



CLEAN AUDITS SINCE 2010/11



*Ons gee gestalte aan 'n beter toekoms!
We shape a beter future!
Sibumba ikamva elingcono!*

File ref: 15/3/3-15/Farm_1120
15/3/4-15/Farm_1120

Enquiries:
Mr AJ Burger

1 February 2022

LMV Cape – Town & Regional Planners Pty Ltd
31 Peak Drive
PINELANDS
7405

Attention: Hennie du Plooy hennie@lmv.co.za

By Registered Mail

Dear Sir/Madam

PROPOSED REZONING, PERMISSION NEEDED IN TERMS OF THE ZONING SCHEME (APPROVAL OF SITE DEVELOPMENT PLAN) AND DEPARTURE ON FARM 1120, DIVISION MALMESBURY

Your application received by Swartland Municipality on 30 August 2021, on behalf of Boekenhoutskloof Winery Pty Ltd, refers.

A By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the rezoning of farm no 1120, Division Malmesbury, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) A portion (15129m² in extent) of farm 1120, Division Malmesbury be rezoned from Agricultural zone 1 to Agricultural zone 2 in order to operate a winery as presented in the application;
- b) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- c) The upgrading of the existing access road and bridge giving access to the proposed winery be completed before an occupation certificate for the winery be issued by Swartland Municipality;
- d) The mitigation measures regarding the visual impact of the winery be implemented as presented in the application;
- e) A minimum of 26 on-site parking and 18 loading bays be provided and clearly demarcated as presented in the application and that the parking areas be finished with a permanent, dust free surface, whether it be tar, concrete, paving or any other material, as pre-approved by the Director: Civil Engineering Services;
- f) Application be made to the Director: Development Services for a business license;
- e) Application be made to the Senior Manager: Built Environment for the right to display an advertising sign/development name;

2. WATER

- a) No municipal drinking water can be provided;

Rig asseblief alle korrespondensie aan:

Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299

Darling Tel: 022 492 2237

Tel: 022 487 9400

Faks/Fax: 022 487 9440

Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:

The Municipal Manager
Private Bag X52
Malmesbury 7299

Yzerfontein Tel: 022 451 2366

3. SEWERAGE

- a) Sewerage services for household sewerage only can be provided by means of a vacuum truck;

4. WEST COAST DISTRICT MUNICIPALITY

- a) The wine cellar complies with the requirements as defined in Regulation 638 (Regulations on General Hygiene Requirements for Food Premises and the Transport of Food and Related Matters) promulgated in terms of the Food Act;
- b) Application be made to the Department of Environmental Health for the issue of a certificate of compliance for the food premises;
- c) The said certificate of compliance be issued after an inspection if the food premises / wine cellar complies with all the requirements of the regulation.
- d) Water for human consumption to comply with the specifications set out in SANS 241: Water for domestic supply;
- e) Waste water be treated properly and disposed of to prevent a nuisance;

5. DEPARTMENT OF WATER AFFAIRS & SANITATION

- a) The comments provided by this Department dated 4 June 2021 and 17 August 2021 on the Basic Assessment Reports with DEA&DP Reference Number: 16/3/3/1/F5/16/2031/21 which relates to the proposed winery construction, access road, bridge and treated effluent disposal be complied with;
- b) No abstraction of surface or groundwater may be done or storage of water be created without prior authorisation from this Department, unless it is a Schedule 1 or Existing Lawful use as described in the National Water Act, 1998 (Act No. 36 of 1998)
- c) Any development within the 1:100 year flood line or within 500m from any boundary of a wetland or water resource constitutes a water use activity and must be authorised and registered in terms of the National Water Act, 1998 (Act No. 36 of 1998);
- d) A storm water management plan be developed and implemented;
- e) No surface, ground or storm water be polluted as a result of activities on the site. In the event that pollution does occur, this Department must be informed immediately;
- f) All requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) be adhered to.

6. ESKOM

- a) Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Customer Services on 08600 37566 or customerservices@eskom.co.za;

Underground Services

- b) Works will be carried out as indicated on plans;
- c) No mechanical plant to be used within 3.0m of Eskom underground cables;
- d) All services to be verified on site;
- e) Cross trenches to be dug by hand to locate all underground services before construction work commences;
- f) If Eskom underground services cannot be located or is grossly misplaced from where f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm;
- g) Where proposed services cross underground power cables the separation should be a minimum of **300mm** with protection between services and power cables. (Preferably a concrete slab);
- h) No manholes; catch- pits or any structure to be built on top of existing underground services;
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables;
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work;
- k) No work can take place within the servitude of a 66kV Cable or 13kV Cable if indicated. Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Graham Hector on HectorG@eskom.co.za to arrange a site visit;

O.H. Line Services:

