



MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD IN THE COMMITTEE ROOM: CORPORATE SERVICES ON WEDNESDAY, 12 MARCH 2025 AT 14:00

PRESENT

Internal members:

Municipal Manager, Mr J J Scholtz (chairperson)
Director: Corporate Services, Ms M S Terblanche
Director: Protection Services, Mr P A C Humphreys

External members:

Ms C Havenga
Mr C Rabie

Other officials:

Senior Manager: Development Management, Mr A M Zaayman
Senior Town and Regional Planner, Mr A J Burger
Town and Regional Planner and GIS, Mr H Olivier
Town and Regional Planner, Ms A de Jager
Manager: Secretariat and Record Services (secretary)

1. OPENING

The chairperson opened the meeting and welcomed members. A special word of welcome was extended to the member of the public, Mr A Davids.

2. APOLOGY

The apology received from the Director: Development Services be noted.

3. DECLARATION OF INTEREST

RESOLVED that cognisance be taken that no declarations of interest were received.

4. MINUTES

4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 12 FEBRUARY 2025

RESOLUTION

(proposed by Mr P A C Humphreys, seconded by Ms M S Terblanche)

That the minutes of a Municipal Planning Tribunal Meeting held on 12 February 2025 are approved and signed by the chairperson.

5. MATTERS ARISING FROM MINUTES

None.

6. MATTERS FOR CONSIDERATION

6.1/...

6.1 PROPOSED SUBDIVISION OF ERF 1037, YZERFONTEIN (15/3/6-14) (WARD 5)

Mr H Olivier explained that the application proposed the subdivision of Erf 1037 (1325 m² in extent), Yzerfontein into Portion 1 (±821 m²) and Portion 2 (±504 m² in extent). Erf 1037, Yzerfontein is zoned Residential Zone 1 and is currently vacant.

RESOLUTION

- A. The application for the subdivision of Erf 1037, Yzerfontein be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) Erf 1037, Yzerfontein (1325 m² in extent) be subdivided into portion 1 (±821 m² in extent) and portion 2 (±504 m² in extent) as presented in the application;

A2 WATER

- (a) Each subdivided portion be provided with a separate water connection and meter at building plan stage;

A3 SEWERAGE

- (a) Each erf be provided with a conservancy tank with a minimum capacity of 8000 litres which is accessible for the municipal sewerage truck from the street. This condition is applicable at building plan stage;

A4 ELECTRICITY

- (a) Each subdivided portion be provided with a separate electrical connection, costs to be borne by the owner/developer;
- (b) Any relocation of electrical cables be for the owners/developer's account;
- (c) Any electrical inter-connection be isolated and completely removed;
- (d) The electrical connections be connected to the existing low-voltage network;
- (e) Additional to the abovementioned the owner/developer must pay for the electrical connections to the subdivided erven. The Director: Electrical Engineering Services be contacted for a quotation;

A5 DEVELOPMENT CHARGES

- (a) The owner/developer is responsible for a development charge of R4 318,19 towards the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-176-9210);
- (b) The owner/developer is responsible for the development charge of R392,21 towards bulk water distribution, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-174-9210);
- (c) The owner/developer is responsible for the development charge of R2 826,34 towards sewerage, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/240-184-9210).
- (d) The owner/developer is responsible for the development charge of R6 858,20 towards wastewater treatment works at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R11 437,56 towards roads, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/247-188-9210);
- (f) The owner/developer is responsible for the development charge of R11 762,00 towards electricity, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and can be revised thereafter;

B. GENERAL

- (a) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of the By-Law not be issued unless all the relevant conditions have been complied with;
- (b) Any existing services connecting the remainder and/or new portions be disconnected, and relocated, for each erf to have a separate connection and pipe work;
- (c) Should it be deemed necessary to extend the existing services network to provide the subdivided portions with service connections, it will be for the cost of the owner/developer;
- (d) The approval is, in terms of Section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be implemented within these 5 years, without which, the approval will lapse. Should all the conditions of approval be met before the 5-year approval period lapses, the subdivision will be permanent, and the approval period will not be applicable anymore.
- (e) Appeals against the Tribunal decision be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R5 000, 00 is to accompany the appeal and Section 90 of the By-Law complied with, for the appeal to be valid. Appeals received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed;

C. The application be supported for the following reasons:

- (a) The proposal is consistent with the spatial proposals of the Municipal SDF, 2023;
- (b) The proposal is consistent with the minimum erf size determined by the SDF, namely 500 m²;
- (c) The development promotes densification in an urban area, consistent with national, provincial, and local legislation and policy;
- (d) The proposal complies with the principles of LUPA and SPLUMA;
- (e) The zoning of the properties will remain unchanged and consistent with the character of the area;
- (f) The rights of the surrounding landowners will not be negatively impacted;
- (g) The subdivision promotes the optimal utilisation of land and the existing engineering services;
- (h) There are no physical restrictions that prevent the subdivision from being approved;
- (i) Property values of the surrounding properties will not be affected negatively.

