of the proposed business on Rivier Street is deemed low.

There are no conditions in the title deed which are restrictive to the property being use for business purposes.

Existing municipal services to the property is deemed sufficient in order to accommodate the proposed business use.

The proposed use is in compliance with the spatial planning of Kalbaskraal.

The impact of the departures from the development parameters are deemed to be low.

The owner of the shop have a responsibility to manage the business in such a manner as to not cause any disturbance to the neighbouring properties. Law Enforcement and the SAPD may be contacted if any nuisance or unlawful activities take place at the shop.

3. Impact on municipal engineering services

Existing services are deemed sufficient to accommodate the proposed business use.

4. Comments of organs of state

See part H.

5. Response by applicant

See Annexure M.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights

N/A

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal

N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended

N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some rights

N/A

PART L: RECOMMENDATION WITH CONDITIONS

A. The application for the rezoning of erf 322, Kalbaskraal be approved in terms of Section 70 of the By-law, subject to the following conditions:

1. TOWN PLANNING AND BUILDING CONTROL

(a) Erf 322 be rezoned from Residential zone 2 to Business zone 2 in order to legalise the existing shop on the property;
(b) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
(c) At least 2 parking bays be provided on site as presented in the application. 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) Vehicle access to erf 322 be restricted from Rivier Street;
(e) Application for an advertising sign to the building be submitted to the Senior Manager: Development Management, for consideration and approval;
(f) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
(g) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
(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 shop may not result in congestion/obstruction along Rivier Street;

(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;

2. WATER

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

3. SEWERAGE

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

4. STREETS AND STORMWATER

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

5. DEVELOPMENT CHARGES

a) The owner/developer is responsible for a development charge of R2 704,13 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 R1 519,01 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 R826,54 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 R896,03 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 R8 663,22 towards roads, 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) 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. The application for the departure of development parameters on erf 322, Kalbaskraal be approved in terms of Section 70 of the By-law, as follows:

1. Departure of the 3m side building line (eastern boundary) to 0m;
2. Departure of the 3m side building line (northern boundary) to 2m;
3. Departure to allow access to the erf within 5m of the splay.
4. Departure of the required 5 on-site parking bays to 2.

<u>The departure is subject to the following condition:</u>

A financial contribution for the non-provision of on-site parking be made equal to the estimated market value per m² of the land on which the building is erected, multiplied by the area in m² of the land which is required to be provided.

The market value of the land is R130 x 72,5m² (3 parking bays) =R9 425,00

The contribution be paid at building plan stage.

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

PART M: REASONS FOR RECOMMENDATION

1. The property does not consist of any physical restrictions which may impact negative on the application.
2. The impact of the proposed business on Rivier Street is deemed low.
3. There are not restrictions in the title deed which prevents the property to be used for business purposes.
4. Existing services are deemed sufficient to accommodate the proposed offices.
5. Erf 339 is situated on Rivier Street (activity corridor) which makes the proposed business use in compliance with the spatial planning of Kalbaskraal.
6. The application complies with the principles of SPLUMA and LUPA.
7. The impact of the building line departures on the adjoining erven are deemed low.
8. Most of the clients of the shop will be pedestrians which makes the departure from the required on-site parking acceptable.
9. Access to erf 322 from Rivier Street is closer than 5m of the splay which cannot be avoided due to the size, shape and street front (Rivier Street) of the erf.
10. No objections were made against the departure of development parameters of the proposed new shop building.

PART N: ANNEXURES

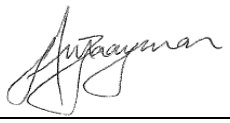
Annexure A	Locality Plan
Annexure B	Site development plan
Annexure C	Plan indicating the public participation process
Annexure D	Plan indicating the position of the objectors
Annexure E	Objection from Lubabalo Marhobobo
Annexure F	Objection from Brendon Kotella
Annexure G	Objection from Danicke Smith
Annexure H	Objection from Kalbaskraal Gemeenskap
Annexure I	Objection from M Solomons
Annexure J	Objection from A & AE Lewis
Annexure K	Objection from L Diedericks
Annexure L	Objection from Johanna
Annexure M	Objection from CR Abrahams
Annexure N	Objection from M Prins
Annexure O	Objection from F Toontjies
Annexure P	Objection from C Goliath
Annexure Q	Comment from the applicant on the objections
Annexure R	Letter from the Department of Infrastructure
Annexure S	Letter from the West Coast District Municipality

PART O: APPLICANT DETAILS

First name(s)	CK Rumboll & Partners – NJ de Kock			
Registered owner(s)	TH Anamo & BE Wachomo	Is the applicant authorised to submit this application:	**Y**	N

PART P: SIGNATURES

Author details: AJ Burger Manager Town & Regional Planning SACPLAN: B/8429/2020		Date**:** 2 February 2026 2026

Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN: B/8001/2001	Recommended	✓	Not recommended	
		Date: 2 February 2026		

Locality plan

ANNEXURE A



Proposed rezoning and departure

Erf 322, Kalbaskraal

Locality plan

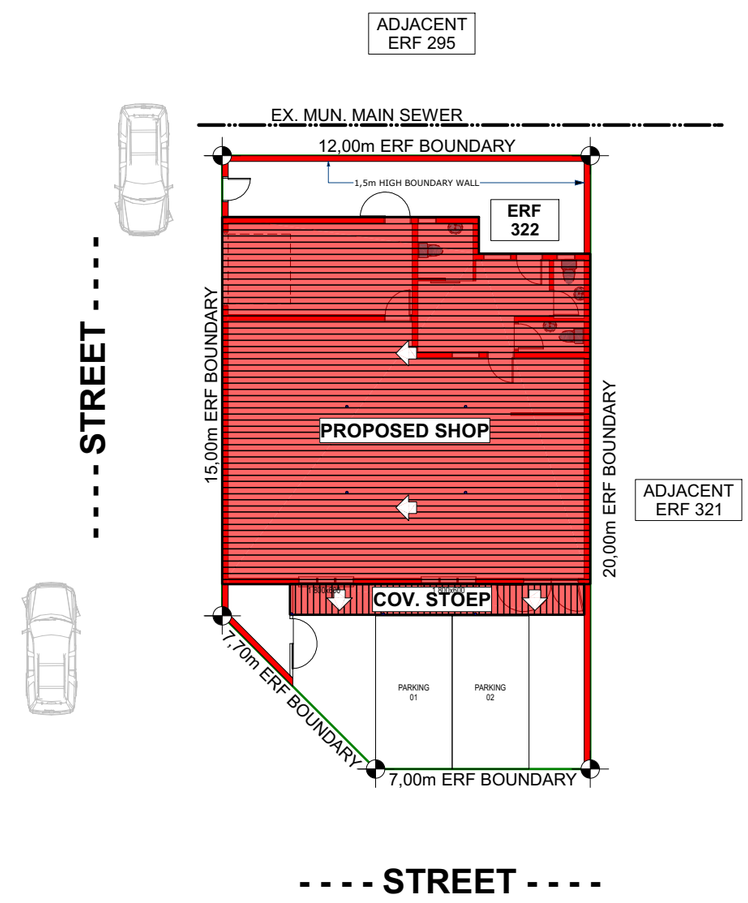
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PROJECT DESCRIPTION

OCCUPANCY =F2 - SMALL SHOP

AREA OF ERF	228m²
PROPOSED SHOP	139m²
PROP. COV. STOEP	10m²
COVERAGE PERCENTAGE =	65%



SITE PLAN
Scale 1:200

STORMWATER DISPOSAL (TO COMPLY WITH PART R OF SANS 10 400)
ALL STORMWATER FROM ROOFS AND SITE TO BE CHANNELED TO NEAREST COLLECTION POINT IN ADJACENT STREET. IF NOT POSSIBLE, STORMWATER MUST BE CHANNELED OVER THE LOWER LYING PROPERTY WITH THE CONSENT OF THE REGISTERED OWNER IN ORDER TO REACH THE STREET.

FENESTRATION NOTE: (TO COMPLY WITH PART XA OF SANS 10 400)
50% OF POWER USAGE FOR HEATING OF WATER, TO BE NON-ELECTRICAL IN TERMS OF SANS 10400 AND SANS 204 (ENERGY EFFICIENCY IN BUILDINGS). ALL WARM WATER PIPING THAT IS NOT INSTALLED IN WALLS OR EMBEDDED IN CONCRETE, MUST BE SUFFICIENTLY INSULATED. WARM WATER CYLINDER MUST BE INSTALLED BY A PROFESSIONAL PLUMBER.

AN ISOLATION BLANKET OF AT LEAST 100MM IN THICKNESS, TO BE LAID OVER ALL CEILINGS IN ORDER TO ASSIST WITH THE ACHIEVEMENT OF REQUIRED FENESTRATION IN TERMS OF SECTION XA OF SANS 10400

NOTES:

LEGAL REQUIREMENTS:

- Dimensions, descriptions & quantities on these drawings to be verified on site before ordering material or commencing with work.
- All work to be carried out in strict accordance with the National Building Regulations & Standards Act (Act 103 of 1977 & SANS 10400)
- All timber sizes & grades to be verified & approved by supplier's engineer.
- All trusses to be in accordance with supplier's / engineer's design & approval by client.
- All materials to be built in/ applied strictly in accordance with manufacturers specifications and instructions.
- All local authority, utility service provider requirements to be established in advance and adhered to.
- All boundary pegs to be located, and marked before work is taken in hand.
- Any discrepancies between these drawings & legislation, local authority, utility service provider & good construction practice to be referred to the Architectural Technologist / Designer before construction commences.
- Any aspect deemed to be unclear to be referred to the Architectural Technologist / Designer for clarity.
- These drawings do not constitute a comprehensive specification for the works.
- No dimensions to be scaled from these drawings.

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NOTES

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Project:
PROPOSED NEW SHOP ON ERF 322 AT RIVIER STREET KALBASKRAAL, 7299

Client:
TADDY ANAMO
RIVIER STREET
KALBASKRAAL

Client Signature:

.....

The Client hereby agrees to Professional Architectural services up to 4.1 of Stage 4

SENIOR ARCH. TECHNOLOGIST
SACAP REG. NO. PSAT1550
(L. J. SWARTS: **SAIAT 3300**)

JC Architecture

Jacques Swarts
06 Koker Avenue
Malmesbury
7300
071 918 2082

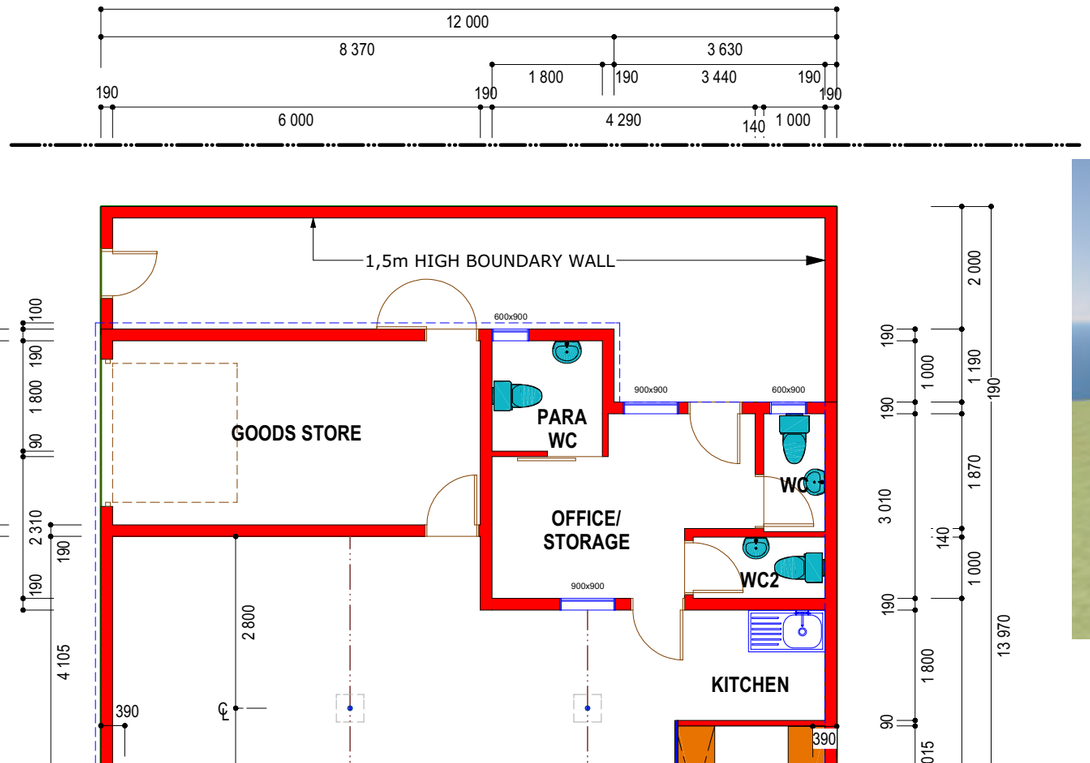
Cassiem Jacobs
145 Church Street
Worcester
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Drawing Title:
MUNICIPAL SUBMISSIO[illegible]

ANNEXURE B

Drawing Number:
JC2025-14[illegible]

