



**MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON THURSDAY, 7 JUNE 2018 AT 14:00 IN THE COMMITTEE ROOM: CORPORATE SERVICES**

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**PRESENT**

Internal members:

Municipal Manager, Mr J J Scholtz  
Director: Protection Services, Mr P A C Humphreys

External members:

Mr C Rabie  
Mr W Steyn

Other officials:

Sr Manager: Building Environment, Mr A M Zaayman (advisor)  
Manager: Secretariat and Records, Ms N Brand (secretariat)  
Director: Development Services, Mr J T Steenkamp  
Sr Town and Regional Planner, Mr A J Burger  
Town and Regional Planner and GIS Administrator, Mr H Olivier  
Town and Regional Planner, Ms A de Jager

**1. OPENING**

The chairperson opened the meeting and welcomed all members.

**2. APOLOGY**

Leave of absence is granted to Ms M S Terblanche.

**3. DECLARATION OF INTEREST**

**RESOLVED** that cognisance is taken that no declaration of interest was received.

**4. MINUTES**

**4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 18 APRIL 2018**

**RESOLVED**

That the minutes of a Municipal Planning Tribunal Meeting held on 18 April 2018 are approved and signed by the chairperson.

**5. MATTERS ARISING FROM THE MINUTES OF 18 APRIL 2018**

None

**6. MATTERS FOR CONSIDERATION**

**6.1 PROPOSED REZONING AND SUBDIVISION OF ERF 2716 AND CONSOLIDATION WITH ERF 2789, YZERFONTEIN (15/3/3-14, 15/3/6-14, 15/3/4-14) (WARD 5)**

The author, Mr A J Burger, tabled the item and explained that building plans was submitted by the owner, *Egan Prop Group Pty Ltd*, of erf 2789, Yzerfontein for the developing of a commercial centre. A portion of the proposed parking area encroaches over the erf

boundary of erf 2789 onto erf 2716. Erf 2716 forms part of the road reserve which was created for the future upgrade of the Main Road and Buitenkant Street crossing.

An application was made to Council to purchase the relevant portion of erf 2716, and the out-of-hand alienation thereof was approved by Council on 31 January 2018.

Mr Burger confirmed that, the objections received mainly focus on the added traffic demand on the Main Road and Buitenkant Street crossing. However, the scale of the application does not justify the upgrading of the intersection at this stage. The engineers also did not indicate at what stage the upgrading of the intersection will be required.

The committee is of the opinion that due to the fact that a Council resolution was obtained for the alienation of portion of erf 2716, the submission of a power of attorney allowing for the applicant to bring the applications, as required by the By-law, is not necessary.

#### **UNANIMOUSLY RESOLVED**

- A.** The application for the subdivision of erf 2716 (4728m<sup>2</sup> in extent), Yzerfontein, is approved in terms of Section 70 of the Swartland Municipality Land Use Planning By-Law (PG 7741 of 3 March 2017).
- B.** The application for the rezoning of portion A of erf 2716 (±1063m<sup>2</sup> in extent), Yzerfontein from transport zone 2 to business zone 1 is approved in terms of Section 70 of the Swartland Municipality Land Use Planning By-Law (PG 7741 of 3 March 2017).
- C.** The application for the consolidation of portion A of erf 2716 (±1063m<sup>2</sup> in extent) with erf 2789, Yzerfontein, is approved in terms of Section 70 of the Swartland Municipality Land Use Planning By-Law (PG 7741 of 3 March 2017).

- D.** Points A, B and C are subject to the following conditions, that:

##### **D1 TOWN PLANNING AND BUILDING CONTROL**

- (a) Erf 2716 be subdivided into a remainder (±3665m<sup>2</sup> in extent) and portion A (±1063m<sup>2</sup> in extent);
  - (b) Portion A of erf 2716 be rezoned from transport zone 2 to business zone 1;
  - (c) The approval is in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval must be complied with within the 5 year period and that failing to do so will result in this approval expiring;
  - (d) The applicant/objectors are informed of the right to appeal against this decision of the Municipal Planning Tribunal, in terms of section 89(2) of the By-Law.
- E.** The application is supported for the following reasons:
    - (a) This application will arrange the land use rights and land units to execute Council's resolution of January 2018;
    - (b) The portion of erf 2716 which is taken up by the overflow of the parking area of the proposed commercial centre on erf 2789 will not be used for the future upgrade of the Main Road and Buitenkant Street crossing and is seen as surplus land;
    - (c) The rezoning, subdivision and consolidation will enable the developer of erf 2789 to provide sufficient on-site parking for the proposed commercial centre development, for which development rights already exists, as required by the zoning scheme regulations;
    - (d) The proposed temporary access from Buitenkant Street to erf 2789 is seen as sufficient up until the upgrading of the Main Road/Buitenkant Street crossing is required;
    - (e) The upgrade of the Main Road/Buitenkant Street intersection will not be required as part of the development of the shopping centre on erf 2789;
    - (f) It cannot be confirmed by Swartland Municipality at what stage/time the upgrade will be required as the Growth Model for Yzerfontein, which will indicate when the upgrade of the intersection must take place, has not been completed. However the application will contribute toward creating an approved space, access and parking arrangements around the planned road alignment.

