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Enquiries:

File ref: 15/3/4-14/Erf 526  
15/3/4-14/Erf 526

Mr H L Olivier

15 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 OF DEVELOPMENT PARAMETERS ON ERF 526, YZERFONTEIN

Your application, received by Swartland Municipality on 19 July 2023 on behalf of MJJ & T van Niekerk, regarding the subject, refers.

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 a restrictive title deed conditions as well as the application for departure of development parameters on Erf 526, Yzerfontein is hereby refused.

#### Reasons for the decision:

1. Building lines are control measures that not only accommodate services but also preserve the nature and character of an area.
2. The proposed building line departure does not compliment the street scape of L J Smith Street.
3. No similar building line departures have previously been approved in L J Smith Street.
4. The current coverage on the property is only 23%, thus an indication of sufficient space to be used within the coverage parameter of 50% applicable to the property;
5. Sufficient space exists on the property to accommodate the owner / applicants need for additional safe and secure parking without the need to remove the restrictions from the title deed.
6. The favourable consideration of the proposed departure will negatively influence decision making on similar building line departure applications in the future.

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](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 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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The Municipal Manager  
Private Bag X52  
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Yzerfontein Tel: 022 451 2366