



Lêer verw/ 15/3/3-14/Erf\_744, 745  
15/3/5-14/Erf\_744, 745  
15/3/12-14/Erf\_744,745

Navrae/Enquiries:  
Ms D N Stallenberg

27 November 2024

C K Rumboll & Partners  
P O Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

**PROPOSED REZONING, CONSOLIDATION AND REMOVAL OF RESTRICTIVE CONDITIONS ON ERVEN 744 AND 745, YZERFONTEIN**

Your application dated 29 July 2024 with reference YZER/13883/NJdK on behalf of Frank Comer and Coastal Cove Pty. Ltd has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 20 November 2024 to approve application for removal of restrictive conditions 6(a), 6(b), 6(b)(i), 6(b)(ii) and 7 against Erf 744, Yzerfontein, as contained in Title Deed T26836/2024, is hereby approved in terms of section 70 of the By-Law.

**The following process be followed for decision A:**

- (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;
- B. The application for the rezoning of erf 744, Yzerfontein, is approved in terms of section 70 of the By-Law;
- C. The application for the consolidation of erf 744 and 745, Yzerfontein, is approved in terms of section 70 of the By-Law;
- D. **B & C are subject to the following conditions:**
- D1 TOWN PLANNING AND BUILDING CONTROL**
- (a) Erf 744 be rezoned from Residential zone 1 to Business zone 2, as presented in the application;
  - (b) The dwelling on erf 744 be demolished;
  - (c) Erf 744 be consolidated with erf 745;
  - (d) Building plans be submitted to the Senior Manager: Development Management for the demolition as well as for alterations and new building work for consideration and approval;

- 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!

- (e) Access to the consolidated erf be restricted from Park Road (restricted to the business uses) and Ibis Close (restricted to the residential uses);
- (f) At least 24 on-site parking bays and 1 loading bay be provided with a permanent dust free surface being tar, concrete or paving or a material pre-approved by the Director Civil Engineering Services and that the parking bays are clearly marked;
- (g) No throughfare of traffic from Park Road to Ibis Close and vice versa on the consolidated erf, be permitted. Physical restrictions be placed on-site to ensure this conditions be complied with to the satisfaction of the Municipality;
- (h) The medical consulting room be restricted to be used for human medical or medically related consultation, examination or treatment, but does not include live-in facilities;
- (i) Business hours for the businesses be restricted from 07h00 to 20h00 each day;
- (j) Application be made to the Senior Manager: Development Management for the erection of advertising signs;
- (k) A landscaping plan be submitted to the Department Civil Engineering Services for approval. The landscaping plan be approved prior to the submissions of building plans;

## **D2 WATER**

- (a) The erf be provided with only one water connection;

## **D3 SEWERAGE**

- (a) The erf be provided with a conservancy tank with a minimum capacity of 8000 litres which is accessible for the municipal sewerage truck from the street to the satisfaction of the Municipality;

## **D4 REFUSE REMOVAL**

- (a) Medical waste not be removed by Swartland Municipality;

## **D5 ELECTRICAL**

- (a) Both erven 744 and 745 have individual electrical connections and electrical meters. These electrical connections be consolidated to one electrical connection and one metering point to the satisfaction of the Municipality;

## **E. GENERAL**

- (a) The approval does not exempt the applicant from adherence to all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
- (b) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal;
- (c) All conditions of approval be implemented before the new land uses come into operation and failing to do so the approval will 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;
- (d) The applicant/objectors be informed of the right to appeal against the decision of the Municipal Planning Tribunal 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](mailto:swartlandmun@swartland.org.za), within 21 days of notification of the decision. An appeal is to comply with section 90 of the By-Law and be accompanied by a fee of R5000,00 to be valid. Appeals that are received late and/or do not comply with the requirements, will be considered invalid and will not be processed;

## **F. The application be supported for the following reasons:**

- (a) The consolidated property can easily accommodate the development proposal after the demolition of the dwelling on erf 744;
- (b) The impact of the additional shops and flats on the consolidated erf is deemed minimal giving the existing character of Park Road and the historic use of erf 745.

- (c) The business and residential uses of the consolidated erf are in compliance with the spatial planning of Yzerfontein;
- (d) The proposed development complies with the principles of LUPA and SPLUMA.
- (e) The development proposal complies with all the applicable zoning parameters;
- (f) The removal of the title deed restrictions on erf 744 will enable the development rights for the consolidated property;
- (g) Engineering services are deemed sufficient to accommodate the proposed development;
- (h) The impact of the proposed development on bulk engineering services are deemed low. No development charges need to be paid;
- (i) Property values will not be affected negatively by the proposed development;
- (j) Access to the consolidated property is deemed sufficient;
- (k) The business hours be restricted from 07h00 to 20h00 to mitigate the impact of the proposed development on the surrounding owners.

