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File ref: 15/3/3-14/Erf\_514  
15/3/5-14/Erf\_514  
15/3/4-14/Erf\_514

Enquiries:  
Mr AJ Burger

19 April 2023

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P.O. Box 211  
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7299

**By Registered Mail**

Sir / Madam

**PROPOSED AMENDMENT AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS, REZONING AND DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 514, YZERFONTEIN**

Your application with reference YZR/13035/NJdK, dated 23 February 2023 on behalf of TE Hutchinson, 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 C3 and C6(a) registered against Erf 514, Yzerfontein, as contained in Title Deed T34956/2001, is hereby approved in terms of section 70 of the By-Law.
- 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 condition C6(b) registered against Erf 514, Yzerfontein, as contained in Title Deed T34956/2001, is hereby approved in terms of section 70 of the By-Law. The condition be amended to read as follows:

*"...C6(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 5 meters to the street line which forms a boundary of this erf, nor within 3 meters of the rear or 1,5m of the western and 0m on the north-eastern lateral boundary common to any adjoining erf, provided that with the consent of the local authority..."*

**The following process be followed for decisions A & B:**

- (a) The applicant/owner applies to the Deeds Office to amend the title deed in order to reflect the amendment and removal of the restrictive conditions;
- (b) 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;
  - (ii) Original title deed, and
  - (iii) Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- (c) A certified copy of the amended title deed be provided to Swartland Municipality for record purposes, prior to final consideration of building plans.

- 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 514, Yzerfontein, is hereby approved in terms of section 70 of the By-Law, subject to the following conditions:

**1. TOWN PLANNING AND BUILDING CONTROL**

- a) Erf 514, Yzerfontein be rezoned from Residential zone 1 to Business zone 2, as presented in the application;
- b) A minimum of eight (8), clearly demarcated on-site parking bays be provided as presented in the application and that the parking area be finished with a permanent, dust free surface, whether it be tar, concrete, paving or any other material, as pre-approved by the Director: Civil Engineering Services;
- c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval for the conversion of the dwelling into offices;
- d) Application be made to the Senior Manager: Development Management for the right to display the name board/sign of the facility on the site;

**2. WATER**

- (a) The existing water connection be used and that no additional connections be provided;

**3. SEWERAGE**

- (a) The erf be provided with a conservancy tank with a minimum capacity of 8000 litres which suction point is accessible for the services truck from the street;

**4. STREETS AND STORMWATER**

- a) The on-site parking area as well as the access from the street be provided with a permanent dust free surface as stipulated at condition C1(b);

**5. DEVELOPMENT CHARGES**

- a) The development charge towards the supply of regional bulk water amounts to R1 513,40 is payable by the owner/developer at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (mSCOA: 9/249-176-9210);
- b) The development charge towards bulk water reticulation amounts to R1 943,50 is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (mSCOA 9/249-174-9210);
- c) The development charge towards sewerage amounts to R3 513,25 is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (mSCOA 9/240-184-9210);
- d) The development charge towards waste water treatment amounts to R5308,40 is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (mSCOA 9/240-183-9210);
- e) The development charge towards stormwater amounts to R8 602,00 is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2022/2023 and may be revised thereafter (mSCOA 9/248-144-9210);
- f) The actual development charge towards electricity will be applicable if the electrical supply to the property is to be upgraded;
- g) The Council resolution of May 2022 makes provision for a 35% discount on development charges to Swartland Municipality which is not applicable to C5 (a). The discount is valid for the financial year 2022/2023 and may be revised thereafter.

## 6. GENERAL

- (a) Should it be determined necessary to expand or relocate any of the engineering services in order to provide any of the portions with connections, said expansion and/or relocation will be for the cost of the owner/developer;
- (b) The approval does not exempt the owner/developer from adherence to all other legal procedures, applications and/or approvals related to the intended land use;
- (c) 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 and an occupancy certificate for the buildings be issued prior to the swimming school going into operation.

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 departure of the development parameters applicable on erf 514, Yzerfontein, is hereby approved in terms of section 70 of the By-Law as follows:

### 1. TOWN PLANNING AND BUILDING CONTROL

- a) The departure of the 3m side building line (eastern boundary) to 0m.

Yours faithfully



**MUNICIPAL MANAGER**

per Department Development Services

AJB/ds

Copies:

*Department Financial Services*

*Department Civil Engineering Services*

*Department Electrical Engineering Services*

*Building Control Officer*

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