



File ref: 15/3/4-14/Erf 871  
15/3/5-14/Erf 871

Enquiries:  
A. de Jager

4 September 2025

CK Rumboll and Partners  
P.O. Box 211  
MALMESBURY  
7299

Via e-mail: [planning6@rumboll.co.za](mailto:planning6@rumboll.co.za)

Dear Sir

## **PROPOSED DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND PERMANENT DEPARTURE ON ERF 871, DARLING**

Your application, with reference DAR/14501/JL/GB, dated 2 June 2025, on behalf of H. Dharsey, refers.

- A. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for building line departure on Erf 871, Darling, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

### **1. TOWN PLANNING AND BUILDING CONTROL**

- a) The building line departure authorises the encroachment of the 1,5m north-western side building line to 0m to accommodate the carport;
  - b) The departure be restricted to the carport that encroaches on the building line, in accordance with Site Development Plan DAR/14501/JL/GB, dated May 2025, as presented in the application;
  - c) The shed (wendy house), braai and seating area be removed, in accordance with Site Development Plan DAR/14501/JL/GB, dated May 2025, as presented in the application
  - d) Building and demolishing plans be submitted within sixty (60) days from the date of registration of the approval letter, to the Senior Manager: Development Management for consideration and approval;
- B. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the removal of restrictive conditions B.6.(b), B.6.(b)(i) and B.6.(b)(ii) in Title Deed T64952/2006, of Erf 871, Darling, is approved in terms of Section 70 of the By-Law, as follows:

Conditions B.6.(b), B.6.(b)(i) and B.6.(b)(ii) in Title Deed T64952/2006 that read:

*"...B.6.(b) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe (sic) die toestemming van die Administrateur nader as 7,87 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3,15 meter van die agtergrens of 6,30 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid –*

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

*B.6.(b)(i) 'n buitegebou wat insluitend vir die stalling van motorvoertuie gebruik word en hoogstens 3,05 meter hoog is, gemeet van die vloer van die buitegebou tot by die muurplaat daarvan, binne sodanige sy- en agterruimtes opgerig mag word, en enige ander buitegebou van dieselfde hoogte binne die agterruimte en syruimte opgerig mag word vir 'n afstand van 11,02 meter gemeet van die agtergrens van die erf, met dienverstande dat in geval van 'n hoek erf die afstand van 11,02 meter gemeet moet word van die punt wat die verste is van die strate wat die erf begrens;*

*"...B.6.(b)(ii) 'n buitegebou ingevolge subparagraaf (i) slegs nader aan 'n sygrens of agtergrens van 'n perseel as die afstand hierbo voorgeskryf, opgerig mag word indien geen vensters of deure in enige muur, wat op sodanige grens front, aangebring word nie..."*

## **2. TOWN PLANNING AND BUILDING CONTROL**

- a) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;
- b) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
  - i. Copy of the approval by Swartland Municipality;
  - ii. Original Title Deed, and
  - iii. Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- c) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes.

## **3. GENERAL**

- a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- b) All conditions of approval be implemented before the occupancy certificate of completion be issued. 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;
- c) The applicant/objector be informed of the right to appeal against the decision of the Municipality, 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](mailto:swartlandmun@swartland.org.za), within 21 days of notification of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision for or against the appeal. 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.

Yours faithfully

  
**MUNICIPAL MANAGER**  
per Department Development Services  
AdJ/ds

Copies:      Department: Civil Engineering Services  
                 Building Control Officer  
                 H.Dharsey, 16 Ixia Street, Darling, 7345  
                 [ixiawc@gmail.com](mailto:ixiawc@gmail.com)