

SWARTLAND MUNICIPALITY

NOTICE 27/2025/2026

MUNICIPAL PLANNING TRIBUNAL: CHANGE IN MEMBERSHIP

Notice is hereby given in accordance with paragraph 82(1)(c) of the Swartland Municipal Land Use Planning By-law, PN 8226 dated 25 March 2020 that the following members were appointed by the Council on the Swartland Municipal Planning Tribunal:

Employees

The Municipal Manager, Mr J J Scholtz
The Director, Corporate Services, Ms M S Tlouanele
The Director, Development Services, Mrs J Krieger

External members

Mr C K Abbe
Ms C Havenga

The term of office of members will be from 1 October 2025 to 30 September 2026.

J J SCHOLTZ
MUNICIPAL MANAGER
MUNICIPAL OFFICE
PRIVATE BAG 232
MALMESBURY

3 October 2025

25669

<p style="text-align: center;">SWARTLAND MUNICIPALITY NOTICE 30/2025/2026 REMOVAL OF RESTRICTIVE TITLE CONDITION ON ERF 878, DARLING</p> <p>Notice is hereby given that the Authorized Officer, Alwyn Mulharen Zeyeman in terms of section 79(1) of Swartland Municipality Municipal Land Use Planning By-law (PN 8226 of 25 March 2020), remove condition B.6(h), applicable on Erf 878, Darling as contained in Title Deed T884/2023.</p> <p>Condition B.6(h) read as follows:</p> <p style="padding-left: 40px;">... B.6(h) Geen gebou of struktuur of enige gedeelte daarvan, behalwe veggewasse en heinings, mag behalwe die (sic) toestemming van die Administrateur (sic) nader as 7,67 meter van die straatlyn wat grens 'n (sic) van hierdie erf aansoek, asook nie bome 3,15 meter van die aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid. ..."</p> <p>J J SCHOLTZ, Municipal Manager Municipal Office 1 Church Street MALMESBURY 7301</p> <p>3 October 2025 25671</p>	<p style="text-align: center;">SWARTLAND MUNISIPALITEIT KENNISGEWING 30/2025/2026 OPHEFFING VAN BEPERKENDE TITEL VOORWAARDE OP ERF 878, DARLING</p> <p>Kennis geskied hiermee dat die Gemagtigde Beampte, Alwyn Mulharen Zeyeman in terme van artikel 79(1) van die Swartland Munisipaliteit Verordening insake Munisipale Grondgebruikbeplanning (PN 8226 van 25 Maart 2020) hef voorwaarde B.6(h), van toepassing op Erf 878, Darling, soos vereel in Titeelakte 884/2023 op.</p> <p>Voorwaarde B.6(h) lees as volg:</p> <p style="padding-left: 40px;">... B.6(h) Geen gebou of struktuur of enige gedeelte daarvan, behalwe veggewasse en heinings, mag behalwe die (sic) toestemming van die Administrateur (sic) nader as 7,67 meter van die straatlyn wat grens 'n (sic) van hierdie erf aansoek, asook nie bome 3,15 meter van die aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid. ..."</p> <p>J J SCHOLTZ, Munisipale Bestuurder Munisipale Kantoor Kerkstraat 1 MALMESBURY 7301</p> <p>3 Oktober 2025 25671</p>
<p style="text-align: center;">CITY OF CAPE TOWN CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015</p> <p>Notice is hereby given in terms of the requirements of section 48(5)(a) of the City of Cape Town Municipal Planning By-Law, 2015 that the City has an application by the owner of Erf 282 Constantia removed conditions as contained in Title Deed No. T40668/2014, in respect of Erf 282 Constantia, 3 Oosreeks Heideveld Road, Boksburg, in the following manner:</p> <p>Deletion of the following restrictive conditions from title deed T40668/2014:</p> <p>Condition F.6(b): "It shall be used only for the purpose of erecting blocks and dwelling together with such outbuildings as are ordinarily required to be used therewith."</p> <p>Condition F.6(d): "No building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 7,67m to the street line which forms a boundary of this erf, nor within 3,15m of any other boundary. On consolidation of any two or more over, this condition shall apply to the consolidated area as one erf."</p> <p>3 October 2025 25673</p>	<p style="text-align: center;">STAD KAAPSTAD STAD KAAPSTAD VERORDENING OP MUNISIPALE BEPLANNING, 2015</p> <p>Kennisgewing geskied hiermee ingevolge die vereistes van artikel 48(5)(a) van die Stad Kaapstad Verordening op Munisipale Beplanning, 2015, dat die Stad na aanleiding van 'n aansoek deur die eienaar van Erf 282 Constantia, voorwaardes soos vereel in titelakte no. T40668/2014 ten opsigte van Erf 282 Constantia, Oosreeks Heideveldweg 3, Boksburg, soos volg opgehef het:</p> <p>Skrapping van die volgende beperkende voorwaardes van titelakte T40668/2014:</p> <p>Voorwaarde F.6(b): "Die gebou gebruik word vir die oprigting van blokke wone en woone saam met die bygeboude wat gewoonlik nodig is om da mee saam gebruik te word."</p> <p>Voorwaarde F.6(d): "Geen gebou of struktuur of enige gedeelte daarvan, behalwe veggewasse en heinings, nader as 7,67m van die straatlyn wat 'n grens van hierdie erf vorm, of nader as 3,15m van enige ander grens, opgerig word nie. Wanneer enige twee of meer erwe gekonsolideer word, is hierdie voorwaarde op die gekonsolideerde gebied as een erf van toepassing."</p> <p>3 Oktober 2025 25673</p>



**MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD IN THE COMMITTEE ROOM:
CORPORATE SERVICES ON WEDNESDAY, 10 SEPTEMBER 2025 AT 14:00**

PRESENT

Internal members:

Municipal Manager, Mr J J Scholtz (chairperson)
Director: Corporate Services, Ms M S Terblanche
Director: Development Services, Ms J S Krieger

External members:

Ms C Havenga

Other officials:

Senior Manager: Development Management, Mr A M Zaayman
Senior: Town and Regional Planner, Mr A J Burger
Town and Regional Planner and GIS, Mr H Olivier
Town and Regional Planner, Ms A de Jager
Manager: Secretariat and Record Services (secretary)

1. OPENING

The chairperson opened the meeting and welcomed members.

2. APOLOGY

No apologies were received.

3. DECLARATION OF INTEREST

No declarations were made.

4. MINUTES

4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 13 AUGUST 2025

RESOLUTION

(proposed by Ms M S Terblanche, seconded by Ms C Havenga)

That the minutes of a Municipal Planning Tribunal Meeting held on 13 August 2025 are approved and signed by the chairperson.

5. MATTERS ARISING FROM MINUTES

None.

6. MATTERS FOR CONSIDERATION

**6.1 PROPOSED REZONING, PERMANENT DEPARTURE AND TEMPORARY DEPARTURE
ON ERF 1877, MALMESBURY (15/3/3-8, 15/3/4-8) (WARD 10)**

The author, Mr H Olivier, gave background on an application received to formalise the existing use of Erf 1877, Malmesbury as a place of education through the rezoning from Residential Zone 1 to Community Zone 1.

The property/...
6.1/...

The property currently accommodates the Holistic Learning Centre. It is a private educational facility that offers support to learners who face challenges in adapting to conventional schooling environments.

RESOLUTION

A. The application for rezoning of Erf 1877, Malmesbury, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), from Residential Zone 1 to Community Zone 1 be approved, subject to the conditions:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The facility be restricted to consist of a maximum of 5 classrooms as presented in the application;
- (b) No more than 30 children / students be accommodated at the place of education at any given time;
- (c) As mitigation measure to reduce possible congestion, the students be divided into 2 groups which are accommodated in different time frames;
- (d) The operational times of the school be restricted to weekdays between 07h30 and 12h30;
- (e) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (f) Application be made for a health report from the West Coast District Municipality, Department of Environmental Health;
- (g) Application be made for a certificate of suitability from the West Coast District Municipality, if food is to be prepared on the premises;

A2 WATER

- (a) The existing water connection be used and no additional connections be provided;

A3 SEWERAGE

- (a) The existing sewer connection be used and no additional connections be provided;

A4 DEVELOPMENT CHARGES

- (a) The development charge applicable to the place of education, towards roads amounts to R61 950,00 and is for the account of the owner/developer at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and may be revised thereafter;

B. The application for the temporary departure on 1877, Malmesbury be approved in terms of section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), to accommodate the existing dwelling unit under the new zoning category, subject to the following conditions:

B1 TOWN PLANNING AND BUILDING CONTROL

- (a) The use be restricted to one dwelling unit used for the living accommodation and housing of a single family, together with such outbuildings as are ordinarily used therewith;
- (b) The approval for the temporary departure is valid until the 31 December 2026;

C. The application for the permanent departure from the development parameters of the new zoning be approved in terms of section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the following conditions;

C1/...

C1 TOWN PLANNING AND BUILDING CONTROL

- (a) The departure entails accommodating the existing garage up to 5.25 m from the street boundary as well as 3.51 m from the side boundary respectively, in lieu of the 10 m street and 5 m side building line restrictions, as presented in the application;
- (b) The departure of the required parking bays by only providing 7 on-site parking bays in lieu of the 10 determined in terms of the applicable parameters of the development management scheme;
- (c) In terms of Par 13.1.2. of the development management scheme the owner / developer pay a cash sum to the amount of R20 550,00 to the municipality as calculated by multiplying the estimated market value per m² (R548/m²) of the land on which the building is erected, by the area in m² of the land which is required to be provided for the provision of an adequate parking outlay (37,5m²). The amount be paid on building plan stage to vote no. 9/222-303-9212;

D. GENERAL

- (a) Compliance with all conditions of approval (submission of relevant applications) be undertaken within a period of 3 months from the date of the decision, therefore before 10 December 2025;
- (b) Failure to comply with all conditions of approval and obtaining an occupancy certificate, will result in legal action to enforce compliance;
- (c) The approval does not exempt the applicant from adherence to any and all 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 applicant/objectors be informed of the right to appeal against this decision of the Municipal Planning Tribunal, within 21 days of this notice, in terms of section 89(2) of the By-Law;

E. The application be supported for the following reasons:

- (a) There are no physical restrictions on the property that will have a negative impact on the proposed application;
- (b) There are no restrictions registered against the title deed of the property that prohibits the proposed land use;
- (c) The SDF, 2025 supports the accommodation of educational facilities in residential areas. The subject property is near the identified CBD of Malmesbury as well as the existing Swartland High School;
- (d) The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Municipal levels;
- (e) The proposed application will not have a negative impact on the character of the area;
- (f) The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding landowners, nor will it negatively impact on environmental/heritage assets;
- (g) The development proposal supports the optimal utilisation of the property;
- (h) The need for this service in Malmesbury is recognized;
- (i) Sufficient on-site parking is proposed, and the proposal will not have a significant impact on traffic in Skool Street or Mark Street.

6.2 PROPOSED CONSENT USE ON ERF 1949, YZERFONTEIN (15/3/10-14) (WARD 5)

Application for a consent use on Erf 1949, Yzerfontein, is made in order to establish a double dwelling on the property.

The author, Ms A de Jager, with regard to the comment received on the privacy intrusion due to the positioning of the proposed double dwelling, mentioned the amendment of the development proposal to allow for a 15-20 degrees east rotation of the proposed dwelling to improve the privacy between neighbours and to optimise the thermal orientation of the dwelling while retaining the views from the earth.

Resolution/...

RESOLUTION

- A. The application for consent use on Erf 1949, Yzerfontein, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), in order to establish a double dwelling;

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a double dwelling, as presented in the application;
- (b) The orientation of the dwelling units on the proposed site plan be amended to maximise northern exposure of the core elements;
- (c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (d) A double carriageway of maximum 8m in width be provided for access to the property;

A2 WATER

- (a) The property be provided with a single water connection and that no additional connections be provided;

A3 SEWERAGE

- (a) The double dwelling be provided with a conservancy tank with the minimum capacity of 8 000 litre, to be installed on the property in a location that is accessible to the municipal vacuum truck, to the satisfaction of the Director: Civil Engineering Services;

A4 DEVELOPMENT CHARGES

- (a) The owner/developer is responsible for the development charge of R12 263,60 towards the supply of regional bulk water at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The owner/developer is responsible for the development charge of R1 114,35 towards bulk water reticulation at building plan stage. The amount is due to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/249-174-9210);
- (c) The owner/developer is responsible for the development charge of R5 584,40 towards sewerage at building plan stage. The amount is due to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d) The owner/developer is responsible for the development charge of R13 549,30 towards waste water treatment building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R7 632,55 towards roads at building plan stage. The amount is due to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA 9/247-188-9210);
- (f) The owner/developer is responsible for the development charge of R11 927,67 towards electricity at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/253-164-9210);
- (g) The Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and may be revised thereafter;

B. GENERAL

- (a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- (b) Should it in future be determined necessary to extend or upgrade any engineering service in order to provide the development with services, it will be for the account of the owner/developer;

- (c) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law, from the date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal. All conditions of approval be implemented before the new land use comes into operation or the occupancy certificate be issued and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable;
- (d) The applicant/objector be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 in order to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed;

C. The application be supported for the following reasons:

- (a) The proposed double dwelling is consistent with the principles of LUPA, SPLUMA and the MSDF;
- (b) A double dwelling is accommodated as a consent use under Residential Zone 1 of the By-Law;
- (c) The design of the double dwelling is consistent with the definition contained in the By-Law, as it appears as a single architectural unit;
- (d) The proposed double dwelling adheres to all the development parameters of Residential Zone 1 and does not impact on the rights of the abutting land owners;
- (e) The proposal is lawful and considered reasonable;
- (f) Mitigating measures are stipulated in the approval letter to improve the thermal management of the dwelling and the relationship with the neighbouring property;
- (g) The proposal will enable the owner of the property to develop the property in response to the market and personal preference. They will also be able to more efficiently utilise the property, possibly gaining financially through rental income or sale of the second unit;
- (h) While the proposal promotes densification, the visual impact of the double dwelling is similar to that of a large single residence. The character of the neighbourhood thus remains unaffected as a low-density residential area, consistent with the spatial proposals of the SDF;
- (i) The development will result in the better utilisation of the property in terms of modern town development and align with various policies which require more efficient use of land and contextually appropriate densification;
- (j) The double dwelling may support the tourism industry in Yzerfontein, as well as the local economy;
- (k) The double dwelling will provide in a need for a larger variety of housing opportunities to the wider population;
- (l) The concerns of the neighbouring and affected property owners are sufficiently addressed in the conditions of approval.

**(SIGNED) J J SCHOLTZ
CHAIRPERSON**



6 October 2025

15/3/10-8/Erf 1903

WYK: 1

ITEM 6.1 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 15 OCTOBER 2025

LAND USE PLANNING REPORT PROPOSED CONSENT USE ON ERF 1903, MOORREESBURG					
Reference number	15/3/10-9/Erf 1903	Application submission date	19 May 2025	Date report finalised	6 October 2025

PART A: APPLICATION DESCRIPTION

Application for consent use on Erf 1903, Moorreesburg, is made in terms of section 25(2)(o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), in order to operate a house shop from a portion of the dwelling structure on the property.

The applicant and property owner is J.W.L. van Rooyen and the operator of the house shop is J.M. Saani.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	ERF 1903 MOORREESBURG, in die Munisipaliteit van Moorreesburg, Afdeling MALMESBURY				
Physical address	1 Malva Street		Town	Moorreesburg	
Current zoning	Residential Zone 2	Extent (m ² /ha)	404m ²	Are there existing buildings on the property?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020)				
Current land use	Dwelling and house shop		Title Deed number & date	T52943/1986	
Any restrictive title conditions applicable	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	If Yes, list condition number(s)		
Any third party conditions applicable?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	If Yes, specify		
Any unauthorised land use/building work	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	If Yes, explain		

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	<input type="checkbox"/>	Permanent departure	<input type="checkbox"/>	Temporary departure	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>
Extension of the validity period of an approval	<input type="checkbox"/>	Approval of an overlay zone	<input type="checkbox"/>	Consolidation	<input type="checkbox"/>	Removal, suspension or amendment of restrictive conditions	<input type="checkbox"/>
Permissions in terms of the zoning scheme	<input type="checkbox"/>	Amendment, deletion or imposition of conditions in respect of existing approval	<input type="checkbox"/>	Amendment or cancellation of an approved subdivision plan	<input type="checkbox"/>	Permission in terms of a condition of approval	<input type="checkbox"/>
Determination of zoning	<input type="checkbox"/>	Closure of public place	<input type="checkbox"/>	Consent use	<input checked="" type="checkbox"/>	Occasional use	<input type="checkbox"/>

Disestablish a home owner's association		Rectify failure by home owner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use	
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PART D: BACKGROUND

Erf 1903 is a Residential Zone 2 erf of 404m² in extent, located on the corner of Blesbok and Malva Street, central to Moorreesburg. The area is an existing development, containing various residential densities, with a place of worship, a place of education open space and a train track in close proximity.



Towards the end of 2024, the president, Mr. Ramaphosa, proclaimed that all house shops in municipal areas must be registered, to ensure that house shops adhere to the minimum health and safety requirements, minimising the risk to the public of using and/or ingesting harmful products.

Swartland Divisions: Town Planning and Law Enforcement, in conjunction with the West Coast District Municipality: Environmental Health Services, launched a concerted effort to survey, inspect and document all the house shops in the Swartland area. Both registered and unregistered shops were documented. The unregistered shop owners were contacted and workshops were presented where the processes were explained and the relevant documentation was provided as far as possible.

Property owners and shop operators were also clearly informed that unauthorised house shops would not be automatically approved through the process. The shops would be required to adhere to development parameters, which in some cases would require the demolition of certain building portions. Each application would be evaluated in accordance with the relevant legislation and deemed desirable or undesirable.

The aim was to enable owners/shop operators to prepare and submit applications themselves to minimise costs. In most instances they were only required to fill in forms, obtain neighbours' consent and provide a sight plan, indicating the position and area of the house shop on the erf.

Written notices were sent to affected property owners who could not be reached physically or who did not want to provide their written consent. A 30 day commenting period was afforded for the opportunity to lodge written objections against a house shop.

