



CLEAN AUDITS SINCE 2010/11



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File ref: 15/3/10-15/Farm 550

Enquiries:  
A. de Jager

30 July 2021

CK Rumboll & Partners  
PO Box 211  
MALMESBURY  
7299

**By Registered Mail**

Dear Sir/Madam

**PROPOSED CONSENT USE ON THE REMAINDER OF THE FARM KLEIGAT, NO. 550, DIVISION MALMESBURY**

Your application, with reference number MAL/11065/JL/KS, dated April 2020, on behalf of the MJ Loubser, 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 the farm Kleigat, no. 550, 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) As 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 take place;
- b) The consent use authorizes the establishment of a sand mine with total footprint of the mining activity not exceed 58,96ha, as presented in the application;
- 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 must 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;
- m) Stockpiling of topsoil be restricted to alternate phases on the development site and no off-site stockpiling be permitted beyond the boundaries of the approved 5ha site;

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

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:

The Municipal Manager  
Private Bag X52  
Malmesbury 7299

- n) Management of topsoil be conducted in accordance with the approved EMP and the EA;
- o) Drainage be provided on mining sites after mining, so 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](mailto:liesel.maakal@westerncape.gov.za));
- b) The access gate at Sand Mine Area 2 be moved 30m back from the R315 travelled way, to enable trucks to stand clear of the roadway when entering or exiting the site;
- c) Stormwater be managed on-site and no runoff be allowed into the natural environment, to the satisfaction of the Department: Water and Sanitation;

## **5. GENERAL**

- a) The applicant/developer complies with the conditions of the Environmental Authorisation of the Department of Mineral Resources and Energy, reference number WC30/5/1/2/3/2/1(10032)MR, dated 1 July 2021;
- b) The applicant/developer complies with the requirements issued by the Department: Water and Sanitation in their letter, reference number 16/2/7/G10L/A/8, dated 26 November 2020;
- c) 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;
- d) 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.

Yours sincerely



**MUNICIPAL MANAGER**

per Department Development Services

Adj/ds

Copies:    *Department: Financial Services*  
              *Department: Civil Engineering Services*  
              *Building Control Officer*  
              *MJ Loubser, PO Box 50, Darling, 7345*  
              *Sibathathu Mining CC, 7 Voortrekker Street, Darling, 7345*  
              *Regional Manager: Western Cape Region, Department: Mineral Resources, Private Bag*  
              *X09, Roggebaai, 8012*  
              *Cor van der Walt, Western Cape Department of Agriculture: Land Use Management, Private*  
              *Bag X1, Elsenburg, 7607*