- l) The following building and tree restriction on either side of centre line of overhead power line must be observed: Voltage Building restriction either side of centre line

- Voltage 11 / 22kV Building line restriction either side of centre line 9.0 m
Voltage 66kV Building line restriction either side of centre line 11.0 m
Voltage 132kV Building line restriction either side of centre line 15.5 m
- m) No construction work may be executed closer than 6 (SIX) meters from any Eskom structure or structure-supporting mechanism. c) No work or no machinery nearer than the following distances from the conductors:
- | | |
|-------------------|-----------------------|
| Voltage 11 / 22kV | Not closer than 3.0 m |
| Voltage 66kV | Not closer than 3.2 m |
| Voltage 132kV | Not closer than 3.8 m |
- n) Natural ground level must be maintained within Eskom reserve areas and servitudes;
- o) That a minimum ground clearance of the overhead power line must be maintained to the following clearances:
- | | |
|-------------------|-----------------------------------|
| Voltage 11 / 22kV | Safety clearance above road 6.3 m |
| Voltage 66kV | Safety clearance above road 6.9 m |
| Voltage 132kV | Safety clearance above road 7.5 m |
- p) The wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services. Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Graham Hector on HectorG@eskom.co.za to arrange a site visit;
- q) 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/developer;
- r) 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:
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure;
- s) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre);
- t) 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;
- u) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise;
- v) Eskom shall at all times have unobstructed access to and egress from its services.;
- w) Any development which necessitates the relocation of Eskom's services will be to the account of the developer;
- x) Lungile Motsisi MotsisL@eskom.co.za, Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV Overhead powerlines, no work within this servitude or underneath powerlines is allowed until comment from Eskom Transmission has been obtained;

7. DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

- a) The conditions of the Environmental Authorisation of the Department of Environmental Affairs and Development Planning with reference 16/3/3/1/F5/16/2031/21, dated 7 December 2021 be complied with;

B By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the departure of development parameters on farm no 1120, Division Malmesbury, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) Departure from the required 21 on-site loading bays to 18 on-site loading bays.

C By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the approval of the site development plan 1800-CA-0-DW-A-501-100, Reference E, dated 24 May 2019, is approved in terms of Section 70 of the By-Law.