6.2 APPLICATION FOR CONSENT USE ON FARM 1377, DIVISION MALMESBURY (15/3/10-15) (WARD 5)

Ms A de Jager gave background on the application to construct a transmission tower on Farm No. 1277, Division Malmesbury. The area is currently utilised for agricultural purposes, but located directly adjacent to an urban area which is earmarked for extensive residential development, business activities, educational and healthcare facilities and a transport corridor.

The transmission tower is a consent use under Agricultural Zone 1.

RESOLUTION

- A. The application for a consent use on Farm no. 1277, Division Malmesbury be approved in terms of Section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises the establishment of a transmission tower and equipment containers inside an 80 m² compound enclosed by a 2,4 m high palisade fence, as presented in the application;
- (b) The maximum height of the mast be restricted to 25 m, measured from the natural ground level to the highest point, as presented in the application;

- (c) The tower be equipped with a lightning spike and navigation lights, in terms of the SANS 10400, to the satisfaction of the Senior Manager: Development Management;
- (d) Fire safety equipment and extinguishers be provided on-site as presented in the application and to the satisfaction of the Swartland Chief Fire Safety Officer;
- (e) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (f) A copy of the applicable Environmental Approval be submitted at building plan stage, before the mast is constructed;
- (g) The position of the mast and compound is restricted to a 30 m radius of the position illustrated in the proposal. Should building line departure be necessary, the matter may be addressed as building plan stage;
- (h) Application for the construction and affixing of advertising signs for the service providers be made to the Senior Manager: Development Management for consideration and approval;
- (i) Should it be proven in future that transmission towers do in fact cause negative health effects, according to official, legal findings of peer reviewed, independent testing, and the transmission tower does not adhere to the health and safety requirements, the applicant/developer will be held accountable to ensure compliance and where not possible, the decommissioning and removal of the tower and related infrastructure;

A2 ELECTRICITY

- (a) The mast be removed from the nearest conductor for a distance equal to the height of the transmission tower;

B. GENERAL

- (a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- (b) The approval is valid for a period of 5 years, in terms of Section 76(2) of the By-Law, from the date 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. All conditions of approval be implemented before the new land use comes into operation and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable;
- (c) The applicant/objector be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of Section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of decision. 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.

C. The application be supported for the following reasons:

- (a) The proposed transmission tower is an acceptable land use inside a secondary business node of Division Malmesbury.;
- (b) The transmission tower is strategically placed on the property;
- (c) The placement of the transmission tower in context to the broader telecommunication network for Division Malmesbury will create optimum coverage for the town;
- (d) The visual impact of the transmission tower is deemed to be mitigated;
- (e) As the visual impact of the transmission tower is deemed to be low, it cancels out any possible concerns/impacts on tourism, the environment and character of Malmesbury;
- (f) The transmission tower requires NEMA approval and building plans will not be considered prior to proof of approval being provided;
- (g) Potential noise created by the transmission tower will not exceed the permissible decibels;
- (h) The privacy of surrounding land owners will not be affected;
- (i) The proposed telecommunication infrastructure does not pose a fire risk;

6.2/C...

- (j) Surrounding property values will not be affected negatively;
- (k) Sufficient services capacity exists to accommodate the proposed transmission tower;
- (l) Farm 1277 has no title deed restrictions which are restrictive to this application;
- (m) The transmission tower and equipment is placed strategically on Farm 1277 in order to have the lowest possible impact on surrounding properties;
- (n) The public interest of this application is deemed to be positive;
- (o) The application is in compliance with the SDF for Malmesbury;
- (p) The application complies with the principles of LUPA and SPLUMA;
- (q) There is a lack of evidence to prove the perceived health risk associated with telecommunications base stations, as often claimed by objectors. Various studies and the opinions of international, national, provincial and local health authorities have been taken into account and are available for scrutiny by the public.

