



File ref: 15/3/3-14/Erf 118, 2739
15/3/5-14/Erf 118, 2739
15/3/6-14/Erf 118, 2739
15/3/12-14/Erf 118, 2739

Enquiries:
A. de Jager

5 September 2025

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

Via e-mail: planning2@rumboll.co.za

Dear Sir

PROPOSED REMOVAL AND AMENDMENT OF RESTRICTIVE CONDITIONS, REZONING, SUBDIVISION, CONSOLIDATION AND SERVITUDE REGISTRATION ON ERF 118 AND ERF 2739, YZERFONTEIN

Your application, with reference YZER/14403/NJdK, dated 28 March 2025, on behalf of Blue Moonlight Prop 61 (Pty) Ltd., 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 conditions B.I.(1), B.I.(2), B.I.(3) from Title Deed T71274/2024, of Erf 118, Yzerfontein, is approved in terms of Section 70 of the By-Law as follows:

Condition B.I.(1), B.I.(2), B.I.(3) from Title Deed T71274/2024 that read:

"...B.I.(1) That the erf be used for residential purposes only.

"...B.I.(2) That the erf not be subdivided.

"...B.I.(3) That not more than one dwelling, together with the necessary outbuildings and appurtenances, be erected on the erf..."

be removed in totality from the title deed;

- 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 the amendment of restrictive condition I.B.(1)(5) in Title Deed T41772/2019, of Erf 2738, Yzerfontein, is approved in terms of Section 70 of the By-Law as follows:

Condition I.B.(1)(5) in Title Deed T71274/2024 that reads:

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef
- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

“...B.I.(1)(5) That no building shall be erected within three comma one five (3,15)metres of any street line which forms a boundary of the erf, or within three comma one five (3,15) metres of the open space where it forms a boundary of the erf on the sea front...”

be amended to read as follows:

B.I.(2) That no building shall be erected within three comma one five (3,15) metres of the open space where it forms a boundary of the erf on the sea front...”

Approvals A. and B. are subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The applicant/owner applies to the Deeds Office to amend the respective Title Deed in order to reflect the removals and amendment of the relevant restrictive conditions, as well as the particulars of the right-of-way servitude, with reference to the dominant and servient properties;
- b) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
 - i. Copy of the approvals by Swartland Municipality;
 - ii. Original Title Deeds, and
 - iii. Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- 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 the rezoning of Erf 118, Yzerfontein, is approved in terms of Section 70 of the By-Law;
- D. 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 subdivision of Erf 118, Yzerfontein, is approved in terms of Section 70 of the By-Law;
- E. 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 registration of a right-of-way servitude on Erf 118, Yzerfontein, is approved in terms of Section 70 of the By-Law;
- F. 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 consolidation of a portion of Erf 118, Yzerfontein, with Erf 2739, Yzerfontein is approved in terms of Section 70 of the By-Law;

Approvals C. D. E. and F. are subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Erf 118 (856m² in extent) be rezoned from Residential Zone 1 to Business Zone 1 in accordance with Zoning Plan YZER/14403/NJdK, dated March 2025, and the permitted uses be restricted to offices and retail, as presented in the application;
- b) Erf 118 (856m² in extent) be subdivided into Portion A (273m² in extent) and the Remainder (583m² in extent) in accordance with Subdivision Plan YZER/14403/NJdK, dated March 2025, as presented in the application;
- c) A 6m wide right-of-way servitude be registered over Erf 118, in favour of Erf 2739, Subdivision Plan YZER/14403/NJdK, dated March 2025, as presented in the application;
- d) The newly created Portion A (273m² in extent) of Erf 118 be consolidated with Erf 2739 (868m² in extent) in order to create one property of 1 141m² in extent, in accordance with Consolidation Plan YZER/14403/NJdK, dated March 2025, as presented in the application;

- e) A minimum of seven (7) parking bays be provided on the Remainder of Erf 118 and a minimum of 20 parking bays be provided on the new consolidated erf, in accordance with Site Development Plan YZER/Erven 118 & 2739, dated March 2025, as presented in the application;
- f) The parking bays be finished in a permanent, dust free surface, such as tar, concrete, paving, or any other material previously approved by the Director: Civil Engineering Services, and that the bays be clearly marked;
- g) Building plans be submitted to the Senior Manager: Development Management, for consideration and approval;
- h) Application for an advertising sign be submitted to the Senior Manager: Development Management, for consideration and approval;
- i) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- j) The owners/developers submit the subdivision, servitude and consolidation diagrams to the Surveyor General for approval, including proof of the following:
 - i. The approval letter for the subdivision, servitude and consolidation, containing the conditions of approval;
 - ii. The approved subdivision and consolidation plans;

