Lêer verw/ 15/4/2-8

Navrae/Enquiries:
Ms D N Stallenberg

28 October 2026

Mornay Erasmus
53 Begonia Street
MALMESBURY
7300

e-mail : architechturerasmus@yahoo.com

Sir

PROPOSED DEPARTURE ON ERF 10059, MALMESBURY

Your application dated 20 November 2025 on behalf of M H Handeno has reference.

A. The Municipal Planning Tribunal has resolved at a meeting held on 14 October 2026 to **refuse** the application for departure of the development parameters with regard to the street building line, side building line as well as the maximum width of a carport proposed on the street boundary, on Erf 10059, Malmesbury, in terms of Section 70 of the By-Law;

B. **GENERAL**

The applicant be informed of their right to appeal the decision of the Municipal Planning Tribunal, in terms of section 89 of the By-Law. For an appeal to be valid it needs to comply with the provisions as contained in Section 90 of the By-Law. It therefore needs to be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za. This should be done within 21 days of notification of the decision and should be accompanied by proof of payment of the applicable fee of R 5 200.00. Appeals received late and/or that do not comply with the requirements, will be considered invalid and will not be processed.

C. That the reasons for the refusal of the application be as follows:

(a) The applicant failed to provide sufficient motivation to justify the departures sought;
(b) The proposed departures will adversely affect the amenity of the adjoining property through increased visual bulk, dominance and overshadowing;
(c) No exceptional site-specific circumstances have been demonstrated to justify the relaxation of the applicable development parameters;
(d) The proposal is considered undesirable from a planning perspective and does not adequately respect the purpose of the prescribed building lines;
(e) The proposal will have an adverse impact on the character of the street and surrounding area;
(f) The applicant failed to demonstrate that the additional development rights sought appropriately balance the interests of the applicant and the neighbouring affected property owner as contemplated by the principle of Spatial Justice;
(g) The applicant has failed to demonstrate that approval of the departures would be in the public interest;
(h) The desirable of an application can only be considered if all information is available.

Yours faithfully

MUNICIPAL MANAGER
via Department Development Services
/ds

Copy : M H Handeno, 9 Merino Street, Malmesbury, 7300 : e-mail – misaganjohn@gmail.com