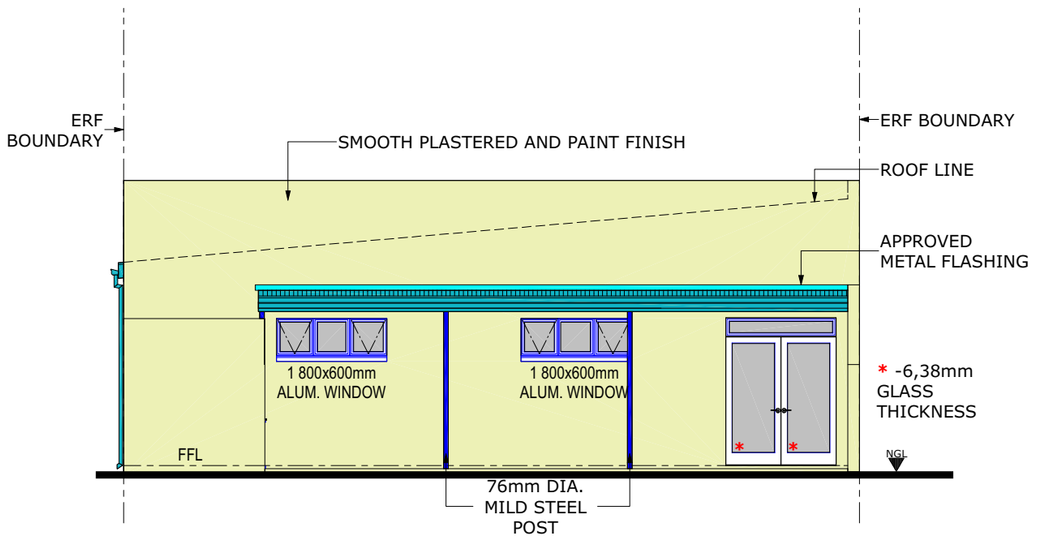
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DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	1 of 8



GROUND FLOOR PLAN
Scale 1:100



3D ELEVATION
NTS



FRONT ELEVATION
Scale 1:100

All drawings.dimensions and quantities must be checked before any materials are ordered or any building work commences. Any discrepancies must be brought under the attention of the Architectural Technologist immediately.

Project:
PROPOSED NEW SHOP ON ERF 322 AT RIVIER STREET KALBASKRAAL, 7299

Client:
TADDY ANAMO
RIVIER STREET
KALBASKRAAL

Client Signature:

.....

The Client hereby agrees to Professional Architectural services up to 4.1 of Stage 4

SENIOR ARCH. TECHNOLOGIST
SACAP REG. NO. PSAT1550
(L. J. SWARTS: **SAIAT 3300**)

JC Architecture

Jacques Swarts
06 Koker Avenue
Malmesbury
7300
071 918 2082

Cassiem Jacobs
145 Church Street
Worcester
6850
071 959 6309

Drawing Title:
MUNICIPAL SUBMISSION

Drawing Number:
JC2025-147

SCALE:	AS SHOWN
DATE:	2025/11/27
DRAWN BY:	Izaidt Stuurman
CHECKED BY:	Jacques Swarts
PAGE NO:	2 of 8

Liggingsplan

ANNEXURE C

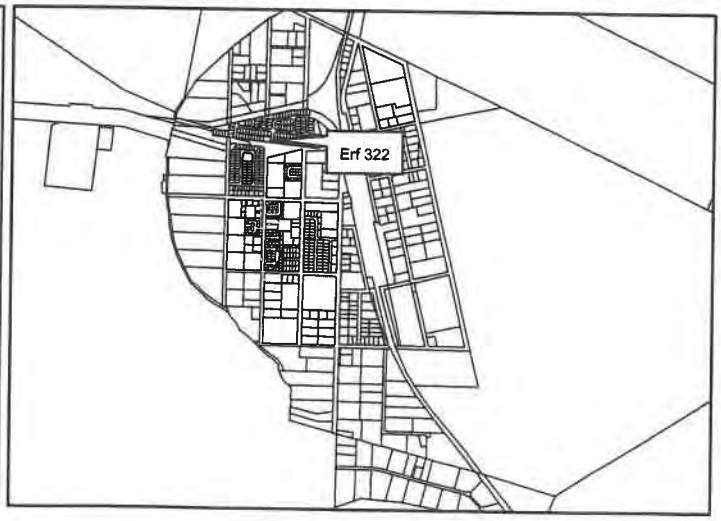


Voorgestelde hersonering en afwyking van ontwikkelingsparameters

Erf 322, Kalbaskraal

Publieke deelname

Skaal: NVT



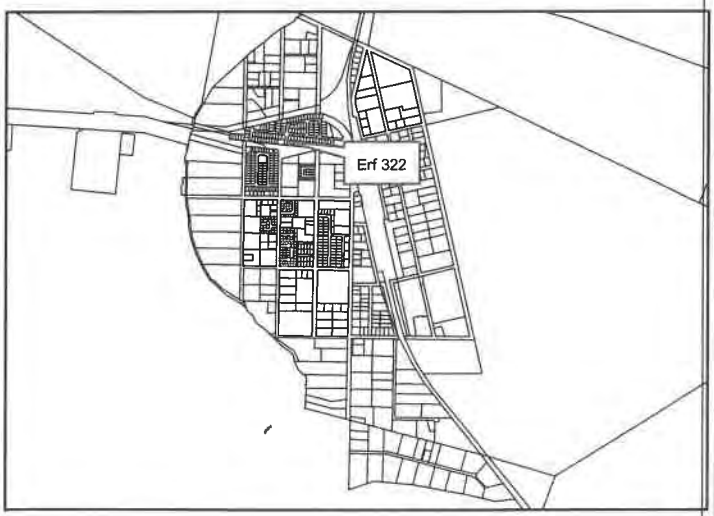
Position of objectors

ANNEXURE D



Plan indicating the position of objectors which could be identified as no addresses or erf numbers were provided

Scale: N/A



ANNEXURE E

-I do not give permission for the Shop to be opened.

- LUBABALO MAKHOBOBO

-

MUNISIPALITEIT SWARTLAND | EG

LêerNo: 15|3|3-6|Erf_322

Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
a Del				

Ander Opdrag: 15|3|4-6|Erf_322

SPERDATUM: (get)BK

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

ANNEXURE F

Goeiedag
Ek Brendon Ketella is gemeentskap Ontwikkelaar
Sien nie saam met die groot maak veem die
winkel nie; met die feit dat nou paar dae
skiet voorvalle plaasgevind met voor die winkel
en dat ek elke dag tot laat nag sien dat
Jong meisies en Seun dagga. Rook en lekke talle
gebruik en dis voor Ouer persone en Self
klein kinders ek het dit reeds deer gegee
na wetstoepassers dan ook pis die mense
by die winkel en die JongSeuns wat daar
staan steek hulle messe weg in die
uniforms dom dit is wat ek sien en Sondae
drink hulle en gaan aan voer winkel
na dit soek van hulle probleme saam
ander persone en onnodig ek het al
klagtes gekry wat die Seuns onnodig
mense uitvaard ek wil ook laat die
polisies en law Enforsment toeskaan op dai
Jong Seuns vir drug wat hulle op hulle
het
van: Brendon Ketella Kontak: 061 35 96415

Danicke Smith

08/10/25

ANNEXURE G

MUNISIPALITEIT SWARTLAND REG

LEER No:	5	3	3-6	Erf 322	
Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar	
SSSB					
Del					
Ander Opdrag: 5|3|4-6|Erf 322				(get)BK	
SPERDATUM:					

25 / 288 Rivier street
Kalbas kraal
7302

To Whom it may concern.

Complaints about shop in Rivier street

① Criminal elements surrounding the shop
- There is no safety when going to buy groceries at that shop
- criminals leave their drugs and smoke drugs in front of that shop
- no order or form of safety is implemented in front of the shop.

② Shop is a magnet for gang violence.
- all crimnals gather in front of that shop.
- There has been incidents of shootings and fightings in front of that shop.

I am a resident in this street and am ~~not~~ against the shop being renovated. Please concider my complaints

Thank you in advance.

DSmith.

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

ANNEXURE H

MUNISIPALITEIT SWARTLAND | REG

LEER No: 15|3|3-6 | Erf_322				
Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
Oe				
Ander Opdrag: 15|3|4-6 | Erf_322				
SPERDATUM:				(get)Bk

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

U-hulle sal regtig die winkel moet ondersoek ek weet dis nie my plek om u-hulle te sê nie maar regtig dit wat by die winkel aangaan is nie n mooi sig vir Ica/Bosbraai se gesig nie dis in die hoofstraat en hoe die Jongmanne daar aangaan is regte nie mooi nie geen respek vir niemand nie ek vra regte mooi om die Jongspan te kom vas dat as hulle die wet sien beweeg nalle, kan u-hulle met private karre kom voor u-hulle die verk kom doen

Anoniem.

Kalbaskraal gemeenskap

WEST COAST COLLEGE
WESKUS KOLLEGE

ANNEXURE I

Nie tengunste met ontwikkeling want in woon area is woon area. Besigheids area is besigheids area.

Ons kleinkinders se lewens is in gevaar as jy in gaan by shop dan ry dit gedurig na dagga want die kinders rook. M. Sdanors voor die winkel deur daggar. en drink wyn, hulle het geen respek vir Ouer mense. Die eienaar van winkel kan nie eens die jongspan aanspreek nie, hulle dobbel tot laat aand voor die shop.

MUNISIPALITEIT SWARTLAND

LEER No: 15 3 3 - 6 Erf 322

Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
oel				

Ander Opdrag: 15 3 4 - 6 Erf. 322

SPERDATUM:

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

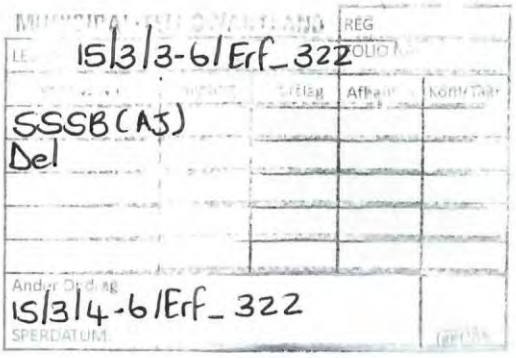
My. redes hoekom die winkel nie groter gemaak kan word. nie.

ANNEXURE J

1 Die kinders rook dagga en okapyp voor die winkel.
2 Hulle sit op die deepfreeze
3 Die winkel is baie vuil en die rakke wat die brood op is. Agter die deepfreeze is net so ~~vuil~~ vuil.
4 Die bedel voor die winkel

Nee! o Nee! Nie 'n groter winkel nie asseblief!!!

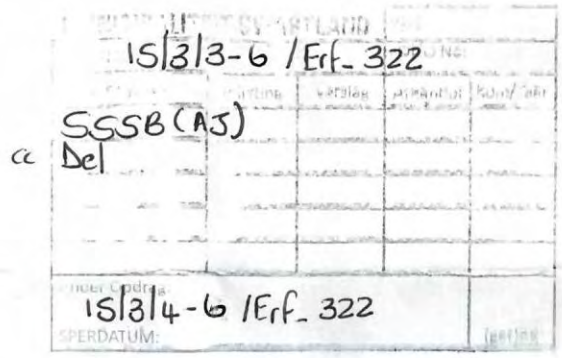
a. Lewis
a. E. Lewis



Nee, Van die kinders gaan onveilig wees in die plek.

L. Diedericks

ANNEXURE K



ANNEXURE L

Die winkel se papiere en bokse waai in my jaard
Die kinder (jong kinders) sit heel dag by die winkel
As hulle baklei is dit net hier by die winkel,
die boonse span kom af, dan is dit guns en
klippie, grawe en panjagas, Dan sien jy van die
onderste kant panga's en messe. Hl moet sien hulle
bêre hulle wapens ~~bêre hulle~~ in die winkel
onder die aartappels en suiker in die winkel,
Jan laaste hulle ook somig enige delms in
en bruite die winkel. Die mense in die winkel
is bang vir hulle. Hulle word in elk geval
gedreig met siggarette, as hulle nie gee nie
word hulle gedreig met messe,

Van
Johanna

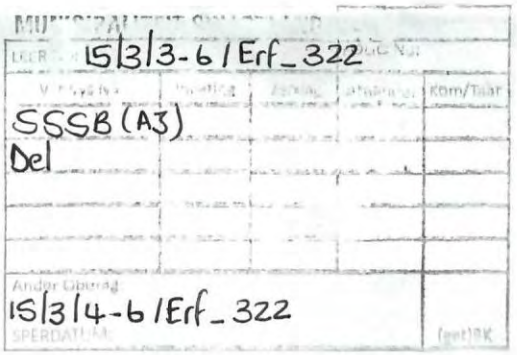
MUNISIPALITEIT SWARTLAND
LEER No: 15/3/3-6/Erf_322
Verwys Na | Inligting | Vers | Afhandel | Kop
SSSB (AS)
cc Del
Ander Opdrag
15/3/4-6/Erf_322
SPERDATUM:

ANNEXURE M

Nee.

Nie ten gunste van dit nie.
Vreemde diere en elemente sind plaas
Geen veiligheid vir gemeenskap.
Dit is 'n woongebied.
Geen privaatheid van eiendom.

G.R. Abrahams



ANNEXURE N

Nie tengunste met ontwikkeling
OM Rede vir onse Kinders want Hulle
Winkel nie het nie beheer oor die
M. Prins



Ek gee nie my toestemming om die winkel groter te maak nie, want daar gebeur te veel dinge by die winkel.