1. WATER

- a) Each portion be provided with a separate water connection, at clearance stage;

2. SEWERAGE

- a) Each portion be provided with a conservancy tank, of which the minimum capacity is 8 000 litres, and that is accessible by the vacuum truck from the street;
- b) The condition is applicable at clearance stage;

3. ELECTRICITY

- a) Each subdivided portion be provided with a separate electrical connection, for the account of the owner/developer;
- b) The relocation of any electrical cables, caused by the subdivision, be for the account of the owner/developer;
- c) Any electrical interconnection be isolated and removed completely;

4. DEVELOPMENT CHARGES

- a) The owner/developer is responsible for the development charge of R1 882,65 towards roads, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/247-188-9210);
- b) The Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and may be revised thereafter;

2. GENERAL

- a) Any existing services connecting the Remainder and Portion A, be relocated and/or disconnected, in order for the pipework of each erf to be separate and located on the applicable property;
- b) Should the expansion of the existing services be necessary, in order to provide service connections to the subdivided portions, the costs will be for the account of the owner/developer;
- c) The approval will not exempt the owner/developer from adherence to all other legal procedures, applications and/or approvals related to the intended land use;
- d) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law, from the date of decision. All conditions of approval be implemented before the new land use comes into operation/or the occupancy certificate be issued and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable.

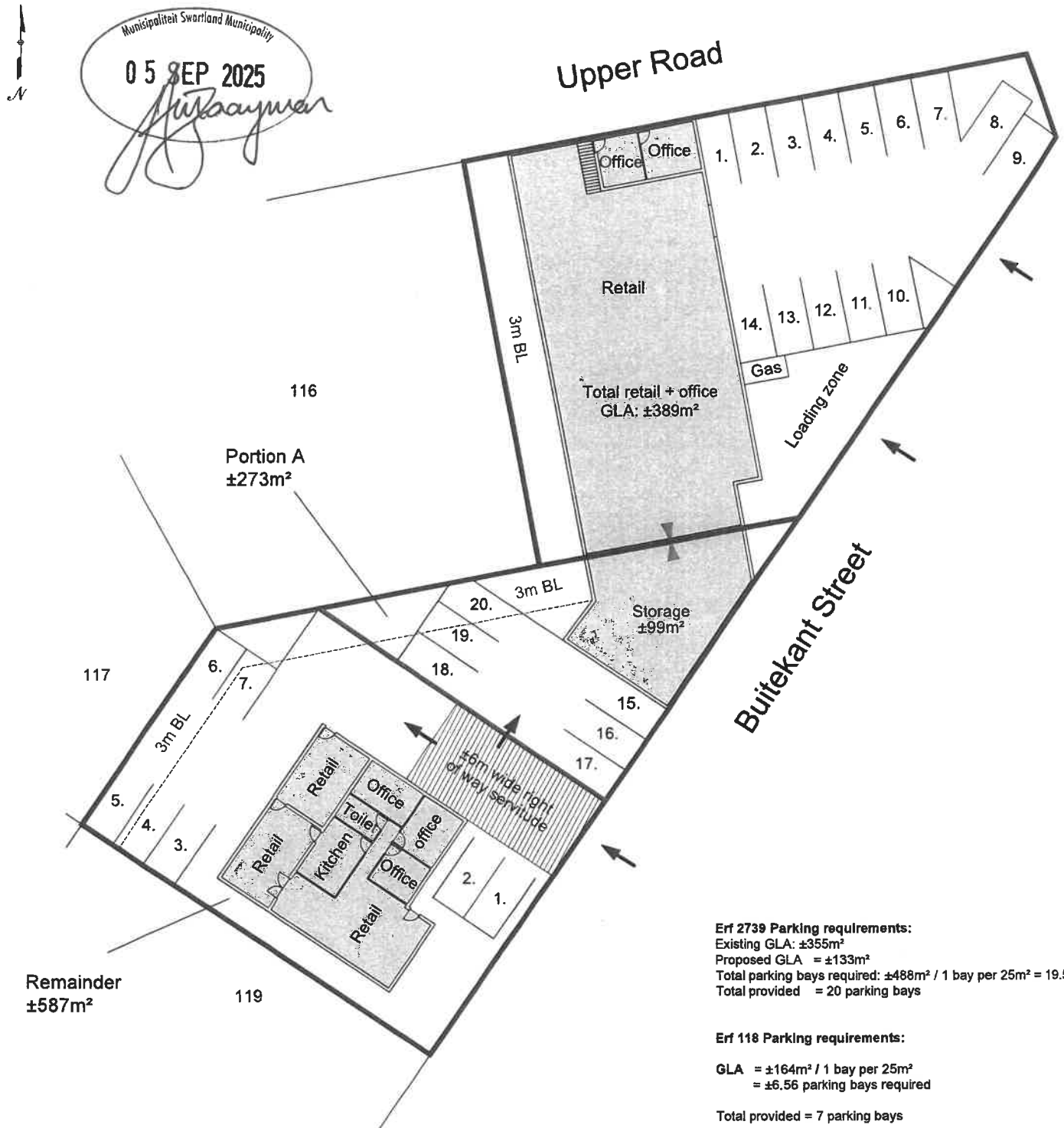
- e) The applicant/objector be informed of the right to appeal against the decision of the Municipality, in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision for or against the appeal. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 in order 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
Add/bs

