



File ref: 15/3/5-14/Erf 478

Enquiries:
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18 December 2025

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Dear Sir/Madam

PROPOSED REMOVAL OF RESTRICTIVE TITLE CONDITION ON ERF 478, YZERFONTEIN

Your application, with reference YZE/14830/MV, dated 22 October 2025, on behalf of Marlio Beleggings Twaalf (Eiendoms) Beperk, refers.

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 from Title Deed T16684/2002, of Erf 478, Yzerfontein, is approved in terms of Section 70 of the By-Law, as follows:

1. TOWN PLANNING AND BUILDING CONTROL

a) Conditions C.7., C.7.(i) and C.7.(ii) in Title Deed T16684/2002 that read as follows:

“...C.7. 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 5m to the street line which forms a boundary of this erf, nor within 3m of the rear or 1,5m 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 3m in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12m measured from the rear boundary of the erf provided that in the case of a corner erf the distance of 12m shall be measured from the point furthest from the street 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 Deed completely.

- b) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;
- c) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
 - i. Copy of the approval by Swartland Municipality;

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

- 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.

2. GENERAL

- a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- b) 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.
- c) 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, Yzerfontein, 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 faithfully

Thiaart
MUNICIPAL MANAGER
per Department Development Services
Add/ds

Copies: Department: Civil Engineering Services
Building Control Officer
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