ANNEXURE O

MUNISIPALITEIT SWARTLAND

LEER No: 15|3|3-6|Erf_322

Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
Del				

Onder Opdrag: 15|3|4-6|Erf_322

SPERDATUM

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

ANNEXURE P

Woon area is Woon area nie
besigheids area nie

Die jongkinders rook dagga en
drink wyn voor winkel en het
geen respek vir ouer mense.
As jy met die eienaars praat
oor die dagga rokery voor
die winkel dan worry hulle
nie. Ons is moeg vir die
dinge, as die eienaar van shop
nie eens met die jongspan
kan praat nie, dan is ons
kleinkinders in gevaar dit is
nie veilig vir hulle nie.

Keur af
Nee

C. Goliath

C. Goliath

MUNISIPALITEIT SWARTLAND | REG

LEER No: 15|3|3-6|Erf_822

Verwys No	Inligting	Verslag	Afhandel	Kom/Taar
SSB				
bel				

Ander Opdrag: 15|3|4-6|Erf_822

SPERDATUM: [eet1R]

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

MUNISPALITEIT SWARTLAND
REG
15 3 3-6 Erf-322
Verwys Na | Inligting | Verslag | Afhandel | Kom
SSSB
a bel
Onder Opdrag:
15|3|4-6|Erf_322
SPERDATUM
(get)BK

ANNEXURE Q

CK RUMBOLL &
VENNOTE / PARTNERS

PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: **24 October 2025** OUR REF: **RK/13306/NJdK**

PER HAND

Attention: Mr A Zaayman

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

Sir

COMMENTS ON OBJECTIONS

PROPOSED REZONING AND DEPARTURE ON ERF 322, KALBASKRAAL

Your letter dated 15 October 2025 refers (see annexure A attached). Please find attached our comments to objections.

This office has been instructed by the owner of Erf 322 to handle all town planning actions regarding the application for rezoning and departure on Erf 322, Kalbaskraal.

During the public participation period, comments were received from the following objectors:

- Lubabalo Marhobobo
- Brendon Kotella
- C Goliath
- Danicke Smith
- Kalbaskraal Gemeenskap
- M Solomans
- A & AE Lewis
- L Diedericks
- Johanna
- CR Abrahams
- M Prins
- F Toontjies

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 31
RECEIVED

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845

Objector	Objection	Comment from CK Rumboll & Partners
Lubabalo Marhobobo	1. I do not give permission for the shop to be opened.	1. Noted. The proposal supports the Swartland Spatial Development Framework, and is located along an activity corridor, which accommodate higher order uses. The following are extracts from the SDF: • Allow house shops/home occupation in residential areas. • Allow for mixed uses along activity corridors and activity streets. • Support integrated development and mixed uses in neighbourhoods. • Create affordable and integrated commercial properties in previously disadvantaged neighbourhoods to allow access to opportunities. The proposed neighbourhood shop aligns well with the Municipality's Spatial Development Framework (SDF) by promoting integrated, accessible, and sustainable land use within the residential fabric of the area. Firstly, the development supports the SDF's directive to allow shops in residential areas, enabling small-scale commercial activity that serves the daily needs of the local community. Secondly, the shop is strategically located within an area that functions as an activity corridor in line with the policy to encourage mixed uses along such routes, thereby enhancing accessibility and street vitality. Furthermore, the shop contributes to integrated development and mixed-use neighbourhoods, which the SDF prioritises to create inclusive, walkable urban environments. Finally, by offering a small, accessible commercial space within a rezoned property in an established area, the proposal advances the SDF's goal to create affordable and integrated commercial opportunities, particularly within historically underserved communities, thereby expanding access to local economic participation and essential services.

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845

Brendon Kotella C Goliath M. Solomans A & AE Lewis CR Abrahams F Toontjies	2. This is a residential area and not a business node. We are members of the community development committee. We do not support the application for the shop. The area in front of the shop has become a gathering place for youth who drink and use drugs, and there has even been an incident of gunfire there. There is no control over the shop.	2. The proposed business activity is directly in line with the SDF, which encouraged this type of development within the area. While the community's concerns about safety and public order are entirely understandable, it is important to recognize that this application process is focused on assessing the land use and compliance aspects of the proposed business, not law enforcement matters. Issues relating to crime, antisocial behavior, or disorder fall under the mandate of the South African Police Service (SAPS) and other relevant authorities. Therefore, any unlawful activity occurring in the vicinity should be reported to SAPS for appropriate action, while the business application itself should be evaluated on its planning merits and alignment with the SDF's vision for sustainable community development.
Danicke Smith CR Abrahams	3. Criminal elements surrounding the shop: • There is no safety when going to buy groceries at that shop • criminals hang there day and smoke dagga in front of that shop • no order or fear of safety is implemented in front of the shop. Shop is a magnet for gang violence: • all criminal gather in front of that shop. • There had been incidents of shooting and fighting in front of that shop. I am a resident in this street and am against the shop being renovated. Please consider my complaints.	3. Noted. Refer to point 2.

Kalbaskraal Gemeensk ap	4. The municipality will have to investigate the shop, as unlawful activity may occur there in front of the shop.	4. Noted. As mentioned in point 2, this is a police matter and not a town planning issue.
L Diedericks	5. No, because the children will be unsafe in the area.	5. Noted.
Johanna	6. The shop's bins and boxes end up in my yard, and young children sit there all day. Fights often break out, with groups bringing guns, knives, and pangas, threatening people and hiding drugs in the shop.	6. Noted. Refer to point 2.

We trust you will find the above in order when considering the application

Kind regards

NJ de Kock
For *CK RUMBOLL AND PARTNERS*

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845

Lêerverw: 15/3/3-6/Erf_322
15/3/4-6/Erf_322

Navrae:
Me D N Stallenberg

15 October 2025

C K Rumboll & Vennote
P O Box 211
MALMESBURY
7299

Email:planning2@rumboll.co.za

Dear Sir

OBJECTIONS: PROPOSED REZONING AND DEPARTURE OF ERF 322, KALBASKRAAL

Your application with reference KAL/133061/NJdK dated 23 July 2025 refers.

Kindly find attached the objections received by Lubabalo Marhobobo, Brendon Kotella, C Goliath, Danicke Smith, Kalbaskraal Gemeenskap, M Solomons, A & AE Lewis, L Diedericks, Johanna, C R Abrahams, M Prins and F Toontjies during the commenting period.

Your comment on the objections is requested within 30 days from the date of this letter in order for Swartland Municipality to make a decision.

Yours sincerely

MUNICIPAL MANAGER
per Department Development Services

/ds

- I do not give permission for the Slab to be closed

- SWARTLAND MUNICIPALITY

- [illegible]

MUNISIPALITEIT SWARTLAND

15|3|3-6|Erf 322

	Datum	Verslag	Afhanger	Kom/Taar
SSSB				
a del				

15|3|4-6|Erf 322 (gedeel)



Goeiedag
Ek Brendan Katella in gemeentskap Ontwikkelaar
Sien nie Saam met die groot mauk vaan die
winkel nie; net die feit dat nou paar dae
skiet voorvalle plaasgevind met voor die winke
en dat ek elke dag tot laat nag sien dat
Jong meisies en Seun dagga Rook en lekke talle
gebruik en dis voor Ouer persone en Self
klein kinders ek het dit reeds deur gegee
na wetstoepassers dan ook pis die mense
by die winkel en die Jong Seuns wet dan
staan steek hulle messe weg in die
vullis drom dit is wat ek sien en Sondae
drink hulle en gaan aan voor winkel
na dit soek vaan hulle probleme Saam
ander persone en onnodig ek het al
klagtes gekry wat die Seuns onnodig
mense uitvaard ek wil ook laat die
Polisies en law Enforsment toeskou op dat
Jong Seuns vir drug wat hulle op hulle
het
van Brendan Katella Kontak: 061 35 96415

Woon area is Woon area nie
besigheids area nie

Die jongkinders rook daggas en
drink wyn voor winkel en het
geen respek vir ouer mense.
As jy met die eienaars praat
oor die daggas rokery voor
die winkel dan worry hulle
nie. Ons is mos vir die
ouens as die eienaar van sla
nie kans met die jongspan
kan praat nie, ~~dan~~ is ons
kleinkinders in gevaar dit is
nie veilig vir hulle nie.

Kort af
Ivr
Goliath

C Goliath

MUNISIPALITEIT SWARTLAND

LEER No: 15|3|3-6|Erf 822

Werkvel N	Inligting	Verslae	Afhandel	Kom/Taar
SSB				
a bel				

15|3|4-6|Erf 822

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

Denecke Smith

08/10/25

MUNISIPALITEIT SWARTLAND				
LEER No: 5 3	3-6	Erf 322		
Verwys No	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
DEL				
Ander Opdrag: 5 3 4-6 Erf 322				
SPERDATUM:				(get)Bk

25 / 288 River street
Kalbas kraal
7302

To Whom it may concern

Complaints about shop in River street

① Criminal elements surrounding the shop
- There is no safety when going to buy groceries at that shop
- criminals legle their drugs and smoke drugs in front of that shop
- no order or form of safety is implemented in front of the shop.

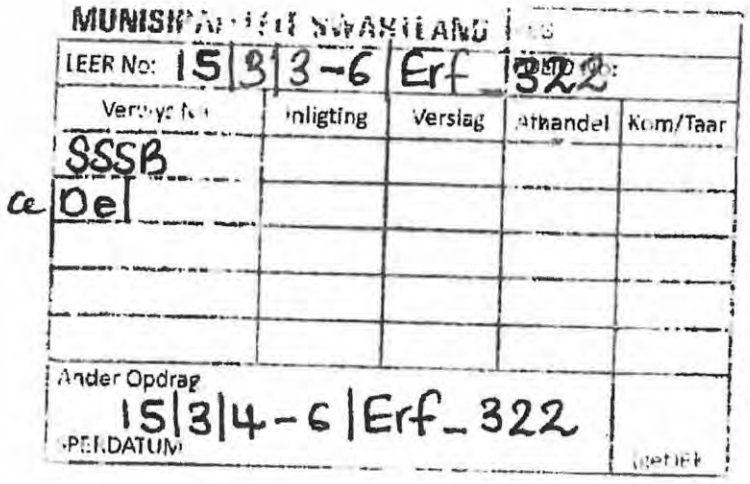
② Shop is a magnet for gang violence.
- all criminals gather in front of that shop.
- There has been incidents of shootings and fightings in front of that shop.

I am a resident in this street and am ~~not~~ against the shop being renovated. Please consider my complaints

Thank you in advance.

DSmith

Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED


MUNISIPALITEIT SWARTLAND
LEER No: 15|3|3-6 Erf_322
Verwys na
Inligting
Verslag
Afhandel
Kom/Taar
SSSB
ce De
Ander Opdrag
15|3|4-6 |Erf_322
OPENDATUM


Munisipaliteit Swartland Municipality
ONTVANG
2025 -10- 13
RECEIVED

U-hulle sal regtig die winkel moet onderskeie dit wat nie my plek om u-hulle te sê nie maar regtig dit wat by die winkel aangaan is nie in mooi sig vir Kalbaskraal se gesig nie dis in die hoofstraat en hoe die Jangmanne daar aangaan is regte nie mooi nie geen respek vir niemand nie en die vra regte mooi om die Jongspan te kom vas dat as hulle die wet sien beweeg nelle, kan u-hulle met private laerse kom voor u-hulle die werk kom doen

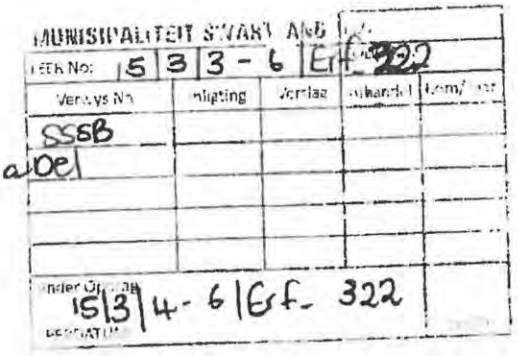
Antonieur.

Kalbaskraal gemeenskap

Nie teregunste met ontwikkeling want is woon area is woon area besigheids area is besigheids area.

Ons kleinkinders se lewens is in gevaa as jy in gaan by Step dan regt dit geet deurdag na dagga word die kinders rook.

11. Sokkers voor die winkel deur daggar en drink wyn, hulle het geen respek vir Ouel mense. Die eienaar van winkel kan nie eens die jongspan aanspreek nie, hulle dobbel tot laat daard voor die Step





My. redes hoekom die winkel nie groter gemaak kan word. nie.

1 Die kinders rook daggą en okapyp voor die winkel.
2 Hulle sit op die deepfreeze
3 Die winkel is baie vuil en die rakke wat die brood op is. agter die deepfreeze is net so vuil.
4 Die bedel voor die winkel

Nee! o Nee! Nie 'n groter winkel nie asseblief!!!

