



CLEAN AUDITS SINCE 2010/11



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Lêer verw/ 15/3/3-15/Farm\_554/35  
File ref: 15/3/10-15/Farm\_554/35

Navrae/Enquiries:  
Ms D N Stallenberg

17 August 2021

C K Rumboll & Partners  
P O Box 211  
MALMESBURY  
7299

**By Registered Mail**

Sir/Madam

**PROPOSED REZONING AND CONSENT USE ON PORTION 35 OF FARM JACOBUSKRAAL NO 554, DIVISION MALMESBURY**

Your application with reference MAL/11648/AC/MH dated 25 June 2021 on behalf of Heuwelsig Trust has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 11 August 2021 to refuse the application for the rezoning of a portion of portion 35 of farm Jacobuskraal no 554, Division Malmesbury in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- B. The application for a consent use on a portion of portion 35 of farm Jacobuskraal no 554, Division Malmesbury be refused in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020);
- C. **GENERAL**
- (a) The applicant and objectors be informed of their right to appeal against the decision of the Municipal Planning Tribunal, in terms of section 89(2) of the By-Law.
- D. The application be refused for the following reasons:
- (a) The proposed "place of entertainment", which in this case makes provision for a gambling facility, cannot be accommodated as a tourism related use in this rural context and have a negative impact on the character of the area. Similar gambling facilities in the Swartland are currently accommodated in the CBD of towns;
- (b) The proposed use is non-compliant with the Spatial Development Framework of Swartland Municipality;
- (c) The proposed use is non-compliant with the Western Cape Land Use Planning Guidelines: Rural Areas 2019;
- (d) The proposed use is non-compliant with the principles of SPLUMA and LUPA.

date of registration of this letter to the appeal authority of the Swartland Municipality against Council's decision.

Should you decide to appeal, you can write to the following address:

The Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299

Please note that if the applicant/objector does appeal, an appeal fee of R2400-00 is payable. The appeal must be accompanied by the proof of payment and only then will the appeal be regarded as valid.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Hawthorne', is written over the printed name of the Municipal Manager.

**MUNICIPAL MANAGER**

via Department Development Services

/ds