6.3 APPLICATION FOR CONSENT USE ON ERF 799, KALBASKRAAL (15/3/10-6) (WARD 7)

Ms A de Jager confirmed that the application is for a consent use on Erf 799, Kalbaskraal to operate a house shop from a portion (± 17 m² in extent) of the proposed building.

Ms de Jager mentioned that Erf 709, Kalbaskraal is currently vacant after all illegal structures on the subject property were removed.

RESOLUTION

- A. The application for the consent use on Erf 799, Kalbaskraal, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent authorises a house shop, restricted to ± 17 m², as presented in the application;
- (b) The operating hours of the house shop be restricted between 6:00 and 21:00 daily;
- (c) Building plans, clearly indicating the house shop in relation to the house, be submitted to the Senior Manager: Development Management, for consideration and approval;
- (d) The operation of the house shop may not result in congestion/obstruction along Sand or Calabash Streets, therefore at least one on-site parking bay be provided from Calabash Street;
- (e) Application for construction or attaching an advertising sign to the building be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding 1m² in area and not exceeding the land unit boundaries with any part of it, be permitted and it indicate only the name of the owner, name of the business and nature of the retail trade;
- (f) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- (g) Only pre-packaged food products may be sold;
- (h) No food preparation be allowed in the house shop;
- (i) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
- (j) Any music played on the property only be audible inside the shop and dwelling and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the house shop, including any awning, stoep or shade structure;
- (k) No loitering be allowed on Erf 799 and that the property owner, shop owner and shop operator on any given day be responsible for the removal of any loiterers from the property;
- (l) The following activities not be allowed for sale in the house shop:
 - (i) The sale of wine and alcoholic beverages;
 - (ii) Storage or sale of gas and gas containers;
 - (iii) Vending machines;
 - (iv) Video games; and
 - (v) Snooker or pool tables;

(m)/...

6.3/A1...

- (m) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- (n) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- (o) The letter of authorization from Swartland Municipality be displayed inside the house shop;

A2 WATER

- (a) The existing connection be used and that no additional connections be provided;

A3 SEWERAGE

- (a) The existing connection be used and that no additional connections be provided;

A4 STREETS AND STORMWATER

- (a) Deliveries may only be done by delivery vehicles of with a gross vehicle mass of 16000 kg;

B. GENERAL

- (a) Cognisance be taken of the letter and requirements from the West Coast District Municipality, with reference number 13/2/12/1/4, dated 3 December 2024;
- (b) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- (c) The approval is valid for a period of 5 years, in terms of Section 76(2) of the By-Law, from the date 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. All conditions of approval be implemented before the new land use comes into operation and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable.
- (d) The applicant/objector be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of Section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of decision. 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.

C. The application be supported for the following reasons:

- (a) The application complies with Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA;
- (b) The application complies with the land uses proposed for this area of Kalbaskraal, as determined by the SDF;
- (c) The application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP;
- (d) The proposed house shop complies with the development parameters and requirements of the By-Law;
- (e) The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood;
- (f) The proposed consent use will not negatively affect the character of the neighbourhood;
- (g) Recent events resulted in stricter policing of approval conditions by Law Enforcement, the Department of Health and the SAPD, creating fewer disruptions within residential neighbourhoods by house shops;
- (h) The owner demonstrated dedication and commitment to correcting the unauthorised land use on the property, as well as any negative behaviour of patrons, in order to be an asset, rather than a nuisance in the neighbourhood.

6.4/...

6.4 PROPOSED CONSENT USE ON ERF 10728, MALMESBURY (15/3/10-8) (WARD10)

Mr H Olivier explained that the application is made for a consent use on Erf 10728, Malmesbury to accommodate a double dwelling house on the subject property.

A double dwelling is permitted as a consent use under the Residential Zone 1 zoning and previous applications for same within the Glen Lily development was approved and supported by the Owners' Association.