## **6.2 APPLICATION FOR CONSENT USE FOR RENEWABLE ENERGY STRUCTURES (WIND TURBINES) ON VARIOUS PROPERTIES, MALMESBURY (5/3/10-15, PLAAS 412, 413, 414, 416, 424) (WARD 3)**

Ms A de Jager, as author, tabled the item and confirmed that the Environmental Authorisation was consulted mostly in preparing the report. The application for consent use within the agricultural zone 1 zoning of the farms entails the accommodation of 25 renewable energy structures (wind turbines).

It is further confirmed that the Spatial Development Framework supports the development and use of alternative/renewable energy resources in identified zones and that Zone B in the affected area is regarded as a high wind-speed zone.

A discussion followed on the requirement to make financial provision for the demolishing of the structures, apart from the rehabilitation as required by the Environmental Authorisation and Mr A M Zaayman is requested to contact Eskom regarding the rehabilitation of the wind turbines adjacent to the Klipheuwel Road.

Mr J T Steenkamp confirmed, as inquired by the chairperson, that the effected properties will be valued as agricultural property used for multiple purposes at a higher property rates tariff.

### **UNANIMOUSLY RESOLVED**

- A.** The application for consent use for renewable energy structures on the Remainder of Portion 17 of farm Zwartfontein, no. 414, Remainder of Portion 3 of farm Zwartfontein, no. 416, Portion 7 of farm Zwartfontein, no. 416, Portion 23 of farm Zwartfontein, no. 414, the Remainder of Portion 11 of farm Zwartfontein, no. 414, the Remainder of Portion 13 of farm Zwartfontein, no. 414, Portion 9 of farm Biesjesfontein, no. 413, Portion 1 of farm Tontelberg, no 424, Portion 6 of farm Hartebeesfontein, no 412, Remainder of Portion 2 of farm Hartebeesfontein, no. 412, Division Malmesbury, is approved in terms of section 70 of the Swartland Municipal Land Use Planning By-Law (PG 7741 of 3 March 2017), subject to the conditions that:

#### **A1 TOWN PLANNING AND BUILDING CONTROL**

- (a) A total of 25 renewable energy structures (wind turbines) and ancillary infrastructure be developed on the various properties, as presented in the application and including, but not limited to:
- (i) Wind turbines (25) as indicated on the location plan;
  - (ii) Concrete foundations to support each turbine;
  - (iii) Underground cabling between the turbines (where practical);
  - (iv) An on-site substation of 100m x 100m in extent to facilitate the connection between the wind energy facility and the electrical grid;
  - (v) Overhead power line connecting the wind energy facility with the electrical grid;
  - (vi) Access roads to the site up to 8m wide;
  - (vii) Internal roads between the turbines 8m to 13m wide;
  - (viii) A 6ha area for temporary infrastructure including a concrete batching plant of 50m by 50m in extent;
  - (ix) Laydown area comprising administration building, workshop, office, gates, fencing, guard cabin, storage and maintenance buildings;
- (b) The maximum height of each of the wind turbines be limited to 200m, measured from the natural ground level to the tip of the vertically extended blade;
- (c) Each turbine be treated with a non-reflective material, whether it be paint or any other application previously approved by the Director: Civil Services;
- (d) A distance be maintained equal to 1,5 times the overall height of the turbine, measured from:
- (i) the nearest residential, commercial or critical agricultural structures such as animal housing, outbuildings, store; rooms, but excluding structures such as water troughs, feed dispensers and windmills;
  - (ii) the cadastral boundary of the land unit;
  - (iii) any public road or private or public right of way; and
  - (iv) any electrical infrastructure;
- (e) Building plans be submitted to the Director: Development Services for consideration and approval;

6.2/A1...

