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File ref: 15/3/10-15/Farm_560/32

Navrae/Enquiries:
Mr AJ Burger

3 December 2015

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

By Registered Mail

Sir/ Madam

PROPOSED CONSENT USE ON PORTION 32 OF FARM NO 560, DIVISION MALMESBURY

Your application dated 11 September 2015 with reference YZER/9299/JL regarding the subject refers.

By virtue of the authority that is delegated in terms of Council's resolution 7.25 dated 13 May 2015 to the Director: Development Services, as determined by Section 69(1) of Swartland Municipality's bylaw regarding Land Use Planning (PG7420 of 3 July 2015), the application for a consent use in order to establish a modular data centre on a portion of portion 32 of farm no 560, Division Malmesbury be approved, in terms of section 60 of the Swartland Municipality's bylaw regarding Land Use Planning (PG7425 of 10 July 2015), subject to the following conditions:

1. Town Planning/ Building Control

- (a) that the consent use be restricted to an area of $\pm 2,7$ ha as presented in this application;
- (b) that building plans be submitted to the Director : Development Services for consideration for approval;
- (c) that the colour of the buildings fits in with the natural landscape;
- (d) that the development been screened off with proper trees/vegetation;

2. Water

- (a) that the developer establish a water distribution network with inclusion of storage capacity on the property;
- (b) that the water distribution network connects to the bulk water pipeline to Yzerfontein at a suitable position;

3. Sewerage

- (a) that the developer install conservancy tanks with a sufficient size which is accessible to the services truck;

4. Streets and Stormwater

- (a) that access to the property is provided from Main Road 315. Any upgrade to the existing access has to be pre-approved by the Department Civil Engineering Services and the Department of Transport and Public Works;

5. Refuse Removal

- (a) that if any of the dump sites within the municipal area are to be used, refuse coupons can be bought at any municipal office and used at the dump sites or refuse transfer sites, before refuse is dumped;

6. Eskom

- (a) that the following building and tree restriction on either side of centre line of overhead power line must be observed: Voltage – 11kV with a 9m building line restriction on either side of the centre line;
- (b) that no construction work may be executed closer than 6m from any Eskom structure or structure-supporting mechanism;
- (c) that no work or machinery nearer than 3m to the conductors of the 11kV line is allowable;
- (d) that the natural ground level must be maintained within Eskom reserve areas and servitudes;
- (e) that a minimum ground clearance of the overhead power line must be maintained to the following clearances: Voltage 11kV – 6.3m safety clearance above road;
- (f) that existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/owner;
- (g) that Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - having 24h access to its infrastructure according to the rights mentioned in (a) above;
 - to perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules;
 - to upgrade or refurbish its existing power lines and infrastructure as determined by Eskom;
 - to perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines of infrastructure;
- (h) that Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre);
- (i) that Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee;
- (j) that the applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise;
- (k) that Eskom shall at all times have unobstructed access to and egress from its services;
- (l) that any development which necessitates the relocation of Eskom's services will be to the account of the developer;
- (m) that Gadija Adams, Kraaifontein CNC must be contacted at 021-9887848 before working in close proximity to the overhead power lines;

7. Department of Water & Sanitation

- (a) that no pollution of surface water or ground water resources may occur due to the proposed activity on the property;
- (b) that no abstraction of surface or groundwater may be done without prior authorisation from the Department of Water & Sanitation, unless it is a Schedule 1 Use or an Existing Lawful Use;
- (c) that all the requirements of the National Water Act, 1998 (Act 36 of 1988) regarding water use and pollution management must be adhered to at all times;

8. Department of Transport and Public Works

- (a) that in terms of Roads Ordinance 19 of 1976 no new accesses may be built or existing access layouts or access uses changed without the approval of the Department of Transport and Public Works.

Yours faithfully

MUNICIPAL MANAGER
per Department Development Services

AJB/ds

Copies : Director : Civil Engineering Services

Director : Financial Services

Reasons for the decision:

1. The modular data centre is in close proximity of the existing WACS base station which renders itself ideal to be utilized for activities that compliment the existing WACS infrastructure.
2. The proposed development is in compliance with the SDF (strategy 1) as this development will support the growth in the area with economic potential and is consistent with the IDP.
3. The application is consistent with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).
4. The application is consistent with the principles of the Land Use Planning Act, 2014 (Act 3 of 2014).
5. No objections were received during the public participation process.