RESOLUTION

- A. The application for consent use on Erf 10728, Malmesbury, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), be approved, subject to the conditions:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a double dwelling house, as presented in the application;
- (b) The double dwelling adheres to the applicable development parameters;
- (c) Building plans be submitted to the Senior Manager: Development management for consideration and approval;

A2 WATER

- (a) The existing water connection be used and no additional connections be provided;

A3 SEWERAGE

- (a) The existing sewer connection be used and no additional connections be provided;

A4 DEVELOPMENT CHARGES

- (a) The development charge towards the supply of regional bulk water amounts to R11 514,95 and is for the account of the owner/developer at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The development charge towards bulk water reticulation amounts to R6 468, 75 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-174-9210);
- (c) The development charge towards sewerage amounts to R4 022,70 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d) The development charge towards wastewater treatment amounts to R4 360,80 and is for the account of the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-183-9210);
- (e) The development charge towards streets amounts to R12 654,60 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA 9/249-188-9210);
- (f) The development charge towards electricity amounts to R5 658,36 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and may be revised thereafter.

B. GENERAL

- (a) The approval does not exempt the applicant from adherence to all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;

6.4/B...

- (b) Should it be determined necessary to expand or relocate any of the engineering services to provide the development with connections, said expansion and/or relocation will be for the cost of the owner/developer;
- (c) The approval is valid for a period of 5 years, in terms of Section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5-year validity period starts from the date of outcome of the decision against the appeal;
- (d) All conditions of approval be implemented before the new land uses come into operation/or occupancy certificate be issued and failing to do so the approval will lapse. Should all conditions of approval be met within the 5-year period, the land use becomes permanent, and the approval period will no longer be applicable;
- (e) The applicant/objectors be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of Section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of the decision. An appeal is to comply with Section 90 of the By-Law and be accompanied by a fee of R5000-00 to be valid. Appeals that are received late and/or do not comply with the requirements, will be considered invalid and will not be processed;

C. The application be supported for the following reasons:

- (a) The proposed second dwelling is a residential use and is therefore consistent with the proposals of the MSDF;
- (b) A double dwelling is accommodated as a consent use under Residential Zone 1 of the Development management scheme and there are no restrictions registered against the title deed of the property or contained in the design guideline of the Estate prohibiting the proposal;
- (c) The development proposal supports the optimal utilisation of the property;
- (d) The second dwelling provides in a need for a larger variety of housing opportunities to the wider population;
- (e) The development proposal will not negatively impact on the character of the Glen Lily Estate or the larger Malmesbury.

6.5 PROPOSED TEMPORARY DEPARTURE ON PORTION 13 OF FARM WOODLANDS NO 874, DIVISION MALMESBURY (15/3/4-15) (WARD 7)

[The chairperson arranged for the item be discussed firstly to accommodate Mr Davids.]

Mr A J Burger gave background to the application for a temporary departure on Portion 13 of Farm Woodlands No 874, Division Malmesbury to host a musical festival for between 8000 to 10 000 people.

The festival will take place as follows:

- Set-up of the festival grounds – 1 November 2025 to 27 November 2025;
- Hosting of festival – 28 to 30 November 2025;
- Striking of festival structures – 1 December 2025 to 12 December 2025.

Mr Burger confirmed that the requirements of the Swartland Municipality: By-Law relating to Events were looked at in an attempt to request for the various management plans to be included in the land use application.

During a discussion some management plans were added, namely, (1) all the insurance requirements, (2) dust control- and (3) dam safety management plans, as well as measurements to prevent the congestion of traffic on the public road.

RESOLUTION

- A. The application for a temporary departure in order to host a music event on portion 13 of Farm Woodlands no 874, Division Malmesbury be approved in terms of Section 70 of the By-Law, subject to the following conditions:

A1 Town Planning/...

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The temporary land use right permits the hosting of a music festival/event (Rands Holidae) at Woodlands farm for a maximum of 10 000 patrons as presented in the application;
- (b) The land uses at the event include concerts, camping and ablution, retail (vendors), parking, first aid services, security detail, ect.;
- (c) The Set-up of the festival grounds be from 1 November 2025 to 27 November 2025;
- (d) The event be held from 28 to 30 November 2025;
- (e) The strike down of the structures and site clean-up be completed from 1 December 2025 to 12 December 2025;
- (f) All temporary structures to be used for the event be constructed by or under the supervision of a suitably qualified professional(s) to avoid any injuries that may occur during the event and setting up/breaking down of the tents;
- (g) A certificate of compliance in terms of electrical and structures/stages be signed off by an engineer registered in terms of the relevant legislation and handed over to the event organiser for safe guarding before the event starts;
- (h) The event organiser at all times ensures that the safety and security measures are accessible and ready to be employed in a case of emergency, as submitted with the application;
- (i) The event organiser ensures an appropriate stacking distance for vehicles entering the festival grounds to prevent the congestion of vehicles on the Vryguns Provincial Road;
- (j) The municipality be provided with copies of the following documents on/or before 15 October 2025 for record purposes prior to the event taking place:
 - (i) security and crowd management plan;
 - (ii) emergency and medical services plan;
 - (iii) waste management plan;
 - (iv) proof of appropriate public liability insurance cover;
 - (v) proof of appropriate indemnity insurance cover;
 - (vi) noise control plan;
 - (vii) dust control management plan;
 - (viii) dam safety plan;
- (k) The event organiser at all times ensures the application of the conditions in abovementioned plans;