- (f) Application be made to Director: Development Services for the right to display of an advertising sign;
- (g) In terms of Section 12.6 of Schedule 2 of the By-Law, a Site Development Plan be prepared for each of the application properties, as well as for the combined development area and be submitted to the Director: Development Services for consideration and approval;
- (h) The owner makes financial provision, to the satisfaction of the Director: Financial Services, for protection against failure at any time after construction has started for the rehabilitation or management of negative environmental impact of decommissioning or of abandonment in the case of the owner not being financially able to fulfil any obligations in this regard. The amount as determined by the Director: Financial Services will escalate annually with the average CPIX of the preceding twelve months;
- (i) This approval will not cause exemption from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use;
- (j) This approval is in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval must be complied with within the 5 year period and failing to do so will result in this approval expiring;
- (k) The applicant/objectors are informed of the right to appeal against this decision of the Municipal Planning Tribunal, within 21 days of this notice, in terms of section 89(2) of the By-Law;

**A2 WATER**

- (a) No water is available on site and Swartland Municipality will not be responsible for water provision;

**A3 SEWERAGE**

- (a) Sewer services can only be provided for household sewerage by means of a vacuum tanker;

**A4 REFUSE REMOVAL**

- (a) The owner/developer is responsible for refuse removal;
- (b) Should any of the landfills in the municipal area be utilised for dumping of refuse, prepaid vouchers must be submitted. These vouchers are obtainable from any municipal office in the municipal area;

**B. GENERAL**

- (a) The owner/developer complies with all relevant conditions imposed by the Western Cape Department of Environmental Affairs and Development Planning, as contained in Environmental Approval of 28 June 2017, reference number 14/12/16/3/3/2/961;
- (b) The owner/developer complies with all relevant conditions imposed by the Western Cape Department of Transport and Public Works: Road Network Management, of 20 March 2018, reference number 16/9/6/1-26/171 (Job 25927);
- (c) The owner/developer complies with all relevant conditions imposed by the South African Department of Water and Sanitation, dated 27 March 2018, reference number 16/2/7/G10J/A/11.

**C.** That the application is supported for the following reasons:

- (a) The development proposal is consistent with the principals of SPLUMA and LUPA;
- (b) The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Local Government spheres;
- (c) There are no physical restrictions on the property that will have a negative impact on this application;
- (d) The visual impact of the development is mitigated as well as possible and the greatest impact is contained to a small 4km radius near Moorreesburg;
- (e) The development footprint is negligible within the combined application area and agricultural production is unlikely to be negatively influenced;

6.2/C...

- (f) The high potential agricultural land will remain high potential agricultural land and will return to its pre-development state after the operational stage (20 – 25 years);
- (g) All environmental and biophysical aspects were taken into account and addressed during the Environmental Authorisation process;
- (h) The proposed activity will have a positive economic impact as it will generate income for the land owners and local workers, as well as through skills training by the developer;
- (i) The development proposes clean, emission free electricity generation, which will over time benefit the environment positively, while reducing dependence on fossil fuels;
- (j) The proposal may assist in absorbing any future shocks or failings of the existing electricity network, through providing alternative energy;
- (k) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding land owners, nor on environmental assets;
- (l) The development proposal is considered desirable within its context, i.e. spatially, culturally, environmentally and economically.

### **6.3 APPLICATION FOR REZONING AND DEPARTURE OF ERF 37, RIEBEEK KASTEEL (15/3/3-11, 15/3/4-11) (WARD 12)**

Mr H Olivier, as author of the item, tabled the proposed application for the rezoning and departure of Erf 37, Riebeek Kasteel in order to operate a restaurant and guest house.

Mr Olivier emphasised that, when the approval of the building plan is considered, it be ensured that alterations complement the existing heritage building on the property and the character of the CBD of Riebeek Kasteel.

It is confirmed by the committee, with reference to the non-provision of the required parking bays, that enough parking is available on both sides of the road, as well as on intended future developments of the Square and Erf 138 to also accommodate the development potential of surrounding properties with regard to parking requirements.

