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> File ref: 15/3/4-8/Erf 9469.9470 15/3/6-8/Erf 9469,9470

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> Enquiries: Mr AJ Burger

20 October 2023

C K Rumboll & Partners P.O. Box 211 **MALMESBURY** 7299

Per Registered Mail

Dear Sir/Madam

PROPOSED AMENDMENT OF AN APPROVED SUBDIVISION PLAN, AMENDMENT OF CONDITIONS OF APPROVAL, SUBDIVISION, DEPARTURE OF DEVELOPMENT PARAMETERS AND PHASING ON ERVEN 9469 & 9470, MALMESBURY

Your application with reference MAL/12980/MC, dated 26 July 2023, on behalf of Proprop Trust, refers.

- A By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the amendment of a subdivision plan (General plans 4492/2007 and 4493/2007) on a portion of Erf 327, Malmesbury and a portion of farm Tweefontein 696/0, division Malmesbury, regarding to phases 2B and 2C, is hereby approved in terms of Section 70 of the By-Law.
- By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the amendment of condition B(a) of an existing approval regarding the rezoning and subdivision of a portion of Erf 327, Malmesbury and a portion of farm Tweefontein 696/0, division Malmesbury, regarding to phases 2B and 2C, is hereby approved in terms of Section 70 of the By-Law.
- By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the subdivision of the group housing premises on Erf 9469, Malmesbury, is hereby approved in terms of Section 70 of the By-Law.
- By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the phasing of the subdivision of Erf 9469, Malmesbury, is hereby approved in terms of Section 70 of the By-Law.
- By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the subdivision of the group housing premises on Erf 9470, Malmesbury, is hereby approved in terms of Section 70 of the By-Law.

Rig asseblief alle korrespondensie aan: Die Munisipale Bestuurder Privaatsak X52 Malmesbury 7299 Darling Tel: 022 492 2237

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- F By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the phasing of the subdivision of Erf 9470, Malmesbury, is hereby approved in terms of Section 70 of the By-Law.
- G By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8226, dated 25 March 2020), the application for the departure of development parameters on Erf 9470, Malmesbury, is hereby approved in terms of Section 70 of the By-Law.

Decisions A to G are subject to the following conditions:

## 1. TOWN PLANNING AND BUILDING CONTROL

(a) The amendment of the subdivision plan as mentioned in Decision A reflects the following changes:

Phase 2B	Phase 2C
21 Residential zone 1 erven (low density)	55 Residential zone 1 erven (low density)
1 General Residential erf (grouphousing)	1 General Residential erf (grouphousing)
2 Open space zone 2 erven (private open space)	2 Open space zone 2 erven (private open space)
2 Transport zone 2 erven (private road)	5 Transport zone 2 erven (private roads)

- (b) Condition B(a), as stated in Decision B be amended as follows:
  - "...(a) That approval be granted in terms of the provision of section 16(1) of Ordinance 15 of 1985 for the rezoning of a portion of Erf 327, Malmesbury (33,82ha in extent) and a portion of the Remainder of Farm Tweefontein nr. 696 (75,03ha in extent), division Malmesbury to subdivisional area in order to establish the following land uses:
  - (a) Residential Zone 1: 475 erven;
  - (b) General Residential Zone 1 (Group housing): 6 erven;
  - (c) General Residential Zone 3 (Flats): 1 erf;
  - (d) Business Zone 1: 2 erven
  - (e) Open Space Zone 2 : private open space
  - (f) Transport Zone 2 : private roads
- (c) Erf 9469, Malmesbury be subdivided as follows:
  - 63 grouphousing erven
  - 21 residential zone 1 erven
  - 5 private open space erven, and
  - 8 private road erven,

as presented in the application (Subdivision plan: Erf 9469, Malmesbury (Phase 2B) Ref. MAL/12980/MC, dated July 2023);

- (d) The subdivision plan for erf 9469 (Phase 2B) be phased as follows:
  - Phase 2B.1 12 Residential zone 1 erven
    - 22 General Residential zone 1 erven
    - 2 Open space zone 2 erf
    - 6 Transport zone 2 erf
  - Phase 2B.2 41 General Residential zone 1 erven
    - 9 Residential zone 1 erven
    - 3 Open space zone 2 erf
    - 2 Transport zone 2 erf.

as presented in the application (Phasing plan: Erf 9469, Malmesbury (Phase 2B) Ref: MAL/12980/MC, dated July 2023);

- (e) Erf 9470, Malmesbury be subdivided as follows:
  - 26 Grouphousing erven.
  - 55 Residential zone 1 erven
  - 2 Private Open Space zone erven
  - 6 Private roads

as presented in the application (Subdivision plan: Proposed portion 56 of erf 9470, Malmesbury (grouphousing): Ref: MAL/12980/MC, dated July 2023);

- (f) The subdivision plan for erf 9470 (Erf 2C) be phased as follows:
  - Phase 2C.1 9 Residential zone 1 erven
    - 1 Transport zone 2 erf
  - Phase 2C.2 46 Residential zone 1 erven
    - 2 Open space zone 2 erven
    - 3 Transport zone 2 erven
  - Phase 2C.3 26 General Residential zone 1 erven
    - 2 Transport zone 1 erf.

as presented in the application (Phasing plan: Erf 9470, Malmesbury (Phase 2B) Ref. MAL/12980/MC, dated July 2023);

(g) Departure from the required 1300m² communal open space to 0m² for the grouphousing scheme on erf 9470.

## 2. DEPARTMENT CIVIL ENGINEERING SERVICES

(a) The existing engineering services contract be amended to accommodate the proposed amendments together with the relevant development charges.

## 3. DEPARTMENT ELECTICAL ENGINEERING SERVICES

- (a) Each subdivided portion be provided with a separate connection for the cost of the owner/developer;
- (b) The relocation of any electrical cables over the subdivided portions be done for the cost of the owner/developer;
- (c) Any electrical inter-connections be isolated and removed;
- (d) No existing (low & medium) tension networks exists. The planning and design in order to create the tension networks, be for the cost of the owner/developer;
- (e) A professionally registered electrical consultant be appointed for the design of the medium, low voltage networks and street light design. The electrical design be presented to the Director: Electrical Engineering Services for approval before starting the tender process:
- (f) The appointed contractor work directly under the supervision of the electrical consultant:
- (g) Additional to the above mentioned, the owner/developer be responsible for the cost of the electrical connections to the subdivided portions;

## 5. 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 approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal;
- (c) All conditions of approval be implemented before the new land use come into operation/or occupancy certificate be issued and failing to do so the approval will lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable.

Yours sincerely

MUNICIPAL MANAGER
per Department Development Services
AJB/ds

Copies:

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