



CLEAN AUDITS SINCE 2010/11  
SKOON OUDITS SEDERT 2010/11



Munisipaliteit  
Municipality  
Umasipala

Ons gee gestalte aan 'n beter toekoms!  
We shape a better future!  
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Lêer verw/ 15/3/3-3/Erf\_975  
File ref:

Navrae/Enquiries:  
Ms D N Stallenberg

26 July 2023

C K Rumboll & Partners  
P O Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

**OUTCOME OF APPEAL : REZONING ERF 975, DARLING**

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, 21 June 2023 as well as 6 July 2023 (minutes of meetings attached) and is the resolution as follows:

**RESOLUTION**

- (a) The Executive Mayor as Appeal Authority of Swartland Municipality therefore dismiss the appeal received from C K Rumboll and Partners (on behalf of the owners of Erf 975, Darling), for the following reasons:
- (i) The proposed development remains to be non-compliant with the principles of LUPA and SPLUMA;
  - (ii) The proposed development remains to be non-compliant with the Municipal Spatial Development Framework;
  - (iii) No site specific circumstances were argued to deviate from the spatial planning of Darling;
  - (iv) An existing business node exists in the high density residential development to the north of erf 975 which is better suited to accommodate a development of this scale. This will enhance the social cohesion of the neighbourhood and promote the sense of place according to the Provincial Spatial Development Framework policy objectives. The application as presented remains to be non-compliant with the Provincial Spatial Development Framework;
  - (v) The impact of the proposed development on municipal infrastructure is not known and could not be considered;
- (b) The Executive Mayor as Appeal Authority of Swartland Municipality, in terms of Section 91(7)(b) of the Swartland Municipality: Municipal Land Use Planning By-Law, (PG 8226 of 25 March 2020), confirms the decision by the Municipal Planning Tribunal, Item 6.3 dated 8 February 2023, to refuse the application for rezoning of Erf 975, Darling.

Yours faithfully

**MUNICIPAL MANAGER**  
via Department Development Services

/ds