Yours faithfully

  
**MUNICIPAL MANAGER**  
via Department Development Services

/ds

*Copies : Surveyor General, Private Bag X9028, Cape Town, 8000*

*Director: Civil Engineering Services*

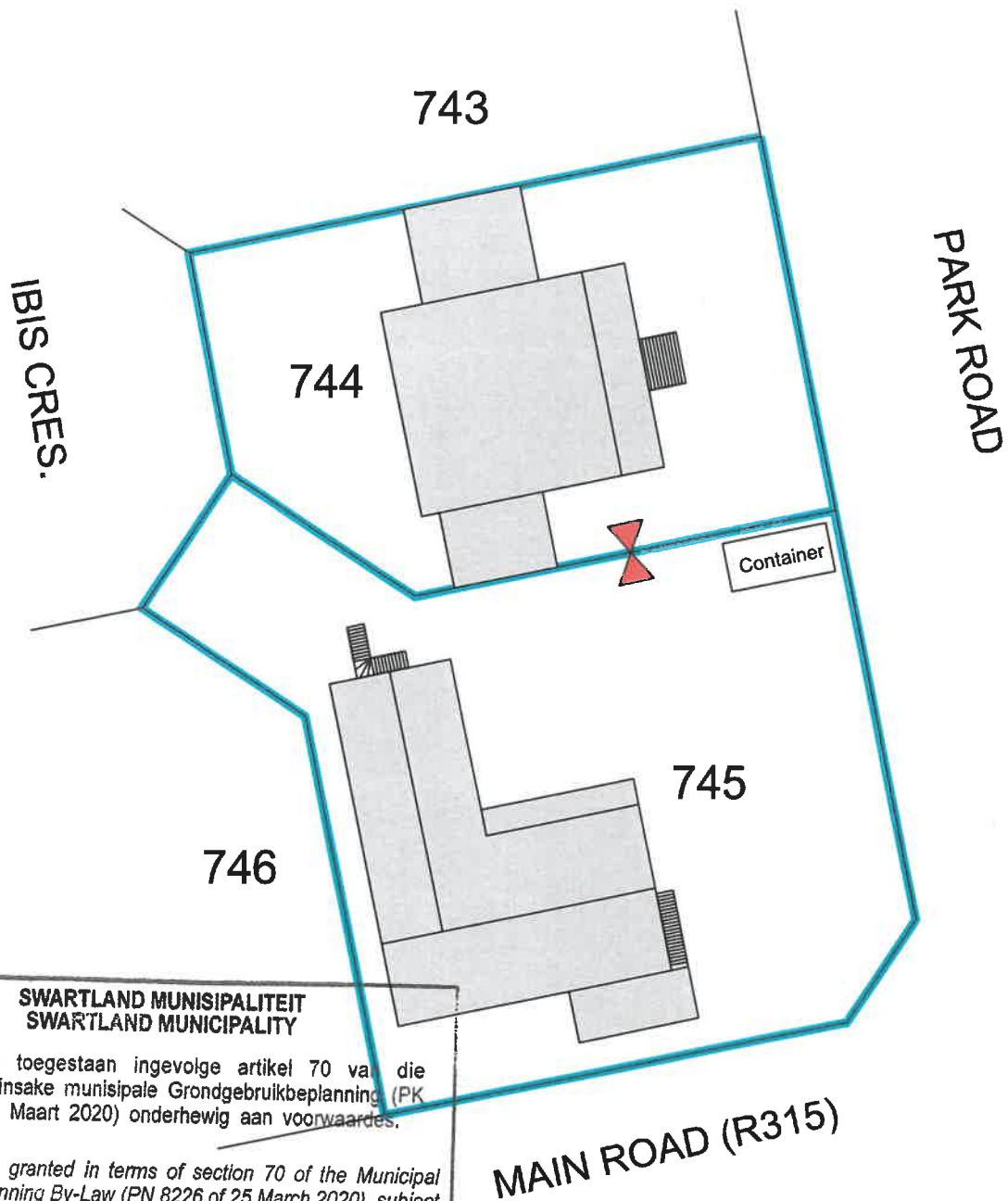
*Director: Electrical Engineering Services*

*Director: Financial Services*

*Building Control Officer*

*Frank Comer and Coastal Cove Pty. Ltd., 1 Park Street, Yzerfontein, 7351,  
clevebeukman@hotmail.com*

# CONSOLIDATION OF ERVEN 744 AND 745, YZERFONTEIN



## SWARTLAND MUNISIPALITEIT SWARTLAND MUNICIPALITY

Konsolidasie toegestaan ingevolge artikel 70 van die Verordening insake munisipale Grondgebruikbeplanning (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.

2024/11/27  
DATUM/DATE

*[Signature]*  
MUNISIPALE BESTUURDER  
MUNICIPAL MANAGER

MAIN ROAD (R315)



### LEGEND:

- Erf 744 - 697m<sup>2</sup>
- Erf 745 - 1005m<sup>2</sup>
- Consolidation
- Existing buildings

### ZONING:

Current:  
Erf 744 - Residential Zone 1  
Erf 745 - Business Zone 2

Proposed:  
Erf 744 - Business Zone 2  
Erf 745 - Business Zone 2

### Consolidation:

= Erf 744 - 697m<sup>2</sup>  
Erf 745 - 1005m<sup>2</sup>

Total = 1702m<sup>2</sup>



CK RUMBOLL &  
PARTNERS

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Consolidation of Erven 744  
and 745, Yzerfontein

REF: YZER/13883/NJdK