



File ref: 15/3/4-14/Erf 1210  
15/3/5-14/Erf 1210

Enquiries:  
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30 September 2025

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Dear Sir/Madam

**PROPOSED DEPARTURE AND AMENDMENT OF A RESTRICTIVE TITLE CONDITION ON ERF 1210, YZERFONTEIN**

Your application, with reference YZE/14614/JL/GB, dated 2 July 2025, on behalf of G.M. Schelhase, 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 amendment of a restrictive condition in Title Deed T66944/2016, of Erf 1210, Yzerfontein, is approved in terms of Section 70 of the By-Law; as follows:

Condition C.8. in Title Deed T66944/2016 that reads as follows:

*"...Geen gebou of struktuur of enige dgedeelte (sic) daarvan, behalwe grensmure en heinings, mag behalwe met die toestemming van die Administrateur nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1,5 meter van die sygrens gemaan (sic) aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid: ..."*

be amended to read as follows:

*"...Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe met die toestemming van die Administrateur nader as 2,84 meter vanaf die noordelike straatgrens van die erf (Steenbokstraat) en nader as 5 meter vanaf die oostelike straatgrens van die erf (Grysboklaan) opgerig word nie, asook nie binne 3 meter van die agtergrens of 1,5 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat, met die toestemming van die plaaslike owerheid: ..."*

- a) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;
- b) The following minimum information must be provided to the Deeds Office in order to consider the application, namely:
  - i. Copy of the approval by Swartland Municipality;
  - ii. Original Title Deed, and
  - iii. Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- c) 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 building line departure on Erf 1210, 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 4m eastern street building line be departed from to a distance of 2,84m from the property boundary;
- b) The departure be restricted to the portion of the sun room/braai room extension that encroaches on the building line, as presented in the application;
- c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval within a period of 60 days from the approval;

**2. 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. All conditions of approval be implemented before the occupancy certificate be issued and 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.
- c) The applicant/objector be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Yzerfontein, 7299 or by e-mail to [swartlandmun@swartland.org.za](mailto:swartlandmun@swartland.org.za), within 21 days of notification of decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 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 faithfully

  
MUNICIPAL MANAGER  
per Department Development Services  
Ad./ds

Copies:            *Department: Civil Engineering Services*  
                      *Building Control Officer*  
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