



CLEAN AUDITS SINCE 2010/11



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File ref: 15/3/4-14/Erf_1125
15/3/5-14/Erf_1125
15/3/10-14/Erf_1125

Enquiries:
D N Stallenberg

7 October 2021

Elco Property Developments
P.O. Box 1036
CAPE GATE
7562

Dear Sir/Madam

**OUTCOME OF APPEAL: DEPARTURE, REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND
CONSENT USE ON ERF 1125, YZERFONTEIN**

The abovementioned appeal refers.

Notice is hereby given in terms of paragraph 91 of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 dated 25 March 2020) of the outcome of the abovementioned appeal.

The Appeal Authority has gathered on Monday 16 August 2021 and is the resolution as follows:

RESOLUTION

That the appeal will not be resolved on date and that all parties will be notified of the outcome of the Appeal Authority after due consideration of all the information, including (but not limited to) all submissions made (orally and in writing).

UNANIMOUSLY RESOLVED (4 October 2021)

- (a) That cognisance be taken of the extension of the period in accordance with paragraph 91(12) of the Swartland Municipality: Municipal Land Use Planning By-law to decide on the appeal due to the oral hearing that was held on 16 August 2021;
- (b) The members of the Appeal Authority, in arriving at a decision, considered, assessed and evaluated all relevant considerations, including (but not limited to) all submissions made (orally and in writing);

FURTHER UNANIMOUSLY RESOLVED (4 October 2021)

- (c) That the decision of the Municipal Planning Tribunal of 7 April 2021 to approve the proposed removal of restrictive conditions, consent use and departure on Erf 1125, Yzerfontein, in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-law (PG 8826 of 25 March 2020) be confirmed subject to the adding of additional conditions of approval following condition C1(e), reading as follows:

C1(f) The code of conduct be complied with and be enforced by the owner at all times;

Rig asseblief alle korrespondensie aan:

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Kindly address all correspondence to:

**The Municipal Manager
Private Bag X52
Malmesbury 7299**

Yzerfontein Tel: 022 451 2366

- C1(g) Should the applicant fail to take effective steps to the satisfaction of the Senior Manager: Built Environment, to ensure proper compliance with the provisions of the approved code of conduct, the approval of the consent use may be withdrawn after following due process;
- C1(h) The owner of Erf 1125, Yzerfontein submit all certificates/building plans to the Municipality by 30 November 2021, as well as make the appropriate alterations on site, to enable the Municipality to issue the occupation certificate for such property.
- (d) That the appeal received from Du Plessis Hofmeyr Malan Ing dated 11 May 2021, supported by Mr W S Conradie on 12 May 2021, be rejected by the Appeal Authority.

Yours faithfully



MUNICIPAL MANAGER

Via Department Development Services

/ds