#### **UNANIMOUSLY RESOLVED**

- A.** The application for the rezoning of Erf 37, Riebeek Kasteel be approved in terms of section 70 of the Swartland Municipality: By-law on Municipal Land Use Planning (PG 7741 of 3 March 2017), from residential zone 1 to general residential zone 3 and business zone 1 subject to the following conditions:

#### **A1 TOWN PLANNING AND BUILDING CONTROL**

- (a) The rezoning to business zone 1 zoning is restricted to an area of  $\pm 149\text{m}^2$  with the remainder of the property being,  $\pm 1245\text{m}^2$ , is rezoned to general residential zone 3 as proposed in this application;
- (b) The guesthouse be restricted to a total of 4 guest rooms as well as related facilities as proposed in this application;
- (c) The use of business activities on the property is restricted to the operation of a micro-brewery as well as a restaurant;
- (d) Building plans be submitted to the Director: Development Services for consideration and approval;
- (e) The design of the proposed restaurant must be sympathetic to the existing heritage building on the property in such a manner that the proposed building will complement the streetscape of Church Street;
- (f) Application be made to Department: Development Services to display advertising signage;
- (g) A Certificate of Compliance be obtained from the West Coast District Municipality for the preparation and provision of food for lodgers;
- (h) A trade licence be obtained from Swartland Municipality for the operation of the lodge;
- (i) This approval is valid for a period of 5 years, in terms of section 76 (2) (w) of the By-Law, during which time the rezoned land use must be utilised and all conditions of approval adhered to for the new zoning to be established;

6.3/A1...

- (j) The applicant/objectors are informed of the right to appeal against this decision of the Municipal Planning Tribunal, within 21 days of this notice, in terms of section 89(2) of the By-Law;

**A2 WATER**

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

**A3 SEWERAGE**

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

**A4 REFUSE REMOVAL**

- (a) The basic refuse removal tariff be levied for each business individually as well as that the tariff be amended in accordance with the amount of refuse that is removed;
- (b) That a built refuse area be provided with clean running water as well as wastewater catchment that are connected to the sewer network. The refuse-area must be easily accessible for a 30ton refuse truck as well as refuse removal workers. It should also be inaccessible to unwanted animals and elements;

**A5 CAPITAL CONTRIBUTIONS**

- (a) The owner/developer take note of the capital contribution for the regional bulk supply of water at R 2 305.80. This capital contribution is payable to Swartland Municipality at building plan stage. This amount is payable to vote number 9/249-176-9210 and is valid for the financial year of 2017/2018 and may be revised thereafter;
- (b) The fixed capital contribution towards roads be made to this municipality to the amount of R 29 733,51 at building plan stage. This amount is payable to vote number 9/247-144-9210 and is valid for the financial year of 2017/2018 and may be revised thereafter;
- (c) The fixed capital contribution towards water is made to this municipality to the amount of R5 078.70 at building plan stage. This amount is payable to vote number 9/249-174-9210 and is valid for the financial year of 2017/2018 and may be revised thereafter;
- (d) The fixed capital contribution towards sewerage is made to this municipality to the amount of R4 309.20 at building plan stage. This amount is payable to vote number 9/240-184-9210 and is valid for the financial year of 2017/2018 and may be revised thereafter;
- (e) The fixed capital contribution towards wastewater treatment be made to this municipality to the amount of R 9 234.00 at building plan stage. This amount is payable to vote number 9/248-194-9210 and is valid for the financial year of 2017/2018 and may be revised thereafter;
- (f) Council's resolution dated May 2017 makes provision for a 40% rebate applicable on the capital contributions 6(b) to 6(e) above. This rebate is valid for the 2017/2018 financial year and may be revised thereafter;

**A6 ESKOM**

- (a) That the owner/developer complies, where applicable, to the contents of the letter from Eskom dated 29 March 2018;

**A7 WEST COAST DISTRICT MUNICIPALITY**

- (a) That the owner/developer complies, where applicable, to the contents of the letter from the West Coast District Municipality dated 16 April 2018;

**A8 DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

- (a) That the owner/developer complies, where applicable, to the contents of the letter from the Division Road Network Management of the Department of Transport and Public Works dated 11 April 2018;

A9/...

**A9 GENERAL**

- (a) Should it be necessary to upgrade any existing services in order to accommodate the access or service connections of the proposed development, the cost thereof will be for the developer's account.