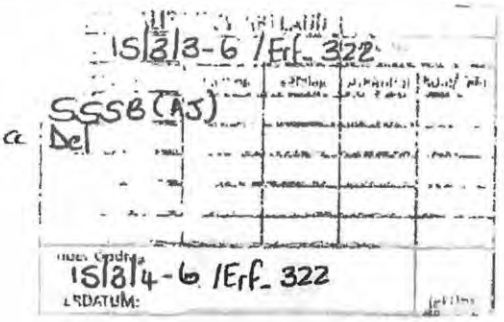
a. Lewis

a. & Lewis

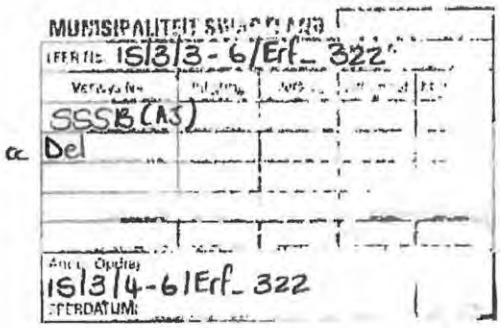


Nee, Van die kinders gaan onveilig wees in die plek.

L. Diedericks



Die winkel se papiere en bokse waai in my jaard
Die kinder (jong kinders) sit heel dag by die winkel
As hulle baklei is dit net hier by die winkel,
die boonste span kom af, dan is dit guns en
klippie, grawe en ranjaags, Dan sien jy van die
onderste kant rangaas en messe. Hl moet sien hulle
lêre hulle wapens ~~lêre hulle~~ in die winkel
onder die aartappels en suiker in die winkel,
Jan laaste hulle took somig enige delms in
en breke die winkel. Die mense in die winkel
is bang vir hulle. Hulle word in elk geval
gedreig met siggarette, as hulle nie gee nie
word hulle gedreig met messe,



Van
Johanna

Nee.

Nie ten gunste van dit nie.
Vreemde -dinge en elemente vind plaas
Geen veiligheid vir .gemeenskap.
Dit is 'n woongebied.
Geen privaatheid van eiendom.

G.R. Abrahams



Nie teengunste met ontwikkeling
om Rede vir onse Kinders want Hulle
Winkel nie het nie keuheer oor die
M. Prins



Ek gee nie my toestemming om die winkel groter te maak nie, want daar gebeur te veel dinge by die winkel.

F. Toontjies





ANNEXURE R

Western Cape Government

Department of Infrastructure
Vanessa Stoffels
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB -26/427 (Application No: 2025-10-0018)

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7299

Attention: Ms DN Stallenberg

Dear Madam

ERF 322, KALBASKRAAL: PROPOSED REZONING AND DEPARTURES

1. Your letter to this Branch referenced 15/3/3-6/Erf_322 dated 9 September 2025 refers.

2. The application affects Divisional Road 1138 for which this Branch is the Road Authority.

3. The proposal is for the following:

3.1. The rezoning of the subject property from Residential Zone 2 to Business Zone 2, to permit existing shop.

3.2. Departure of the northern and eastern building lines,

3.3. Departure of required parking bays from 6 to 2 bays,

3.4. Departure of coverage from 75% to 76%, and

3.5. To allow access within 5m of a splay.

4. This Branch offers no objection to the proposal in terms of the Land Use Planning Act 3 of 2014.

Yours Sincerely

DD FORTUIN
For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH
DATE: 21 NOVEMBER 2025

ENDORSEMENTS

1. Swartland Municipality

   Attention: Mr DN Stallenberg (e-mail: swartlandmun@swartland.org.za)

2. CK Rumboll & Planning

   Attention: Mr N de Kock (e-mail: planning2@rumboll.co.za)

3. District Roads Engineer Paarl

   (email: DREPaarl.Technical@westerncape.gov.za)

4. Mr D Fortuin (e-mail)

ANNEXURE S

WESKUS DISTRIKSMUNISIPALITEIT
WEST COAST DISTRICT MUNICIPALITY

Rig alle korrespondensie aan:
Address all correspondence to:

MUNISIPALE BESTUURDER/
MUNICIPAL MANAGER

Navrae/Enquiries : L Howburg
Verw.Nr./Ref. No.: 13/2/12/1/4

Posbus / P O Box 242
MOORREESBURG 7310

Telefoon/Phone
(022) 495 0460

E-Mail Adres/Address :
lkhowburg@wcdm.co.za

11 September 2025

MEMORANDUM

TO	FROM
D STALLENBERG **Division: Town Planning**	**L HOWBURG** **Division: Environmental Health**

Dear Madam

COMMENTS: PROPOSED REZONING AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 322, KALBASKRAAL

1. The existing shop complied with requirements of Regulation 638 of 22 June 2018, Regulations Governing General Hygiene Requirements for Food Premises, the Transport of Food and Related Matters under the Foodstuffs,Cosmetics and Disinfectants Act 1972 (Act No.54 of 1972).
2. A valid Certificate of Acceptability was issued to this food premises.

Yours faithfully

.....

Letitia Howburg
ENVIRONMENTAL HEALTH PRACTITIONER

Verslag ◆ Ingxelo ◆ Report

Kantoor van die Direkteur: Ontwikkelingsdienste
Departement: Ontwikkelingsbestuur

26 January 2026

15/3/3-8/Erf_680,327;
15/3/6-8/Erf_680,327;
15/3/10-8/Erf_680,327;
15/3/12-8/Erf_680,327

WYK: 10

ITEM 6.6 VAN DIE AGENDA VAN 'N MUNISIPALE BEPLANNINGSTRIBUNAAL WAT GEHOU SAL WORD OP WOENSDAG 11 FEBRUARIE 2026

LAND USE PLANNING REPORT

PROPOSED REZONING, SUBDIVISION, CONSOLIDATION AND CONSENT USE ON ERVEN 680 AND 327, MALMESBURY

Reference number	15/3/3-8/Erf_680,327; 15/3/6-8/Erf_680,327; 15/3/10-8/Erf_680,327; 15/3/12-8/Erf_680,327	*Application submission date*	22 October 2025	*Date report finalised*	27 January 2026

PART A: APPLICATION DESCRIPTION

Application is made for the rezoning of erf 680, Malmesbury, in terms of section 25(2)(a) of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020). It is proposed that erf 680 (9042m² in extent) be rezoned from a Split Zoning to Subdivision Area in order to make provision for the following land uses, viz. : Open Space Zone 2, Business Zone 1 and Transport Zone 2.

The application includes a rezoning of erf 327, Malmesbury in terms of section 25(2)(d) of the Swartland Municipality Municipal Land Use Planning By-law (PG 8226 of 25 March 2020). It is proposed that erf 327 (770,1666ha in extent) be rezoned from a Split Zoning to Subdivision area to make provision for the following land uses, viz. : Open Space Zone 2, Business Zone 1 and Transport Zone 2.

Application is therefore also made for subdivision of erf 680, Malmesbury in terms of section 25(2)(d) of the Swartland Municipality Municipal Land Use Planning By-law (PG 8226 of 25 March 2020). It is proposed that erf 680 (9042m² in extent) be subdivided into a remainder (6502m² in extent), portion A (973m² in extent) and portion B (1567m² in extent).

As well as the subdivision of erf 327, Malmesbury in terms of section 25(2)(d) of the Swartland Municipality Municipal Land Use Planning By-law (PG 8226 of 25 March 2020) in order to subdivide erf 327(770,1666ha in extent) into a remainder (768,9201ha in extent), portion A (11133m² in extent) and portion B (1512m² in extent).

Application is also made for the consolidation, in terms of section 25(2)(e) of Swartland Municipality: Municipal Land Use Planning By-law (PK 8226 of 25 March 2020). The consolidation entails the following:

- Consolidation of portion A of erf 680 with portion A of erf 327(creating an open space)
- Consolidation of portion B of erf 680 with portion A of erf 327(creating a business erf)

Lastly, application is made for a consent use for a place of entertainment on the consolidated business erf in terms of section 25(2)(o) of Swartland Municipality: Municipal Land Use Planning By-law (PK 8226 of 25 March 2020). The place of entertainment will be operated in the form of the existing squash courts.

The owner of the property is Swartland Municipality and the applicant is CK Rumboll and Partners

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Remainder of erf 680 and Erf 327					
Physical address	Corner of Voortrekker Road and Vrede Street (Please refer to the location plan attached as Annexure A)		Town	Malmesbury		
Current zoning	Split zoning	Extent (m²/ha)	770.167ha 9042ha	Are there existing buildings on the property?	**Y**	N
Applicable zoning scheme	Swartland Municipal By-Law on Municipal Land Use Planning (PG 8226 of 25 March 2020)					
Current land use	Both erven 327 & 680 are municipal commonage containing a number of land uses. For this particular area it includes roads, public parking, authority use as well as private open space.		Title Deed number & date	MMF2-2/1886 T61077/2002		

Any restrictive title conditions applicable	Y	**N**	If yes, list condition number(s)	
Any third-party conditions applicable?	Y	**N**	If yes, specify	
Any unauthorised land use/building work	Y	**N**	If yes, explain	

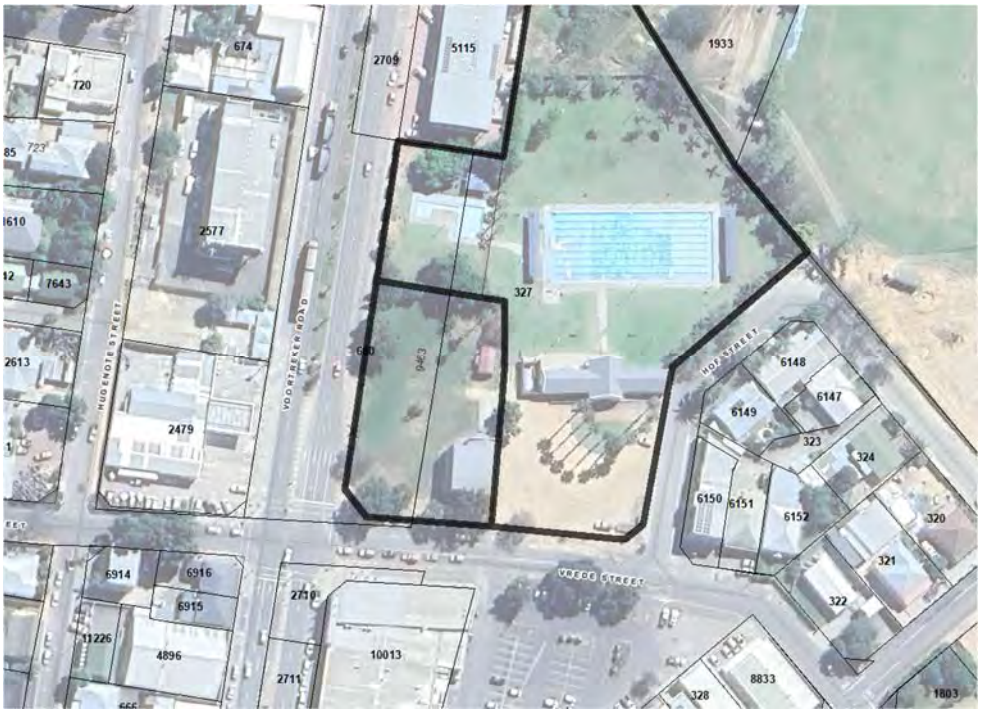
PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	✓	Permanent departure		Temporary departure		Subdivision	✓
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation	✓	Removal, suspension, or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion, or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use	✓	Occasional use	
Disestablish a homeowner's association		Rectify failure by homeowner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use		Phasing	

PART D: BACKGROUND

With this application the Municipality aims to:

1. Formalise existing uses (public swimming pool, squash courts and roads).
2. Improve land administration and asset management.
3. Enhance the utilisation of centrally located underutilised municipal land.
4. Create opportunities for commercial development within the CBD of town.



PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?	Y	**N**	If yes, provide a summary of the outcomes below.

PART F: SUMMARY OF APPLICANTS MOTIVATION

(Please note that this is a summary of the applicant's motivation and it, therefore, does not express the views of the author of this report)

The applicant motivates that:

1. The proposal aims to clearly delineate the existing land uses, separating the community facilities from the road infrastructure.
2. Each use will function on its own dedicated land parcel, improving land use efficiency and ensuring clearer boundaries for future development.
3. The properties are located centrally within Malmesbury CBD, surrounded by commercial, residential and community uses.
4. The subdivided portions have access from municipal streets
5. Municipal services are existing and deemed adequate.
6. The proposal enhances the principles of LUPA and SPLUMA.
7. The proposal is consistent with the Municipal Spatial Development Framework.
8. The proposal complies with the Swartland Municipal Land Use Planning By-Law.
9. It will complement the character of the area and not adversely affect any natural conservation areas or agricultural practices.

The proposal is supported as it complies with all relevant planning legislation and policies, enhances the optimal use of land, supporting the strategic goals of the municipality as well as maintains the areas character.

PART G: SUMMARY OF PUBLIC PARTICIPATION

Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-Law on Municipal Land Use Planning	**Y**	N

With reference to Section 56(2) of the By-Law, the application was published in the local newspapers, the Provincial Gazette and notices were sent to affected property owners. A total of 18 notices were sent via registered mail to the owners of properties which are affected by the application. Although some letters were returned, it can be confirmed that the notices were also sent via email where the municipality has the necessary information to do so. Please refer to Annexure C.

