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File ref: 15/3/4-14/Erf 1140
15/3/5-14/Erf 1140

Enquiries:
Mr H L Olivier

21 September 2023

C K Rumboll & Partners
P.O. Box 211
MALMESBURY
7299

Per Registered Post

Dear Sir/Madam

PROPOSED AMENDMENT OF RESTRICTIVE TITLE CONDITION AS WELL AS DEPARTURE ON ERF 1140, YZERFONTEIN

Your application, received by Swartland Municipality on 25 July 2023 on behalf of Kathleen Joy Korb, regarding the subject, refers.

- A. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution 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, dated 25 March 2020), the application for amendment of restrictive condition B7 (b) registered against Erf 1140, Yzerfontein, as contained in Title Deed T48151/2006, is hereby approved in terms of section 70 of the By-Law:

1. TOWN PLANNING AND BUILDING CONTROL

(a) Conditions B7 (b) as contained in Deed of Transfer T48151/2006 which read as follows:

- 7.(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 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-*

be amended as follows;

- 7.(b) *No building or structure or any portion thereof except boundary walls and fences shall except with the consent of the Administrator be erected within 3m of the rear boundary provided that with the consent of the local authority-*

(b) The following process be followed:

- (i) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the amendment of the restrictive condition;
- (ii) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
 - Copy of the approval by Swartland Municipality;
 - Original Title Deed, and
 - Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;

Rig asseblief alle korrespondensie aan:

Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299

Darling Tel: 022 492 2237

Tel: 022 487 9400

Faks/Fax: 022 487 9440

Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:

The Municipal Manager
Private Bag X52
Malmesbury 7299

Yzerfontein Tel: 022 451 2366

- (iii) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes.

B. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution 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, dated 25 March 2020), the application for departure of the street and side building lines, is hereby approved in terms of section 70 of the By-Law:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The departure hereby approved entails positioning a proposed carport on the street and side boundary in lieu of the respective 4m and 1,5m building lines;
- (b) Building plans be submitted to the Senior Manager: Development Management, for consideration and approval within 60 days of the decision;
- (c) The width of the proposed carport measuring the roofing and guttering edge toe edge and parallel to the street boundary not exceed 6,5m as provided for in terms of the development management scheme;
- (d) The height of the carport measured from the floor to the highest point of its roof may not exceed 3m;

C. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution 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, dated 25 March 2020), the application for departure of the provision as contained under Par. 12.2.2(b)(i), is hereby refused in terms of section 70 of the By-Law due to the negative impact on the streetscape of Dassen Island Drive as well as the character of the area..

You are hereby informed of the right to appeal against the decision of the authorised official 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 the decision. An appeal is to comply with section 90 of the By-Law and be accompanied by a fee of R5000-00 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
HLO/ds

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