The objection at hand results from the application process explained above.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?

Y N

If yes, provide a brief summary of the outcomes below.

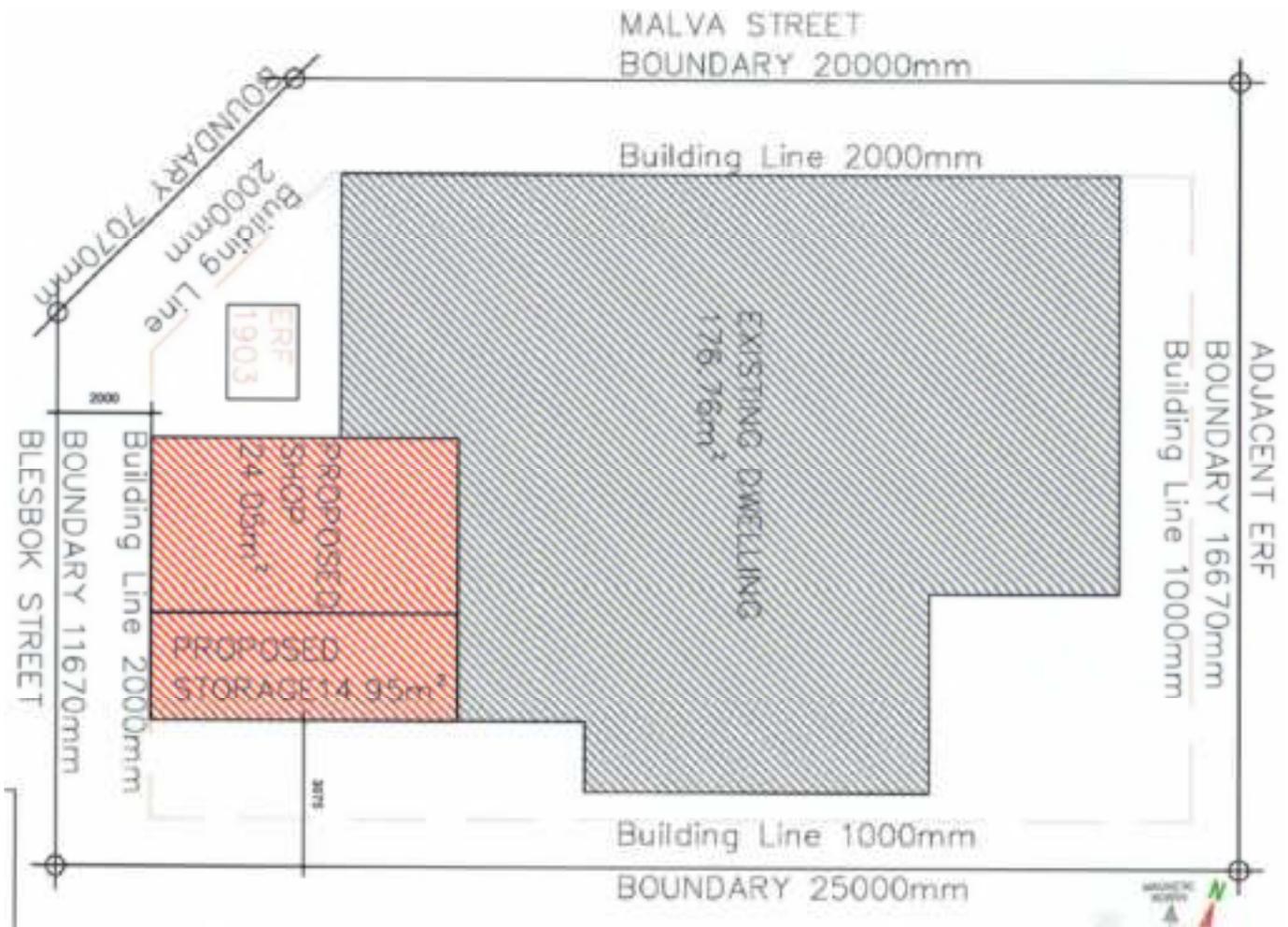
PART F: SUMMARY OF APPLICANT’S MOTIVATION

Erf 1903 is located in Area B of Moorreesburg, as identified by the Spatial Development Framework (2024). The area allows for residential development of various densities, social amenities and secondary/neighbourhood business development. The proposal is thus consistent with the spatial planning of Moorreesburg.

The application property is 404m² in extent and zoned Residential Zone 1. A house shop is a permissible consent use within the zoning category. Section 1.2.7.(a) of Schedule 2 of the By-Law states:

“...The extent and position of the retail component must be clearly defined on a plan, and shall not exceed 25m² or 50% of total floor space (excluding any toilet, change room and storeroom), whichever is the lesser area...”

The erf is developed with an existing dwelling. The house shop is proposed to be contained in a portion (24m² in extent) of the dwelling, consisting of the shop and an area for storage (15m² in extent).



The proposed house shop will provide in the need for basic groceries, such as bread, sweets, vegetables, beverages, canned goods and miscellaneous household products in small quantities.

Area B is located several kilometres from the Moorreesburg CBD. The house shop is intended to promote convenience for the local community through shortened travel distances and eliminating the need to reach the CBD for obtaining essential goods.

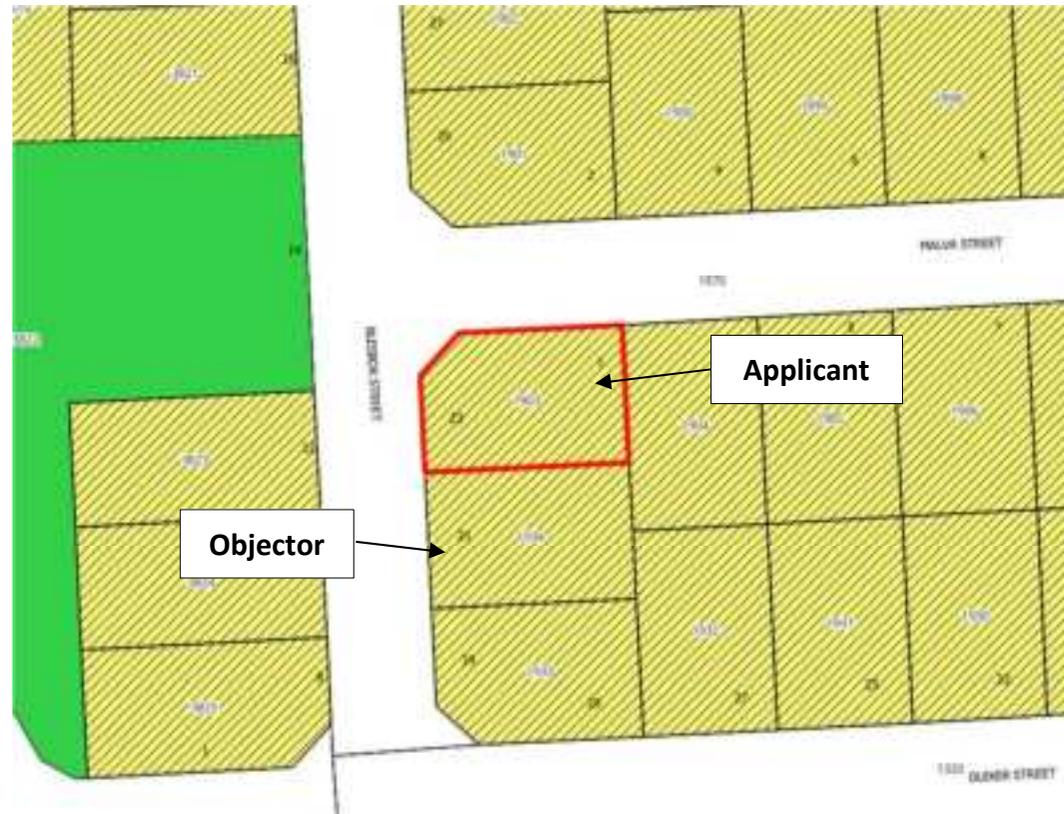
The house shop has been in operation for a number of years, without incident.

PART G: SUMMARY OF PUBLIC PARTICIPATION							
Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?						Y N	
<p>A total of 17 affected property owners were identified by the Municipality (please refer to Annexure C for the public participation map). The applicant obtained written consent for operating a house shop on Erf 1903 from 10 of the identified individuals and 7 written notices were consequently delivered by hand (through Law Enforcement) to the affected property owner who were not reached, in terms of Section 56(1) & (2) of the By-Law.</p> <p>The commenting period for or against the application concluded on 11 August 2025 for the public and on 11 September 2025 for external bodies, such as West Coast District Municipality.</p> <p>One objection was received against the proposal. The applicant was afforded 30 days, from 14 August 2025 to respond to the comments and objections received (please refer to Annexure E for the response to comments).</p>							
Total valid comments	1		Total comments and petitions refused	0			
Valid petition(s)	Y	N	If yes, number of signatures				
Community organisation(s) response	Y	N	Ward councillor response	Y	N	The application was circulated to Ward Councillor van Zyl, but no comments were forthcoming	
Total letters of support	0						
PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS						Recommendation	
Name	Date received	Summary of comments				Pos	Neg
Department: Civil Engineering Services	1 Jul. 2025	<p><u>Water:</u> 1. Die bestaande wateraansluiting gebruik word en dat geen addisionele aansluitings voorsien word nie;</p> <p><u>Riolering:</u> 1. Die bestaande wateraansluiting gebruik word en dat geen bykomende aansluitings voorsien word nie;</p> <p><u>Strate en stormwater:</u> 1. Aflewering beperk word tot ligte afleweringvoertuie, wat nie 16 000kg oorskry nie;</p> <p><u>Vullisverwydering:</u> 1. 'n Basiese vullisverwyderingstarief vir die woning sowel as die besigheid gehef word, wat in die geval van die besigheid aangepas sal word volgens die hoeveelheid vullis verwyder . 2. Vullis op die ooggend van verwydering op die naaste munisipale sypaadjie in vullissakke geplaas word.</p>				✓	
Building	20 Jun. 2025	Building plans to be submitted to Building Control for consideration and approval				✓	

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

SUMMARY OF OBJECTION	SUMMARY OF APPLICANT'S RESPONSE	MUNICIPAL ASSESSMENT OF COMMENTS
<p>A. Titus Erf 1934 (Annexure D)</p> <ol style="list-style-type: none"> 1. The house shop operators do not have access to water and ablution facilities and use the adjacent park for ablutions. 2. The shop contributes to littering. 3. The shop is not adequately ventilated, which creates a fire hazard. 4. Schoolchildren loiter on the property and 'cigarettes' are sold to under-aged children. 5. The shop is a front for other activities. 6. There are too many existing shops in the neighbourhood. 	<ol style="list-style-type: none"> 1. The shop makes use of proper water and sanitation facilities inside the dwelling for staff, including a wash basin and toiler. No one resides in the shop. The allegation is factually incorrect and misleading. 2. A bin is available outside the shop or use by clients. The shop is modest in scale, adheres to the permitted operating hours and functions in harmony with the residential character of the neighbourhood. Community feedback is overwhelmingly positive, proving that a local need is met. 3. The shop was inspected and certified compliant (Certificate of Acceptability) on 10 December 2024. The ventilation measures meet or exceed the regulatory standards. 4. The applicant denies the allegation as unsupported and without evidence. 5. Unsupported. 6. The shop is the only convenient facility in Malva Street, reducing travel costs and improving accessibility for residents. 	<ol style="list-style-type: none"> 1. The house shop already obtained a Certificate of Acceptability, in December 2024, implying that the municipal health services already inspected and assessed the property to be compliant with the relevant health and safety regulations. The submission of building plans will be required as a condition of approval, adding an additional opportunity for the local authority to ensure that the shop adheres to the required standards and does not pose a health or safety threat. 2. The owner and operator cannot be held responsible for the actions clients outside of the property. It is also not proven that the littering originates from wrappers of products specifically purchased at the house shop in question. 3. Refer to assessment 1. 4. Loitering on the property will be restricted through conditions of approval, placing the responsibility for managing clients on the owner/operator. 5. The policing of drugs and gangsterism are specialised actions that fall within the jurisdiction of the SAPS and may be reported as such. The allegation is not supported by evidence. 6. The owner/applicant are within their rights to apply for the consent use of a house shop and the same right is available to all property owners in the neighbourhood. House shops are approved with

	<p>7. The shop does not offer economic advantages for the community, because the owner does not give anything back to the community.</p>	<p>7. The applicant is a legally recognised refugee with valid permits that grant the right to seek employment and conduct lawful business, under the Refugees Act, 1998 (Act 103 of 1998).</p>	<p>regard to the free market system, intended to create healthy economic competition. It is thus foreseen that supply and demand will eliminate excess businesses over time and normalise the number of shops.</p> <p>7. The economic advantage that is offered is one of convenience and improved access to products, while eliminating travel costs and long distances.</p> <p>The application itself aims at legalising the house shop, to ensure that lawful business is conducted.</p>
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PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

Application for a consent use on Erf 1903, Moorreesburg was submitted in terms of Section 25(2)(o) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

The property owner requested and obtained consent for operating a house shop on Erf 1903 from 10 property owners in the affected area and 7 written notices were delivered by hand to the affected property owners who could not be reached otherwise, in terms of Section 56(1) & (2) of the By-Law.

The 30 days commenting period for or against the application concluded on 11 August 2025.

One objection was received and forwarded to the applicant on 14 August to provide a response. The applicant was afforded 30 days to respond to the objections and the response was received on 15 September 2025.

The applicant and property owner is J.W.L. van Rooyen and the operator of the house shop is J.M. Saani.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA (Act 3 of 2014)(LUPA)

- a) Spatial Justice: The house shop on the property, will facilitate optimal utilisation of the erf, making economic opportunities available to the owner and providing a service to a previously disadvantaged community.

All the relevant facts and considerations surrounding the application have been taken into account during the decision-making process. Therefore, the application may be deemed consistent with spatial justice.

- b) Spatial Sustainability: The proposed consent use will enable the owner to develop the property to its full potential and the spatially more compact and resource efficient utilisation of the property.

- c) Efficiency: The proposal ensures the optimisation of resources, through the practise of a wider variety of land uses on a residential property. The house shop will make retail opportunities and convenience available to the population of the area on a small scale.

The application property is of sufficient size to accommodate both the dwelling unit and the house shop, should one or both be developed to its maximum capacity. The development approach is thus seen as holistic and integrated and deemed spatially efficient.

- d) Good Administration: The applicant obtained written consent from affected property owners and written notices were hand-delivered to other affected parties. The application was also circulated to the relevant municipal departments and West Coast District Municipality for comment. Consideration was given to all correspondence received. It is therefore argued that the principles of good administration were complied with by the Municipality.

- e) Spatial Resilience: The portion of the dwelling used as the house shop and living quarters was previously a garage and no structural changes are proposed to the dwelling. The existing accesses to the property will be used. The house and property can easily be converted back into a residence and the proposal is thus considered spatially resilient.

2.2 Integrated Development Plan (IDP) and Spatial Development Framework (SDF 2023)

IDP Goal 2 is to support the local economy through certain strategies, including supporting entrepreneurship and promoting local businesses.

The proposed development will contribute to the local economy, both directly and indirectly and is thus considered consistent with the IDP.

Erf 1903 is situated in area B of Moorreesburg, as indicated by the SDF. This zone is a medium to high density residential area with relevant supporting services and infrastructure. The expansion of business and other related mixed land uses are supported in this zone, as well as house shops as secondary business ventures.

2.3 Land Use Planning By-Law: Schedule 2

The Zoning Scheme, contained as Schedule 2 of the By-Law, makes provision for house shops as a consent use within the Residential Zone 2 zoning.

The house shop adheres to the development parameters of a Residential Zone 2 property, as well as the specific requirements for house shops, as stipulated in the scheme. The departure from the side and rear building lines was previously approved upon construction of the dwelling.

3. Desirability of the proposed utilisation

The house shop is already in operation and the application is aimed at authorising and regularising the use on the property. There are no physical restrictions on the property that will have a negative impact on this application.

The area is characterised by medium to high density residential erven and social amenities. The application property is located at the end of a residential block, on a corner, optimising the exposure of the property. The erf is thus highly accessible and ideally located for the purpose of operating the proposed house shop from a portion of the property.

The house shop is located towards the front of the property in Blesbok Street and is accessed from the street via the existing driveway. The shop operates separately from the dwelling in what was previously a garage. The space may easily be converted back into a garage, should the need arise in future.



Access to the site as well as on-site parking are available directly from Blesbok Street. The sidewalk in front of the shop is wide and small delivery vehicles are not foreseen to cause traffic obstructions. The size of the delivery vehicles will be restricted to a mass appropriate to a residential area and the residential street capacity, through imposing conditions of approval.



In order to obtain approval, the owner/operator was required to submit a proposal that is consistent with the development parameters of the By-Law. The owner/developer subsequently submitted a proposal indicating the size of the house shop to be limited to 24m², with a storage area of 15m².

The application is evaluated on the grounds of the information submitted, which adheres to the By-Law, but enforcing and policing the actual operation of the house shop will take place after the land use approval, by means of the conditions of approval.

The municipal building inspector will complete and inspection of the building works, prior to granting occupation, to ensure that the shop is consistent with the proposal. Should the shop in reality deviate from the approved plans, the owner/developer may be ordered to demolish the offending portions or close down the shop or be subject to further administrative actions.

Taking into account that the house shop is already in operation, the By-Law allows for the determination of a time frame within which all conditions of approval must be adhered to.

Another crucial condition for the operation of a house shop is the inspection by the Environmental Health Officers and the issue of the required Certificate of Acceptability. The certificate serves as proof that the house shop already complies with the relevant health and safety standards and requirements. The house shop on Erf 1903 already obtained said certificate on 10 December 2024.

In conclusion, the alleged adverse impact of the house shop may be mitigated through the imposition of conditions of approval, such as:

- a) Limiting the retail products sold from the house shop;
- b) Prescribing business hours;
- c) Restricting the use of audio-visual appliances;
- d) Specifying the building materials/construction of the structure containing the shop;
- e) Requiring adherence to health and safety regulations;
- f) Specifying the time frame for adhering to the conditions of approval.