Total valid comments	**1**			Total comments and petitions refused	**0**		
Valid petition(s)	Y	**N**	If yes, number of signatures	**N/A**			
Community organisation(s) response	Y	**N**	N/A	Ward councillor response	**Y**	N	The only objection received was that of the ward councillor.
Total letters of support	**0**						

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recommendation	
Civil Engineering Services	3 November 2025	In order	**Positive**	Negative
Electrical Engineering Services	28 October 2025	No comments	**Positive**	Negative
Building Control	28 October 2025	No comments	**Positive**	Negative
Protection Services	12 November 2025	No comment	**Positive**	Negative

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		SUMMARY OF APPLICANT'S REPLY TO COMMENTS Please refer to Annexure E	MUNICIPAL ASSESSMENT OF COMMENTS
Ald Tijmen van Essen. Mayco Member responsible for civil and electrical departments	Ald. van Essen states that he cannot and will not, at this stage agree with the proposed application because it is very unclear. If a business premises is planned on Voortrekker Road, on the old "van Riebeek" garden, then he is entirely against the proposed application. In his opinion the municipality is already busy changing the green areas within the old Malmesbury town to concrete areas. *After receipt of the above mentioned objection Division Town Planning contacted Ald. van Essen. Even after he scrutinised the application file, he confirmed that:* For the most part he does not have a problem with the proposal. The biggest concern is the portion proposed as a business premises. Ald. van Essen confirms that portion of the property is the former van Riebeek Garden and the only green area in this specific area. Ald. van Essen continue to state that the Municipality is already in the process of destroying most of the green areas, which he does not agree with. As alternative, Ald. van Essen suggest that the area is better suited as a parking area and refers to the need for parking in the CBD during the hosting of swimming galas. Ald. van Essen concludes by stating that the current businesses have already had to buy out a lot of parking over the years in order to meet their conditions.	The applicant highlights that the creation of the business erf is consistent with the MSDF, 2025. The affected erven are located within the demarcated CBD of Malmesbury which is an area specifically identified for: • Mixed-use and commercial intensification • Urban restructuring • Social housing opportunities • Economic growth and tourism potential. By formalising the uses and introducing a new business erf the proposal contributes to the revitalisation of the town's centre. It could be argued that the commercial component of the proposal will also support local tourism and service delivery, reinforcing the CBD as an attractive multifunctional destination. The applicant continues to state that, although a portion of erf 327 is currently used an open space, it is not zoned as such and with the proposed application the swimming pool area will be rezoned as Open space zone 2 ensuring the continued recreational access for residents. In terms of the parking demand, the applicant states that the proposed layout does not remove any of the existing parking used by the swimming pool or nearby facilities. While parking pressure in the CBD is acknowledged, converting the green area to a parking lot would remove all greenery and still create a concrete space. Should council, in future, consider additional public parking in the CBD, such initiatives would need to be aligned with a broader spatial plan. Conclusion	The Municipality is not changing the green areas within the old Malmesbury town to concrete areas. The main purpose of the application is to formalise existing uses each on their individual land unit ensuring effective land administration and asset management. The creation of the business zone property provides for future business opportunities and economic activity within the CBD of Malmesbury. The proposal is aligned with the strategic goals of the IDP as well as is regarded as consistent with the MSDF,2025. It does not introduce new development or intensification, it only regularises existing community and recreational related uses on municipal land. It could be argued that the proposal strengthens the CBD by promoting the development of mixed uses within the CBD, assisting in the renewal as well as enhancement of the visual appeal of the CBD to be more vibrant and visitor friendly. Future development of the consolidated properties will be subject to the submission of an application for consideration and approval of a site development plan. In terms of the development management scheme the municipality may require that the site development plan address the following reasonable concerns including; 1. Access 2. Parking 3. Architectural form 4. Urban design 5. Landscaping 6. Engineering services or

		The applicant concludes that the proposal protects and formalises essential community recreational facilities, while optimising underutilised land for appropriate commercial use in a strategic urban location.	7. Similar matters Furthermore, the municipality may require a public participation process for transparency and interested and affected persons will be provided with the opportunity to raise their concerns.

PART J: MUNICIPAL PLANNING EVALUATION

1. **Type of application and procedures followed in processing the application**

The application in terms of the By-law was submitted on the 22nd of October 2025. The public participation process commenced on the 27th of October 2025 and ended on the 1st of December 2025. The objection received was referred to the applicant for comment on 4th of December 2025 and the municipality received the comments on the objection from the applicant on the 16th of December 2025.

Division: Planning is now in the position to present the application to the Swartland Municipal Planning Tribunal for decision making.

2. **Legislation and policy frameworks**

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

The application is evaluated according to the principles of spatial planning, as contained in the abovementioned legislation.

Spatial Justice

The application formalises long-standing public and community uses including the municipal swimming pool as well as squash courts which serve a broad segment of the public. Aligning zoning and cadastral boundaries reinforces existing community-benefiting land uses and ensures continued access to public facilities. The creation of the business zone property provides for future business opportunities and economic activity within the CBD of Malmesbury.

Formalising the municipal ownership and land-use structure improves long-term accessibility and management of facilities used by diverse groups, including residents and visitors. Therefore, the proposal advances spatial justice by improving equitable access to services and economic opportunities in a central, accessible location.

Spatial Sustainability

The main purpose of the application is to formalise existing uses each on their individual land unit ensuring effective land administration and asset management. The proposal therefore consists of municipal land that is already serviced in the CBD of Malmesbury. The proposal uses already-transformed land within the existing urban edge avoiding land conversion of agricultural or natural areas contributing to sustainable urban development.

Spatial Efficiency

The application rationalises existing land uses by placing each use on its own cadastral unit, which will reduce administrative complexity, future uncertainty, and the risk of land use management inefficiencies. No new bulk infrastructure is required; services for the swimming pool and squash courts already exist.

Future maintenance and management of facilities will be more cost-effective due to clearly defined land parcels.

Spatial resilience

By keeping established recreational, tourism, and community facilities intact, the proposal maintains the town's ability to absorb environmental or economic shocks. The proposal of creating a property zoned for commercial purposes strengthen the CBD as well as create flexibility for future investment or redevelopment. The proposal therefore supports spatial resilience by enabling adaptable, mixed use land parcels within a stable and well serviced area.

Good Administration

The application follows due process under the By-Law, includes public participation, and conforms to the MSDF and municipal procedures. Therefore, supporting transparent and accountable administration.

2.2 Provincial Spatial Development Framework (PSDF)

The proposal mainly consists of the formalisation of existing zoning boundaries and the demarcation of the various land uses currently on the subject properties. This will result in simplifying and effective land administration. The proposal to rezone one of the portions to Business Zone 1 contributes to mixed use development within the CBD which is supported by planning policy. The proposal will clearly not adversely affect the sense of place of Malmesbury. The proposed development is therefore deemed consistent with the spatial development principles of the PSDF, 2014.

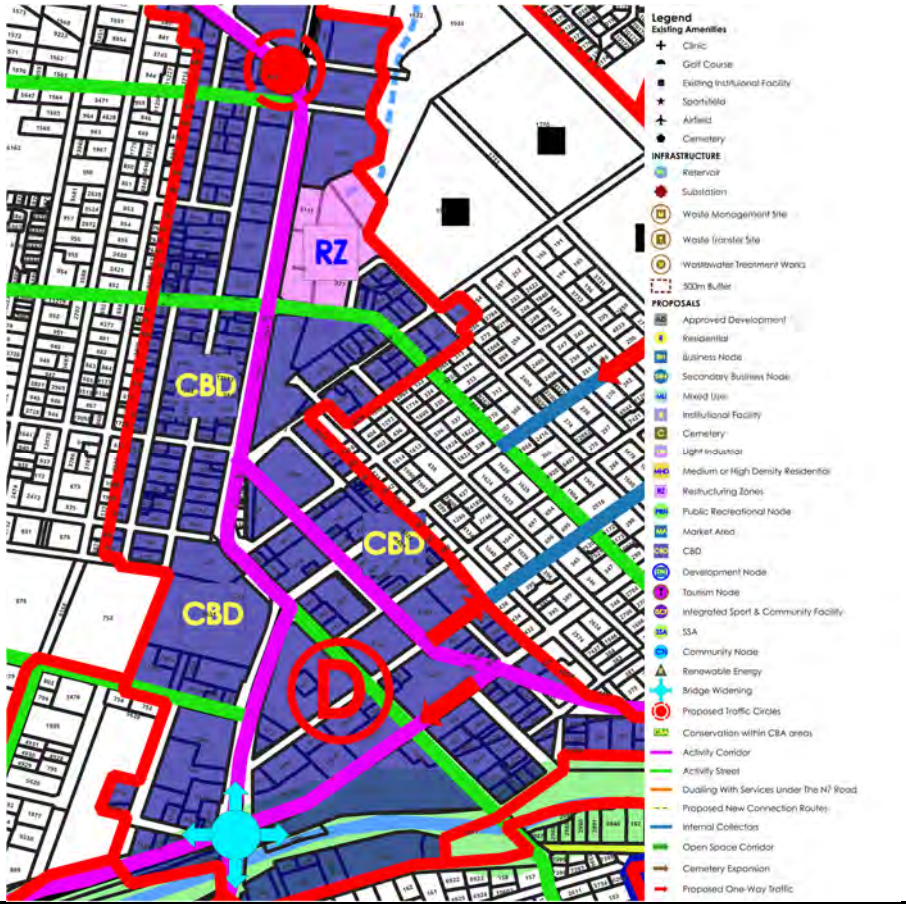
2.3 Integrated Development Plan (IDP) and Municipal Spatial Development Framework (SDF)

The Swartland IDP emphasises efficient governance, sustainable use of existing infrastructure, and improved municipal asset management, particularly within established urban areas. The proposal aligns with these objectives in that it:

1. Does not introduce new development or intensification, but instead regularises existing community, recreational and tourism-related uses on municipal land.
2. Improves administrative efficiency by rationalising zoning and aligning cadastral boundaries with actual land use, thereby reducing future planning and land-use management uncertainty on key municipal assets.
3. Supports social infrastructure and community facilities, which are recognised in the IDP as important contributors to quality of life, tourism, and local economic activity in towns such as Malmesbury.
4. Avoids additional demand on bulk services and municipal infrastructure, consistent with the IDP's focus on optimising existing assets rather than expanding infrastructure unnecessarily.

Accordingly, the proposal supports the IDP's strategic priorities of good governance, sustainability and service delivery efficiency, without creating new financial or infrastructure burdens for the municipality.

The Swartland MSDF (2025) designates the subject properties within the urban edge and classifies the area as part of Land Use Proposal Zone D (CBD). Please refer to the extract below. Zone D is defined as the Malmesbury CBD and has a commercial character. Included is an identified restructuring zone which is envisioned to accommodate the development of social housing in the centre of Malmesbury. Please refer to the extract below:



The proposal is therefore aligned with the goals of the MSDF, 2025, it strengthens the CBD, promotes the development of mixed uses within the CBD assisting in the renewal as well as enhancement of the visual appeal of the CBD to be more vibrant and visitor friendly.

The proposal is therefore deemed consistent with the MSDF, 2025.

2.4 Schedule 2 of the By-Law (Zoning Scheme Provisions)

The proposal complies with the provisions of the applicable development management scheme.

In terms of Section 3.1.2 of the development management scheme the municipality may require a site development plan to be submitted to its satisfaction in terms of Paragraph 12.7 for the consideration and approval, provided that the municipality may require amendments to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban design, landscaping, engineering services or similar matters.

In terms of paragraph 12.7 of the development management scheme determines that the municipality shall process an application to approve or amend an approved site development plan in accordance with its policy for transparency, public participation and administration of such applications.

Place of entertainment, means a theatre, cinema, dance hall, karaoke, amusement park, sports centre, billiards room, games arcade, **skating rink, or similar place** and may include a gambling facility or another use which requires an Entertainment License in terms of the Businesses Act, 1991 (Act 71 of 1991);

3. **The desirability of the proposed development**

The subject properties are situated within the urban edge of Malmesbury

The title deeds of the subject properties have no restrictions prohibiting the proposal.

Physically there are no restrictions that negatively impact the proposal.

The proposal formalises existing public and recreational uses

Administrative clarity and efficiency will be improved.

The proposal is consistent with municipal and provincial spatial planning policies.

It does not create new impacts on infrastructure or the environment, and

Respects and supports public interest and long-term sustainability.

4. **Impact on municipal engineering services**

The proposal has no adverse impact on municipal engineering services.

5. **Response by applicant**

Refer to Annexure S.

6. **Comments from other organs of state/departments**

None

7. **Public interest**

Public interest is positively served through improved administration and continued access to community assets as well as supporting the sustainable and efficient use of urban land as well as supporting economic growth and the revitalisation of the CBD.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights
N/A

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal
N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended
N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights
N/A

PART L: RECOMMENDATION WITH CONDITIONS

A. The application for rezoning of Erf 680, Malmesbury from Split Zoning to Subdivisional area 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 327, Malmesbury from Split Zoning to Subdivisional area 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 680, 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 application for subdivision of Erf 327, Malmesbury be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020):
E. The application for consolidation of the subdivided portions be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020):
F. The application for consent use on a portion of the consolidated property be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020):

The decisions A to F above are subject to the following conditions:

1. TOWN PLANNING AND BUILDING CONTROL

(a) The rezoning of erf 680, Malmesbury make provision for the following land uses:
    (i). Open Space Zone 2
    (ii). Business Zone 1
    (iii). Transport Zone 2
(b) The rezoning of erf 327, Malmesbury make provision for the following land uses:
    (i). Open Space Zone 2
    (ii). Business Zone 1
    (iii). Transport Zone 2
(c) Erf 680 (9042m² in extent) be subdivided as follows:
    (i). Portion A - ± 973m² (Open Space Zone 2)
    (ii). Portion B - ± 1567m²(Business Zone 1)
    (iii). Remainder - ± 6502m² (Transport Zone 2)
(d) Erf 327 be subdivided as follows:
    (i). Portion A - ± 11133m² (Open Space Zone 2)
    (ii). Portion B - ± 1512m (Business Zone 1)
    (iii). Remainder - ± 768.9201ha (Split Zoning – Municipal commonage)
(e) Portion A (Portion of Erf 680) be consolidated with Portion A (portion of Erf 327);
(f) Portion B (Portion of Erf 680) be consolidated with Portion B (portion of Erf 327);
(g) The place of entertainment on the proposed consolidated property be restricted to accommodating the existing squash courts under the new zoning category, as presented in the application;

2. 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.