- B. The application for the departure of the required on-site parking on erf 37, Riebeek Kasteel, be approved in terms of section 70 of the Swartland Municipality: By-law on Municipal Land Use Planning (PG 7741 of 3 March 2017), from the required 8 parking bays to not providing any, subject to the following conditions:

**B1 TOWN PLANNING AND BUILDING CONTROL**

- (a) The financial contribution for the non-provision of 6 on-site parking bays be calculated on building plan stage.
- C. The application for the departure of the street building line restriction (northern boundary) on erf 37, Riebeek West in terms of the new general residential zone 3 zoning in terms of section 70 of the Swartland Municipality: By-law on Municipal Land Use Planning (PG 7741 of 3 March 2017), be approved to depart from the required 5m to 0m in order to accommodate the existing dwelling on the boundary of Walter Street.
  - D. The application for the departure of the street building line restriction (eastern boundary) on erf 37, Riebeek West in terms of the new general residential zone 3 zoning in terms of section 70 of the Swartland Municipality: By-law on Municipal Land Use Planning (PG 7741 of 3 March 2017), be approved to depart from the required 5m to 3m in order to accommodate the existing dwelling 3m from the Church Street boundary.
  - E. The application for the departure of the side building line restriction (western boundary) on erf 37, Riebeek West in terms of the new general residential zone 3 zoning in terms of section 70 of the Swartland Municipality: By-law on Municipal Land Use Planning (PG 7741 of 3 March 2017), be approved to depart from the required 5m to 1.3m in order to accommodate the existing carport on the property.
  - F. The application for the departure of the street building line restriction (eastern boundary) on erf 37, Riebeek West in terms of the new business zone 1 zoning, in terms of section 70 of the Swartland Municipality: By-law on Municipal Land Use Planning (PG 7741 of 3 March 2017), be approved to depart from the required 5m to 3m in order to accommodate the proposed restaurant 3m from the Church Street boundary.
  - G. That the application be supported for the following reasons:
    - (a) There are physically no restrictions on the property that will have a negative impact on this application;
    - (b) There are no restrictions registered against the title deed of the property that will negatively impact the proposed development;
    - (c) The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Municipal levels as discussed in the Land Use Planning Report;
    - (d) The character of the surrounding area is that of mixed-uses and seeing that the property is located in the identified CBD of Riebeek Kasteel, it is clear that the proposed development will complement the character of the area;
    - (e) The proposed development will definitely have a positive impact on the economy of Riebeek Kasteel through the creation of numerous job opportunities;
    - (f) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding landowners, nor will it negatively impact on environmental / heritage assets;
    - (g) The property has sufficient access to and from Church Street which is a public road as well as proclaimed main road;
    - (h) The application for the departure of the building lines is mainly to accommodate existing buildings within the building line parameters of the new zoning categories and will therefore not have a negative impact on the surrounding properties. The departure of the street building line in terms of the new restaurant is warranted as it is in-line with the existing building on the property as well as that it may add to the streetscape of Church Street.

**6.4 APPLICATION FOR REZONING AND CONSENT USE ON PORTION 7 OF THE FARM LAMMERSHOEK, NO 842, DEVISION MALMESBURY (15/3/3-15, 15/3/10-15, PLAAS 842/7) (WARD 12)**

This application was previously referred back by the Municipal Planning Tribunal and Ms A de Jager, as author, highlighted the amendments to the report, taking into account the reduction of the development footprint, as well as the various studies submitted.

Ms de Jager confirmed that proof was obtained that *Holland and Associates Environmental Consultants* was appointed to undertake a NEMA Section 24G-application for the rectification of the unlawful construction of the dam. However, the illegal dam on the property has no connection on the development proposal as the effluent of the cellar will not be disposed in the dam as confirmed in the *Sadie Family Cellar Water Quality Management Plan, 2006*.

The committee noted that no comments were received from the Department of Transport and Public Works/Provincial Road Engineer and consequently no conditions were determined regarding the maintenance of the divisional roads, as in the case with the establishment of the sand mines alongside the same route. A discussion followed on the inconsistency of the said Department to submit comments. In the past, however, no conditions were determined for similar activities in the tourism and agricultural sectors alongside divisional roads, and the determining factor is possibly the type of traffic that is being generated – light motor vehicles versus trucks.

The chairperson mentioned that the water consumption for household purposes from the Paardeberg Scheme will be closely monitored in accordance with the relevant By-law.