The property owner and house shop operator are acting within their rights when applying for the house shop. The development proposal is consistent with the land use proposals of the SDF and principles of local, Provincial and National policies. Furthermore, the proposal is consistent with the applicable development parameters for a house shop.

Erf 1903 is located within a developing residential area, within the urban edge of Moorreesburg, and the proposal will not negatively affect any environmental resources, either biophysically or culturally (heritage). The By-Law requires that the character of the area must be taken into account when considering development proposals and this proposal is not foreseen to have any detrimental impact.

The proposal will have no additional impact on exiting municipal services and infrastructure and all costs relating to this application are for the account of the applicant.

The development proposal is consistent with the IDP goals for economic development and upliftment and does not negatively affect the rights of the surrounding owners. The issues raised by the objector may be mitigated by imposing conditions of approval. Aspects outside of the purview of land use, may be addressed through involving the SAPS and Law Enforcement.

The house shop and living quarters on Erf 1903, Moorreesburg, may therefore be considered as desirable in the spatial context.

4. **Impact on municipal engineering services**

The existing engineering services will remain unchanged and no additional impact will be generated by the proposal.

5. **Response by applicant**

Attached as Annexure E.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights

N/A

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal

N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended

N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights

N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for a consent use on Erf 1903, Moorreesburg, is approved in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The consent authorises a house shop restricted to a floor area of maximum 25m² in extent and a storage space of 15m², in accordance with the site plan presented in the application;
- b) Building plans, clearly indicating the house shop and storage in relation to the house, as well as any unauthorised structures on the property, be submitted to the Senior Manager: Development Management, for consideration and approval;
- c) Application for an advertising sign be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding the land unit boundaries with any part of it, be permitted and only indicating the name of the owner, name of the business and nature of the retail trade;
- d) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- e) Application for a Certificate of Acceptability be submitted to the West Coast District Municipality for consideration and approval;
- f) The operating hours of the house shop be restricted to between 6:00 and 21:00 daily;
- g) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
- h) Any music played on the property only be audible inside the shop and dwelling and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the house shop, including to any awning, stoep or shade structure;
- i) The operation of the house shop may not result in congestion / obstruction along Blesbok Street or Malva Street, therefore at least one parking bay be provided in front of the house shop, for clients and deliveries;
- j) No loitering be permitted anywhere on Erf 1903, Moorreesburg whether it be inside or outside the buildings on the erf or around any entrance to the erf;
- k) The house shop operator and employees be responsible for discouraging loitering and dispatching loiterers from the property;
- l) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- m) Only pre-packaged food products may be sold;
- n) No food preparation be allowed in the house shop;
- o) The following activities not be allowed for sale in the house shop:
 - i. The sale of wine and alcoholic beverages;
 - ii. Storage or sale of gas and gas containers;
 - iii. Vending machines;
 - iv. Video games; and
 - v. Snooker or pool tables;

2. WATER

- a) The existing water connection be used and that no additional connections be provided;

3. SEWERAGE

- a) The existing sewerage connection be used and that no additional connections be provided;

4. STREETS AND STORM WATER

- a) Deliveries to the property be made only by delivery vehicles not exceeding 16 000kg gross vehicle mass.

5. GENERAL

- a) The approval letter from Swartland Municipality be displayed inside the house shop;

- b) Compliance with all conditions of approval (submission of relevant applications) be undertaken within a period of 3 months from the date of the decision, no later than 30 January 2026;
- c) Failure to comply with all conditions of approval, obtaining an occupancy certificate and concluding all other necessary processes, will result in legal action to enforce compliance;
- d) An occupancy certificate for building work completed in accordance with the approved building plan for the house shop be obtained within 6 months after the approval of the building plan;
- e) Appeals against the decision should be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R5 000,00 is to accompany the appeal and section 90 of the By-Law complied with, for the appeal to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed.

PART M: REASONS FOR RECOMMENDATION

1. The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA.
2. The application complies with the land uses proposed for this area of Moorreesburg, as determined by the SDF.
3. This application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP.
4. The development parameters and requirements of the By-Law Zoning Scheme are complied with through imposing conditions of approval.
5. The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood.
6. The additional income generated by the house shop may enable the property owner to expand the dwelling unit in the future, which in turn may improve financial security during retirement.
7. The anticipated impact of the house shop on the surrounding community may be mitigated by specific conditions of approval;
8. The number of house shops in the area is foreseen to create healthy economic competition and over time create economically robust businesses;
9. Individuals in the community retain their right to choose which business to frequent and cannot be forced to do business with one shop or another;
10. The house shops in the neighbourhood are largely unauthorised and the applicant seeks to rectify the situation and legalise the land use on Erf 1903;
11. The approval of a consent use may be revoked in future if the use does not comply with the conditions of approval or if the use impact negatively on its surroundings.

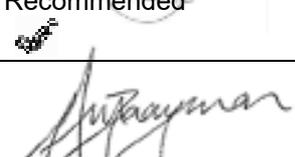
PART N: ANNEXURES

Annexure A	Locality Plan
Annexure B	Site Development Plan
Annexure C	Public participation map
Annexure D	Objection by A. Titus
Annexure E	Response to comments

PART O: APPLICANT DETAILS

First name(s)	House shop operator: J.M. Saani		
Registered owner(s)	J.W.L. van Rooyen	Is the applicant authorised to submit this application:	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N

PART P: SIGNATURES

Author details: Annelie de Jager Town Planner A/2203/2015		Date: 6 October 2025
Recommendation: Alwyn Zaayman Senior Manager: Development Management B/8001/2001	Recommended 	Not recommended
		Date: 6 October 2025

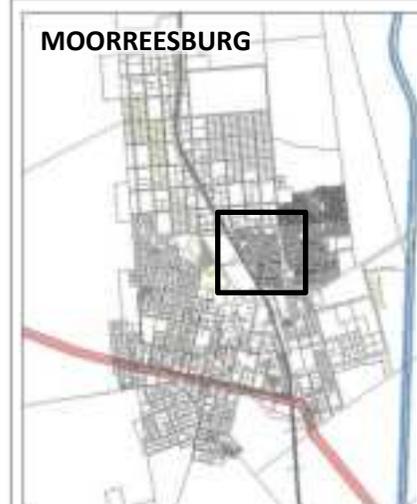
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**LOCALITY AND ZONING:
ERF 1903,
MOORREESBURG**

- AGRICULTURAL ZONE
- BUSINESS ZONE 1
- BUSINESS ZONE 2
- COMMUNITY ZONE 1
- COMMUNITY ZONE 2
- COMMUNITY ZONE 3
- GENERAL RESIDENTIAL ZONE 1
- GENERAL RESIDENTIAL ZONE 2
- GENERAL RESIDENTIAL ZONE 3
- INDUSTRIAL ZONE 1
- INDUSTRIAL ZONE 2
- INDUSTRIAL ZONE 3
- OPEN SPACE ZONE 1
- OPEN SPACE ZONE 2
- OPEN SPACE ZONE 3
- OPEN SPACE ZONE 4
- RESIDENTIAL ZONE 1
- RESIDENTIAL ZONE 2



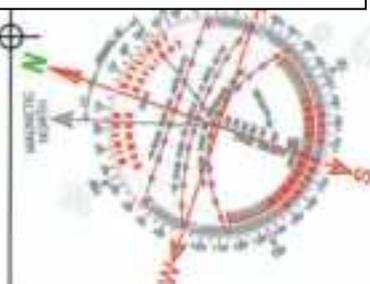
MOORREESBURG



ANNEXURE A



ANNEXURE B



GROUND FLOOR PLAN
scale 1:100

AREA:

EXISTING DWELLING	- 176.76 m ²
PROPOSED SHOP	- 24.05 m ²
PROPOSED STORAGE	- 14.95 m ²
TOTAL	- 215.76 m²

DEVELOPEMENT DATA :

SITE AREA :	405.51 m ²
GROUND FLOOR :	
- EXISTING DWELLING	135.00 m ²
- PROPOSED STOEPE	59.90 m ²
TOTAL FOOTPRINT	194.90 m²
COVERAGE	48.06 %

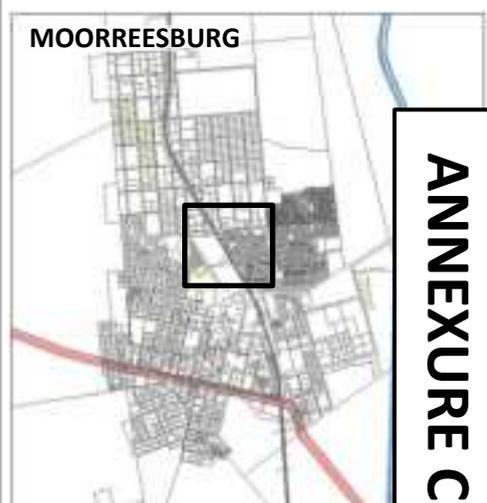
PROJECT TITLE

**PROPOSED HOUSE SHOP
ON ERF 1903
CNR. BLESBOK & MALVA STREET
MOORREESBURG**

FOR: JAFAR OSAMA



**NEIGHBOURS' CONSENT:
ERF 1903,
MOORREESBURG**



ANNEXURE C



ANNEXURE D

© 2016 SINCE 2016/11

Lêervent: 15/3/10-9/Er1 1903

Navrae:
Me D N Starlenberg

13 August 2025

Ja'Far Mohamend Saani
1 Malva Street
MOORREESBURG
7310

e-mail : zelrhesea@gmail.com

Dear Sir

OBJECTIONS : PROPOSED CONSENT USE ON ERF 1903, MOORREESBURG

Your application received on 30 April 2025 refers.

Kindly find attached the objections received by Andries Titus during the commenting period:

Your comment on the objection is requested within 30 days from the date of this letter in order for Swartland Municipality to make a decision.

Yours sincerely

MUNICIPAL MANAGER
per Department Development Services

/ds

- Swartland vooruidentkend 2040 - waar mense hul drome uiteef!
- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland Ijonge phambili ku2040 -apho abantu boza kufezekisa amaphupho abo!

21 Blasbokstraat
MOORREESBURG
7310

Die Munisipale Bestuurder
Privaatsak X52
MALMESBURY
7299

Wie dit mag aangaan

Kommentaar: Voorgestelde vergunnings gebruik op erf 1903, MOORREESBURG

Hiermee dien ek, Andries Nicolas Titus, ID 6706055072082, my beswaar in teen die vergunnings gebruik ten opsigte van erf 1903 vir die redes gemeld.

My redes is as volg:

- Geen toegang tot ablusie geriewe en water die personeel in die winkel maak gebruik van die parkie oorkant die "winkel" vir ablusie. Ek noem dit want ek het dit persoonlik waargeneem.
- Winkel dra by tot die strooi van rommel wat reeds n groot sosiale probleem in ons gemeenskap is. Ek moet amper elke dag rommel wat in my perseel waai skoonmaak. Die straat word ook besoal met papiere agv die winkel.
- Daars n gebrek aan ventilasie, en skep n brandgevaar.
- Sameglomering van skoolgaande kinders by die winkel, wat lei tot die verkoop van "sigarette" aan skoolgaande t'eners.
- Die winkel is n rookskerm vir ander bedrywighede wat plaasvind by die adres.
- Dat daar reeds te veel winkels in die woonbuurt is, volgens munisipale rekords is daar reeds 25 "informele huiswinkels" in die gemeenskap.
- Geen ekonomiese voordeel aan gemeenskap want eienaars ploeg niks terug aan die gemeenskap.

My belang in die aangemoetheid is dat dit my bure is en ek n lid van die bree gemeenskap is. Ek verkies dat daar per epos met my gekommunikeer word indien nodig.

Die uwe



Andries Titus
083 391 5736
30 July 2025

ANNEXURE E

MUNICIPALITY				
EER No: 15311				
Ward No	Inging	Voting	Alkohol	Item/Year
SSSB				
a De				
Ander Ooring				
SIGNATURE				ipr/04

To: The Municipal Manager
Private Bag X52
Malmesbury
7299

Cc: Manager: Town Planning & Building Control

From: Ja'far Mohamed Saani

Date: 11 September 2025

Re: Response to Objection – Consent Use Application: Erf 1903, Moorreesburg

Dear Municipal Manager,

We acknowledge receipt of the objection lodged against the proposed consent use for a house shop on Erf 1903, Moorreesburg. This letter serves as a formal response to the objection.

1. Response to Objection

Each of the objector's claims has been carefully addressed in Annexure A – Point-by-Point Rebuttal. This annexure demonstrates that the objection is based on allegations, while the application itself is supported by compliance documentation, community need, and established case law.

2. Community Need and Public Interest

The house shop is the only nearby retail facility in Malva Street, significantly benefiting the local community by reducing travel costs and improving access to essential goods. This is consistent with municipal Spatial Development Framework objectives and the principles of SPLUMA.

Furthermore, out of all the neighbouring owners who were formally notified of the intention to open the shop, only one objection was received. This clearly demonstrates that the overwhelming majority of the community does not share the concerns raised by the objector.

3. Conclusion

The applicant has demonstrated full compliance with all health, safety, and land-use requirements, while providing an essential community service.



We therefore respectfully request that the objection be dismissed and that the application for consent use on Erf 1903, Moorreesburg, be approved.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Ja'far Mohamed Saani', written in a cursive style.

Ja'far Mohamed Saani

[061 245 0102]

Email: zelrhesea@gmail.com

Annexure A – Point-by-Point Rebuttal to Objection

Objection Raised	Counter-Argument / Rebuttal
Misuse of facilities and sleeping in the shop	The shop makes use of proper water and sanitation facilities inside the dwelling for staff, including a wash basin and toilet. No one resides or sleeps in the shop; it operates strictly as a retail facility between 06h00 and 21h00. The allegation is factually incorrect and misleading.
Health and safety concerns (ventilation, hygiene, fire risk)	The shop has been inspected and certified compliant by the West Coast District Municipality Health Inspector on 10 December 2024. Facilities include ventilation gaps, two large windows, an air-conditioner, a permanently open garage door for airflow, and a fire extinguisher. These measures meet or exceed regulatory standards.
Sale of cigarettes to minors	The applicant categorically denies selling cigarettes to under-18s. This is a serious but unsupported allegation without evidence. This claim should carry no weight.
Nuisance, littering, and community disturbance	A rubbish bin is placed outside the shop for client use, and there is no evidence of littering. The shop is modest in scale (20m ²) with reasonable operating hours (06h00–21h00), ensuring harmony with the residential character. Community feedback is overwhelmingly positive, showing the shop meets a genuine local need.
Foreign nationality of applicant	The applicant is a legally recognized refugee with valid permits in terms of the Refugees Act 130 of 1998, which grants the right to seek employment and conduct lawful business (s 27©).
General claim of 'unsuitability' for the area	The shop is the only convenient facility in Malva Street, reducing travel costs and increasing accessibility for residents. The balance here favours approval.

**WESKUS DISTRIKSMUNISIPALITEIT
WEST COAST DISTRICT MUNICIPALITY**



Rig alle korrespondensie aan:
Address all correspondence to:

**MUNISIPALE BESTUURDER/
MUNICIPAL MANAGER**

Navrae/Enquiries : I.De Klerk
Verw.Nr./Ref. No.: 15/2/3/3/9

Posbus / P O Box 242
MOORREESBURG 7310

Telefoon/Phone (022) 4338400
Faks/Fax Nr. (022) 4338484

E-Mail Adres/Address :
westcoastdm@wcdm.co.za

Munisipale Gesondheidsdienste / Municipal Health Services

**GESKIKTHEIDSERTIFIKAAT VIR 'N VOEDSELPERSEEL /
CERTIFICATE OF ACCEPTABILITY FOR A FOOD PREMISES**

(Hierdie sertifikaat is nie oordraagbaar van een persoon na 'n ander persoon of van een voedselperseel na 'n ander voedselperseel nie. / This certificate is not transferable from one person to another person or from one food premises to another food premises.)

SERTIFIKAATNO./CERTIFICATE NO: **106/2024**

VOEDSELPERSEEL/FOOD PREMISES

Handelsnaam/Tradename: **GREENPOINT**

Adres: (Ligging of handelsgebied of voertuigregistrasiensno.) / Address (Location or trading area or vehicle registration no.)

1 MALVASTREET, MOORREESBURG, 7310.

Erfnommer/Erf number/Plaasnaam/Name of Farm: **1903**

Adres waar voedsel hanteer word / Address where food is handled: **1 MALVASTREET, MOORREESBURG, 7310.**

PERSOON IN BEHEER / PERSON IN CHARGE

Naam / Name	JA'FAR SAANI
ID Nummer / ID Number	7005106520267 / CTR/000460/06

SERTIFISERING(EN BEPERKING) / CERTIFICATION (AND RESTRICTION)

Hiermee word gesertifiseer dat bogenoemde voedselperseel voldoen aan die bepalings van Regulasies 5 en 6 van Goewernementskenningsgewingnommer R638 van 22 Junie 2018 ten opsigte van die hantering van voedsel op die wyse gespesifiseer.

It is hereby certified that the above-mentioned food premises comply with the provisions of Regulations 5 and 6 made by Government Notice No R 638 of 22 June 2018 in respect of the handling of food in the manner specified.

Beperkings, voorwaardes of stipulasies kragtens regulasie 3(1)(b) / Restrictions, conditions or stipulation in terms of regulation 3(1)(b)

SELLING OF PRE-PACKED FOODSTUFFS

NO FOOD PREPARATION

Waar van toepassing moet magtiging vir die bedryf van die besigheid ook van Plaaslike Munisipaliteite en of ander owerhede verkry word." / "Where applicable, authorisation must also be obtained from Local Municipalities or other authorities."