PART M: REASONS FOR RECOMMENDATION

1. Aligning zoning and cadastral boundaries reinforces existing community-benefiting land uses and ensures continued access to public facilities.
2. The creation of the business zone property provides for future business opportunities and economic activity within the CBD of Malmesbury.
3. The main purpose of the application is to formalise existing uses each on their individual land unit ensuring effective land administration and asset management.
4. The proposal is aligned with the strategic goals of the IDP as well as is regarded as consistent with the MSDF,2025. It does not introduce new development or intensification, it only regularises existing community and recreational related uses on municipal land.
5. The proposal results in reducing future planning and land-use management uncertainty on key municipal assets.
6. The proposal strengthens the CBD by promoting the development of mixed uses within the CBD, assisting in the renewal as well as enhancement of the visual appeal of the CBD to be more vibrant and visitor friendly.
7. The proposal will not adversely affect the sense of place of Malmesbury.
8. Future development of the consolidated properties will be subject to the submission of a site development plan for consideration and approval. With such an application the municipality may require a public participation process for transparency.
9. Public interest is positively served through improved administration and continued access to community assets as well as supporting the sustainable and efficient use of urban land as well as supporting economic growth and the revitalisation of the CBD.

PART N: ANNEXURES

Annexure A	Locality plan
Annexure B	Rezoning plan
Annexure C	Subdivision plan of erf 680
Annexure D	Subdivision plan of erf 327
Annexure E	Consolidation plan
Annexure F	Public participation plan
Annexure G	Objection Ald T van Essen
Annexure H	Correspondence with Ald T van Essen
Annexure I	Applicants comment on the objection

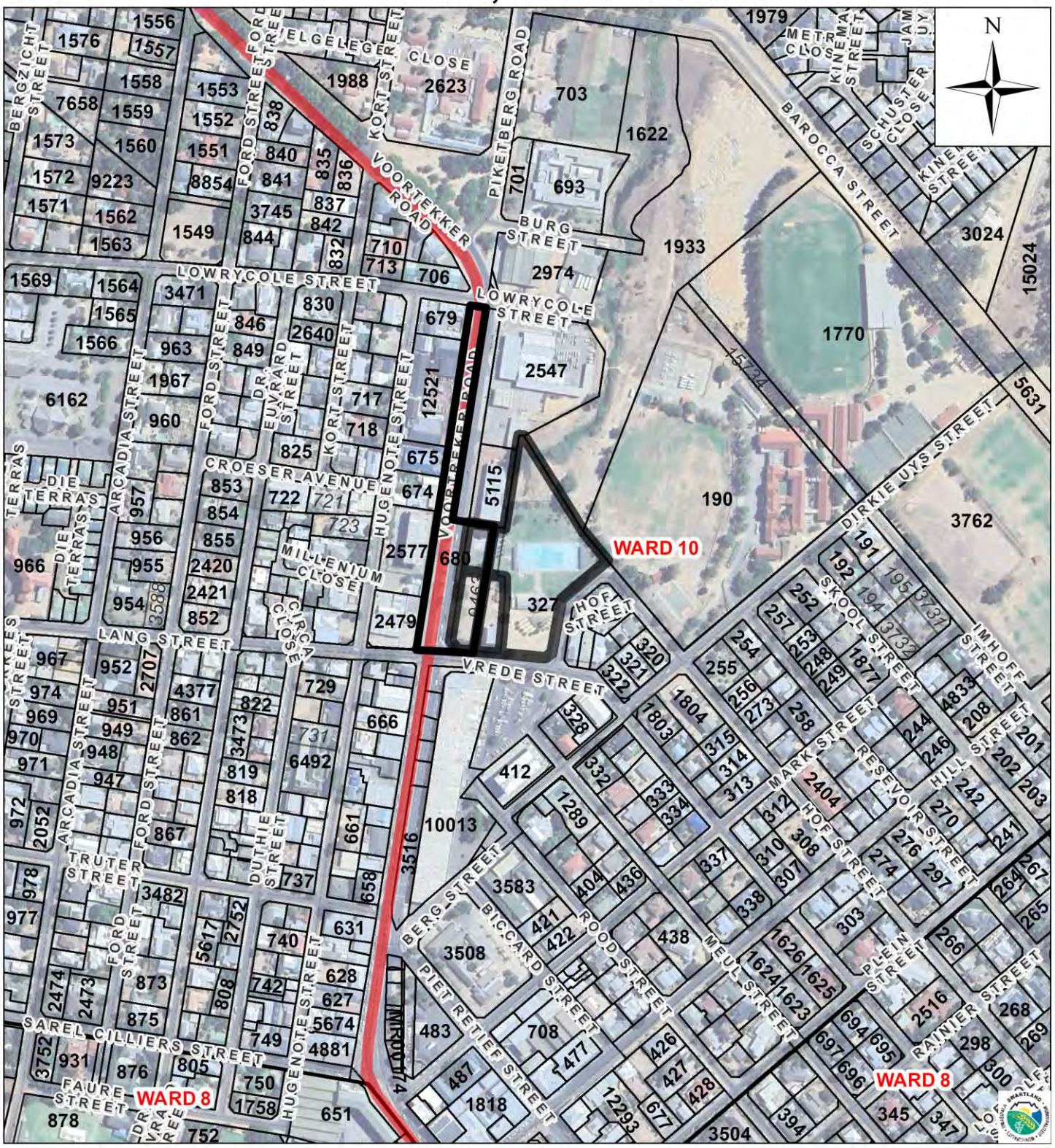
PART O: APPLICANT DETAILS

Name	CK Rumboll & Partners			
Registered owner(s)	Swartland Municipality	Is the applicant authorised to submit this application:	**Yes**	N

PART P: SIGNATURES				
Author details: Herman Olivier Town Planner SACPLAN: A/204/2010			**Date: 27 January 2026**	
Recommendation: Alwyn Zaayman Senior Manager Development Management SACPLAN: A/8001/2001	Recommended	✓	Not recommended	
			Date: **28 January 2026**	

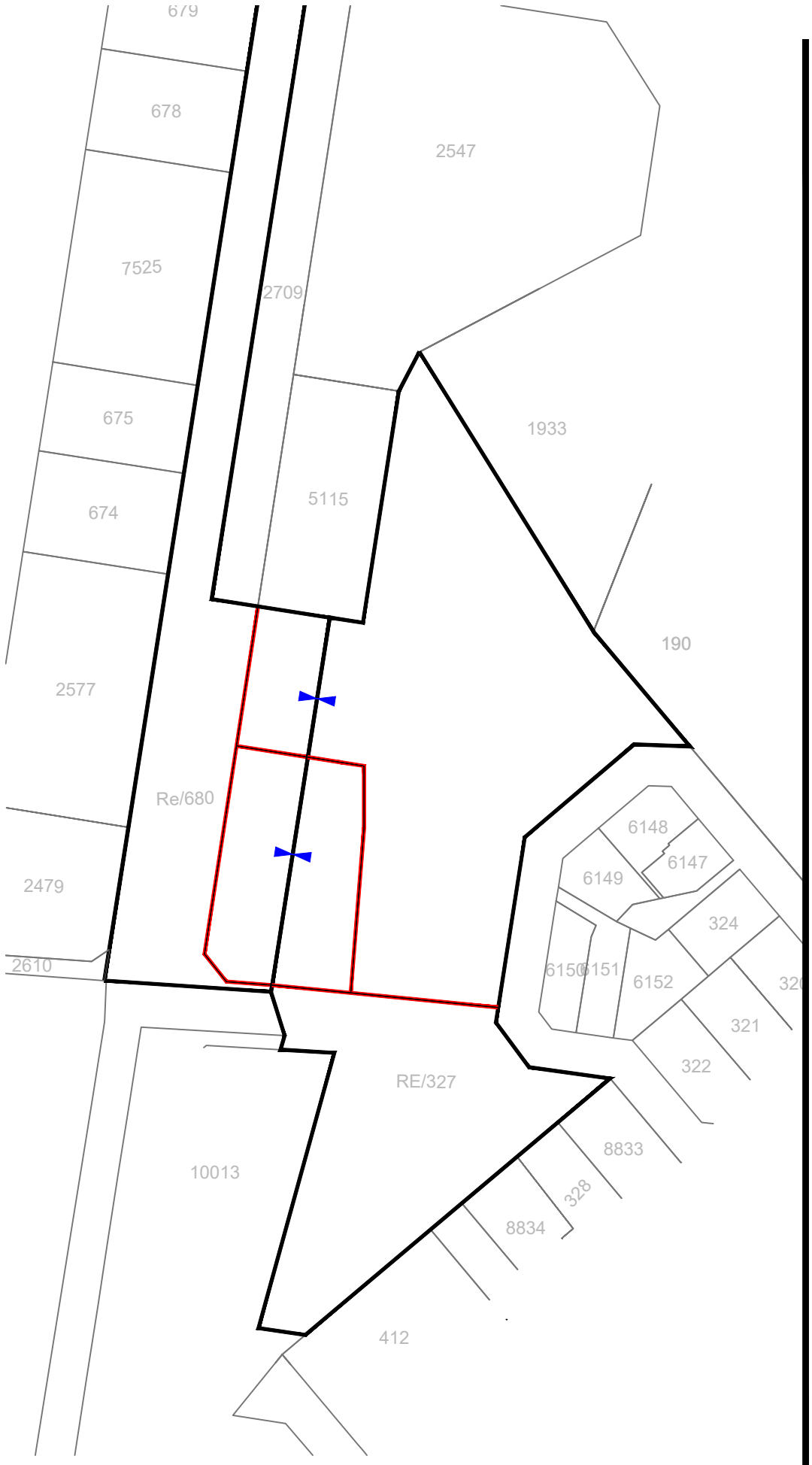
ANNEXURE A

LOCATION PLAN OF ERVEN 680 & PORTION OF ERF 327, MALMESBURY



PLAN OF REZONING: ERF Re/327 & 680, MALMES

ANNEXURE B



Before



After

LEGEND:

- Open space zone 2
- Business Zone 1
- Transport Zone 2
- Subdivision line
- Consolidation

NOTES

This diagram illustrates the proposed rezoning of Erf Re/327 and Erf Re/680, Malmesbury from Split Zoning to Subdivisional Area to accommodate the following zonings:

Open Space Zone 2
Business Zone 1
Transport Zone 2

TITLE:
REZONING PLAN
ERF Re/327 & 680, MALMESBURY

PHYSICAL ADDRESS:
MALMESBURY

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

COMPILED BY:
C.K. RUMBOLL & PARTNERS
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning2@rumboll.co.za

