



Enquiries:
Mr HL Olivier

pierre@activeplanning.co.za

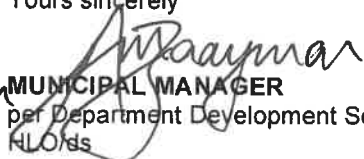
characterised predominantly by agricultural, rural-residential and small-scale rural enterprise activities. The proposed use is not compatible with the objective of the Agricultural Zone 3 zoning or the established and intended character of the area and is therefore considered undesirable from a land use planning perspective.

4. **Failure to demonstrate need for the use at this specific location:** While the application motivates the business need for additional ammunition storage capacity, it fails to demonstrate why the proposed activity specifically requires accommodation on Agricultural Zone 3 land within the Tierfontein smallholding area. The application does not adequately show that alternative appropriately designated industrial land cannot reasonably accommodate the proposed operation.
5. **Creation of an undesirable planning precedent:** Approval of the application would establish an undesirable planning precedent for the introduction of non-agricultural, risk-related commercial and industrial-type storage activities within the Tierfontein smallholding area. Such precedent may undermine the Municipality's ability to maintain the intended rural character and policy direction of the area.
6. **Temporary departure mechanism inappropriate for the nature of the proposal:** The proposed use is presented as a temporary departure for a period of five years. However, the motivation indicates that the facility forms part of an ongoing commercial importation, storage and distribution business model intended to support the applicant's long-term operations. The Municipality is therefore not satisfied that the proposed land use is genuinely temporary in nature or that a temporary departure is the appropriate planning instrument for the activity proposed.

B. GENERAL

- (a) The Municipality notes the Risk Assessment submitted in support of the application and accepts that the proposal may be capable of complying with the requirements of the Explosives Act and associated SAPS regulations. The Municipality further notes the comments received from the Western Cape Department of Infrastructure and the consent granted regarding the restrictive title deed conditions. These considerations, however, do not determine the desirability of the proposed land use from a spatial planning perspective and do not override the Municipality's obligation to assess the proposal against applicable planning legislation, policies and spatial planning principles.
- (b) You are hereby informed of your right to appeal the decision of the authorised official, in terms of section 89 of the By-Law. For an appeal to be valid it needs to comply with the provisions as contained in Section 90 of the By-Law. It therefore needs to be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za. This should be done within 21 days of notification of the decision and should be accompanied by proof of payment of the applicable fee of R 5 200.00. Appeals received late and/or that do not comply with the requirements, will be considered invalid and will not be processed.

Yours sincerely


MUNICIPAL MANAGER

per Department Development Services
HLOds

Copies: *Pieter Laubscher Konstruksie CC, PO Box 451, KEIMOES, 8860*
andries@lemco.co.za