D GENERAL

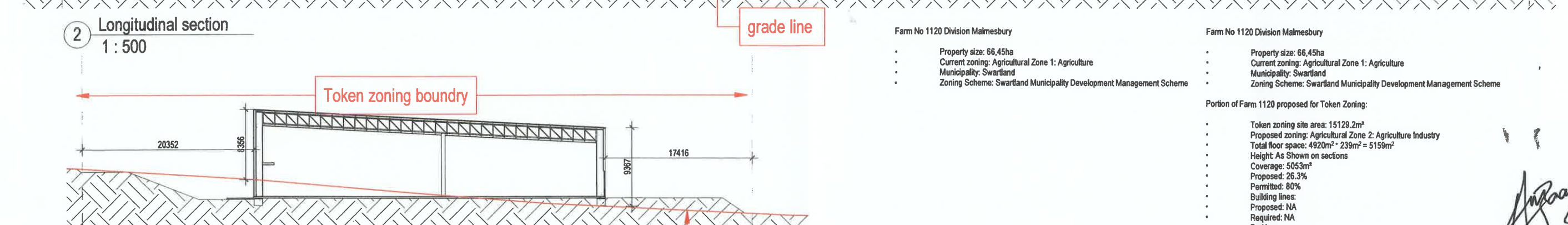
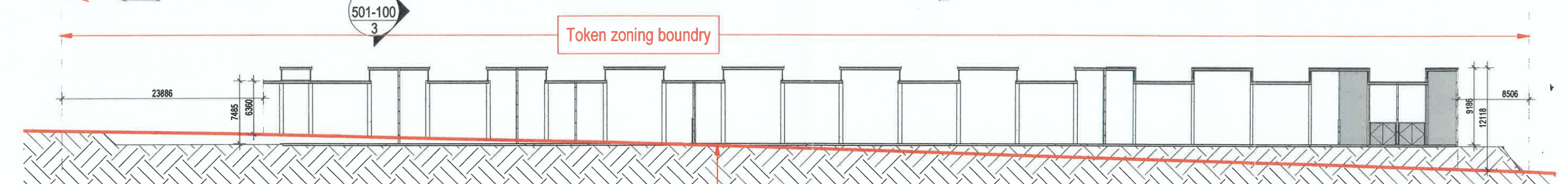
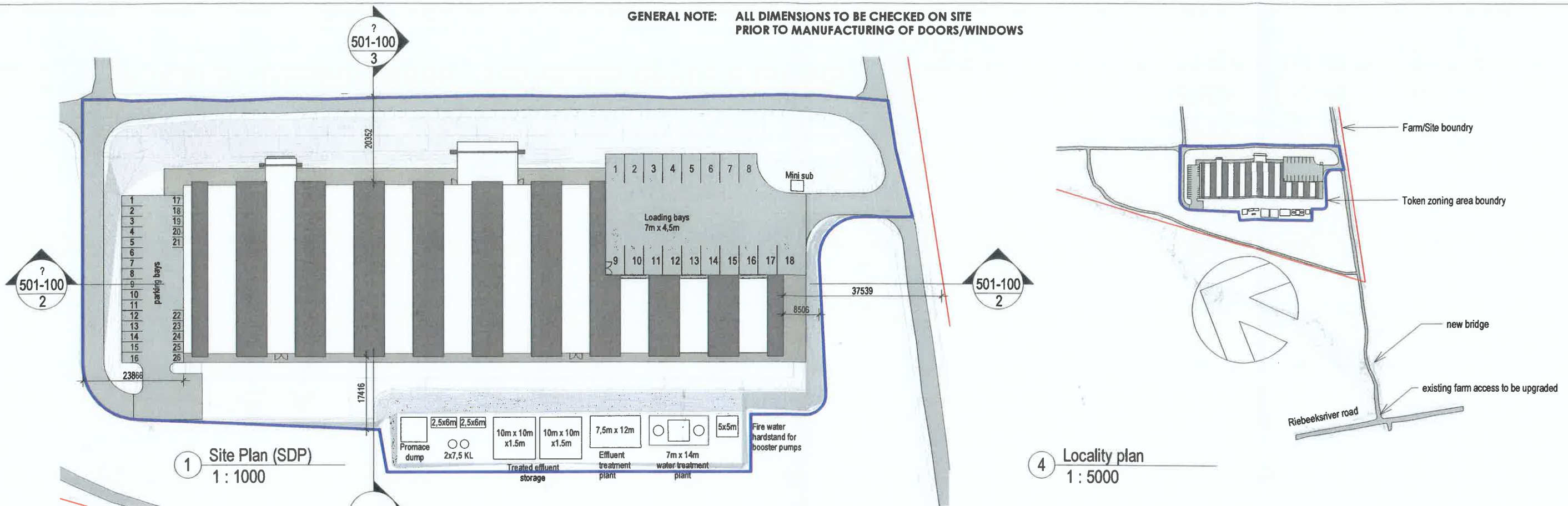
1. The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be implemented within these 5 years, without which, the approval will lapse. If implemented timeously, the 5 year period falls away and the land use becomes permanent.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
AJB/ds

Copies: *Director: Civil Engineering Services*
 Director: Financial Services
 Building Control Officer
 Boekenhoutskloof Winery Pty Ltd, Posbus 433, Franschoek, 7690

GENERAL NOTE: ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO MANUFACTURING OF DOORS/WINDOWS



Farm No 1120 Division Malmesbury

- Property size: 66,45ha
- Current zoning: Agricultural Zone 1: Agriculture
- Municipality: Swartland
- Zoning Scheme: Swartland Municipality Development Management Scheme

Portion of Farm 1120 proposed for Token Zoning:

- Token zoning site area: 15129,2m²
- Proposed zoning: Agricultural Zone 2: Agriculture Industry
- Total floor space: 4920m² + 239m² = 5159m²
- Height: As Shown on sections
- Coverage: 5053m²
- Proposed: 26.3%
- Permitted: 80%
- Building lines: Proposed: NA, Required: NA
- Parking: Proposed: 1 parking bay per 200m² of the total floor space - 26 bays, Required: 1 parking bay per 200m² of the total floor space - 26 bays
- Loading bays: Proposed: 18 bays, Required: 2 loading bays per 500m² of the total floor space - 21 bays

Handwritten signature and date:
 2022/02/01



Verify all levels and dimensions on site before commencing work or making any shop drawings, notify architect of any discrepancies before proceeding. Drawings to be read in conjunction with finishes schedule and specifications.

First Floor Constantia Emporium, Spaanschemat River Rd, Constantia, Cape Town, 7806.

T: 082 928-0954
 e-mail: info@connectarchitects.co.za

Project: Chocolate Block winery
Location: Farm No. 1120 Div Malmesbury
Client: Boekenhoutskloof (Pty) Ltd

Revisions		
REV.	DATE	DESCRIPTION
B	20210722	Token Zoning area revised
C	20210730	Token Zoning area revised
D	20210804	Heights recalculated
E	20210804	Dimensions revised

Drawing: SDP

Issued for: SDP

Proj. No.: 1800

Date: 05/24/19

Scale: As indicated @ A3

Drawing No.: 1800 - CA - 0 - DW - A - 501-100

Rev.: E