DATE: September 2025

AUTHORITY: SWARTLAND MUNICIPALITY

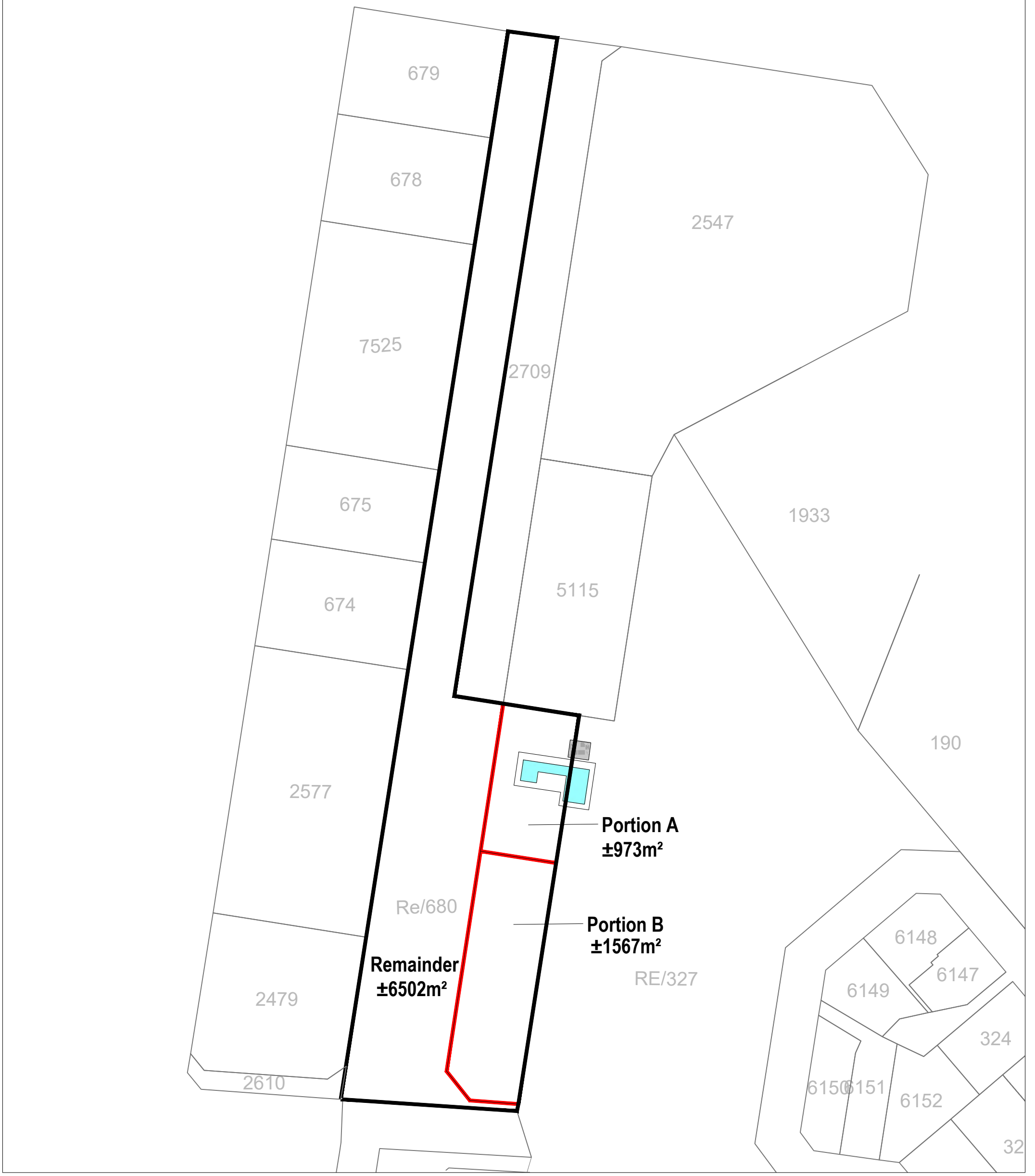
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NORTH

Drawing done by NJ de Kock - Planner: CK Rumboll & Partners

PLAN OF SUBDIVISION: ERF 680, MALMESBURY

ANNEXURE C



KEY:

- Subject property
- Proposed subdivision line
- Existing swimming pool
- Existing building

Current Zoning: Split Zoning (Road and authority usage)

Proposed Zoning: Subdivisional area to accommodate Open Space Zone 2, Business Zone 1 and Transport Zone 2

Subdivision of Erf 680, Malmesbury		
Proposed Portions	Proposed Zoning	Proposed Size
Portion A	Open Space Zone 2	±973m²
Portion B	Business Zone 1	±1567m²
Remainder	Transport Zone 2	±6502m²
Total size	-	9042m²

TITLE:
SUBDIVISION PLAN
ERF 680, MALMESBURY

PHYSICAL ADDRESS:
MALMESBURY

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

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DATE: September 2025

AUTHORITY: SWARTLAND MUNICIPALITY

REF: MAL/14820/NJdK

NORTH

Drawing done by NJ de Kock - Planner: CK Rumboll & Partners

PLAN OF SUBDIVISION: ERF RE/327, MALMESBU

ANNEXURE D



7523
2709
675
674
5115
1933
2577
Portion A
±11133m²
190
Re/680
Portion B
±1512m²
2479
RE/327
6148
6147
6149
324
2610
6150
6151
6152
320
321
322
Remainder
±768.9021Ha
8833
10013
328
8834
412

KEY:

- Subject property
- Proposed subdivision line
- Existing swimming pool
- Existing building

Current Zoning: Split Zoning (Road and authority usage)

Proposed Zoning: Subdivisional area to accommodate Open Space Zone 2, Business Zone 1 and Transport Zone 2

Subdivision of Erf Re/327, Malmesbury		
Proposed Portions	Proposed Zoning	Proposed Size
Portion A	Open Space Zone 2	±11133m²
Portion B	Business Zone 1	±1512m²
Remainder	Transport Zone 2	±768.9021Ha
Total size	-	770.1666Ha

TITLE:
SUBDIVISION PLAN
ERF Re/327 MALMESBURY

PHYSICAL ADDRESS:
MALMESBURY

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

COMPILED BY:
C.K. RUMBOLL & PARTNERS
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning2@rumboll.co.za

DATE: September 2025

AUTHORITY: SWARTLAND MUNICIPALITY

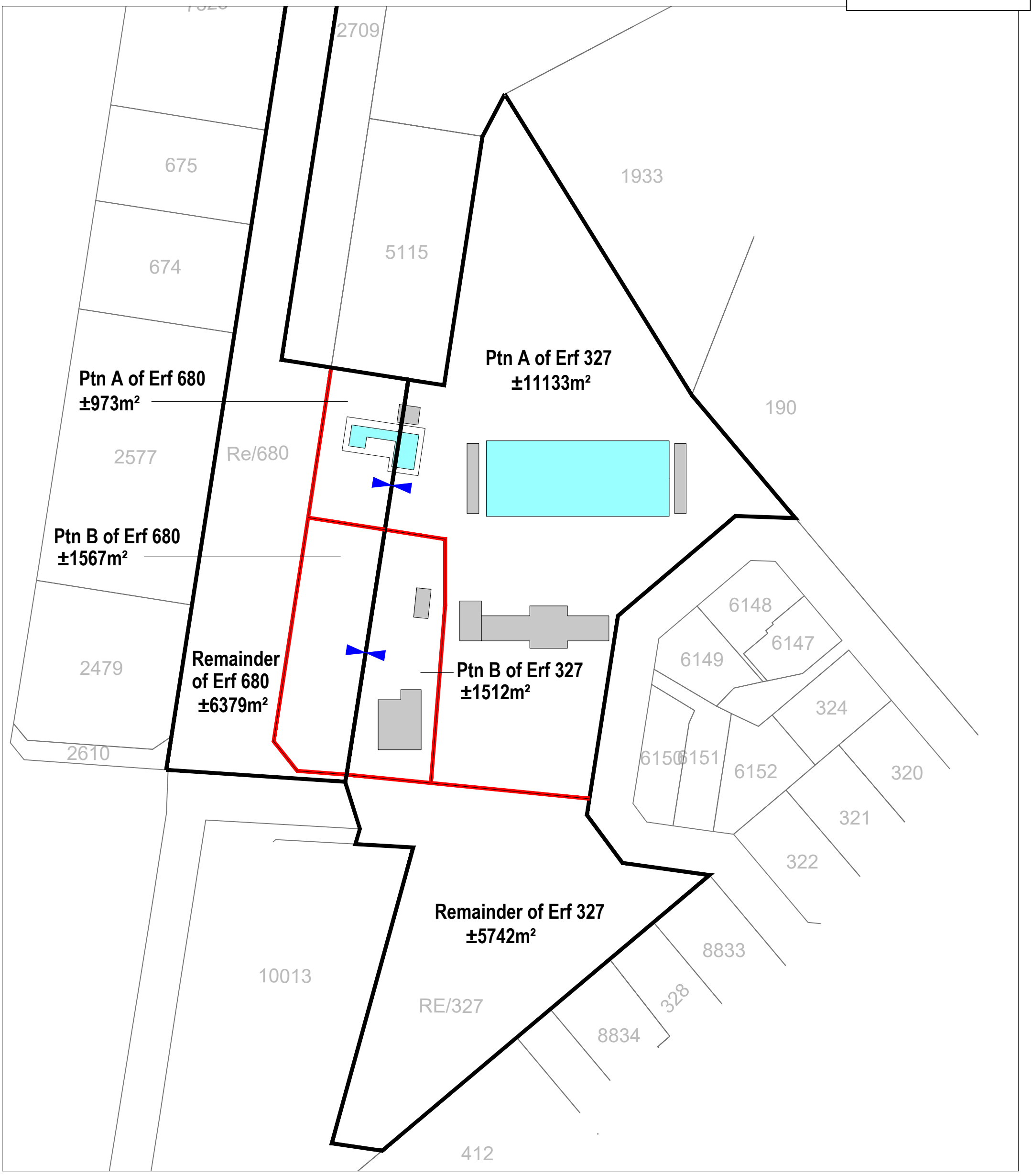
REF: MAL/14820/NJdK

NORTH

Drawing done by NJ de Kock - Planner: CK Rumboll & Partners

PLAN OF CONSOLIDATION: PORTIONS OF ERVEN Re/327 AND 680, M

ANNEXURE E



KEY:

- Subject property
- Proposed subdivision line
- Proposed Consolidation
- Existing swimming pool
- Existing building

Current Zoning: Split Zoning (Road and authority usage)

Proposed Zoning: Subdivisional area to accommodate Open Space Zone 2, Business Zone 1 and Transport Zone 2

CONSOLIDATION:

Portion A of Erf 327:	±11133m²
Portion A of Erf 680:	±973m²
Total:	±12106m²
Portion B of Erf 327:	±1512m²
Portion B of Erf 680:	±1567m²
Total:	±3079m²

PROPOSED ZONING:

Consolidated Portion A:
Open Space Zone 2

Consolidated Portion B:
Business Zone 1

Remainder Portion Erf Re/327 and Erf 680: Transport Zone 2

TITLE:
CONSOLIDATION PLAN
PORTIONS OF ERVEN RE/327 & 680, MALMESBURY

PHYSICAL ADDRESS:
MALMESBURY

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

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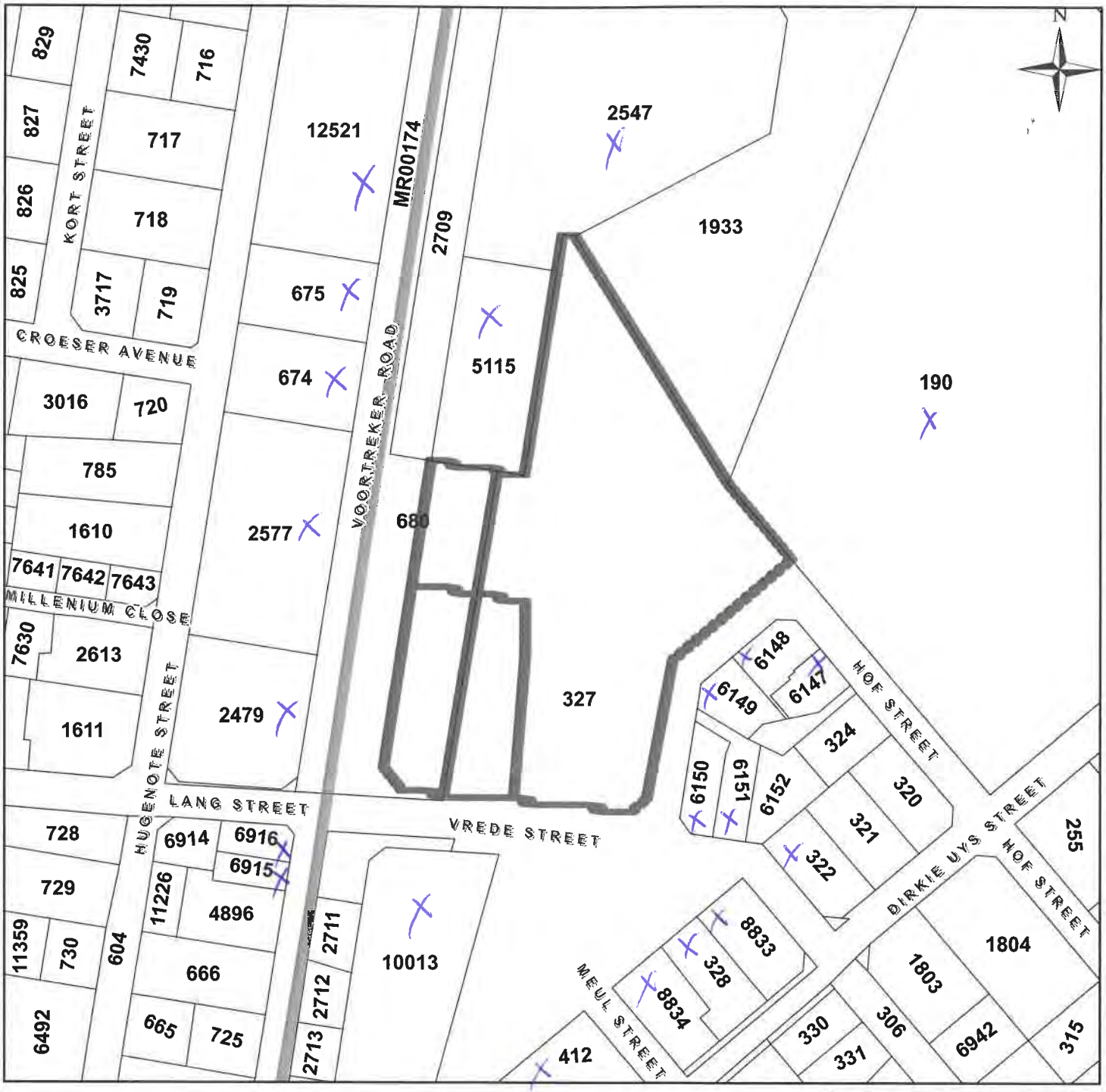
AUTHORITY: SWARTLAND MUNICIPALITY

REF: MAL/14820/NJdK

Drawing done by NJ de Kock - Planner: CK Rumboll & Partners

ANNEXURE F

PUBLIC PARTICIPATION PLAN
PROPOSED REZONING AND SUBDIVISION OF ERVEN 680 & 327, MALMESBURY



ANNEXURE G

From: T Van Essen <VanEssenT@swartland.org.za>
Sent: Thursday, October 30, 2025 8:22 AM
To: Lenay Abdol <PlanIntern1@swartland.org.za>
Subject: RE: Voorgestelde hersonering, onderverdeling, konsolidasie en vergunningsgebruik op erwe 680 & 327, Malmesbury

Hallo mnr. Abdol

Ek kan en wil in hierdie stadium nie saamstem nie met die Voorgestelde hersonering, onderverdeling, konsolidasie en vergunningsgebruik op erwe 680 & 327, Malmesbury omrede dit baie onduidelik is.

