



CLEAN AUDITS SINCE 2010/11



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File ref: 15/3/4 -14/Erf_933
15/3/5 -14/Erf_933

Enquiries:
Mr AJ Burger

31 January 2022

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

By Registered Mail

Sir / Madam

PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS ON ERF 933, YZERFONTEIN

Your application with reference number YZER/12345/NJdK, dated 19 January 2022 on behalf of Krapohl Family Trust, refers.

- A.** By virtue of the authority delegated to the Senior Manager: Built Environment 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 B1, B2, B3, B6 and B7(a) to B7(d) of Title Deed no T000045467/2021 on erf 933, Yzerfontein is approved in terms of Section 70 of the abovementioned By-Law.

Restrictive conditions B1, B2, B3, B6 and B7(a) to B7(d) that reads as follows, be removed from Title Deed T000045467/2021:

- "...B1. Any words and expressions used, in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Administration Notice No. 623 dated 14th August 1970.
- B2. In the event of a Town Planning Scheme or any portions thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any condition of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 17 of Ordinance No. 19 of 1976, as amended.
- B3. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
- B6. This erf shall be used only for such purposes as are permitted by the Town Planning Scheme of the local authority and subject to conditions and restrictions stipulated by the scheme.
- B7.(a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local Authority, approve, provided that if the erf is included within the area of a Township Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.
- (b) No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 3 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority-

Rig asseblief alle korrespondensie aan:

Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299

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

Darling Tel: 022 492 2237

Yzerfontein Tel: 022 451 2366

forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority-

(i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear space, and any other outbuildings of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf;

(ii) An outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

- (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject, to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it was one erf.
- (d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the condition herein set forth as if it were the original erf...."

The approval is subject to the following process:

- a) The applicant/owner applies to the Deeds Office to amend the title deed in order to reflect the removal of the restrictive condition;
- b) 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;
- c) A copy of the amended title deed must be provided to Swartland Municipality for record purposes, prior to final consideration of building plans.

The approval is, in terms of section 76(2)(w) of the By-Law, only valid for a period of 5 years. All conditions of approval be complied with at building plan submission stage and failing to do so will result in the approval expiring.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services

AJB/ds

Copies: Department: Financial Services

Building Control Officer

AJ & E Adams, PO Box 41, Riebeek Kasteel, 7306.