WEST COAST DISTRICT MUNICIPALITY
UMASIPALA WESITHLI SAGEWEST COAST

AMPTELIKE DATUMSTEMPEL/OFFICIAL DATE STAMP

10 DEC 2024

I.DE KLERK

NAAM VAN OMGEWINGSGESONDHEIDSPRAKTISYN / NAME OF ENVIRONMENTAL HEALTH PRACTITIONER

242 MOORREESBURG 7310

HANDTEKENING /SIGNATURE

Kwitansie / Receipt	Nommer / Number	Datum / Date
	43629	19/11/2024

ENDOSSEMENTE/VRYSTELLINGS kragtens Regulasie 14 ENDORSEMENT/EXEMPTIONS in terms of Regulation 14	DATUM/ DATE	HANDTEKENING VAN PRAKTISYN/ SIGNATURE OF PRACTITIONER



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Development Services
Department: Development Management

1 October 2025

15/3/3-3/Erf 1081
15/3/4-3/Erf 1081
15/3/5-3/Erf 1081

WYK: 5

ITEM 6.2 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 15 OCTOBER 2025

LAND USE PLANNING REPORT

PROPOSED REZONING, REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE ON ERF 1081 DARLING

<i>Reference number</i>	15/3/3-3/Erf 1081 15/3/4-3/Erf 1081 15/3/5-3/Erf 1081	<i>Submission date</i>	24 June 2025	<i>Date finalised</i>	2 October 2025
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PART A: APPLICATION DESCRIPTION

The application for rezoning of Erf 1081, Darling, in terms of section 25(2)(a) of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) has been received. It is proposed that Erf 1081(693m² in extent) be rezoned from Residential Zone 1 to Business Zone 2 in order to use the property for a shop and a flat.

The proposal also includes an application for the removal of restrictive title on erf 1081, Darling in terms of section 25(2)(f) of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020). It is proposed that conditions B.6(a) be removed from Title Deed T70537/2024 in order to remove the restriction on the usage of the property.

Additionally, application is made for the departure of development parameters on Erf 1081, Darling, in terms of section 25(2)(b) of Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226 of 25 March 2020). The departure entails the following:

- Departure of the 3m side building line (northern boundary to 1,5m)
- Departure of the 3m side building line (southern boundary) to 1,5m

The applicant is CK Rumboll and Partners and the property owners is Alamin Muhammed and Mahabub Rahman Shubo.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	ERF 1081 DARLING, IN THE SWARTLAND MUNICIPALITY, DIVISION MALMESBURY, PROVINCE OF WESTERN CAPE				
Physical address	E69 Durban Street	Town	Darling		
Current zoning	Residential Zone 1	Extent (m ² /ha)	693m ²	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020)				

Current land use	Shop & Flat			Title Deed number	T70537/2024
Any restrictive title conditions applicable	Y	N	If yes, list condition number(s)	B.6(a), (b),(b)(i) & (b)(ii)	
Any third-party conditions applicable?	Y	N	If yes, specify		
Any unauthorised land use/building work	Y	N	If yes, explain		

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	<input checked="" type="checkbox"/>	Permanent departure	<input checked="" type="checkbox"/>	Temporary departure		Subdivision	
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension, or amendment of restrictive conditions	<input checked="" type="checkbox"/>
Permissions in terms of the zoning scheme		Amendment, deletion, or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a homeowner's association		Rectify failure by homeowner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use			

PART D: BACKGROUND

The owner purchased the property in 2024 and intend to use it for business purposes. The subject property is zoned Residential Zone 1

The current zoning of the property only permits a dwelling house and therefore application is made to rezone the property to Business zone 2 to accommodate the shop as well as a flat on the property. It was also found that there is restrictive title conditions registered against the title deed of the property prohibiting the use of the property for any other purpose than a single dwelling and buildings related thereto. Application is therefore also made to remove the said condition and the development proposal departs from the building line restrictions applicable to the new zoning. The shop is not consistent with the provisions of a house shop and therefore application is made for rezoning and not consent use.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?	Y	N	If yes, provide a summary of the outcomes below.
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PART F: SUMMARY OF APPLICANT'S MOTIVATION

(Please note that this is a summary of the applicant's motivation and it, therefore, does not express the views of the author of this report)

The applicant motivates that the proposed shop, including its associated storage area, will cover ±108m². It will operate as a convenience outlet, selling basic groceries and household necessities in small quantities. The primary clientele will be local residents, particularly those working shifts, who require access to essential goods outside of standard trading hours. Typical items for sale will include groceries, cleaning supplies, sanitary products, snacks, and other general household items. The shop will not sell alcohol or offer entertainment amenities such as gaming machines or pool tables. A signage board, limited to a maximum size of 1m², will be erected to display the shop's name. Applications

for a trade license and advertising signage will be submitted to the Swartland Municipality, along with a separate application to the West Coast District Municipality for a Certificate of Compliance.

The applicant continues to argue that the proposed development is not expected to have any negative impact on the surrounding residential area. On the contrary the applicant is of opinion that the shop is intended to enhance the quality of life for residents by providing increased access to basic goods and services within walking distance. Additionally, the inclusion of a commercial component on Erf 1081 will offer the landowners an alternative income stream, supporting local economic sustainability.

The proposed rezoning will enable a small-scale, community-oriented commercial development that is contextually appropriate, socio-economically beneficial, and aligned with principles of sustainable urban development.

In terms of the removal of the restrictive title condition the applicant motivates that the condition predates the introduction of zoning schemes and was historically used as the primary tool to regulate development. With the implementation of the Swartland Municipal By-law on Land Use Planning, these title deed restrictions are outdated and redundant. The mentioned by-law now provides detailed and updated permissible land uses in different zoning categories and development parameters for land use and development control on a Municipal level.

With reference to Section 43 of the By-Law, the applicant states that:

1. The restrictive condition holds no financial value to the holders of the rights. The condition was imposed during a time when Municipal land use planning was lacking and the development of properties was largely governed by title deeds.
2. The title deed conditions were imposed by the Administrator of the Province of the Cape of Good Hope as part of the approval of Darling Township Extension no 7, to ensure a coordinated and harmonious layout for township development. These conditions do not result in any personal benefits for the other property owners in Darling Township Extension no 7, nor are these owners entitled to any personal rights over the subject property.
3. The removal of a restrictive condition will allow the property owners to apply the development parameters that is conferred by the Swartland Municipal Land Use Planning By-law.
4. There is no social benefit to the broader society of Darling should the conditions remain in place, as it only relates to permissible land use. Personal benefits of the other property owners in Darling are discussed under point b) above.
5. No foreseen social benefit to the broader society of Darling is gained by removing the restrictive condition for the same reason as discussed under point d) above.
6. Development of the property remains subject to the Swartland Municipal Land Use Planning By-law (PG 8226).

The applicant concludes that the removal of a restrictive condition listed in Section B. 6. (a) of Title Deed T70537/2024 applicable to Erf 1081 is considered both reasonable and necessary. It reflects the prevailing land use opportunities in the area, aligns with Municipal policy, and does not deprive any third party of financial, personal, or development-related rights. The removal will enable contextually appropriate development while retaining regulatory oversight through the Swartland Municipal Land Use Planning By-law.

In terms of the application for departure of the applicable development parameters to Business zone 2, with specific reference to the applicable building lines, the applicant motivates that:

A departure of the northern side building line from 3m to 1,5m is to accommodate an existing small outbuilding housing two toilets.

The proposed outbuilding is of limited scale and function and will contain no door or window openings on the boundary-facing façade, thereby ensuring that no privacy or overlooking issues arise. Furthermore, the neighbouring property to the north already has a structure built directly on the common boundary (0m setback). Despite the departure, Erf 1081 will maintain a 1.5m setback, which allows sufficient space for movement and fire safety compliance.

It is important to note that the 3m building line requirement in Business Zone 2 is intended to mitigate the more intrusive impacts of typical business activities. In this instance, the use and scale of the toilet facility are not expected to create

any such impacts. Additionally, the 1.5m setback aligns with both the title deed condition and the standard for Residential Zone 1, making the request contextually appropriate.

A further departure is proposed to relax the southern side building line from 3m to 1.5m to accommodate a new shop extension from the existing residential building and a residential outbuilding (single garage).

The façades of both the shop and the garage, where the departure is sought, will not include any windows or door openings on the southern boundary side. As such, no privacy or overlooking concerns arise from the proposed development.

Despite this, a 1.5m setback will still be observed on Erf 1081, ensuring adequate clearance for safety and access. The garage is modest in scale and function, and the proposed shop, intended for neighbourhood-level retail (e.g., basic groceries), is not anticipated to generate excessive noise or disturbances that would negatively affect the adjacent property.

Given the limited intensity and passive nature of the proposed structures, the applicant argues that the application of the 1.5m setback is appropriate and context sensitive.

With reference to planning policies the applicant motivates that Erf 1081 is situated on an acknowledged activity street (Durban Street), which provides the ideal opportunity for business land uses. Referring Figure 6, a neighbourhood shop, being a secondary business use, is supported in Zone F, as long as the property is located along an activity street/corridor or at an identified business node. Durban Street experiences high volumes of vehicular and pedestrian movement, thereby, making Erf 1081 the ideal location for a neighbourhood shop.

The rezoning aligns with the Swartland Municipality’s spatial development vision, which supports small-scale commercial activity in suitable areas, promoting economic vitality and inclusive growth. The proposed development will not have a detrimental effect on the surrounding erven and is consistent with the land use proposals as set out in the Swartland MSDF (2023-2027).

The application for rezoning, removal of a restrictive condition, and departure is considered desirable on the basis of the following;

1. The proposal complies with the Swartland Spatial Development Framework (2023-2027) as the main forward planning document for Darling and the Swartland Municipal Area as a whole.
2. The proposed development use enhances the principles of LUPA and SPLUMA.
3. The development proposal will complement the character of the area and not adversely affect any natural conservation areas or surrounding agricultural practices.
4. With the proposed use, the landowners are granted an additional income opportunity and ultimately economic growth for area.
5. The proposal combats urban sprawl by utilising an existing property within the urban edge.
6. By allowing for a dual land use (residential and commercial), the property will be utilised optimally and efficiently.
7. The proposed development will make use of existing infrastructure services and will not have any significant impact on external engineering services, nor will it negatively impact on environmental / heritage assets.

PART G: SUMMARY OF PUBLIC PARTICIPATION

Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?	Y	N
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The application was published in local newspapers and the Provincial Gazette on the 4th of July 2025, in terms of Section 55 of the By-law. The commenting period, for or against the application, closed on 4th of August 2025.

In addition to the publication, a total of 20 written notices were sent per hand to the owners of affected properties, in term of Section 56(1) & (2) of the By-Law (refer to Annexure C). Only one (1) notice was returned un-deliverable.

Total valid comments	14		Total comments and petitions refused	0	
Valid petition(s)	Y	N	If yes, number of signatures		
Community organisation(s) response	Y	N	Ward councillor response	Y	N
Total letters of support	0				
	Notice of the application was sent to councillor Rangasamy, but no comments were received.				

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS				
Name	Date received	Summary of comments	Recommendation	
			Positive	Negative
Building Control	1 July 2025	Building plans be submitted to Building Control for consideration of approval	Positive	
Protection Services	23 June 2025	No comment	N/a	
Electrical Engineering Services	23 June 2025	No comment	N/a	
Cleaning services	9 September 2025	No comment	N/a	
Department: Civil Engineering Services	9 September 2025	<ol style="list-style-type: none"> 1. <u>Water</u> The existing water connection be used and that no additional connections be provided; 2. <u>Sewerage</u> The existing sewer connection be used and that no additional connections be provided; 3. <u>Streets</u> Delivery vehicles be restricted to a maximum size of 16 000kg. The proposed parking spaces, including the sidewalk providing access, be provided with a permanent surface. The layout should be amended so that parking spaces 3 and 4 do not have access across the junction of 11th Avenue at Durban Street. 4. <u>Development charges</u> Development charges be made as follows: <ul style="list-style-type: none"> • Water R 296,37 • Bulk Water R 441,49 • Sewer R1 451,76 • WWTW R3 148,50 • Roads R6 803,70 	Comments only	

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS	
<p>LJ Philander GB Van Boo FE Brown F & NA Hoogbaard A & JP Francke Vincent Monk BB Morris & VE Monk A Mentoor & LC Warnick EI Potts D & AN Esau Keith Stuurman CM & D Lewis MJ Philander Philip Humphreys as neighbouring affected property owners</p>	<p>As residents / property owners / rate payers in the immediate vicinity, the objectors have serious concerns regarding the potential negative impact of the proposed rezoning on the community. They provide the following reasons:</p> <p>Increased traffic and safety risks</p> <p>1. The proposed rezoning change is expected to increase traffic volumes, congestion, noise, and accident risk in a quiet residential area.</p>	<p>1. The applicant motivates that the proposed development is located on Durban Street, which is designated as an Activity Street in the Swartland Municipal Spatial Development Framework ("MSDF"), 2023-2027. Activity Streets are intended for mixed-use and small-scale commercial activities that integrate with surrounding residential areas without undermining neighbourhood character. The application for rezoning to Business Zone 2 for a low-intensity neighbourhood shop with an ancillary flat is directly aligned with the MSDF, the Municipality's key guiding policy document.</p> <p>The proposed neighbourhood shop, in addition to a flat, is not expected to generate significant new traffic. Shops of this scale typically serve the immediate community and attract customers primarily on foot, reducing reliance on motorised trips. This is consistent with sustainable planning principles aimed at reducing vehicle trips within residential areas.</p> <p>In terms of parking the applicant motivates that four bays will be provided on-site in front of the shop in accordance with the Swartland Municipality Land Use Planning By-Law (PG 8226). Additional bays will be provided at the rear of the property to serve the residential flat. This ensures compliance with statutory parking standards and mitigates the risk of congestion on surrounding streets.</p>	<p>1. The proposed development is located on Durban Street, an identified activity street in the Swartland MSDF (2025), which is intended to accommodate mixed-use development. The shop is small-scale and local serving, designed to reduce car dependency by improving walkable access to goods. The impact on traffic and safety is expected to be minimal, and any concerns can be mitigated through conditions of approval such as regulated operating hours and signage controls.</p>