Copies: *Department: Civil Engineering Services*
 Department: Electrical Engineering Services
 Department: Financial Services
 Building Control Officer
 H van der Merwe, P.O. Box 63, Yzerfontein, 7345
 Darlington1@mweb.co.za

SITE DEVELOPMENT PLAN: ERVEN 118 AND 2739, YZERFONTEIN



NOTES:

Subdivision Line

Consolidation

±6m wide Right of way servitude
in favour of Erf 2739

Subject properties

Current Zoning:
Erf 118 - Residential Zone 1
Erf 2739 - Business Zone 1

Proposed Zoning:
Erf 118 - Business Zone 1
Erf 2739 - Business Zone 1

Subdivision:

Erf 118 into -
Portion A: ±273m²
Remainder: ±587m²

Consolidation:

Erf 2739 ±868m²
Portion A of Erf 118: ±273m²
Total Size: ±1141m²

Drawing by:

NJ de Kock

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING



C.K. RUMBOLD & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: lesp@rumbold.co.za

DATE:
March 2025

AUTHORITY:
SWARTLAND MUNICIPALITY

REF:
YZER/Erven 118 & 2739

SCALE: NTS

Onderverdeling toegestaan ingevolge artikel 70 van die Verordening insake Municipale Grondgebruikbeplanning (PK 8226 van 25 Maart 2020), onderhewig aan voorwaardes.

Subdivision granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020) subject to conditions.

2025/09/05

DATE
Subdivision:

Erf 118 into -

Portion A: $\pm 273\text{m}^2$

Remainder: $\pm 583\text{m}^2$

Total Size: 856m^2

NOTES:

Subdivision Line

$\pm 6\text{m}$ wide Right of way servitude in favour of Portion A

Current Zoning:

Erf 118 - Residential Zone 1

Proposed Zoning:

Erf 118 - Business Zone 1

Drawing by:

NJ de Kock

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: leap@rumboll.co.za



DATE:

March 2025

AUTHORITY:

SWARTLAND MUNICIPALITY

REF:

YZER/14403/NDK

SCALE: NTS

SUBDIVISION PLAN: ERF 118, YZERFONTEIN

Existing garage and carport
(to be demolished)

2739

116

3m BL

Portion A
 $\pm 273\text{m}^2$

Buitekant Street

$\pm 6\text{m}$ wide Right
of way servitude

$\pm 4,65\text{m}$

6.

117

3m BL

5.

120

4.

3.

Office
Office
Office

Toilet

Kitchen

Retail

Retail

Retail

1.

2.

Loading
Zone

119

Remainder
 $\pm 583\text{m}^2$

Erf 118 Parking requirements:

GLA = $\pm 164\text{m}^2$ / 1 bay per 25m^2
= ± 6.56 parking bays required

Total provided = 7 parking bays

CONSOLIDATION PLAN: PORTION A OF ERF 118 WITH ERF 2739, YZERFONTEIN

SWARTLAND MUNISIPALITEIT SWARTLAND MUNICIPALITY

Konsolidasie toegestaan ingevolge artikel 70 van die Verordening insake munisipale Grondebruikbeplanning (PK 8226 van 25 Maart 2020) onderhewig aan voorwaardes.

Consolidation granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020), subject to conditions.

