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File ref: 15/3/4-14/Erf 676  
15/3/5-14/Erf 676

Enquiries:  
A. de Jager

14 July 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 676, YZERFONTEIN

Your application, with reference YZE/12351/GT-ZN, dated 25 April 2022, on behalf of the Newald Fullard Trust, 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 amendment of restrictive condition C.6.(b) and the removal of restrictive conditions C.6.(b)(i) and C.6.(b)(ii) from Title Deed T34956/2001, as registered against Erf 676, Yzerfontein, is approved in terms of section 70 of the By-Law, as follows:

a) Restrictive condition C.6.(b), that reads as follows:

"...C.6.(b) *Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag, behalwe met die toestemming van die Administrateur nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1,5 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 as follows

"...C.6.(b) *Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings mag, behalwe met die toestemming van die Administrateur, nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens opgerig word nie.*"

b) Restrictive conditions C.6.(b)(i) and C.6.(b)(ii) that read as follows:

"...C.6.(b)(i) *'n buitegebou wat uitsluitend vir die stalling van motorvoertuie gebruik word en hoogstens 3 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 12 meter gemeet van die agtergrens van die erf, met dien verstande dat in geval van 'n hoekerf die afstand van 12 meter gemeet moet word van die punt wat die verste is van die strate wat die erf begrens.*

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

Kindly address all correspondence to:

The Municipal Manager  
Private Bag X52  
Malmesbury 7299

Moorreesburg Tel: 022 433 2246

Darling Tel: 022 492 2237

Yzerfontein Tel: 022 451 2366

- (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.."

be removed from Title Deed T34956/2001;

- 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;

**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 676, Yzerfontein, is approved in terms of section 70 of the By-La, subject to the conditions that:

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

- a) The 1,5m western side building line be departed from to 0m, restricted to the existing and proposed portions of the outbuilding that encroach the building line, as presented in the application;
- b) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- c) Building plans be accompanied with the land use approval letter.

#### **C. GENERAL**

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 with. Should all conditions not be met by the end of 5 years, the land use approval will lapse. However, should the conditions of approval be met before the 5 year period lapses, the land use will be permanent and the approval period will not be applicable anymore.

Yours sincerely

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

Copies:                    *Department: Civil Engineering Services*  
                                  *Department: Financial Services*  
                                  *Building Control Officer*  
                                  *Newald Fullard Trust, 46 Foxglove Street, Groenvlei, Paarl, 7646*