	<p>Impact on existing business</p> <p>2. The area already has four types of shops offering similar services.</p> <p>The proposed business may duplicate existing offerings.</p>	<p>Regarding safety concerns the applicant emphasize that the regulation of crime falls under the mandate of law enforcement authorities, not land use planning. The presence of a lawful, formalised business under municipal oversight often contributes positively to neighbourhood safety by providing passive surveillance ("eyes on the street") and regular activity, which is widely recognised in urban design principles as a deterrent to crime.</p> <p>On this point the applicant concludes that the proposed development will be a formal, legal land use with compliance obligations regarding health, safety, building control, and trading regulations. This will further distinguish it from unregulated uses that objectors may associate with negative social impacts.</p> <p>2. The applicant responds by stating that the existence of other shops in the area is not a valid planning ground for refusal, as applications are assessed on policy compliance, land use compatibility, and site suitability — not market competition. The Swartland MSDF (2023-2027) designates Durban Street as an Activity Street, encouraging mixed small-scale commercial and residential uses.</p> <p>The proposed neighbourhood shop will primarily serve the immediate walking catchment, improving local convenience, reducing travel needs, and supporting small-scale entrepreneurship and job creation.</p> <p>Planning tribunals and case law confirm that competition is not a planning consideration. The proposal is policy-aligned, sustainable, and compatible, and the objection is, therefore, unfounded.</p>	<p>2. While there are existing shops nearby, market saturation is not a planning ground for refusal. The planning evaluation confirms that the proposal is compatible with the character of the area, and its location on a busy corridor supports limited commercial activity. The development contributes to economic diversity and job creation, which are aligned with the goals of the Swartland MSDF and PSDF.</p>
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	<p>Environmental Concerns</p> <p>3. Potential for increased pollution. Possible strain on local infrastructure such as drainage, water, and sewer systems.</p> <p>Lack of Public Consultation</p> <p>4. The objectors feel they were not adequately informed and a more inclusive and transparent process is requested before decisions are made.</p> <p>5. The objectors also request that any upcoming public meetings or hearing be communicated to them, as they would like to attend and participate in the decision making process.</p> <p>Loss of Privacy</p> <p>6. One of the objectors are of opinion that the construction of flats directly behind his residence will significantly infringe on his privacy, particularly as his main bedroom and entertainment area are located at the rear of his property.</p>	<p>3. The proposed development is low-intensity, comparable to a standard dwelling, and will not unduly burden municipal services. All applications are reviewed by relevant municipal departments, with approval conditions imposed where necessary to safeguard infrastructure capacity.</p> <p>Solid waste will be managed through municipal collection, stormwater in line with municipal guidelines, and no noxious uses are proposed. The development is therefore policy-compliant, low-impact, and will not cause pollution or strain on services.</p> <p>4. The applicant confirms that the public participation process fully complied with Sections 54-58 of the Swartland Municipality Land Use Planning By-Law (PG 8226). Notices were published in two local newspapers, the Provincial Gazette, and sent directly to some surrounding owners. The number of objections received confirms the process was effective, while all statutory requirements were met.</p> <p>5. Applicant did not comment.</p> <p>6. The applicant confirms that it is not proposed in this application to accommodate multiple flats but the conversion of the existing dwelling into a single flat alongside the proposed shop. The flat will remain single storey, within building lines, and consistent with the area's low-density character. It will, therefore, have no adverse impact on the privacy or enjoyment of neighbouring properties.</p>	<p>3. The development will not place significant strain on municipal engineering services. Existing infrastructure is sufficient, and no upgrades are required. Should any upgrades become necessary, they will be at the developer's cost. The proposal does not impact biodiversity, heritage assets, or high-potential agricultural land, and environmental nuisances can be managed through enforcement of conditions.</p> <p>4. The public participation process was conducted in accordance with the Swartland Land Use Planning By-Law, including newspaper notices and direct notifications. The volume and nature of objections received indicate that the process was effective. The notice clearly stated that the application was available for inspection at the municipal offices, and residents could make enquiries. While some residents felt excluded, the process met all statutory requirements, and procedural fairness was maintained.</p> <p>5. Noted</p> <p>6. The proposed development consists of a single ancillary flat and a small-scale shop, both of which are single-storey structures. The scale and positioning of the buildings are such that they are not expected to infringe on neighbouring privacy. Additionally, the building line departure, for the proposed extension of the shop is on the side and not the rear building line and is limited to 1.5m.</p>
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	<p>Noise Pollution</p> <p>7. One of the objectors are also of opinion that the residential flats and commercial activity such as spaza shops inevitably result in increased noise levels, which will disrupt the peaceful and quiet environment currently enjoyed by residents.</p> <p>Health and Hygiene</p> <p>8. The objector is concerned that the introduction of a supermarket and multi-unit development in a predominantly residential area may give rise to hygiene and sanitation challenges, which could pose health risks to neighbouring households.</p> <p>9. One of the objectors are concerned that the applicants are foreigners and questions if they are in the country legally.</p>	<p>7. The applicant responds by confirming that the proposal includes a neighbourhood shop with one flat, not a large commercial use. Noise levels will be comparable to normal residential activity, with most customers arriving on foot and business hours regulated by municipal by-laws. The flat is a standard dwelling, and any noise issues would remain subject to municipal enforcement. The development will therefore not disrupt the neighbourhood's character.</p> <p>8. The applicant states that the objection is based on an incorrect assumption. The proposal is for a small neighbourhood shop and a single flat, both low intensity uses comparable to ordinary residential activity. Waste, water, and sanitation will be managed through existing municipal services, with compliance to health and safety by-laws ensuring no risk to public health. The development will therefore not create hygiene or sanitation problems.</p> <p>9. The applicant states that the nationality or immigration status of an applicant is not a valid planning consideration. Applications are assessed solely on land use merits, compliance with by-laws, and policy alignment. Immigration matters fall outside the scope of municipal land</p>	<p>The design also does not include boundary-facing windows or doors, which mitigates overlooking and privacy intrusion. The development also remains subject to the applicable development management scheme as well as the National Building Regulations, any future extension that is not generally in accordance with the proposal may be subject to a new public participation.</p> <p>The proposal is contextually appropriate, and any potential impact on privacy is considered minimal and manageable through design and regulatory oversight.</p> <p>7. The proposed development is low impact, consisting of a single flat and a small shop. It is designed to integrate harmoniously with the surrounding residential environment. The planning evaluation confirms that the proposal will not negatively affect the character of the area, nor will it compromise health, safety, or amenity.</p> <p>8. The development will not place significant strain on municipal infrastructure, including water, sewerage, and waste services.</p> <p>Existing services are sufficient, and no upgrades are required to accommodate the proposal.</p> <p>Any potential environmental nuisances can be mitigated through enforcement of applicable legislation and conditions of approval.</p> <p>9. The concern regarding the applicants being foreigners and questioning their legal status in the country is noted. However, nationality or immigration status is not a valid planning consideration under the Swartland Municipal Land Use Planning By-Law, SPLUMA, or LUPA.</p>
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	<p>10. As the long-standing owner of a neighbouring property for over 35 years, one of the objectors strongly oppose the proposed rezoning and development that would transform their quiet residential neighbourhood into a business zone. The applicants have already demonstrated disregard for municipal regulations by initiating unauthorised construction on the subject property without prior approval. This conduct raises serious concerns about their willingness to comply with any future conditions of approval and reflects a lack of consideration for the surrounding community.</p>	<p>use decision-making and cannot serve as grounds for objection.</p> <p>10. The applicant states that the objector raises concerns regarding the character of the applicants and alleged prior unauthorised work. However, planning decisions are based on objective land use considerations, not on perceptions of an applicant's behaviour.</p> <p>Regarding the alleged unauthorised building work: any noncompliance with previous approvals is addressed through the Municipality's enforcement processes. This is a separate legal matter and does not constitute a valid reason to refuse the current land use application, which will be assessed on its planning merits, including but not limited to:</p> <ul style="list-style-type: none"> (a) Compliance with Swatland Municipality Land Use Planning By-law (PG 8226); (b) Alignment with the MSDF designation of Durban Street as an (c) Activity Street; and (d) Compatibility with surrounding land uses 	<p>The legal right to apply for land use changes is afforded to any registered property owner, regardless of nationality, provided the application complies with the relevant procedures and requirements.</p> <p>This objection falls outside the scope of municipal planning authority and cannot be considered in the evaluation or decision-making process.</p> <p>10. The proposed development is located on Durban Street, which is identified as an activity street in the Swatland Municipal Spatial Development Framework (MSDF, 2025). Activity streets are specifically earmarked for mixed-use development, including small-scale commercial uses that serve the local community. The proposal for a neighbourhood shop and single flat is considered low-impact, contextually appropriate, and compatible with the surrounding residential environment.</p> <p>As discussed below in more detail in the planning evaluation below, the proposal:</p> <ul style="list-style-type: none"> • Will not negatively affect the character, health, or safety of neighbouring properties. • Is consistent with municipal, district, and provincial spatial planning policies. • Supports spatial resilience, sustainability, and public interest through improved access to goods and services. <p>Should the application be approved, the development will be subject to:</p> <p>Strict conditions of approval, including compliance with building regulations. Ongoing oversight by municipal departments to ensure adherence to all legal requirements.</p>
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	<p>11. The objector concludes that he has serious concerns about the negative impact this application will have on their peaceful neighbourhood.</p>	<p>11. The applicant motivates that all planning considerations, including traffic, parking, privacy, noise, and infrastructure, have been addressed in accordance with municipal by-laws and policy. The development is designed to integrate harmoniously with the neighbourhood, maintaining the residential character and peaceful environment of the street.</p> <p>The applicant concludes that the objections to the proposed rezoning and development have been carefully reviewed against municipal by-laws, the Swartland MSDF (2023–2027), and sound planning principles. The proposal for a small neighbourhood shop and flat is compliant with all statutory and policy requirements and is designed to integrate with the residential character of the area. Its scale ensures minimal impact on traffic, services, and neighbouring properties. The development is lawful, sustainable, and supports local convenience and economic diversity. Approval is therefore recommended.</p>	<p>11. Please refer to the comments above regarding the scale and nature of the proposal and the potential impact on the character of the area.</p>
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PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

The application was submitted in terms of the By-law on 24 June 2025. The public participation process commenced on the 2nd of July 2025 and ended on the 4th of August 2025. The objections received were referred to the applicant for comment on the 6th of August 2025. Comments were received on the objections on the 4th of September 2025.

Division: Planning is now in the position to present the application to the Swartland Municipal Planning Tribunal for decision-making.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

Spatial Justice: The proposed development is deemed consistent with the Swartland MSDF (2025) as well as the goals of the district and provincial spatial policies as will be further discussed below. The consideration of the application also realises the owner of the property's right to apply in terms of the relevant legislation. The proposal could improve access to services for residents without transport, supporting equity. However, it is recognised that if the development negatively affects neighbours' quality of life, it may undermine spatial justice locally.

Spatial Sustainability: The proposed development will result in a more spatially compact and resource-efficient settlement and will optimise the use of existing infrastructure and space. This is due to the fact that existing services is proposed to be and no upgrades to existing services / infrastructure is required to accommodate the development. The limitation of environmental nuisances could be mitigated through the enforcement of the applicable legislation as well as relevant conditions should the application be approved. The proposal will also not have a negative impact on critical biodiversity areas or high potential agricultural land and will in the long term contribute to the economy of Darling through the improvement of the property as well as through job creation.

Efficiency: The proposal promotes mixed-use and densification along an identified activity street, which is deemed efficient. The development proposal promotes the optimal utilisation of services on the property and enhance the tax base of the Municipality. Therefore, the application complies with the principle of efficiency.

Good Administration: The application and public participation are administrated by Swartland Municipality and public and departmental comments were obtained. The objections suggest some residents felt excluded or uninformed and although statutory processes have been followed, perceived procedural fairness is deemed important ensuring good administration. The scale and nature of the application does not warrant wider public participation than those directly affected by the application. From the nature of the objections received it is deemed that the public participation was effective. If any of the affected parties have required more information, the notice clearly state that the application is available for scrutiny at the municipal offices and enquiries can be made to Division: Town Planning in this regard. The decision making is guided by a number of considerations as required by the relevant By-law and Municipal Spatial Development Framework.

Spatial Resilience: The proposal to accommodate mixed uses along an identified activity street is not only supported from a spatial planning point of view but also makes the property more resilient as it creates opportunity for a wider range of uses. With the above in mind the use of the property for commercial purposes is justified in the long term and is therefore deemed spatially resilient.

Public interest: Objections show strong community concern about traffic, safety, privacy, and neighbourhood character. However, the proposed shop is small-scale and local serving, which enhance walkable access to goods and reduce car dependency. If properly regulated (e.g. operating hours, signage, noise), it could be argued that the proposal serves public interest by improving convenience without undermining residential

amenity. The potential negative impact of the proposal, although deemed minimal, can be mitigated through the implementation and enforcement of conditions should the application be approved.

It is subsequently clear that the development proposal adheres to the spatial planning principles and is thus consistent with the abovementioned legislative measures.

2.2. Provincial Spatial Development Framework (PSDF, 2014)

The PSDF (2014) indicates that the average densities of cities and towns in the Western Cape is low by international standards, despite policies to support mixed-use and integration. There is unmistakable evidence that urban sprawl and low densities contribute to unproductive and inefficient settlements as well as increase the costs of municipal and Provincial service delivery.

The PSDF suggest that by prioritising a more compact urban form through investment and development decisions, settlements in the Western Cape can become more inclusionary, widening the range of opportunities for all.

It is further mentioned in the PSDF that the lack of integration, compaction, and densification in urban areas in the Western Cape has serious negative consequences for municipal finances, for household livelihoods, for the environment, and the economy. Therefore, the PSDF provides principles to guide municipalities towards more efficient and sustainable spatial growth patterns.

One of the policies proposed by the PSDF is the promotion of compact, mixed-use, and integrated settlements. This according to the PSDF can be achieved by doing the following:

- 1) Target existing economic nodes (e.g., CBDs (Central Business District), township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares, and markets, etc.) as levers for the regeneration and revitalisation of settlements.
- 2) **Promote functional integration and mixed-use as a key component of achieving improved levels of settlement liveability and counter apartheid spatial patterns and decentralization through densification and infill development.**
- 3) Locate and package integrated land development packages, infrastructure, and services as critical inputs to business establishment and expansion in places that capture efficiencies associated with agglomeration.
- 4) Prioritise rural development investment based on the economic role and function of settlements in rural areas, acknowledging that agriculture, fishing, mining, and tourism remain important economic underpinnings of rural settlements.
- 5) **Respond to the logic of formal and informal markets in such a way as to retain the flexibility required by the poor and enable settlement and land use patterns that support informal livelihood opportunities rather than undermine them.**
- 6) **Delineate Integration Zones within settlements within which there are opportunities for spatially targeting public intervention to promote more inclusive, efficient, and sustainable forms of urban development.**
- 7) Continue to deliver public investment to meet basic needs in all settlements, with ward level priorities informed by the Department of Social Development's human development indices.
- 8) Municipal SDFs (Spatial Development Framework) (Spatial Development Framework) to include growth management tools to achieve SPLUMA's spatial principles. These could include a densification strategy and targets appropriate to the settlement context; an urban edge to protect agricultural land of high potential and contain settlement footprints; and a set of development incentives to promote integration, higher densities, and appropriate development typologies.

The PSDF further states that scenic landscapes, historic settlements, and the sense of place which underpins their quality are being eroded by inappropriate developments that detracts from the unique identity of towns. These are caused by inappropriate development, a lack of adequate information and proactive management systems.

The Provincial settlement policy objectives according to the PSDF are to:

- (a) **Protect and enhance the sense of place and settlement patterns**
- (b) **Improve accessibility at all scales**
- (c) **Promote an appropriate land use mix and density in settlements**
- (d) Ensure effective and equitable social services and facilities
- (e) Support inclusive and sustainable housing

The development proposal is therefore deemed consistent with the PSDF.

2.3 West Coast District SDF (WCDSDF, 2020)

The WCDSDF, 2020 states that the functional classification for Darling is an agricultural service centre. Agriculture plays such an important part that Darling is also identified as an Agri-tourism destination.

The WCDSDF rightfully looks at spatial development on a district level. However, the WCDM SDF promotes the approach that local municipalities in the WCDM should focus on spatial integration, efficiency, equal access, sustainability, and related planning principles, (as required in terms of SPLUMA and recommended in the PSDF, 2014), to inform planning decisions. Improving the quality of life as well as access to amenities and opportunities to all residents in the WCDM is some of the main development goals identified by the said document.

The Built Environment Policy of the WCDSDF states that local municipalities should plan sustainable human settlements that comply with the objectives of integration, spatial restructuring, residential densification and basic service provision. Priority should also be given to settlement development in towns with the highest economic growth potential and socio-economic need.

With reference to the evaluation of the planning principles mentioned above as well as the principles of effective and sustainable development, locating mixed use development on higher order activity streets where it is deemed appropriate, it could be argued that the proposal is consistent with the spatial planning policies of the WCDSDF, 2020.

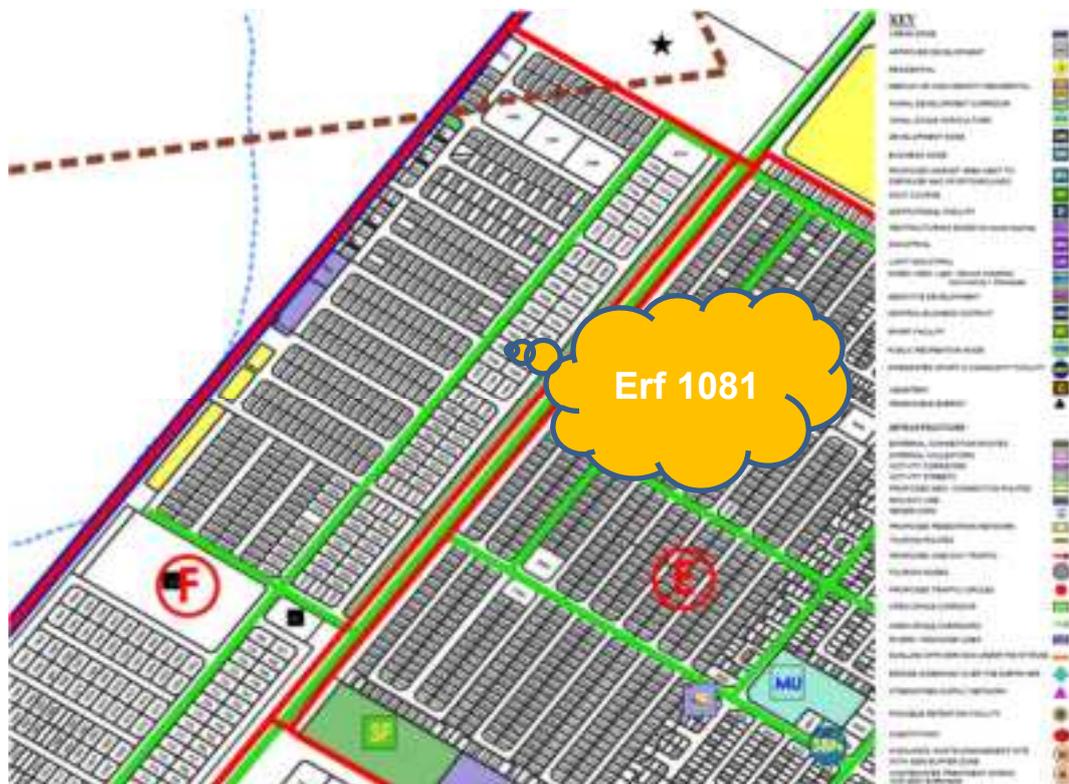


Figure 1: Extract of the land use proposal map for Darling, MSDF, 2025

2.4 Municipal Spatial Development Framework (SDF), 2025

The subject property is situated in land use proposal zone F as indicated on the land use proposal map of Darling. Please refer to the extract above.

Zone F is described as having a medium to high density residential character. The MSDF supports social, and neighbourhood orientated commercial services. Business use is supported however should be located along activity streets and corridors. As seen above, Durban Street is an identified activity street and therefore the proposal is consistent with the MSDF, 2025.

2.5 Schedule 2 of the By-Law: Zoning Scheme Provisions

As mentioned above application is made for departure of the provisions applicable to the Business zone 2 zoning due to the position of the existing structures on the property as well as that the proposal encroaching the 3m building line restriction up to 1,5m. The scale and nature of the proposal is such that the proposed departure of the said parameter will not have a negative impact on the affected properties.

3. Desirability of the proposed utilisation

There are no physical restrictions on the property that will have a negative impact on the application.

The proposed application is consistent with and not in contradiction to the Spatial Development Frameworks adopted on Provincial, District and Municipal levels as discussed above. The location of the property along Durban Street, which is a busy corridor, supports limited commercial activity and therefore the compatibility of the proposal.

The proposed application will not have a negative impact on the character of the area.

The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding landowners, nor will it negatively impact on environmental / heritage assets.

The presence of other shops nearby raises questions about need and saturation, this is however not sufficient reason to refuse the application.

4. Impact on municipal engineering services

The proposed development will not have a significant impact on municipal engineering services. Should any services need upgrading to accommodate the proposed development, it will be for the developer's account.

5. Comments from other organs of state/departments

The comments from the Department Civil Engineering Services regarding access and parking is noted and can be included in the conditions should the application be approved.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights.

The restrictive condition limits the property to residential use only. While this may have had value in preserving uniformity in the past, it no longer holds financial or enforceable value for surrounding owners under current planning frameworks. It could therefore be argued that the rights conferred by the condition are outdated and do not carry significant financial value today.

The personal benefits that will accrue to the holder of rights and/or to the person seeking the removal.

While the objectors seek to preserve a purely residential character, this must be balanced against the existing character of the area as well as the spatial planning proposals. There is no evidence that any specific individual or entity currently benefits personally from the restrictive condition. It was imposed historically by the Administrator in

terms of the legislative framework dating back to 1952. No identifiable personal benefit exists for any party from retaining the condition.

Removing the condition will allow the owner of the property to rezone the property and use it for business purposes, therefore adding value to the property as well as resulting in job creation. The applicant therefore stands to gain legitimate and measurable personal benefit.

The social benefit of the restrictive condition remaining in place, and/or being removed/amended.

Retaining the condition may preserve the residential character, but the proposed development is low-impact and contextually appropriate. No broader social benefit is evident. It could therefore be argued that there is minimal social benefit from retaining the condition. On the other hand, removing the condition allows for improved access to goods and services, especially for residents without transport. It supports walkability and local convenience. Therefore, it results in moderate social benefit through improved service access and economic inclusion.

