



File ref: 15/3/5-3/Erf 1077

Enquiries:  
Mr HL Olivier

23 July 2025

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P.O. Box 211  
MALMESBURY  
7300

PER REGISTERED MAIL

Dear Sir/Madam

## PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS ON ERF 1077, YZERFONTEIN

Your application dated 22 May 2025, on behalf of Mr CD Gilmour, 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.7.(b), B7(b)(i) & B7(b)(ii) in Title Deed T45010/2023, of Erf 1077, Yzerfontein, is approved in terms of Section 70 of the By-Law;

### 1. TOWN PLANNING AND BUILDING CONTROL

- (a) Condition B.7.(b), B7(b)(i) & B7(b)(ii) in Title Deed T45010/2023, that reads as follows,

*"...B 7 (b)*

*No building or structure or any portion thereof except boundary wall and fences, shall except with the consent of the Administrator, be erected nearer than 5 meters to the street line which forms a boundary of this erf, nor within 3 meters of the rear or 1,5 meters 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 meters in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear space for a distance of 12 meters measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 meters 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..."*

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 must 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;

(e) Building plans be submitted to Senior Manager: Development Management for consideration and approval

## 2. GENERAL

(a) 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  
HLO/ds

Copies: *Building Control Officer*  
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