



File ref: 15/3/4-14/Erf 178  
15/3/5-14/Erf 178

Enquiries:  
A. de Jager

2 December 2024

Planscape  
PO Box 557  
MOORREESBURG  
7310

By Registered Mail

Dear Sir/Madam

## **PROPOSED DEPARTURE AND AMENDMENT OF RESTRICTIVE CONDITIONS ON ERF 178, YZERFONTEIN**

Your application, with reference 376~178~Yzer, dated 25 September 2024, on behalf of the Tiago and Thalia Trust, refers.

- A. By virtue of the authority delegated to the Senior Manager: Development Management 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 removal of restrictive condition C.3. in Title Deed T26022/2011, of Erf 178, Yzerfontein, is approved in terms of Section 70 of the By-Law;

### **1. TOWN PLANNING AND BUILDING CONTROL**

- a) Condition C.3. in Title Deed T26022/2011, that reads as follows:

*"...That no more than one dwelling, together with the necessary outbuildings and appurtenances be erected on the Erf hereby conveyed; ..."*

be removed from the Title Deed in its totality;

- b) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;
- c) The following minimum information must 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;
- d) 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 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 departure from development parameters on Erf 178, Yzerfontein, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

## 1. TOWN PLANNING AND BUILDING CONTROL

- a) The building line departure authorises the encroachment of the 1,5m eastern side building line to 0m to accommodate the braai and chimney breast;
- b) The departure be restricted to the portion of the unauthorised braai and chimney breast that encroaches on the building line, as presented in the application;
- c) Building plans for the unauthorised braai and chimney breast be submitted to the Senior Manager: Development Management for consideration and approval, simultaneous to the submission of the Title Deed to the Deeds Office for the removal of the restrictive condition;

## C. GENERAL

- a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- 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 for or against the appeal.
- c) All conditions of approval be implemented before building plans be approved and the new second dwelling comes into operation/or the occupancy certificate be issued. 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.

Yours faithfully

  
**MUNICIPAL MANAGER**  
per Department Development Services  
AdJ/ds

Copies:                    *Department: Civil Engineering Services*  
                                 *Building Control Officer*  
                                 *Tiago and Thalia Trust, 10 Monarch Road, Platteklouf, 7506*