**UNANIMOUSLY RESOLVED**

- A.** The application for the rezoning of a portion of Portion 7 of the Farm Lammershoek, no. 842, Division Malmesbury from Agricultural Zone 1 to Agricultural Zone 2, is approved in terms of section 70 of the Swartland Municipal Land Use Planning By-Law (PG 7741 of 3 March 2017).
- B.** The application for a consent use on a portion of Portion 7 of the Farm Lammershoek, no. 842, Division Malmesbury for a tourist facility on the Agricultural Zone 2, is approved in terms of section 70 of the Swartland Municipal Land Use Planning By-Law (PG 7741 of 3 March 2017).
- C.** Approvals A and B are subject to the conditions that:

**C1 TOWN PLANNING AND BUILDING CONTROL**

- (a) A portion ( $\pm 1\,589\text{m}^2$  in extent) of Portion 7 of the Farm Lammershoek, no. 842, be rezoned from Agricultural Zone 1 to Agricultural Zone 2 in accordance to the site development plan as proposed in the application;
- (b) The proposed tourist facilities, consisting of a function venue, be developed in accordance to the site development plan as proposed in the application;
- (c) Additional construction methods be employed in order to sound proof the function venue, as presented in the application and to the satisfaction of the Municipality;
- (d) The visual impact of the development on the north western side of the facility will be mitigated through the planting of trees and shrubbery, as presented in the application;
- (e) Building plans for any new buildings be submitted to the Department: Development Services for consideration of approval;
- (f) Application be made to Department: Development Services for the right to display of an advertising sign;
- (g) A Certificate of Compliance be obtained from the West Coast District Municipality for the operation of the function venue, wine tasting and sales;
- (h) A trade licence be obtained from Swartland Municipality for the operation of the function venue, wine tasting and sales;
- (i)/...



- (i) At least 35 parking bays be provided on-site, as presented in the application and finished with a permanent, dust free surface, being tar, concrete or paving or a material pre-approved by the Municipality and that parking bays and loading bays are clearly marked;
- (j) The approval will not cause exemption from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use;
- (k) The approval is only valid for a period of 5 years in terms of section 76(2)(w) of the By-Law. All conditions of approval must be complied with within the 5 year period and failing to do so will result in this approval expiring;
- (l) The applicant/objectors are informed of the right to appeal against this decision of the Municipal Planning Tribunal, within 21 days of this notice, in terms of section 89(2) of the By-Law;

**C2 WATER**

- (a) No water services for agricultural activities, including water required for the operation of the cellar, will be provided by Swartland Municipality;
- (b) The existing water connection from the Paardenberg Scheme may only be utilised for household purposes;
- (c) Water supplied from the Paardenberg Scheme is raw water and should be treated to the SANS 241 standard, prior to human consumption;
- (d) Approval from the Department of Water Affairs be obtained for abstraction from the borehole, should the existing water use license not allow the increased abstraction volume;
- (e) The existing connections be used and no additional connections will be provided;

**C3 SEWERAGE**

- (a) Sewer services can only be provided for household sewerage with a vacuum tanker;
- (b) Conservancy tanks, easily accessible for the municipal service truck, be provided, of volume and standard determined by the Swartland Municipality;
- (c) Approval for the waste water processing system for the increased production of waste water, as presented in the application, be obtained from the Department of Water Affairs;

**C4 REFUSE REMOVAL**

- (a) Prepaid vouchers must be submitted, should any of the landfills in the municipal area be utilised. These vouchers are obtainable from any municipal office in the municipal area;

**C5 GENERAL**

- (a) The owner/developer complies with the relevant conditions imposed by Telkom, as contained in the letter of 6 July 2017, with reference number WWIP\_WMY+1901\_17.

**D.** The application is supported for the following reasons:

- (a) There are no physical restrictions on the property that will have a negative impact on this application;
- (b) The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Municipal spheres as discussed above;
- (c) The proposal for rezoning is spatially resilient, as the diversification of land uses on the property will strengthen its resistance against environmental and economic shocks;
- (d) The proposed consent use is consistent with the character and zoning of the property and surrounding area;
- (e) The proposed activity will have a positive economic impact as it will generate income for the land owner, municipality (through rates and taxes) and tourism as a whole, through the spending of visitors to the area;
- (f) The proposal will generate a number of employment opportunities;
- (g) The proposal does not trigger an EIA and will have no detrimental impact on the environment;

6.4/D...

- (h) The applicant has submitted a noise impact assessment which confirm that any noise disturbance generated by the development will be mitigated;
- (i) The applicant has submitted a visual impact assessment which confirm that he visual impact of the development is deemed negligible, but mitigating measures will nonetheless be employed;
- (j) The illegal dam on the property has no connection on the development proposal and the application approval may thus continue, without being hampered by the ongoing environmental process related to the dam;
- (k) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding land owners, nor on environmental assets;
- (l) The development proposal is considered desirable within its context, i.e. spatially, culturally, environmentally and economically.

**(SIGNED) J J SCHOLTZ  
CHAIRPERSON**