



Lêer verw/ 15/3/6-14/Erf_2706
15/3/13-14/Erf_2706

Navrae/Enquiries:
Ms D N Stellenberg

19 February 2025

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

By Registered Mail

Sir/Madam

PROPOSED SUBDIVISION OF ERF 2706 YZERFONTEIN AND APPLICATION FOR EXEMPTION FROM THE REGISTRATION OF A SERVITUDE

Your application with reference MAL/13575/AC/IV dated 18 July 2024 has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 12 February 2025 to approve the application for the subdivision of Erf 2706, Yzerfontein, in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) Erf 2706, Yzerfontein (213,0786ha in extent), be subdivided into six (6) portions, as presented in the application and on Subdivision Plan YZE/13559/IV, as follows:

- (i) Portion A of 56.6ha in extent;
- (ii) Portion B of 4.3ha in extent;
- (iii) Portion C of 32.7ha in extent;
- (iv) Portion D of 8.1ha in extent;
- (v) Portion E 60.6ha in extent; and
- (vi) Portion F (0.3ha) leaving no Remainder;

- (b) The General Plan be submitted to the Surveyor-General for approval, including proof to the satisfaction of the Surveyor-General of—

- (i) the municipality's decision to approve the subdivision;
- (ii) the conditions of approval imposed in terms of section 76; and
- (iii) the approved subdivision plan;

- (c) Copies of said diagrams be made available to the Municipality for record keeping purposes;
- (d) Portion F be transferred by the owner/developer to the Western Cape Department of Infrastructure: Road Planning, in accordance with their letter, referenced 16/9/6/1-26/162, dated 2 September 2024;
- (e) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of By-Law will not be issued unless all the relevant conditions have been complied with;

- B. The registration of an 8 m wide right-of-way servitude over the newly subdivided portion D of Erf 1706, Yzerfontein, as depicted on Subdivision and Servitude Plan YZE/13575/IV, dated July 2024, complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval from Swartland Municipality;

C. GENERAL

- (a) Cognisance be taken of the fact that Servitude 1259/81 is registered as figure hjkmnp in Title Deed 19549/2024 and may not be cancelled or deregistered without adhering to the appropriate land use processes, public participation and other necessary legal requirements;

- 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) 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. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal. 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 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, within 21 days of notification of decision. 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;
- D. The application be supported for the following reasons:
- (a) The application for subdivision is regarded as densification which is supported by the SDF and PSDF;
- (b) Future, detailed development plans will be subject to legal processes and public participation, and environmental issues will be addressed when applicable;
- (c) The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA;
- (d) The proposed subdivision will not negatively affect the character of the neighbourhood, as it is directed by the spatial proposals of the SDF;
- (e) Smaller land portions will be more manageable to develop and a larger variety of opportunities may become available for a wider section of the community;
- (f) All land portions will be subject to the relevant environmental processes and public participation requirements upon rezoning and detailed development stage;
- (g) The subdivision is exempted from Act 70 of 1970;
- (h) The proposed servitude complies with the requirements of section 34 of the By-Law and is exempted from application;
- (i) The right-of-way servitude no. 1259/81 is registered as figure hjkmnp in Title Deed 19549/2024 and is a real right. The development proposal does not include the cancellation of this existing right-of-way servitude known as the "Strandkombuis Pad" and many of the objections lodged are thus unfounded;
- (j) Should the applicant/owner in future wish to cancel the right-of-way servitude over the Strandkombuis Road, additional land use applications, public participation processes and other legal procedures will be required;
- (k) The rights, health and safety of surrounding property owners will not be negatively affected by the development proposal.

Yours faithfully


MUNICIPAL MANAGER
via Department Development Services
/ds

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

Director: Financial Services

Black Ginger 330 (Pty)Ltd., 8 Barlinka Street, Durbanville, 7550. zyercon@gmail.com



Ref: 16/9/6/1-26/162 (Application No: 2024-07-0175)

