

# **ANNEXURE E5: COMMENT FROM THE DARD&LR**



**MINISTER  
AGRICULTURE, LAND REFORM AND  
RURAL DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA**

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**Reference: 2/4/1/2 REMAINDER OF PORTION 28 OF THE FARM WELMOED  
ESTATE NO. 468, SALA APPEAL**

Adriaan Venter Attorneys and Associates  
Lady Brooks Building, Ground Floor  
14 -12<sup>th</sup> Street (C/o Brooklyn and Justice Mahomed Streets)  
**PRETORIA**  
0001

Email: info@avatt.co.za

Dear Mr Venter

**APPEAL APPLICATION LODGED IN ACCORDANCE WITH SECTION 8(1) OF  
THE SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970 (SALA)  
REGARDING THE PROPOSED EXCLUSION AND REZONING FOR MIXED USES  
THAT INCLUDE HOUSING FOR RESIDENTS ON THE REMAINDER OF  
PORTION 28 OF THE FARM WELMOED ESTATE NO. 468, WESTERN CAPE  
PROVINCE**

1. Your appeal application against the proposed exclusion and rezoning for mixed uses that include housing for residents on the subject property in terms of the Subdivision of Agricultural Land Act, Act 70 of 1970 refers.
  - (a) I have considered the application documents referred to me against the decision of my department on the matter in the caption. The head of arguments laid for this application and all supporting documents provided by your office were considered together with the grounds on which my Delegate has based the decision concerned.



**APPEAL APPLICATION LODGED IN ACCORDANCE WITH SECTION 8(1) OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970 (SALA) REGARDING THE PROPOSED EXCLUSION AND REZONING FOR MIXED USES THAT INCLUDE HOUSING FOR RESIDENTS ON THE REMAINDER OF PORTION 28 OF THE FARM WELMOED ESTATE NO. 468, WESTERN CAPE PROVINCE**

- (b) It should be noted that the proposed exclusion and rezoning of this property for mixed uses that include housing for residents will be situated in an area that is demarcated as a Protected Agricultural Area (PAAs) for agricultural production. The property has potential for cultivation practices and good results can be yielded.
- (c) The proposed exclusion and rezoning of this property for mixed uses that include housing for residents will have a detrimental impact on the agricultural industry as potential agricultural land will be lost. Such will also have a negative impact on the surrounding agricultural properties in the vicinity and activities that are taking place.
- (d) It should be noted further that the surrounding properties do not have a residential resemblance, therefore approval will change the character of the area tremendously, from that of agriculture to residential.

**2. Your application for appeal is therefore hereby denied.**

Kindly contact Mr N Machume of the Directorate: Land and Soil Management of the Department of Agriculture, Land Reform and Rural Development at telephone number: 012 319 7634 or email: [LUAHelpdesk@dalrrd.gov.za](mailto:LUAHelpdesk@dalrrd.gov.za), should require more information or have any enquiries.

Yours sincerely

  
MRS AT DIDIZA, MP

MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

DATE: 17/04/2024

