



CLEAN AUDITS SINCE 2010/11



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File ref: 15/3/3-15/Farm\_498  
15/3/10-15/Farm\_498

Enquiries:  
Mr AJ Burger

8 June 2022

PJ le Roux Town and Regional Planners  
PO Box 3457  
PAARL  
7620

**By registered mail**

Sir/ Madam

**PROPOSED REZONING AND CONSENT USE ON THE REMAINDER OF FARM KNOLFFONTEIN NO 498, DIVISION MALMESBURY**

The application with reference H 10-166, dated 4 March 2022 on behalf of The Trustees of the Knolfontein Trust, refers.

- A. By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the rezoning of the remainder of farm Knolfontein no 498, Division Malmesbury is hereby approved in terms of Section 70 of the By-Law.
- 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, dated 25 March 2020), the application for a consent use on remainder of farm Knolfontein no 498, Division Malmesbury is hereby approved in terms of section 70 of the By-Law.

**A & B are subject to the following conditions:**

**1. TOWN PLANNING & BUILDING CONTROL**

- (a) A portion (250m<sup>2</sup> in extent) of farm 498/0 be rezoned from Agricultural zone 1 to Agricultural zone 2 in order to make provision for a boutique wine cellar (50m<sup>2</sup> in extent) with an area for wine tasting and sales with an outside seating area (shed – 160m<sup>2</sup> and outside area – 40m<sup>2</sup>), as presented in the application;
- (b) The boutique wine cellar be restricted to the processing capacity of a maximum of 2 tons of grapes;
- (c) The consent use authorises a tourist facility (200m<sup>2</sup> in extent) in order to accommodate private functions (shed – 160m<sup>2</sup> and outside area – 40m<sup>2</sup>), as presented in the application;
- (d) The private functions are restricted to "invitation only" for a maximum of 40 guests;
- (e) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval for the conversion of the existing buildings;
- (f) At least 10 on-site parking bays be provided for the tourist facility and that the parking bays are clearly marked;
- (g) Application be made to Swartland Municipality for a business license and at the West Coast District Municipality for a compliance certificate;
- (h) Application be made to Swartland Tourism for the display of direction and tourism signs;

*Rig asseblief alle korrespondensie aan:*

Die Munisipale Bestuurder  
Privaatsak X52  
Malmesbury 7299

Tel: 022 487 9400  
Faks/Fax: 022 487 9440  
Epos/Email: swartlandmun@swartland.org.za

*Kindly address all correspondence to:*

The Municipal Manager  
Private Bag X52  
Malmesbury 7299

Darling Tel: 022 492 2237

Moorreesburg Tel: 022 433 2246

Yzerfontein Tel: 022 451 2366



## 2. WATER

- (a) Municipal drinking water cannot be provided. The owner/developer puts measures in place to provide drinking water which complies with the SANS 241 standard;

## 3. SEWERAGE

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

## 4. REFUSE REMOVAL

- (a) Should any of the landfills in the municipal area be used, pre-paid refuse tokens – obtainable from any municipal office – must be presented at the relevant landfill, prior to refuse disposal;

## 5. ESKOM

### 5.1 Underground Services

- (a) Works will be carried out as indicated on plans;
- (b) No mechanical plant to be used within 3.0m of Eskom underground cables;
- (c) All services to be verified on site;
- (d) Cross trenches to be dug by hand to locate all underground services before construction work commences;
- (e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Lianne Muller from the Land Development Office to be contacted at MullerLE@eskom.co.za , to arrange the capturing of such services;
- (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 Lianne Muller at MullerLE@eskom.co.za to arrange a site visit;

### 5.2 O.H. Line Services:

- a) 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
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism;



- c) No work or no machinery nearer than the following **distances from the conductors**:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) 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	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- 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/developer;
- 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:
- 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.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre);
- i) 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) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise;
- k) Eskom shall at all times have unobstructed access to and egress from its services;
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer;
- m) Lungile Motsisi MotsisiL@eskom.co.za, Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES, NO WORK WITIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

The approval is, in terms of section 76(2)(w) of the By-law, valid for a period of 5 years. Compliance with all conditions of approval be met before the occupation certificate for all converted buildings be issued. If the owner/developer does not comply, the approval will lapse.

The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.



Yours faithfully



**MUNICIPAL MANAGER**  
per Department Development Services

AJB/ds

*Copies :*  
*Building Control Officer*  
*Director: Civil Engineering Services*  
*Director: Financial Services*  
*Knolfontein Trust, PO Box 15, Riebeek West, 7306*  
*Email: [knolfontein@cornergate.com](mailto:knolfontein@cornergate.com)*