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

Attention: Mr I Visser

Dear Sir

ERF 2704, YZERFONTEIN: PROPOSED SUBDIVISION

1. Your letter to this Branch referenced YZE/13575/AC/IV dated 25 July 2024 refers.
2. The proposal affects Main Road 215 and Minor Road 5313 for which this Branch is the Road Authority.
3. The application is for the following:
 - 3.1. The subdivision of the subject property into:
 - Portion A (±56.9ha)
 - Portion B (±4.3ha)
 - Portion C (±32.7ha)
 - Portion D (±58.1ha)
 - Portion E (±60.6ha)
 - 3.2. Servitude right of way over Portion B in favour of Portion A.
 - 3.3. Servitude right of way over Portion D in favour of Portion C and E.
4. Your proposed servitude over Portion B along the eastern boundary is actually the alignment of Minor Road 5313 for which this Branch is the road authority and therefore a servitude cannot be permitted as this is a public road. See image below (Blue line indicating the Minor Road):

ENDORSEMENTS

1. CK Rumboll & Partners
Attention: Mr I Visser (e-mail: planning8@rumboll.co.za)
2. District Roads Engineer
Paarl
3. Mr E Smith (e-mail)
4. Mr D Fortuin (e-mail)
5. Mr S Carstens (e-mail)

TITLE: SUBDIVISION AERIAL
Remainder of Erf 2706, Yzerfontein

PHYSICAL ADDRESS: #

NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

COMPILED BY: C.J. RIMMO & VORNOOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 PAMPER STREET, MAALSBURY
Tel: 022-4621865
Fax: 022-4621866
Email: townplanners@rimmo.co.za

DATE: MAY 2024
AUTHORITY: SWARTLAND MUNICIPALITY

REF: YZE/13559/V

KEY: REZ706 boundary
Yzerfontein Urban Edge
Subdivision Line

Proposed Subdivision	
Portion A	±56.6ha
Portion B	±4.3ha
Portion C	±32.7ha
Portion D	±58.1ha
Portion E	±60.6ha
Portion F	±0.3ha

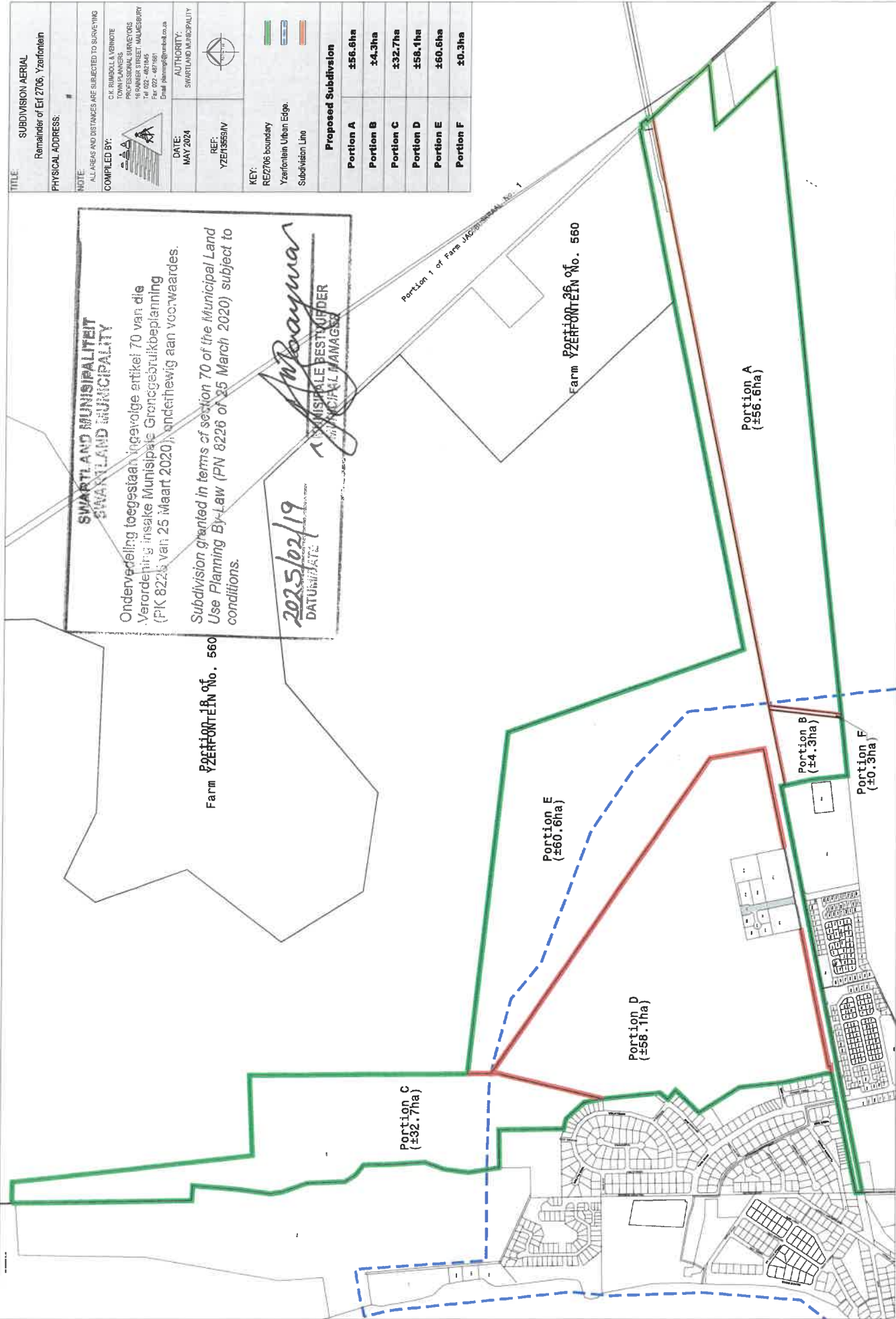
SWARTLAND MUNICIPALITEIT
SWARTLAND MUNICIPALITY

