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File ref: 15/3/4 -14/Erf_1013
15/3/5 -14/Erf_1013

Enquiries:
Mr AJ Burger

15 November 2021

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

By Registered Mail

Sir / Madam

AMENDMENT OF AN EXISTING APPROVAL: PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS AND DEPARTURE ON ERF 1013, YZERFONTEIN

Your application with reference number YZER/11260/AC/NJdK, dated 20 Oktober 2021, on behalf of Y Collins & IF Horstmann, refers.

- A. By virtue of the authority delegated to the Senior Manager: Built Environment 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 an existing approval regarding the removal of restrictive conditions on erf 1013, Yzerfontein is approved in terms of Section 70 of the abovementioned By-Law as follows:

"...A By virtue of the authority delegated to the Senior Manager: Built Environment 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 7741 of 3 March 2017), the application for the amendment of an existing approval regarding the removal of restrictive conditions B7(a) to B7(d) and C1 to C3 of Title Deed no T240/2018 and Title Deed no T28466/2019 on erf 1013, Yzerfontein is approved in terms of Section 70 of the abovementioned By-Law.

Restrictive conditions B7(a) to B7(d) and C1 to C3 that reads as follows, be removed from Title Deed T240/2018 and Title Deed no T28466/2019:

"...B7. (a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.

(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 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres 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 3 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear space, and any other outbuildings of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf;

(ii) an outbuilding in terms of subparagraph (i) may only be erected nearer to 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.

(c) On consolidation of this erf or any portion thereof with any abutting erf which is subject, to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it was one erf.

(d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted or road or similar purposes, shall be subject to the condition herein set forth as if it were the original erf.

C. SUBJECT to the following conditions imposed by the transferor Yzerfontein Seaside Estates (Proprietary) Limited for its benefit as owner of the remaining extent of Erf 1332 Yzerfontein held under said Certificate of Registered Title T.4850/1988:

- 1. This erf shall not be subdivided.*
- 2. This erf shall be used exclusively for single residential purposes.*
- 3. Neither the transferee nor his successors-in-title shall make any application to the Local Transitional Council of Yzerfontein or any other authority for the rezoning of this erf..."*

The approval is subject to the following process:

- a) The applicant/owner applies to the Deeds Office to amend the title deed in order to reflect the removal of the restrictive condition;
- b) 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;
- c) A copy of the amended title deed must be provided to Swartland Municipality for record purposes, prior to final consideration of building plans.

The approval is, in terms of section 76(2)(w) of the By-Law, only valid for a period of 5 years from the date of the approval letter dated 30 July 2020. All conditions of approval be complied with within the 5 year period and failing to do so will result in the approval expiring.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services

AJB/ds

Copies: Department: Financial Services
 Building Control Officer
 Y Collins, 33 Vergelengen Road, West Ridge, Mitchells Plain, 7758 (Email:
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