2025/09/05
DATE

A. J. J. J. J.
MUNICIPAL MANAGER

NOTES:

Consolidation



Consolidation:

Erf 2739 ±868m²

Portion A of Erf 118: ±273m²

Total Size: ±1141m²

Drawing by:

NJ de Kock

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

C.K. RUMBOLL & VENNOTE

TOWN PLANNERS

PROFESSIONAL SURVEYORS

16 RAINIER STREET, MALMESBURY

Tel: 022 - 4821845

Fax: 022 - 4871661

Email: leap@rumboll.co.za



DATE:

March 2025

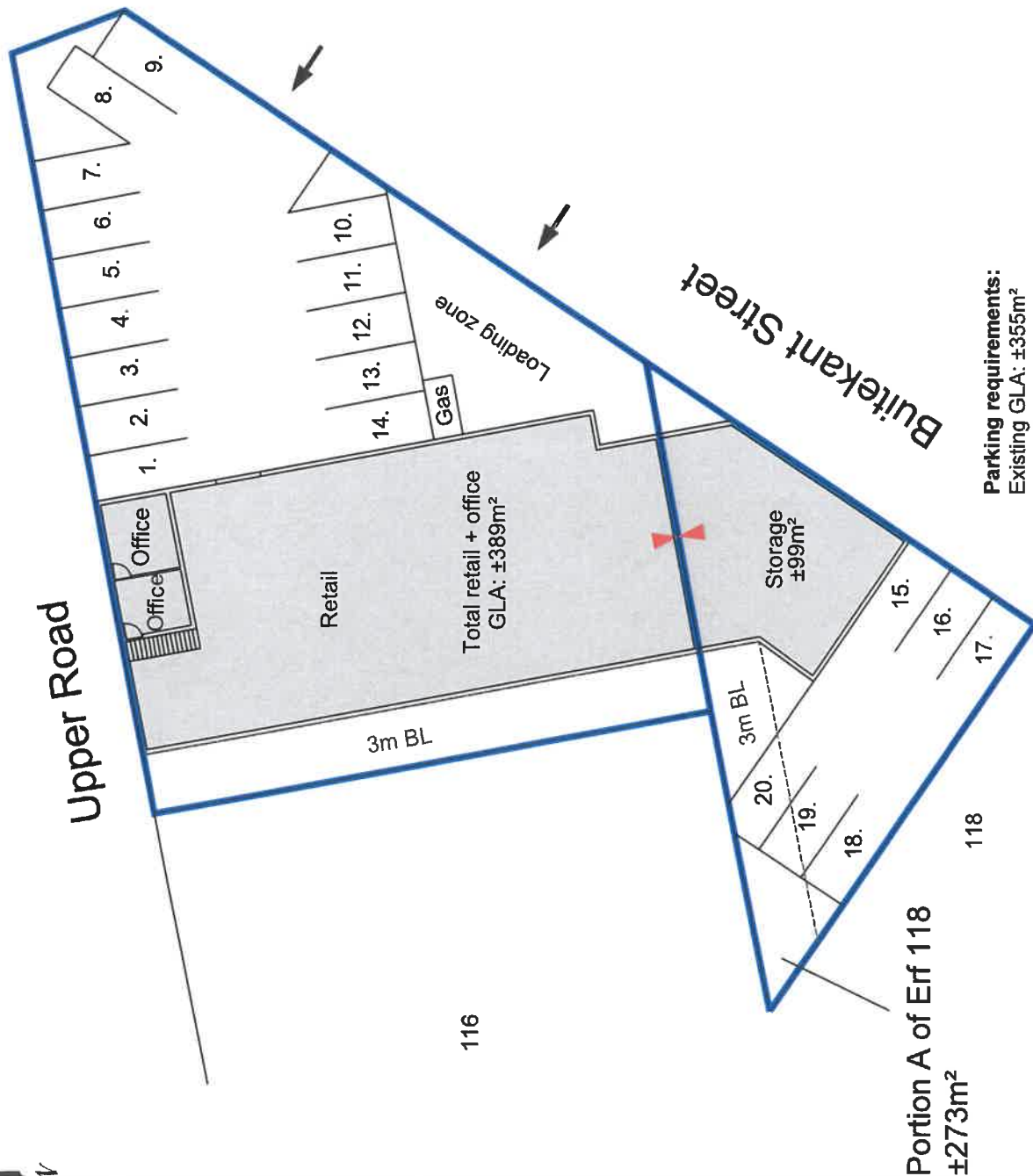
AUTHORITY:

SWARTLAND MUNICIPALITY

REF:

YZER/14403N/dk

SCALE: NTS



Parking requirements:

Existing GLA: ±355m²

Proposed GLA = ±133m²

Total parking bays required: ±488m² / 1 bay per 25m² = 19.52 bays

Total provided = 20 parking bays