Onderverreëling toegestaan ingevolge artikel 70 van die Verordening insake Munisipale Grondgebruikbeplanning (PK 8226 van 25 Maart 2020), onderwerping 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.

2025/02/19
DATE

M. Praywar
MUNICIPAL MANAGER



TITLE: SUBDIVISION & SERVITUDE SKETCH Remainder of Erf 2706, Yzerfontein															
PHYSICAL ADDRESS:															
NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING COMPILED BY: C.E. RUMKOLL & SON/NOTE PROFESSIONAL SURVEYORS 18 PARKER STREET, MALESBURY TEL 022-4611465 Fax 022-4611465 Email: ce@rumkoll.co.za	AUTHORITY: SWARTLAND MUNICIPALITY														
DATE: JULY 2024	REF: YZE/13575/NV														
KEY: REZ2706 boundary Existing Servitude Yzerfontein Urban Edge. Subdivision Line															
<table border="1"> <thead> <tr> <th colspan="2">Proposed Subdivision</th> </tr> </thead> <tbody> <tr> <td>Portion A</td> <td>±56.6ha</td> </tr> <tr> <td>Portion B</td> <td>±4.3ha</td> </tr> <tr> <td>Portion C</td> <td>±32.7ha</td> </tr> <tr> <td>Portion D</td> <td>±58.1ha</td> </tr> <tr> <td>Portion E</td> <td>±60.6ha</td> </tr> <tr> <td>Portion F</td> <td>±0.3ha</td> </tr> </tbody> </table>		Proposed Subdivision		Portion A	±56.6ha	Portion B	±4.3ha	Portion C	±32.7ha	Portion D	±58.1ha	Portion E	±60.6ha	Portion F	±0.3ha
Proposed Subdivision															
Portion A	±56.6ha														
Portion B	±4.3ha														
Portion C	±32.7ha														
Portion D	±58.1ha														
Portion E	±60.6ha														
Portion F	±0.3ha														

SWARTLAND MUNISIPALITEIT **SWARTLAND MUNICIPALITY**

Vrygestel ingevolge artikel 34 van die Verordening insake Munisipale Grondgebruiksbeplanning (PK 8226 van 25 Maart 2020).

Exempted in terms of section 34 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020).

Farm YZERFONTEIN No. 560

2025/02/19
DATUM/DATE

MUNICIPAL BESTUURDER
MUNICIPAL MANAGER

[Signature]

Portion C
(±32.7ha)

Portion E
(±60.6ha)

Portion D
(±58.1ha)

Existing
Servitude

Public Street
(Erf 2715)

Portion B
(±4.3ha)

Portion F
(±0.3ha)

Farm YZERFONTEIN No. 560

Portion A
(±56.6ha)

Portion 1 of Farm YZERFONTEIN No. 1