



File ref: 15/3/4-3/Erf 876
15/3/6-3/Erf 876

Enquiries:
A. de Jager

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

e-mail: planning6@rumboll.co.za

Dear Sir/Madam

PROPOSED AMENDMENT OF RESTRICTIVE CONDITIONS AND CONSENT USE ON ERF 876, DARLING

Your application, with reference number DAR/14274/GB, dated 26 February 2025, on behalf of D.D. Mocke regarding the subject 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 the amendment of restrictive condition B.6.(b) in Title Deed T78190/2024, of Erf 876, Darling, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Condition B.6.(b) in Title Deed T78190/2024, that reads as follows:

"...Geen geboue of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe met die toestemming van die Administrateur nader as 7,87 meter van die straelyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3,15meter van die agtergrens of 3,15 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid ..."

be amended to read:

"...Geen geboue of strukture of enige gedeelte daarvan, behalwe grensmure en heinings, mag, behalwe met die toestemming van die Administrateur, nader as 5,1 meter aan die suid-oostelike straatlyn en 7,87 meter aan die noord-oostelike straelyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3,15 meter van die agtergrens of 3,15 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid ..."

The English translation of the abovementioned paragraph, for the benefit of the reader will read:

"...No buildings or structures or any part thereof, other than boundary walls and fences, may, except with the permission of the Administrator, be erected closer than 5.1 metres to the south-eastern street line and 7.87 metres to the north-eastern radial line forming a boundary of this erf, nor within 3.15 metres

of the rear boundary or 3.15 metres of the side boundary common to any adjoining erf, provided that with the permission of the local authority..."

- b) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the amended restrictive condition;
 - c) The following minimum information must be provided to the Deeds Office in order to consider the application, namely:
 - i. Copy of the approval by Swartland Municipality;
 - ii. Original Title Deed, and
 - iii. Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
 - d) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes.
- B.** By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for a consent use to establish a second dwelling on Erf 876, 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 consent use authorises a second dwelling with a floor space of 84,52m², as presented in the application;
- b) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;

2. WATER

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

3. SEWERAGE

- b) The existing sewerage connection be used and that no additional connections be provided;

4. DEVELOPMENT CHARGES

- a) The owner/developer is responsible for a development charge of R11 514,95 towards the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-176-9210);
- b) The owner/developer is responsible for the development charge of R7 730,30 towards bulk water reticulation, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-174-9210);
- c) The owner/developer is responsible for the development charge of R5 314,15 towards the sewerage network, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- d) The owner/developer is responsible for the development charge of R11 525,30 towards the waste water treatment works, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- e) The owner/developer is responsible for the development charge of R8 668,70 towards roads and storm water, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/247-188-9210);
- f) The owner/developer is responsible for the development charge of R4 920,31 towards electricity at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/253-164-9210);
- g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 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 will 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, in order for each erf to have a separate connection and pipe work;
- c) Should it be determined necessary to expand or relocate any of the engineering services in order to provide any of the portions with separate connections, said expansion and/or relocation will be for the expense 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 to be implemented within these 5 years, without which, the approval will lapse. Should all the conditions of approval be met within the 5 year period, the subdivision will be permanent and the approval period will no longer be applicable.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
Add/ds

Copies: *Director: Civil Engineering Services*
 Director: Financial Services
 Building Control Officer
 D.D. Mocke, 26 Ixia Street, Darling, 7345
 davidmocke@gmail.com