A2 PROTECTION SERVICES

- (a) All relevant sections and regulations of the "*Safety at Sports and Recreational Events Act*", (Act 2 of 2010) as well as the *Health and Safety Act* (SANS code 10366) must be adhered to. Proof of this must be made available if required;
- (b) Each food stall must be in possession of certificate of acceptability;
- (c) The appointed safety officer ensure the implementation of the safety and traffic management plan;

A3 WATER

- (a) No municipal drinking water can be supplied to the proposed entertainment activity;
- (b) Water to be used for domestic purposes must be clean water that complies with the requirements of SANS 241. "Clean water" is defined as clean and clear water that is free of any *Escherichia coli* organisms per 100 millilitres and free from any particles in concentrations that could be harmful to human health;
- (c) The owner of Farm 874/13, Malmesbury be responsible to provide clean water to the festival and Swartland Municipality or the Department of Water Affairs accept no responsibility regarding the quality and quantity of the water that is used during the festival;

A4 SEWERAGE

- (a) No municipal sewer services can be provided to the proposed festival;
- (b) Sufficient ablution facilities be provided by the owner/event coordinator for the festival;
- (c) Any sewerage be removed from the farm by a contractor and be disposed of in an acceptable manner;

A5 REFUSE REMOVAL

- (a) A written application must be submitted to Swartland Municipality for the use of the Highlands dumpsite. Payments made must be by means of coupons;

A6 WESTERN CAPE MOBILITY DEPARTMENT

- (a) The department will provide Provincial Traffic Western Cape Assistance on the Vryguns Provincial Road from Friday, 28 November to Sunday, 30 November 2025 between 10:00 and 02:00;
- (b) No obstructions pertaining to the normal traffic flow will be allowed on public roads;
- (c) No road closures will be allowed – except when instructed and regulated by qualified traffic officers;
- (d) Intermittent lock of – not longer than 10 minutes Traffic flow permitted;
- (e) No support vehicles will be allowed to park next to the public roadway (Parking only allowed at designated lay-by or parking areas);
- (f) No littering or damage ect. will be caused on any public road;
- (g) A total of six (6) Western Cape Provincial Traffic Officers will be at assistance. Cost will be recovered by the applicable Metro Provincial Traffic Centre;
- (h) The event organisers must erect warning boards to warn motorists of any turnoffs, and of any possible vehicles hazards/obstructions on the roadway;
- (i) Western Cape Provincial Traffic will be involved – doing visible observation and regulate traffic with intermittent road closures if needed;
- (j) Should any dangerous situation occur, the traffic officials will immediately terminate the event;

B. GENERAL

- (a) The approval does not exempt the applicant from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
- (b) All conditions of approval be implemented before the festival/event takes place and failing to do so the approval will lapse;
- (c) The applicant/objectors be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of Section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of the decision. An appeal is to comply with Section 90 of the By-Law and be accompanied by a fee of R5000,00 to be valid. Appeals that are received late and/or do not comply with the requirements, will be considered invalid and will not be processed.

C. The application be supported for the following reasons:

- (a) Farm 874/13 does not consist of any physical restrictions which may impact negatively on the application;
- (b) Due to the temporary nature of the festival/event the impact thereof on the surrounding area will also be temporary. No long terms effects on the area are expected;
- (c) The application is in compliance with the SDF;
- (d) The concerns of the objectors will be addressed through all the plans;
- (e) The festival/event has to comply with any other applicable legislation which relates to the safety and health, the conduct of persons attending the festival/event, the activities undertaken or carried out at the festival/event and do not have a negative impact on affected communities or persons during the festival/event.

**(SIGNED) J J SCHOLTZ
CHAIRPERSON**