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File ref: 15/3/4-3/Erf_764
15/3/5-3/Erf_764

Enquiries:
Mr AJ Burger

30 November 2022

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

By Registered Mail

Dear Sir/Madam

PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS AND DEPARTURE ON ERF 764, DARLING

Your application, with reference MAL/12576/EB/NG, dated 30 June 2022, on behalf of the KW Leeman, regarding the subject refers.

A. By virtue of the authority delegated to the Senior Manager: Built Environment 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), application for the removal of restrictive conditions C.6.(c) and amendment of restrictive condition C.6.(d) from Title Deed T41222/2017, as registered against Erf 764, Darling, is approved in terms of section 70 of the By-Law, as follows:

a) Restrictive conditions C.6.(c), which reads as follows:

"...C.6.(c) nie meer as helfte van die oppervlakte daarvan mag bebou word nie..."

be removed from Title Deed T41222/2017;

b) Restrictive condition C.6.(d), be amended as follows:

"...C.6.(d) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag nader as 3,1 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3,15 meter van die agtergrens opgerig word nie, met dien verstande dat 'n buitegebou van nie hoër as 3,05 meter nie, gemeet van die vloer tot by die muurplate, met die toestemming van die plaaslike owerheid binne die hierbo voorgeskrewe agterruimte..."

c) The applicant/owner applies to the Deeds Office to amend the title deed in order to reflect the removal of the restrictive conditions;

d) The following minimum information be provided to the Deeds Office in order to consider the application, namely:

- Copy of the approval by Swartland Municipality;
- Original title deed, and
- Copy of the notice, which was placed by Swartland Municipality in the Provincial Gazette;

e) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes;

Rig asseblief alle korrespondensie aan:
Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299

Darling Tel: 022 492 2237

Tel: 022 487 9400
Faks/Fax: 022 487 9440
Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:
The Municipal Manager
Private Bag X52
Malmesbury 7299

Yzerfontein Tel: 022 451 2366

- B.** By virtue of the authority delegated to the Senior Manager: Built Environment 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), application for the departure from development parameters on Erf 764, Darling, is approved in terms of section 70 of the By-Law, as follows:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Departure of the 4m street building line to 3,1m;
- b) Departure of the 1,5m side building line (western boundary) to 0m;
- c) Departure of the 1,5m side building line (eastern boundary) to 1m with regards to the existing dwelling;
- d) Departure of the 50% coverage to 52,1%.

- C.** By virtue of the authority delegated to the Senior Manager: Built Environment 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), application for the departure from development parameters on Erf 764, Darling, be refused in terms of section 70 of the By-Law, as follows:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Departure of the 1,5m side building line (eastern boundary) to 1m with regards to the wooden deck on first floor level as well as the proposed retractable stairs giving access to the wooden deck.
- b) The wooden deck be made smaller to comply with the 1,5m side building line;
- c) The proposed staircase be removed and replaced to comply with all building lines.

D. GENERAL

- a) Appeals against the Authorised Official 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 R4 500,00 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 approval is, in terms of section 76(2)(w) of the By-Law, valid for a period of 5 years. Building plans can only be approved once all conditions of approval have been met. The owner/developer is responsible to ensure that every condition of approval is complied within 60 days of the final decision on this application.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
AJB/ds

Copies: *Building Control Officer*
 KW Leeman, Eerstelaan E5, Darling, 7345