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights?

The removal pertains specifically to land use restrictions. It does not affect other title deed conditions or rights of third parties. The development of the property remains subject to the legislative framework that is applicable today.

PART L: RECOMMENDATION WITH CONDITIONS

- A. The application for the removal of restrictive condition B.6.(a). of Title Deed T70537/2024 of Erf 1081, Darling be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

1. TOWN PLANNING AND BUILDING CONTROL

- (a) Condition B.6.(a). of Title Deed T70537/2024, that reads as follows:

6. (a) Hierdie erf mag alleenlik gebruik word vir die oprigting daarop van een woning of ander geboue vir die doeleindes wat die Administrateur van tyd tot tyd, na oorleg met die Dorpekommisie en die Plaaslike Owerheid goedkeur, met dien verstande dat, indien die erf in die gebied van 'n Dorpsaanlegskema ingesluit is, die Plaaslike Owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word."

be removed from the Title Deed in its totality;

- (b) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;
- (c) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
- i. Copy of the approval by Swartland Municipality;
 - ii. Original Title Deed, and
 - iii. Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- (d) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes.

- B. The application for the rezoning of Erf 1081, Darling from Residential Zone 2 to Business Zone 2, be approved in terms of section 70 of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020):
- C. The application for the departure from side building line restriction (northern and southern boundary) be approved in terms of section 70 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020):

Decisions B & C above are subject to the following conditions;

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The use of the property be restricted to a shop and flat;
- (b) The departure entails accommodating the existing buildings as well as the extension of the proposed shop up to 1,5m (northern and southern) side boundaries in lieu of the 3m restriction;

- (c) The structures be altered in such a manner as to comply with the provisions as contained in the development management scheme as well as the National Building Regulations;
- (d) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- (e) Application be made to the Senior Manager: Development Management for the erection of any advertising signs;
- (f) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- (g) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- (h) The operating hours of the shop be restricted between 6:00 and 21:00 daily;
- (i) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
- (j) Any music played on the property only be audible inside the shop and dwelling and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the shop, including to any awning, stoep or shade structure;
- (k) The operation of the shop may not result in congestion / obstruction along Durban Street,
- (l) No loitering be permitted anywhere on the subject property, whether it be inside or outside the buildings on the erf or around the entrance to the erf;
- (m) The shop operator and employees be responsible for discouraging loitering and dispatching loiterers from the property;
- (n) The on-site parking bays be provided with a permanent dust free surface being concrete, paving or tar or a material pre-approved by Swartland Municipality and that the parking bays are clearly marked;
- (o) In accordance with par. 13.1.3(a) of the development management scheme the vehicular access be limited to 1 combined carriageway crossing per site per public street or road abutting the site;

2. WATER

- (a) The existing water connection be used and that no additional connections will be provided;

3. SEWERAGE

- (a) The existing sewer connection be used and that no additional connections will be provided;

4. STREETS

- (a) Deliveries to the property may only be made by delivery vehicles not exceeding 16 000kg gross vehicle mass;
- (b) The proposed parking spaces, including the sidewalk providing access, be provided with a permanent surface.
- (c) The layout be amended in order for parking spaces 3 and 4 not to have access across the intersection of 11th Avenue and Durban Street.

5. REFUSE REMOVAL

- (a) A built refuse area be constructed and provided with clean running water as well as a catchment point for dirty water that is connected to the sewer network. The refuse should be easily accessible to refuse removal workers but should not be accessible to animals / birds and unauthorised individuals;

6. DEVELOPMENT CHARGES

- (a) The owner/developer be responsible for a development charge of R 1 084,59 toward the bulk supply of regional water, at building plan stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA 9/249-176-9210);
- (b) The owner/developer be responsible for the development charge of R 659,78 towards bulk water reticulation, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/249-174-9210);

- (c) The owner/developer be responsible for the development charge of R 3 226,30 towards sewerage, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-184-9210);
- (d) The owner/developer is responsible for the development charge of R 6 997,98 towards the wastewater treatment works at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R 30 748,52 towards roads, at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2025/2026 and may be revised thereafter (mSCOA: 9/247-188-9210);
- (f) The Council resolution of May 2025 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2025/2026 and can be revised thereafter;

D. GENERAL

- (a) The letter of authorization from Swartland Municipality be displayed inside the shop.
- (b) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use.
- (c) Compliance with all conditions of approval (submission of relevant applications) be undertaken within a period of 3 months from the date of the decision, therefore before 15 January 2026.
- (d) Failure to comply with all conditions of approval, obtaining a completion certificate and concluding all other necessary processes will result in legal action to enforce compliance.
- (e) An occupancy certificate for building work completed in accordance with the approved building plan for the shop be obtained within 6 months after the approval of the building plan.
- (f) Appeals against the decision should be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R5 000,00 is to accompany the appeal and section 90 of the By-Law complied with, for the appeal to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements will be considered invalid and will not be processed.

PART M: REASONS FOR RECOMMENDATION

1. The application complies with the Swartland Municipal Land Use Planning By-Law, SPLUMA, and LUPA.
2. The proposal aligns with the Swartland MSDP (2025), West Coast District SDF (2020), and the Provincial Spatial Development Framework (2014).
3. The property is located on Durban Street, an identified activity street, which supports mixed-use development.
4. The proposal is consistent with the land use proposal zone F, which allows for medium- to high-density residential and neighbourhood-oriented commercial services along activity streets/corridors.
5. The proposed development is low impact, consisting of a small shop and a single flat deemed compatible with the surrounding residential character and will not negatively affect the health, safety, or amenity of neighbouring properties.
6. There are no physical restrictions on the property that would hinder the proposed development.
7. The development promotes spatial sustainability by optimising existing infrastructure and avoiding urban sprawl.
8. The proposal contributes to spatial resilience by enabling flexible land use and economic adaptability.
9. The proposal will not place significant strain on municipal engineering services; any required upgrades will be at the developer's cost.
10. The proposal supports walkable access to goods and services, especially for residents without transport.
11. Potential impacts (e.g. traffic, noise, privacy) are minimal and manageable through conditions of approval.
12. The removal of restriction enables legitimate development, adds value to the property, and supports job creation.
13. The proposed departure is deemed contextually appropriate. The scale and positioning of the buildings are such that they are not expected to infringe on neighbouring privacy. The design also does not include boundary-facing windows or doors, which mitigates overlooking and privacy intrusion.

14. The development remains subject to the applicable development management scheme as well as the National Building Regulations, any future extension that is not generally in accordance with the proposal may be subject to a new public participation.

PART N: ANNEXURES

Annexure A	Locality plan
Annexure B	Proposed Site Plan
Annexure C	Public participation plan
Annexure D	Copy of the title deed
Annexure E	Objection from LJ Philander
Annexure F	Objection from GB Van Boo
Annexure G	Objection from FE Brown
Annexure H	Objection from F & NA Hoogbaard
Annexure I	Objection from A & JP Francke
Annexure J	Objection from BB Morris & VE Monk
Annexure K	Objection from A Mentoer & LC Warnick
Annexure L	Objection from EI Potts
Annexure M	Objection from D & AN Esau
Annexure N	Objection from Keith Stuurman
Annexure O	Objection from CM & D Lewis
Annexure P	Objection from MJ Philander
Annexure Q	Objection from Vincent Monk
Annexure R	Objection from Philip Humphreys
Annexure S	Applicants comments on the objections

PART O: APPLICANT DETAILS

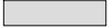
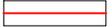
First name(s)	C.K. Rumboll and Partners			
Registered owner(s)	Alamin Muhammed and Mahabub Rahman Shubo	Is the applicant authorised to submit this application:	Y	N

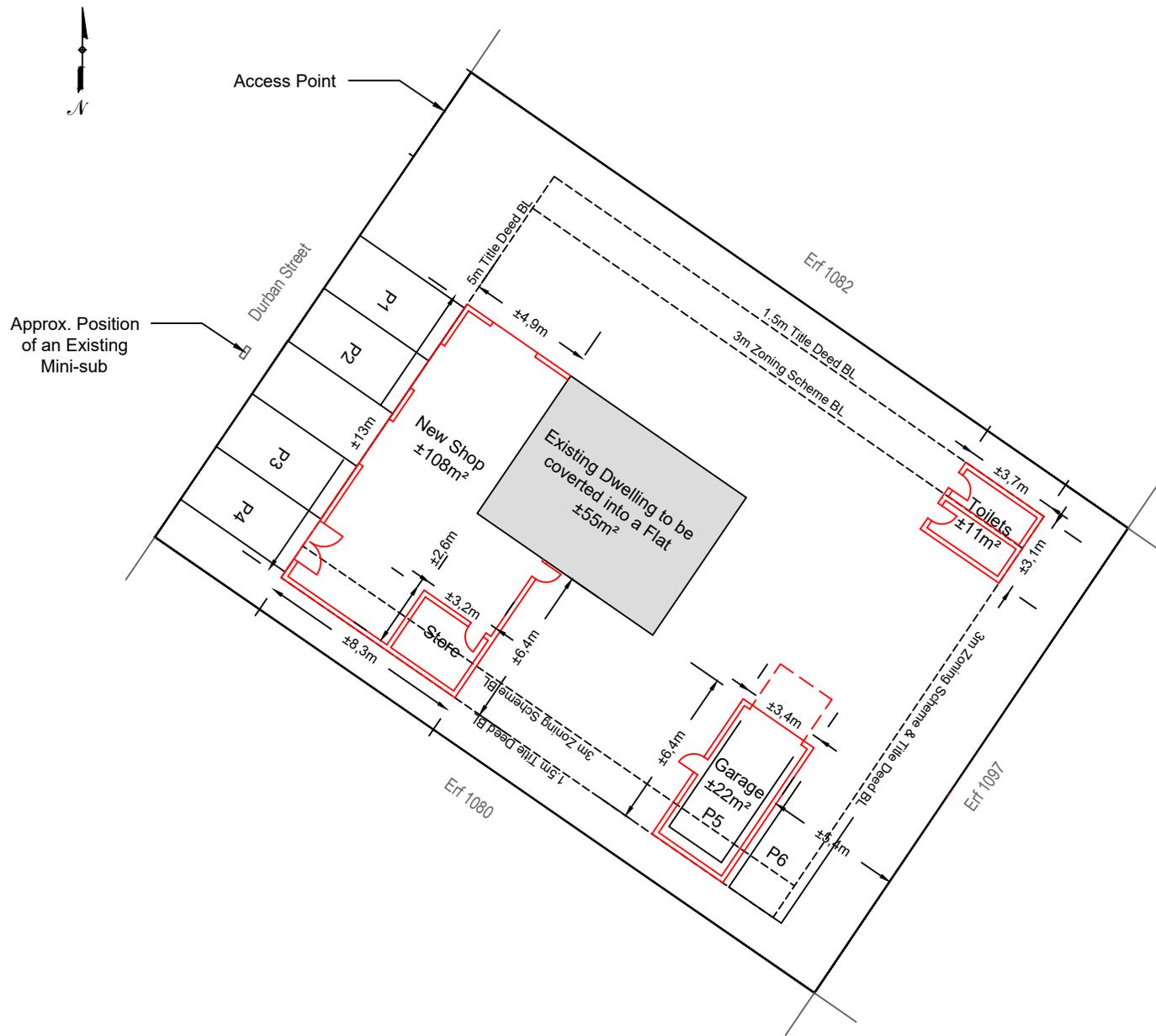
PART P: SIGNATURES

Author details: Herman Olivier Town Planner SACPLAN: A/204/2010			Date: 3 October 2025	
Recommendation: Alwyn Zaayman Senior Manager: Development management SACPLAN: B/8001/2001	Recommended	<input checked="" type="checkbox"/>	Not recommended	<input type="checkbox"/>
			Date: 6 October 2025	

SITE DEVELOPMENT PLAN: ERF 1081, DARLING

LEGEND:

- Subject property 
- Existing cadastral boundaries 
- Existing buildings 
- Proposed buildings 



Approx. Position of an Existing Mini-sub

1.

SITE DEVELOPMENT PLAN

Scale 1:4000 (A4)

DRAWING:
SITE DEVELOPMENT PLAN

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS

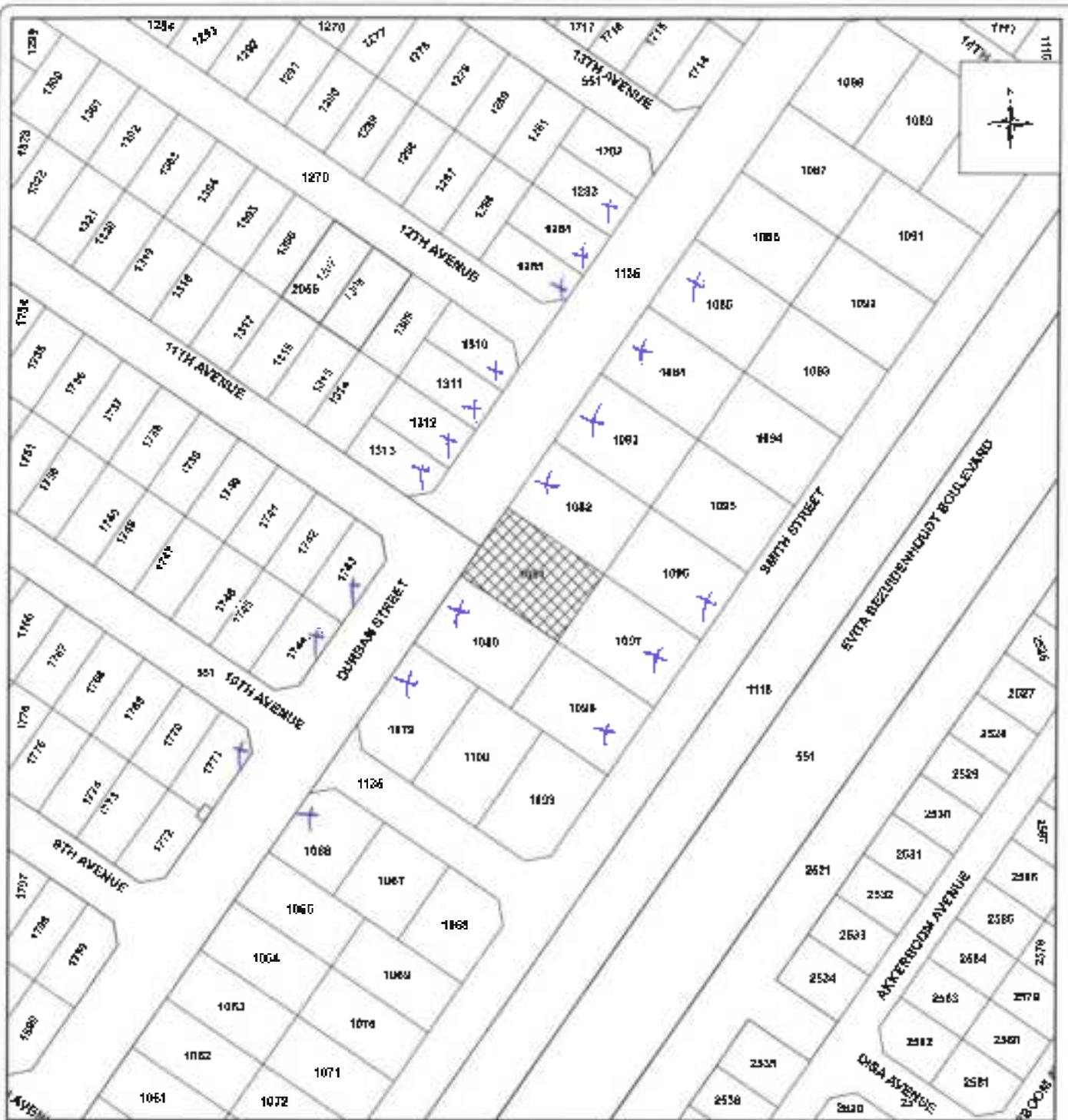


Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning1@rumboll.co.za

DATE:
MAY 2025

AUTHORITY:
SWARTLAND MUNICIPALITY

REF:
MAL/14328/MC



Voorgestelde hersonering, opheffing van beperkings en afwyking van ontwikkelingsparameters

Erf 1081, Darling

Publieke daelname

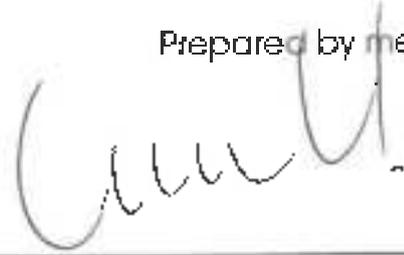
Skaal: NVT



4

De Klerk & Van Gend
 10th Floor The Terraces
 34 Bree Street
 Cape Town
 8001
 (H P Serfontein/ZS/MAT110870)

Prepared by me



CONVEYANCER
 CONRAAD VAN LILL
 LPCM 104215

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Finalize Price	R. 448 500,00	R. 850,00
Reason for exemption	Category Exemption.....	Exemption i f a. Sec/Reg Act/Prso.....

T 000070537 / 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

MURIEL SNYDERS**(LPC Membership number: 97613)**

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said
 appearer being duly authorised thereto by a Power of Attorney granted to
 him/her by

LAYLANI RENATE JOSIAS**Identity Number : 730901 0170 08 0****and****LUTHER GARREN JOSIAS****Identity Number : 951216 5122 08 1****Married in community of property to each other**

which said Power of Attorney was signed at DARLING on 26 July 2021

And the appearer declared that his/her said principal had, on 26 July 2024, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of.

1. **ALAMIN MUHAMMED**
Identity Number : 891027 6218 18 9
Unmarried

2. **MAHABUB RAHMAN SHUBHO**
Date of birth : 19 August 1983
Unmarried

their Heirs, Executors, Administrators or Assigns, in full and free property

ERF 1081 DARLING
IN THE SWARTLAND MUNICIPALITY
DIVISION MALMESBURY
PROVINCE OF THE WESTERN CAPE

IN EXTENT : 693 (SIX HUNDRED AND NINETY THREE) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer Number T 93277/1995 with General Plan Nr. T.P. 9579 relating thereto and HELD BY Deed of Transfer Number T 16017/2009.

