File ref: 15/3/4-3/Erf_646
15/3/5-3/Erf_646
15/3/10-3/Erf_646

Enquiries:

Mr HL Olivier
22 October 2026

NuPlan Africa Town and Urban Planners
P.O. Box 165
WELLINGTON
7654

PER REGISTERED MAIL

Dear Sir/Madam

PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS, TEMPORARY DEPARTURE AND CONSENT USE ON ERF 646, DARLING

Your application dated 3 June 2026, on behalf of Me SL Saayman, 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 removal of restrictive condition B.5(b) and B.5(d) in Title Deed T35134/2025, of Erf 646, Darling, is hereby approved in terms of Section 70 of the By-Law;

1. TOWN PLANNING AND BUILDING CONTROL

(a) In respect of the removal of title deed restrictions, the restrictions B.5(b) and B.5(d) as contained in Title Deed T35134/2025, that reads as follows,

"…B.5 (b) Dit mag alleen gebruik word vir die doel om een woning, tesame met buitegeboue wat gewoontlik in verband daarmee gebruik word, daarop op te rig.

"…B.5 (d) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag nader as 4.72meter van die straatlyn wat 'n grens van hierdie erf uitmaak, opgerig word nie, asook nie binne 3,15meter van die agtergrens of 1,57meter van die sygrens gemeen daaraan en aan 'n aangrensende erf nie, met dien verstande dat 'n buitegebou hoër as 3,05meter, gemeet van die vloer tot by die muurplate, met die toestemming van die Plaaslike Owerheid binne die hierbo geskrewe agterruimte en binne die die hierbo geskrewe agterruimte en binne die hierbogeskrewe syruimte vir 'n afstand van 9,45m opgerig mag word. Wanneer twee of meer erwe gekonsolideer word, is hierdie voorwaarde op die gekonsolideerde oppervlakte van toepassing…".

be removed from the Title Deed;

(b) The applicant/owner applies to the Deeds Office to amend the Title Deed to reflect the removal of the restrictive conditions;

(c) The following minimum information be provided to the Deeds Office 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 on a portion of Erf 646, Darling, is hereby approved in terms of Section 70 of the By-Law;

C. 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 temporary departure on a portion of Erf 646, Darling, is hereby approved in terms of Section 70 of the By-Law;

B. & C. is subject to the following conditions:

1. TOWN PLANNING AND BUILDING CONTROL

(a) Building plans be submitted to Senior Manager: Development Management for consideration and approval;
(b) The consent use herewith authorised entail the operation of an occupational practice in the form of a small scale artisanal home bakery from a portion (23m²) of the existing dwelling on the property;
(c) The temporary departure be restricted to the operation of a kiosk as part of the bakery, serving pastries, bread, coffee, sweets and chips to the public as presented in the application;
(d) The bakery as well as kiosk not be operated as a restaurant and therefore no indoor or outdoor seating be provided to customers visiting the establishment.
(e) The operation of the home occupation as well as kiosk comply with the provisions of the applicable development management scheme;
(f) The establishment only be open to serve the public from 7h00 – 17h00;
(g) No informal gathering, queuing or trading activities on the public sidewalk or road reserve adjacent to the property are permitted and the owner be responsible for ensuring that the operation does not create a nuisance or safety risk to pedestrians, learners or vehicular traffic;
(h) Application for an advertising sign to the building be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding 1m² in area and not exceeding the land unit boundaries with any part of it, be permitted and only indicates the name of the owner, name of the business and nature of the retail trade;
(i) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
(j) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;

2. WATER

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

3. SEWER

(a) The existing sewer connection be used and that no additional sewer connections be provided;

4. STREETS AND STORMWATER

(a) Deliveries may only be made by delivery vehicles with a gross vehicle mass of 16000 kg;

5. TRAFFIC AND LAW ENFORCEMENT

(a) The operation of the establishment may not result in congestion/obstruction along Petunia Street;

6. GENERAL

(a) The letter of authorization from Swartland Municipality be displayed inside the bakery / kiosk;
(b) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
(c) The approval for the removal of the restrictive title deed conditions and the consent use lapse if the rights granted in terms of this approval are not exercised within five (5) years from the date of approval, unless an extension is granted in accordance with the applicable legislation and the Swartland Municipality Land Use Planning By-Law;
(d) Upon the rights having been lawfully exercised and all relevant conditions of approval having been complied with, the approval for the removal of the restrictive title deed conditions and the consent use remain valid and shall not lapse;
(e) The temporary land use departure is granted for a period of five (5) years from the date on which the approval comes into operation, whereafter the temporary departure shall automatically lapse and the land use rights associated therewith be ceased, unless a further application for the extension or renewal thereof has been approved by the Municipality prior to its expiry.
(f) Upon expiry of the temporary land use departure, the property may continue to be utilised in accordance with the approved consent use and underlying zoning provisions, subject to compliance with all applicable conditions of approval.
(g) 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 200,00 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.

Yours sincerely

MUNICIPAL MANAGER
per Department Development Services
HLO/ds

Copies: *Building Control Officer*
Me SL Saayman, 12 Petunia Street, DARLING, 7345
makeupbysulani@gmail.com