Indien daar besigheids persele teen voortrekkerweg op die ou van Riebeek tuin beplan word is ek ten volle teen daardie voorstel en aansoek.

Ons is reeds besig om alle groen gebiede in die ou dorpsgebied van Malmesbury te verander tot beton gebiede.

Dis my mening.

Tijmen van Essen

UBK Lid / Verantwoordelik vir Siviel en Elektries Departemente

Mayco Member / Responsible for Civil and Electrical Departments

T: 022 487 9400 **F:** 022-4879440 **M:** 082 777 1794

E: vanessent@swartland.org.za

MUNISIPALITEIT SWARTLAND MUNICIPALITY

UMASIPALA SWARTLAND MUNISIPALITEIT MUNICIPALITY

10 CLEAN AUDITS SINCE 2010/11
SKOON OUDITS SEDERT 2010/11

ONS GEE GESTALTE AAN 'N BETER TOEKOMS!
WE SHAPE A BETTER FUTURE!
SAKHA IKUSASA ELINGCONO!

From: Lenay Abdol <PlanIntern1@swartland.org.za>
Sent: Wednesday, 29 October 2025 16:04
To: Harold Cleophas <Mayor@swartland.org.za>; T Van Essen <VanEssenT@swartland.org.za>
Cc: Registrasie Email <RegistrasieEmail@swartland.org.za>; Sherleque Willemse <willemses@swartland.org.za>
Subject: Voorgestelde hersonering, onderverdeling, konsolidasie en vergunningsgebruik op erwe 680 & 327, Malmesbury

Goeiedag/ *Good day*

Aangeheg vind skrywe rakende die Voorgestelde hersonering, onderverdeling, konsolidasie en vergunningsgebruik op erwe 680 & 327, Malmesbury vir u aandag.

Attached find letter with regard to the Proposed rezoning, subdivision, consolidation and consent use on erven 680 & 327 Malmesbury for your attention.

Vriendelike groete/ *Kind regards*

Lenay Abdol

Intern: Planning Development Management

022 487 9400
delmarie@swartland.org.za

Church Street, Malmesbury, 7299 Tel (022) 487 9400 www.swartland.org.co.za @SwartlandMunicipality

Swartland forward-thinking 2040 – where people can live their dreams!

ANNEXURE H

From: T Van Essen <VanEssenT@swartland.org.za>
Sent: Monday, 08 December 2025 10:09
To: Alwyn Burger <alwynburger@swartland.org.za>
Subject: RE: Beswaar: Voorgestelde hersoneringe, onderverdeling, konsolidasie en vergunningsgebruik op Erwe 680 & 327, Malmesbury

More AJ.

Jammer ek antwoord nou eers.

Die hersonering, onderverdelings, konsolidasie en verguniingsgebruik op erwe 680 & 327 verwys.

Ek het vir die grootste deel geen probleem met die voorstelle nie.

Die grootste beswaar wat ek het is dat die erf langs voortrekkerweg geoormerk is vir 'n besigheids perseel.

Dit is die voormalige van Riebeek tuin en die enigste groen area in daardie gebied.

Ons is reeds besig om die meeste groen gebiede tot niet te maak waarmee ek glad nie saamstem nie.

Dus my beswaar het net betrekking op daardie besigheids erf.

Als alternatief kan ons dit nog beter as 'n parkeer area aanwend.

Julle sien self ook dat met 'n swemgale daar parkering benodig word in die sentrale sake gebied.

Van die huidige besighede het oor die jare reeds baie parkerings moes uitkoop om aan hulle voorwaardes te voldoen.

Groete

Tijmen van Essen

UBK Lid / Verantwoordelik vir Siviel en Elektries Departemente

Mayco Member / Responsible for Civil and Electrical Departments

T: 022 487 9400 **F:** 022-4879440 **M:** 082 777 1794

E: vanessent@swartland.org.za

MUNISIPALITEIT SWARTLAND MUNICIPALITY



From: Alwyn Burger <alwynburger@swartland.org.za>
Sent: Friday, 05 December 2025 08:15
To: T Van Essen <VanEssenT@swartland.org.za>
Cc: Alwyn Zaayman <zaaymana@swartland.org.za>; Ulynn Julies <JuliesU@swartland.org.za>
Subject: Beswaar: Voorgestelde hersoneringe, onderverdeling, konsolidasie en vergunningsgebruik op Erwe 680 & 327, Malmesbury

Môre Mnr Van Essen

U beswaar ontvang per epos op 30 Oktober 2025 rakende die onderwerp het betrekking.

Ek verwys ook na ons gesprek en u besigtiging van die grondgebruiksleêr.

Kan u asb bevestig of u volstaan by u beswaar en of u die beswaar geen terug trek.

Groete

Alwyn Burger
Manager Town & Regional Planning
022 487 9400/ 076 480 9870
alwynburger@swartland.org.za

Church Street, Malmesbury, 7299 Tel (022) 487 9400 www.swartland.org.co.za @SwartlandMunicipality

Swartland forward-thinking 2040 – where people can live their dreams!

ANNEXURE I

CK RUMBOLL &
VENNOTE / PARTNERS

PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: **16 December 2025** OUR REF: **MAL/14820/NJdK**

PER HAND

Attention: Mr A Zaayman

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

MUNISIPALITEIT SWARTLAND | REG

LEER No: 15 3 3 -8 Erf_680, 327				
Verwys Na	Inligting	Verslag	Afhandel	Kom/Taar
SSSB				
a Oel				
15 3 6 -8 Erf_680, 327				
Ander Kontras: 15 3 10 -8 Erf_680, 327				
SKEDULASIE: 15 3 12 -8 Erf_680, 327 (get)BK				

Sir

COMMENTS ON OBJECTIONS

PROPOSED REZONING, SUBDIVISION, CONSOLIDATION AND CONSENT USE ON ERVEN RE/680 AND RE327, MALMESBURY

Your letter dated 8 December 2025 refers (see annexure A attached). Please find attached our comments to objections.

During the public participation period, comments were received from the following objectors:

- Tijmen Van Essen

Munisipaliteit Swartland Municipality
ONTVANG
2025 -12- 18
RECEIVED

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845



Figure 1: Subject properties and surrounding Zonings.



Figure 2: Extract from the Spatial Development Framework

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845

Objector	Objection	Comment from CK Rumboll & Partners
Tijmen Van Essen	1. I have, for the most part, no issue with the proposals. My main objection is that the erf next to Voortrekker Road has been earmarked for a business site. It is the former Van Riebeek garden and the only green area in that vicinity. We are already in the process of destroying most of the green areas, which I do not agree with at all. Therefore, my objection relates only to that business erf.	1. According to the Swartland Spatial Development Framework, these properties are located within Zone D of the land use proposals. "*Zone D is the Central Business District with a commercial character. Include a restructuring zone identified for potential development of social housing.*" The following are extracts from the SDF: • Develop Malmesbury as a tourism centre, exploiting its ideal location to become a basis from where the Swartland, West Coast, Cape Winelands and Cape Town can be explored. • Promote mixed use in Malmesbury CBD. • Divert growth pressure from Cape Town Metropole to Malmesbury. • Capitalise on regional service centre function. The proposed rezoning, subdivision, consolidation and consent use on Erven Re/327 and Re/680 supports the spatial and strategic objectives of the Swartland Municipal Spatial Development Framework (MSDF) 2023–2027 by unlocking the development potential of centrally located municipal land. Situated within the Malmesbury Central Business District (CBD) and a designated restructuring zone, the proposal aligns with the MSDF's aim to promote mixed-use development, improve land use efficiency, and encourage investment in the town centre. By formalising the development and introducing a new business erf, the development contributes to the revitalisation of the town centre. The commercial component of the proposal can also support local tourism and service delivery, reinforcing the CBD as an attractive, multifunctional destination. In a broader regional context, the proposal supports the MSDF's intention to direct growth pressure away from the Cape Town Metropole toward strategically located towns like Malmesbury.

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845

		Although a portion of Erf 327 is currently used as open space, it is not zoned as such; instead, it falls under split zoning for road and authority use. Under the proposed development, the swimming pool area will be rezoned as Open Space Zone 2 to ensure continued recreational access for residents. A portion (±1.2106ha) of the property will therefore still be delegated for open space use. See figure 3 below.
	2. As an alternative, we could make even better use of it as a parking area. You can see yourselves that with a swimming gala, parking is needed in the central business district. Some of the existing businesses have already had to buy out many parking bays over the years to comply with their conditions. We are already in the process of turning all the green areas in the old town area of Malmesbury into concrete spaces.	2. With regard to parking demand, the proposed layout does not reduce any existing parking areas used by the swimming pool or surrounding facilities. Parking concerns in the CBD are acknowledged as an ongoing challenge; however, the formalisation of this business erf does not diminish current parking supply. Should the Council, in future, consider additional public parking in the CBD, such initiatives would need to be aligned with a broader spatial plan. Should the Municipality formalize this portion for a parking area, all the green open spaces will also be removed and will still be transformed into a concrete / brick space. The application in its current form will therefore provide commercial space within the CBD of town and still secure an open space area of ±1.2ha.

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845



Figure 3: Proposed rezoning of land.

In conclusion, the application protects and formalises essential community recreational facilities, while optimising underutilised land for appropriate commercial use in a strategic urban location.

We trust you will find the above in order when considering the application

Kind regards

NJ de Kock
For *CK RUMBOLL AND PARTNERS*

VENNOTE / PARTNERS:
IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845

Lêerverw: 15/3/3-8/Erf_680,327
15/3/6-8/Erf_680,327
15/3/10-8/Erf_680,327
15/3/12-8/Erf_680,327

Navrae:
Me D N Stallenberg

4 December 2025

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

e-mail: planning2@rumboll.co.za

Dear Sir/ Madam

OBJECTIONS : PROPOSED REZONING, SUBDIVISION, CONSOLIDATION AND CONSENT USE ON ERVEN 680 AND 327, MALMESBURY

Your application with reference MAL/14820/NJdK dated 30 September 2025 refers.

Kindly find attached the objection received by Tijmen Van Essen during the commenting period:

Your comment on the objection is requested within 30 days from the date of this letter in order for Swartland Municipality to make a decision.

Yours sincerely

MUNICIPAL MANAGER
per Department Development Services

/ds

Lêerverw: 15/3/3-8/Erf_680,327
15/3/6-8/Erf_680,327
15/3/10-8/Erf_680,327
15/3/12-8/Erf_680,327

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4 December 2025

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Yours sincerely

MUNICIPAL MANAGER
per Department Development Services

/ds

Alwyn Burger

From: T Van Essen
Sent: Monday, 08 December 2025 10:09
To: Alwyn Burger
Subject: RE: Beswaar: Voorgestelde hersoneringe, onderverdeling, konsolidasie en vergunningsgebruik op Erwe 680 & 327, Malmesbury

More AJ.
Jammer ek antwoord nou eers.
Die hersonering, onderverdelings, konsolidasie en verguniingsgebruik op erwe 680 & 327 verwys.
Ek het vir die grootste deel geen probleem met die voorstelle nie.
Die grootste beswaar wat ek het is dat die erf langs voortrekkerweg geoormerk is vir 'n besigheids perseel.
Dit is die voormalige van Riebeek tuin en die enigste groen area in daardie gebied.
Ons is reeds besig om die meeste groen gebiede tot niet te maak waarmee ek glad nie saamstem nie.
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Als alternatief kan ons dit nog beter as 'n parkeer area aanwend.
Julle sien self ook dat met 'n swemgale daar parkering benodig word in die sentrale sake gebied.
Van die huidige besighede het oor die jare reeds baie parkerings moes uitkoop om aan hulle voorwaardes te voldoen.

Groete

Tijmen van Essen
UBK Lid / Verantwoordelik vir Siviel en Elektries Departemente
Mayco Member / Responsible for Civil and Electrical Departments
T: 022 487 9400 **F:** 022-4879440 **M:** 082 777 1794
E: vanessent@swartland.org.za

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CLEAN AUDITS SINCE 2010/11
SKOON OUDITS SEDERT 2010/11

ONS GEE GESTALTE AAN 'N BETER TOEKOMS!
WE SHAPE A BETTER FUTURE!
SAKHA IKUSASA ELINGCONO!

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Sent: Friday, 05 December 2025 08:15
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rom: T Van Essen <VanEssenT@swartland.org.za>
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Ons is reeds besig om alle groen gebiede in die ou dorpsgebied van Malmesbury te verander tot beton gebiede.

Dis my mening.

Tijmen van Essen

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