



File ref: 15/3/6-15/Farm 701/7

Enquiries:
A. de Jager

16 April 2025

C.K. Rumboll & Partners
P.O. Box 211
MALMESBURY
7299

via e-mail: anelia@rumboll.co.za

Dear Sir/Madam

PROPOSED SUBDIVISION OF THE FARM LANGE KLOOF, NO. 701, DIVISION MALMESBURY

Your application, with reference number MAL/13638/AC/IV, dated 18 July 2024, on behalf of the Hugo Louw Trust, refers.

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 subdivision of the farm Lange Kloof, no. 1173, division Malmesbury, is refused in terms of Section 70 of the By-Law;

1. REASONS FOR REFUSAL

- a) The proposed subdivision is not supported by either the Western Cape Department of Agriculture: Land Use Management or the National Department of Agriculture, Land Reform and Rural Development, on the grounds that the subdivided portions will not meet the minimum norms and standards for agricultural production;
- b) The Swartland Municipal Spatial Development Framework promotes the protection and preservation of agriculturally viable land. The specialist Departments with regard to agriculture do not deem the proposal positively and as such the proposal cannot be considered as consistent with the MSDF principle;
- c) Section 22.(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) determines that "... any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework..." The Swartland Municipality is thus not in a position to approve an application which is inconsistent with the MSDF.

2. GENERAL

- a) The applicant/objector be informed of the right to appeal against the decision of the Municipality, 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, within 21 days of notification 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. 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.

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- iSwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
Add/ds

Copies: *Hugo Louw Trust, 29 Aristeia Avenue, Bellville, 7530*
lorraine@louwfamilie.com