- A. **SUBJECT** to the conditions referred to in Deed of Transfer Number T 7374/1897 dated 2 September 1897.

- B. **FURTHER SUBJECT** to the following conditions contained in Deed of Transfer Number T 93277/1995, imposed by the Administrator of the Province of Cape Good Hope in terms of Section 18 of Ordinance 33 of 1934 upon the approval of the establishment of DARLING TOWNSHIP EXTENSION NR. 7:-
 1. Alle woorde en uitdrukkings wat in die volgende voorwaardes gebesig word, het dieselfde betekenis as wat daaraan geheg word by die Regulasies afgekondig by Provinsiale Kennisgewing No. 623 van 14 Augustus 1970.

2. Ingeval 'n Dorpsaanslegskema of enige gedeelte daarvan op hierdie erf van toepassing is of daarop van toepassing gemaak word, sal enige bepalinge daarvan wat meer beperkend is as enige voorwaardes van elendomsreg wat op hierdie erf van toepassing is voorkeur geniet. Enige bepaling van hierdie voorwaardes moet nie opgeval word as sou dit die bepalinge van Artikel 146 van Ordonnansie Nr 15 van 1952, soos gewysig, vervang nie.
3. Geen gebou op hierdie erf mag gebruik word of van gebruik verander word vir 'n ander doel as wat volgens hierdie voorwaardes bepaal word nie.
4. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat elektrisiteits-, telefoon- of televisiekabels of -draade, en hooft- en/of ander waterpype en die rioolwiel en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die Plaaslike Owerheid of 'n ander Statutêre Owerheid nodig geag word, en wel op die wyses en plekke wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.
5. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf, tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die Plaaslike Owerheid bepaal.

6. (a) Hierdie erf mag alleenlik gebruik word vir die oprigting daarop van een woning of ander geboue vir die doeleindes wat die Administrateur van tyd tot tyd, na oorleg met die Dorpskommissie en die Plaaslike Owerheid goedkeur, met dien verstande dat, indien die erf in die gebied van 'n Dorpsaanlegskema ingesluit is, die Plaaslike Owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word.
- (b) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heininge, mag behalwe met die toestemming van die Administrateur nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1,5 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die Plaaslike Owerheid:-
- (i) 'n buitegebou wat uitsluitlik vir die stalling van motorvoertuie gebruik word en hoogstens 3 meter hoog is, gemeet van die vloer van die buitegebou tot by die muurplaat daarvan, binne sodanige sy- en agterruimtes opgerig mag word, en enige ander buitegebou van dieselfde hoogte binne die agterruimte en syruimte opgerig mag word vir 'n afstand van 12 meter gemeet van die agtergrens van die erf, met dien verstande dat in geval van 'n hoekerf, die afstand van 12 meter gemeet moet word van die punt wat die verste is van die strate wat die erf begrens;

CU

(ii) 'n buitegebou ingevolge subparagraaf (i) slegs nader aan 'n sygrens of agtergrens van 'n perseel as die afstand hierby voorgeskryf, opgerig mag word indien geen vensters of deur in enige muur, wat op sodanige grens front, aangebring word nie.

7. By die konsolidasie van hierdie erf of enige gedeelte daarvan met enige aangrensende erf wat onderworpe is aan dieselfde voorwaardes as die wat hierin uiteengesit word, is hierdie voorwaardes op die gekonsolideerde eiendom van toepassing asof dit een erf is.
8. Ingeval hierdie erf onderverdeel word, is elke onderverdeelde gedeelte uitgesonderd 'n gedeelte afgesny vir pad- of dergelyke doeleindes, onderworpe aan die voorwaardes hierin uiteengesit asof dit die oorspronklike erf is.

cu ✓

WHEREFORE the said Appearer, renouncing all rights and title which the said

**LAYLANI RENATE JOSIAS (previously DANIELS) and LUTHER GARREN
JOSIAS, married as aforesaid**

heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

- 1. ALAMIN MUHAMMED, unmarried**
- 2. MAHABUB RAHMAN SHUBHO, unmarried**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R300 000,00 (THREE HUNDRED THOUSAND RAND); and the value of the property to be the sum of R448 500,00 (Four Hundred and Forty Eight Thousand Five Hundred Rand).

IN WITNESS WHEREOF, the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

07 NOV 2026



 g.g.

In my presence



 REGISTRAR OF DEEDS

cu

Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 * Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,



LJ Philander
Twelve Avenue 2
Darling
Preferred method of communication: Via Telephone
Cel Nr: 060 754 3182

15/3/3-3	Erf_1081		
SSSB	a-Del		
15/3/4-3	Erf_1081		
15/3/5-3	Erf_1081		

28 July 2025
 MR S
 To: Mr D Stellenberg
 Private Bag X52,
 Malmesbury,
 7299

Contact Number (022) 487 9400

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of Erf 1744 in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1 **Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2 **Impact:** The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3 **Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4 **Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

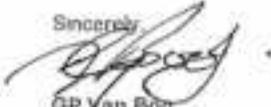
Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application -- [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 * Durbanstraat E69, Darling

Thank you for your time and consideration

Sincerely



GP Van Bode
10th Avenue 193
Darling

Preferred method of communication: Via Telephone
Cel Nr: 0734939522

28 July 2025

To: **Mr D Stellenberg**
Private Bag X52,
Malmesbury,
7299

Contact Number : (022) 487 9400

nr	nr ka	ingting	Verlag	Afsandel	Rom/Taar
15/3	3-3	Erf	1081		
SSSB					
oe					
15/3	4-3	Erf	1081		
15/3	5-3	Erf	1081		

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1098** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,

FE Brown
Smith Street 2
Darling
Preferred method of communication: Via Telephone
Cel Nr:



0828304069

28 July 2025

To: ^{rtb.S} Mr D Stellenberg
Private Bag X52,
Malmesbury,
7299

Contact Number : (022) 487 9400

15/3/3-3 Erf-1081				
SSSB	verlig	Afhandel	Kom/Taar	
ce Del				
15/3/4-3 Erf-1081				
15/3/5-3 Erf-1081				

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1082** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

1. **Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
2. **Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
3. **Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
4. **Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,

F & NA Hoogbaard
Durban Street E70
Darling
Preferred method of communication: Via Telephone
Cel Nr:

 060 4449489

28 July 2025

To: ^{HES} MCD Stallenberg

Private Bag X52,

Malmesbury,

7299

Contact Number : (022) 487 9400

MUNICIPALITEIT SWARTKOP				
REK. NO.	STAD	WATER	WATER	WATER
15/3/3-3/Erf_1081				
SSSB				
cc Del				
15/3/4-3/Erf_1081				
15/3/5-3/Erf_1081				

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1743** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 * Durbanstraat E69, Darling

Thank you for your time and consideration.


Sincerely,

A&JP Francke
11th Avenue 207
Darling
Preferred method of communication: Via Telephone
Cel Nr:

0717935519

28 July 2025

MRS
To: Mr D Stellenberg
Private Bag X52,
Malmesbury,
7299

MUNISIPALITEIT SWARTLAND				
Diens No	Indigting	Verlig	Afkeuring	Stom/Teur
15/3/3-3				
Erf_1081				
GSSB				
a bel				
15/3/4-3				
Erf_1081				
15/3/5-3				
Erf_1081				

Contact Number : (022) 487 9400

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1097** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

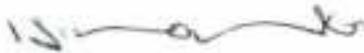
Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 * Durbanstraat E69, Darling

Thank you for your time and consideration.



0814317043.

Sincerely,

BB Morris & VE Monk
Smith Street 3
Darling
Preferred method of communication: Via Telephone
Cel Nr:

28 July 2025

To: ^{HRS} **Ms D Stellenberg**
 Private Bag X52,
 Malmesbury,
 7299

Contact Number : (022) 487 9400

MUNICIPALITEIT SWARTLAND					REF
LEIERS NO.	WONINGS NO.	WONINGS NO.	WONINGS NO.	WONINGS NO.	WONINGS NO.
15/3/3-3/Erf_1081					
SSSB					
o Del					
15/3/4-3/Erf_1081					
15/3/5-3/Erf_1081					

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1080** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :** The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,

A Mentoor & LC Warnick
Durban Street E68
Darling
Preferred method of communication: Via Telephone
Cel Nr:



07381 60 727
060 890 8961

28 July 2025

To: Mr D Stellenberg
Private Bag X52,
Malmesbury,
7299

MUNICIPALITEIT SWARTKOP			
REF NO	15/3/3-3	Erf_1081	
DATE			
STATUS			
BY			
REMARKS			
15/3/4-3	Erf_1081		
15/3/5-3	Erf_1081		

SSSB
e-Dei

Contact Number : (022) 487 9400

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1096** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 * Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,



El Potts
Smith Street 4
Darling

Preferred method of communication: Via Telephone
Cel Nr: +27 78 878 7284

28 July 2025

To: Mr D Stellenberg
 Private Bag X52,
 Malmesbury,
 7299

Service No	Indagting	Wetling	Afdelings	Kom/Teer
GSSB				
De				
15/3/3-3			Erf_1081	
15/3/5-3			Erf_1081	

Contact Number : (022) 487 9400

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1310** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Thank you for your time and consideration.


Sincerely,
084 929 6176

D&AN Esau
Durban Street 78
Darling
Preferred method of communication: Via Telephone
Cel Nr:

28 July 2025

To: Mr D Stellenberg
Private Bag X52,
Malmesbury,
7299

Contact Number : (022) 487 9400

MUNICIPALITEIT SWARTLAND				
LEEN N°	Wording	Verlig	Wandel	Kom/Taar
15/3/3-3/Erf_1081				
SSSB				
Dei				
15/3/4-3/Erf_1081				
15/3/5-3/Erf_1081				

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1085** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 * Durbanstraat E89, Darling

Thank you for your time and consideration.

Sincerely,



Keith Stuurman
Durban Street 75
Darling

Preferred method of communication: Via Telephone

Cel Nr: 0825779776

28 July 2025

To: Mr D Stellenberg
Private Bag X52,
Malmesbury,
7299

Contact Number : (022) 487 9400

Verwys No	Daagting	Wentse	Afkeuring	Kom/Taar
15/3/3-3/Erf-1081				
SSSB				
cc Del				
15/3/4-3/Erf-1081				
15/3/5-3/Erf-1081				

Subject: Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Dear Sir / Madam

I am writing to formally object to the proposed rezoning application for the property located at, **Durbanstraat E69, Darling**, which seeks to change the zoning designation from Residential Zoning to Business zoning.

As a resident/property owner/taxpayer of **Erf 1771** in the immediate vicinity, I have serious concerns regarding the negative impacts this rezoning would have on our community. My objections include, but are not limited to, the following:

- 1. Increased Traffic and Safety Risks:** The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.
- 2. Impact :**The current area has four (4) types of shops that is already established. These shops offer the same services that the proposed business intends to do.
- 3. Environmental Concerns:** The development may lead to increased pollution, and strain on local infrastructure (e.g., drainage, water, and sewer systems).
- 4. Lack of Public Consultation:** Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.

For these reasons, I respectfully urge the municipality to reject the proposed rezoning application.

Please confirm receipt of this objection for the Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_ 1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

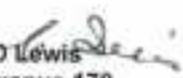
Kindly advise me of any upcoming public meetings or hearings on this matter, as I would like to attend and participate in the decision-making process.



Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,

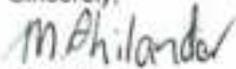
CM & D Lewis 
10th Avenue 179
Darling

Preferred method of communication: Via Telephone
Cel Nr:

Objection to Proposed Rezoning Application – [Rezoning 15/3/3-3/Erf_ 1081 15/3/4-3/Erf_1081, 15/3/5-3/Erf_ 1081 " Durbanstraat E69, Darling

Thank you for your time and consideration.

Sincerely,



MJ Philander
Durban Street E66
Darling

Preferred method of communication: Via Telephone

Cel Nr: 068 087 1813

From: Vincent Monk <vincentmonk1961@gmail.com>
Sent: 31 July 2025 20:11
To: Delmary Stellenberg <StellenbergD@swartland.org.za>
Subject: Objection to proposed Development on Erf 1081, Darling

Dear Sir/Madam,

I refer to your letter dated 2 July 2025 regarding the proposed development on Erf 1081, Darling.

As the registered homeowner of Erf 1097, 3 Smith Street, Darling, I hereby wish to formally lodge my objection to the proposed development for the following reasons:

1. **Safety Concerns:** Spaza shops in the area have frequently been associated with increased incidents of crime. The proposed development raises serious concerns about the potential negative impact on the safety and security of my property.
2. **Loss of Privacy:** The plan to construct flats directly behind my residence will significantly infringe on my privacy, particularly as my main bedroom and entertainment area are located at the rear of my property.
3. **Noise Pollution:** Residential flats and commercial activity such as spaza shops inevitably result in increased noise levels, which will disrupt the peaceful and quiet environment currently enjoyed by residents.
4. **Health and Hygiene:** The introduction of a supermarket and multi-unit development in a predominantly residential area may give rise to hygiene and sanitation challenges, which could pose health risks to neighbouring households.

In light of the above concerns, I strongly oppose the proposed development of Erf 1081 and respectfully request that the municipality reconsider or revise the proposal to ensure the continued well-being and safety of the surrounding community.

Yours faithfully,

Vincent Monk

Homeowner, Erf 1097

3 Smith Street, Darling

30 Julie 2025

Vir aandag: Delmary Stellenberg

Privaatsak X52

Malmesbury

7299

Meneer/Mevrou

Onderwerp: Beswaar teen die voorgestelde opheffing van beperkings en afwyking van ontwikkelingsparameters op erf 1081, Darling (Kennisgewing 97/2024/2025)

Ontvang hiermee my formele beswaar teen die voorgestelde hersonerings aansoek op erf 1081, Durbanstraat E 69, Darling. Hierdie aansoek gaan om n residensiele erf te hersoneer na sakesone 2 om n winkel en woonstel te vestig.

Die aansoekers is buitelanders en weet ek nie of hul wettig in die land is nie. As eienaar van Erf 1084 vir die afgelope 35+ jare maak ek ernstg beswaar dat u ons rustige woonbuurt nou wil verander na n sakegebied. Die aansoekers het reeds getoon dat hul geen respek het vir reëls en regulasies nie deur reeds sonder goedkeuring voort te gaan met onwettige bouwerk op erf 1081. Dit is reeds n aanduiding dat die aansoekers nie omgee vir hul bure nie en dus ook nie by enige goedkeurings voorwaardes gaan hou nie.

Ek het ernstige bekommernisse oor die negatiewe impak wat hierdie aansoek op ons rustige woonbuurt gaan he.

My beswaar is ook gebaseer op:

1. Veiligheids redes – verhoging van verkeer en ongewenste elemente in ons buurt.
2. Impak – daar is reeds 4 huiswinkels in ons onmiddellike omgewing.
3. Groter publieke deelname sal ook waardeer word.

Dankie vir u tyd en aandag.

Groete.

Philip Humphreys

Durbanstraat 73

Darling

7345

CK RUMBOLL & PARTNERS INC.



PROFFESIONELE LANDMETERS - ENGINEERING SURVEYORS - STADS- EN STREEKSBEPLANNERS - SECTIONAL TITLE CONSULTANTS

DATE: 4 September 2025

OUR REF: DAR/14328/MC

YOUR REF: 15/3/3-3/Erf_1081

15/3/4-3/Erf_1081

15/3/5-3/Erf_1081

BY HAND

ATTENTION: Mr A. Zaayman

Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

MUNISIPALITEIT SWARTLAND				
LEER No.	Intigting	Verreë	Afhandel	Rom/Toer
15/3/3-3				
Erf_1081				
556B				
15/3/4-3				
Erf_1081				
15/3/5-3				
Erf_1081				



Mr.

COMMENTS ON OBJECTIONS: REZONING, REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, AND DEPARTURE ON ERF 1081, DARLING

1. Introduction

Reference is made to the land use application for the rezoning, removal of restrictive title deed conditions, and departure on Erf 1081, Darling, dated June 2025, as well as to your letter dated 6 August 2025, received by this office via email on 7 August 2025.

During the public participation period, objections were received from the following members of the public:

- | | |
|------------------------------------|---------------------------------------|
| A. LJ Philander (Erf 1285); | H. A Mentoor & LC Warnick (Erf 1080); |
| B. GP van Boo (Erf 1744); | I. El Potts (Erf 1096); |
| C. FE Brown (Erf 1098) | J. D & AN Esau (Erf 1310); |
| D. F & NA Hoogbaard (Erf 1082); | K. Keith Stuurman (Erf 1085); |
| E. A & JP Francke (Erf 1743); | L. CM & D Lewis (Erf 1771); |
| F. Vincent Monk (Erf 1097); | M. MJ Philander (Erf 1079); and |
| G. BB Morris & VE Monk (Erf 1097); | N. Philip Humphreys (Erf 1084) |

DIREKTEURE / DIRECTORS:

IHU Rumboll GPr LS0737 | AP Steyl GPr LS0761 | J Linneman Pr PIn A/206/2010 | WA Hoffman GPr LS1223 | CR Taljaard GPr ES2672

ADDRESS/ ADRES: info@ckrumboll.co.za / PO Box 211 / 16 Rainierstr, Malmesbury, 7299
MALMESBURY (T) 022 482 1845

WEBSITE www.ckrumboll.co.za

The following figure illustrates the locality of the objectors' properties in relation to the application property, Erf 1081.



Figure 1: Locality Map

This document provides a response to the objections received.

2. Comments on Objections

Please see our office's response to the objections received below in tabular form.

