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File ref: 15/3/10-15/Farm 552/03

Enquiries:
A. de Jager

1 September 2021

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

By Registered Mail

Dear Sir/Madam

PROPOSED CONSENT USE ON PORTION 3 OF THE FARM SLANGKOP, NO. 552, DIVISION MALMESBURY

Your application, with reference number MAL/11064/JL/KS, dated April 2020, on behalf of the Hennie Smit Trust, refers.

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 2021), the application for a consent use on Portion 3 of the farm Slangkop, no. 552, 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) The consent use authorises a sand mine, where the total footprint does not exceed 45,2234a, comprised of two areas namely Mining Area 1 (18,3469ha in extent) and Mining Area 2 (26,8765ha in extent) as presented in the application;
- b) A conveyancers' certificate, confirming that there are no restrictions registered that may affect the use the relevant portion of the farm for mining purposes, be provided to this municipality before any mining activities can take place;
- c) The mining activity is limited to the extraction of sand, as presented in the application;
- d) Drinking water be accessible and available on site, consistent with the SABS 241-1984 standards, to the satisfaction of the Director: Civil Services;
- e) No vehicles may be serviced on site;
- f) All oil / diesel spills be cleaned up using the necessary precautions and procedures, as required by the Environmental Management Plan;
- g) The health requirements as set from time to time by Department of Health, be met;
- h) Should any human remains be found during the mining process, SAHRA and Heritage Western Cape be notified immediately;
- i) Mining activities be conducted in accordance with the approved Environmental Management Programme and layout plan;
- j) Dust on haul roads meet the requirements of the National Environmental Management Air Quality Act, 2004;
- k) The Environmental Authorisation holder ensures that vegetation be removed only in the specific area that is to be worked, in phases, to prevent soil erosion;
- l) Topsoil be stripped, stockpiled and re-spread in accordance with the Environmental Authorisation;

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

- m) Stockpiling of topsoil be restricted to alternate phases on the development site and no off-site stockpiling will be permitted beyond the boundaries of the approved 5ha site;
- n) Management of topsoil be conducted in accordance with the approved EMP and the EA;
- o) Drainage be provided on mining sites after mining, to the satisfaction of the EA;
- p) The waste storage facility for harmful substances shall be structured according to the NEMA, 2008, (Act 62 of 2008);
- q) Mining activities be restricted to Monday to Saturday, between 07:00am and 17:00pm;
- r) No vehicle or pedestrian access into natural areas beyond the demarcated boundary of the site will be permitted;
- s) Visible, semi-permanent markers be placed along boundaries of the approved mining area, prior to mining activities commencing;
- t) Rehabilitation of each phase be completed in accordance with the EMP and to the satisfaction of the Department of Mineral Resources;
- u) Dust suppressions measures be implemented during mining activities and this may include spraying the mining area and access road with water and/or an environmentally friendly dust allaying agent, in accordance with the EMP;
- v) A social contribution agreement be entered into between the mine owner and the Municipality to be executed and finalised within the duration period of the mining activities;

2. WATER

- a) No municipal drinking water can be provided;
- b) No pollution of surface water or groundwater resources may occur due to the mining activities on the property;
- c) Hydraulic fluid or chemicals required be stored in a concrete lined surface with bund walls, designed in such a manner that any spillage can be contained and reclaimed;
- d) The person who owns, controls, occupies or uses the land in question employs preventative measures of water pollution, to the satisfaction of the Department: Water and Sanitation;

3. SEWERAGE

- a) Sewerage services can only be provided for household sewerage by means of a vacuum truck;
- b) Sufficient and acceptable toilets be provided on site, as stipulated by West Coast District Municipality;
- c) A solid waste removal plan be submitted to the Director: Civil Engineering Services;

4. ROADS AND STORMWATER

- a) Road maintenance be managed to the satisfaction of the District Roads Engineer Paarl (liesel.maakal@westerncape.gov.za);
- b) Stormwater be managed on-site and no runoff be allowed into the natural environment, to the satisfaction of the Department: Water and Sanitation;

4. ELECTRICITY

- a) No mechanical plant be used within 3m of Eskom underground cables;
- b) No work takes place within the servitude of a 66kV cable or 13kV cable if indicated;
- c) The following building and tree restriction on either side of a centre line of overhead power lines be observed:

Voltage	Building restriction on either side of the centre line
11kV & 22kV	9m
66kV & 22kV	11m
132kV	15,5m

- d) No construction work may be executed closer than 6m from any Eskom structure or structure supporting mechanism;
- e) The natural ground level be maintained within the Eskom reserve areas and servitudes;

- f) No work or machinery permitted nearer than the following distances from conductors:

Voltage	No closer than:
11kV & 22kV	3m
66kV & 22kV	3,2m
132kV	3,8m

- g) The minimum ground clearance of the overhead power line be maintained to the following clearance distance:

Voltage	Safety clearance above road
11kV & 22kV	6,3m
66kV & 22kV	6,9m
132kV	7,5m

- h) A 10m obstruction free zone to be maintained around all pylons;

5. GENERAL

- a) The applicant/developer complies with the conditions of the Environmental Authorisation of the Department of Mineral Resources and Energy, reference number WC30/5/1/3/2/10253MP, dated 19 May 2021;
- b) The applicant/developer complies with the requirements issued by the Department: Water and Sanitation in their letter, reference number 16/2/7/G21A/A/8, dated 1 December 2020;
- c) The applicant/developer complies with the conditions of Eskom, stated in the letter with reference number 02621-20, dated 5 October 2020;
- d) The approval does not exempt the applicant from adherence to any other legal procedures, applications and/or approvals related to the intended land use, as required by provincial, state, parastatal and other statutory bodies;
- e) The approval is only valid for the same period as the mining rights, once the mining permit has been received, namely a maximum of 5 years;
- f) The owner/developer is made aware that, due to the extent of the development, an application in terms of the Land Use Planning Act, 2014 (Act 3 of 2014), may be required by the Western Cape Department: Environmental Affairs and Development Planning;
- g) The owner/developer is informed of the fact that the Western Cape Department of Agriculture was notified of the development during the public participation process, but no comments were forthcoming.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
AdJ/ds

Copies: *Department: Financial Services*
Department: Civil Engineering Services
Building Control Officer
Sibathathu Mining CC, 7 Voortrekker Street, Darling, 7345
Regional Manager: Western Cape Region, Department: Mineral Resources, Private Bag X09, Roggebaai, 8012
K. Munro, Western Cape Department of Environmental Affairs and Development Planning: Development Management,
Cor van der Walt, Western Cape Department of Agriculture: Land Use Management, Private Bag X1, Elsenburg, 7607