Table 1: Comments on Objections

Objectors	Objections	Response from CK Rumboll & Partners
A-N	<p><u>Traffic and Safety Concerns</u></p> <p>1. The proposed zoning change would likely result in higher traffic volumes, leading to congestion, noise, and an increased risk of accidents in what is currently a quiet residential area. The possibility of increased criminal activity cannot be overlooked.</p> <p>Spaza shops in the area have frequently been associated with increased incidents of crime. The proposed development raises serious concerns about the potential negative impact on the safety and security of my property.</p> <p>"Die aansoek sal verhoging van verkeer en ongewenste elemente in ons buurt teweeg bring."</p>	<p>1. The proposed development is located on Durban Street, which is designated as an Activity Street in the Swartland Municipal Spatial Development Framework ("MSDF"), 2023-2027. Activity Streets are intended for mixed-use and small-scale commercial activities that integrate with surrounding residential areas without undermining neighbourhood character. The application for rezoning to Business Zone 2 for a low-intensity neighbourhood shop with an ancillary flat is directly aligned with the MSDF, the Municipality's key guiding policy document.</p> <p>The proposed neighbourhood shop, in addition to a flat, is not expected to generate significant new traffic. Shops of this scale typically serve the immediate community and attract customers primarily on foot, reducing reliance on motorised trips. This is consistent with sustainable planning principles aimed at reducing vehicle trips within residential areas.</p> <p>In terms of parking, four bays will be provided on-site in front of the shop in accordance with the Swartland Municipality Land Use Planning By-Law (PG 8226). Additional bays will be provided at the rear of the property to serve the residential flat. This ensures compliance with statutory parking standards and mitigates the risk of congestion on surrounding streets.</p>

		<p>Regarding safety concerns, it is important to note that the regulation of crime falls under the mandate of law enforcement authorities, not land use planning. The presence of a lawful, formalised business under municipal oversight often contributes positively to neighbourhood safety by providing passive surveillance ("eyes on the street") and regular activity, which is widely recognised in urban design principles as a deterrent to crime.</p> <p>The proposed development will be a formal, legal land use with compliance obligations regarding health, safety, building control, and trading regulations. This will further distinguish it from unregulated uses that objectors may associate with negative social impacts.</p>
A-E, G-N	<p><u>Existing Shops in the Vicinity</u></p> <p>2. The area has four types of shops that are already established. These shops offer the same services that the proposed business intends to provide.</p>	<p>2. The existence of other shops in the area is not a valid planning ground for refusal, as applications are assessed on policy compliance, land use compatibility, and site suitability — not market competition. The Swartland MSDP (2023-2027) designates Durban Street as an Activity Street, encouraging mixed small-scale commercial and residential uses.</p> <p>The proposed neighbourhood shop will primarily serve the immediate walking catchment, improving local convenience, reducing travel needs, and supporting small-scale entrepreneurship and job creation.</p>

		<p>Planning tribunals and case law confirm that competition is not a planning consideration. The proposal is policy-aligned, sustainable, and compatible, and the objection is, therefore, unfounded.</p>
A-E, G-M	<p><u>Pollution and Strain on Service Infrastructure</u></p> <p>3. The development may lead to increased pollution and strain on local infrastructure (e.g., drainage, water, and sewer systems).</p>	<p>3. The proposed development is low-intensity, comparable to a standard dwelling, and will not unduly burden municipal services. All applications are reviewed by relevant municipal departments, with approval conditions imposed where necessary to safeguard infrastructure capacity.</p> <p>Solid waste will be managed through municipal collection, stormwater in line with municipal guidelines, and no noxious uses are proposed. The development is therefore policy-compliant, low-impact, and will not cause pollution or strain on services.</p>
A-E, G-N	<p><u>Lack of Public Consultation</u></p> <p>4. Many residents were not adequately informed about this proposal, and public engagement has been insufficient. We believe a more inclusive and transparent process is necessary before any decisions are made.</p> <p>"Groter publieke deelname sal waardeer word."</p>	<p>4. The public participation process fully complied with Sections 54-58 of the Swartland Municipality Land Use Planning By-Law (PG 8226). Notices were published in two local newspapers, the Provincial Gazette, and sent directly to some surrounding owners. The number of objections received confirms the process was effective, while all statutory requirements were met.</p>

F	<p><u>Loss of Privacy</u></p> <p>5. The plan to construct flats directly behind my residence will significantly infringe on my privacy, particularly as my main bedroom and entertainment area are located at the rear of my property.</p>	<p>5. The application does not propose multiple flats but the conversion of the existing dwelling into a single flat alongside the proposed shop. The flat will remain single-storey, within building lines, and consistent with the area's low-density character. It will, therefore, have no adverse impact on the privacy or enjoyment of neighbouring properties.</p>
F	<p><u>Noise Pollution</u></p> <p>6. Residential flats and commercial activity, such as spaza shops, inevitably result in increased noise levels, which will disrupt the peaceful and quiet environment currently enjoyed by residents.</p>	<p>6. The proposal is for a neighbourhood shop with one flat, not a large commercial use. Noise levels will be comparable to normal residential activity, with most customers arriving on foot and business hours regulated by municipal by-laws. The flat is a standard dwelling, and any noise issues would remain subject to municipal enforcement. The development will therefore not disrupt the neighbourhood's character.</p>
F	<p><u>Health and Hygiene</u></p> <p>7. The introduction of a supermarket and multi-unit development in a predominantly residential area may give rise to hygiene and sanitation challenges, which could pose health risks to neighbouring households.</p>	<p>7. The objection is based on an incorrect assumption. The proposal is for a small neighbourhood shop and a single flat, both low-intensity uses comparable to ordinary residential activity. Waste, water, and sanitation will be managed through existing municipal services, with compliance to health and safety by-laws ensuring no risk to public health. The development will therefore not create hygiene or sanitation problems.</p>
N	<p>8. "Die aansoekers is buitelanders en weet ek nie of hul wettig in die land is nie."</p>	<p>8. The nationality or immigration status of an applicant is not a valid planning consideration. Applications are assessed solely on land use merits, compliance with by-laws, and policy alignment. Immigration</p>

		matters fall outside the scope of municipal land use decision-making and cannot serve as grounds for objection.
N	9. "As eienaar van Erf 1084 vir die afgelope 35+ jare, maak ek ernstig beswaar dat u ons rustige woonbuurt nou wil verander na n sakegebied. Die aansoekers het reeds getoon dat hul geen respek het vir reëls en regulasies nie deur reeds sonder goedkeuring voort te gaan met onwettige bouwerk op erf 1081. Dit is reeds n aanduiding dat die aansoekers nie omgee vir hul bure nie en dus ook nie by enige goedkeuringsvoorwaardes gaan hou nie."	<p>9. The objection raises concerns regarding the character of the applicants and alleged prior unauthorised work. However, planning decisions are based on objective land use considerations, not on perceptions of an applicant's behaviour.</p> <p>Regarding the alleged unauthorised building work: any non-compliance with previous approvals is addressed through the Municipality's enforcement processes. This is a separate legal matter and does not constitute a valid reason to refuse the current land use application, which will be assessed on its planning merits, including but not limited to:</p> <ul style="list-style-type: none"> • Compliance with Swartland Municipality Land Use Planning By-Law (PG 8226); • Alignment with the MSDF designation of Durban Street as an Activity Street; and • Compatibility with surrounding land uses.
N	10. "Ek het ernstige bekommernisse oor die negatiewe impak wat hierdie aansoek op ons rustige woonbuurt gaan he."	10. All planning considerations, including traffic, parking, privacy, noise, and infrastructure, have been addressed in accordance with municipal by-laws and policy. The development is designed to integrate harmoniously with the neighbourhood, maintaining the residential character and peaceful environment of the street.

3. Conclusion

The objections raised against the proposed rezoning and development have been thoroughly considered and addressed. Each concern has been evaluated in the context of applicable municipal by-laws, the Swartland MSDF (2023-2027), and sound land use planning principles. The proposed development, consisting of a low-intensity neighbourhood shop with a single ancillary flat, is designed to be compatible with the surrounding residential environment and to integrate harmoniously with the street's character.

Importantly, the proposal complies with all statutory and policy requirements. The scale and nature of the development ensure minimal impact on traffic, local services, and the amenity of neighbouring properties. The proposed development represents a lawful, sustainable, and policy-compliant land use that supports neighbourhood convenience, economic diversity, and efficient use of municipal infrastructure, without compromising the residential character or amenity of the area. Approval of the application is, therefore, recommended by this office.

We trust you will find the above in order when considering the application.

Kind regards,



Mandri Crafford

For *CK RUMBOLL & PARTNERS*



29 September 2025

15/3/3-1/Erf_373
15/3/6-1/Erf_373

WYK: 7

ITEM 6.3 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 15 OCTOBER 2025

LAND USE PLANNING REPORT PROPOSED REZONING AND SUBDIVISION OF ERF 373, ABBOTSDALE					
<i>Reference number</i>	15/3/3-1/Erf_373 15/3/6-1/Erf_373	<i>Submission date</i>	12 April 2018	<i>Date finalised</i>	3 October 2025

PART A: APPLICATION DESCRIPTION	
<p>An application for rezoning of a portion of erf 373, Abbotsdale in terms of section 25(2)(a) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) has been received. It is proposed that a portion (47,3893ha) of Erf 373 be rezoned from Agricultural Zone 1 to Subdivision Area in order to make provision for the following land uses: 53 Industrial Zone 1 erven and 1 Transport Zone 2 erf (road).</p> <p>An application for subdivision of erf 373, Abbotsdale in terms of section 25(2)(d) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), has been received. It is proposed that Erf 373 be subdivided into a remainder (136,9214ha) and portion A (±47,3893ha).</p> <p>Application for subdivision of portion A of Erf 373, Abbotsdale in terms of section 25(2)(d) of the Swartland Municipality Municipal Land Use Planning By-law (PG 8226 of 25 March 2020) has been received. It is proposed that portion A be subdivided into 53 light industrial erven (7200m² to 1,12ha in extent) and a road (±5,9682ha).</p> <p>The application for phasing of the subdivision plan into 6 phases, in terms of section 25(2)(k) of the Swartland Municipality: Municipal Land Use Planning By-law (PK 8226 of 25 March 2020), has been received.</p> <p>The applicant is C.K. Rumboll and Partners and the property owner is the Pieter Visser Trust.</p>	

PART B: PROPERTY DETAILS					
Property description (in accordance with Title Deed)	Erf 373 Abbotsdale, situate in the Swartland Municipality, Division Malmesbury, Province of the Western Cape				
Physical address	Alongside DR 1111	Town	Abbotsdale		
Current zoning	Agricultural zone 1	Extent (m ² /ha)	184, 3326ha	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020)				
Current land use	Vacant land			Title Deed number & date	T59579/2011
Any restrictive title conditions applicable	Y	N	If Yes, list condition number(s)		
Any third party conditions applicable?	Y	N	If Yes, specify		

Any unauthorised land use/building work	Y	N	If Yes, explain	
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PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	<input checked="" type="checkbox"/>	Permanent departure		Temporary departure		Subdivision	<input checked="" type="checkbox"/>
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval	
Determination of zoning		Closure of public place		Consent use		Occasional use	
Disestablish a home owner's association		Rectify failure by home owner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use			

PART D: BACKGROUND

Erf 373, Abbotsdale is zoned Agricultural zone 1 and is currently vacant.

A land use application for the rezoning and subdivision of erf 373, Abbotsdale was submitted in April 2018. A public participation process was undertaken and objections were received. The applicant's comments on the objections was received in July 2018. Services capacity issues prevented the application progressing to the decision making stage. See the subdivision plan considered at the time below:



During the above mentioned public participation process the Western Cape Department of Transport objected to the proposed development. A Traffic Impact Assessment was undertaken and after a long process of investigation and considerations it was suggested that the proposed development be provided with 2 access points from the DR1111. This resulted in the amendment of the subdivision plan. See the amended subdivision plan below:



An Environmental Authorization for the development was issued on 27 September 2021 which is valid until 27 September 2026.

Final services reports were received by the municipality in October 2024. Final comments from the Department Civil Engineering Services on the reports were received in January 2025.

It is more than 7 years after the previous public participation process was undertaken. Therefore a new public participation process was undertaken from 14 July to 18 August 2025.

The application is now in a position to present it to the tribunal for decision making.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?	Y	N	If yes, provide a brief summary of the outcomes below.
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PART F: SUMMARY OF APPLICANT'S MOTIVATION

1. The proposed development is fully supported by the Swartland Spatial Development Framework (2017-2022) which guides development in the area.
2. The development is further support by the Western Cape SDF in regards with special patterns of neighbouring towns.
3. The development will not have a negative effect on any Critical Biodiversity or protected areas, because the site is already disturbed.
4. It supports the initiative to use the erf to its full potential and creating additional form of income to the land owners.
5. The development supports and complies with the Land use Planning Act, 2014 (Act 3 of 2014) and the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013).
6. It promotes the sustainable use of a property within the area and supporting infill development within the urban edge.
7. The character of the existing town will remain low residential and the current agricultural productions on the remainder of the farm will continue.
8. The industrial development will be an economical injection to Abbotsdale and create job opportunities to the locals.

PART G: SUMMARY OF PUBLIC PARTICIPATION							
Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?					Y	N	
The application was advertised by sending registered mail to the surrounding/affected parties and the application was advertised in the local newspapers on 14 July 2025. A total of 58 registered notices were issued to affected parties by hand, by post and via email. A total of 18 letters were uncollected.							
A meeting took place on 7 August 2025 between the community of Abbotsdale and Swartland Municipality. The municipality was presented by Councillor Allan Williams, Deputy Mayor Anet de Beer and the Manager Town Planning AJ Burger. The detail of the application was explained and discussions took place regarding the concerns of the community.							
Another meeting took place between the community of Abbotsdale and a representative from the Pieter Visser Trust on 28 August 2025.							
The public participation process closed on 18 August 2025.							
A total of 31 objections were received with 2 petitions with a total number of 271 signatures. The comments/objections were referred to the applicant for comments on 20 August 2025. The comments from the applicant on the objections was received on 8 September 2025.							
Total valid comments		31		Total comments and petitions refused		0	
Valid petition(s)		Y	N	If yes, number of signatures		271	
Community organisation(s) response		Y	N	Ward councillor response	Y	N	The application was forwarded to the councillor, but no comments were forthcoming.
Total letters of support		0					
PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS							
Department	Date					Recomm./N of recomm.	
Department: Civil Engineering Services	10 January 2025	1. <u>Riool</u>				Positive	
		1.1 Interne netwerk					
		Die ontwikkeling moet voorsien word van 'n interne rioolverspreidingsnetwerk met aansluitings vir elke onderverdeelde gedeelte. Die interne rioolverspreidingsnetwerk word deur die Munisipaliteit oorgeneem.					
Die ontwikkelaar moet 'n ingenieur toepaslik geregistreer ingevolge die bepalings van Wet 46 van 2000 aanstel om die rioolnetwerk te ontwerp. Die ontwerp moet aan die Direkteur: Siviele Ingenieursdienste voorgelê word vir goedkeuring waarna die konstruksiewerk onder die toesig van die ingenieur uitgevoer moet word.							
1.2 Aansluiting met die eksterne rioolverspreidingsnetwerk							
Die interne rioolverspreidingsnetwerk moet op 'n gepaste plek aansluit by die bestaande rioolverspreidingsnetwerk in Abbotsdale.							
Die ontwikkelaar moet 'n ingenieur toepaslik geregistreer ingevolge die bepalings van Wet 46 van 2000 aanstel om die aansluiting by die bestaande netwerk te ontwerp. Die ontwerp moet aan die Direkteur: Siviele Ingenieursdienste voorgelê word							

		<p>vir goedkeuring waarna die konstruksiewerk onder die toesig van die ingenieur uitgevoer moet word.</p> <p>1.3 Vaste ontwikkelingsbydraes</p> <p>Vaste ontwikkelingsbydraes is as volg bereken:</p> <p>Rioolverspreiding: R361 685.14 (BTW ingesluit) Rioolsuiwering: R918 039.11 (BTW ingesluit)</p> <p>Geen eksterne riooldienste wat aangebring word kan teen die vaste ontwikkelingsbydraes verreken kan word nie.</p> <p>2. <u>Water</u></p> <p>2.1 Interne netwerk</p> <p>Die ontwikkeling moet van 'n interne waterverspreidingsnetwerk voorsien word met aansluitings vir elke onderverdeelde gedeelte. Die interne waterverspreidingsnetwerk word deur die Munisipaliteit oorgeneem.</p> <p>Hiervoor moet die ontwikkelaar 'n ingenieur toepaslik geregistreer ingevolge die bepalings van Wet 46 van 2000 aanstel om die waternetwerk te ontwerp. Die ontwerp moet aan die Direkteur: Siviele Ingenieursdienste voorgelê word vir goedkeuring waarna die konstruksiewerk onder die toesig van die ingenieur uitgevoer moet word.</p> <p>2.2 Aansluiting met die eksterne waterverspreidingsnetwerk</p> <p>Die interne waterverspreidingsnetwerk moet op 'n gepaste plek aansluit by die bestaande waterpreidingsnetwerk in Abbotsdale.</p> <p>Die ontwikkelaar moet 'n ingenieur toepaslik geregistreer ingevolge die bepalings van Wet 46 van 2000 aanstel om die aansluitings by die bestaande waterverspreidingsnetwerk te ontwerp. Die ontwerp moet aan die Direkteur: Siviele Ingenieursdienste voorgelê word vir goedkeuring waarna die konstruksiewerk onder die toesig van die ingenieur uitgevoer moet word.</p> <p>2.5 Vaste ontwikkelingsbydraes</p> <p>Vaste ontwikkelingsbydraes is as volg bereken:</p> <p>Eskterne watervoorsiening: R775 490.55 (BTW ingesluit) Grootmaat watervoorsiening: R1 380 520.48 (BTW ingesluit)</p> <p>Geen eksterne waterdienste wat aangebring word kan teen die vaste ontwikkelingsbydraes verreken word nie.</p> <p>3. <u>Strate</u></p> <p>Kommentaar vir die aansluiting by HP1111 moet verkry word van die Provinsiale Departement van Infrastruktuur.</p> <p>Die interne strate van die ontwikkeling moet gebou word tot 'n permanente oppervlak standaard.</p> <p>Die ontwikkelaar moet 'n ingenieur toepaslik geregistreer ingevolge die bepalings van Wet 46 van 2000 aanstel om die strate en stormwaterstelsel te ontwerp. Die ontwerp moet aan die Direkteur: Siviele Ingenieursdienste voorgelê word vir</p>	
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		<p>goedkeuring waarna die konstruksiewerk onder die toesig van die ingenieur uitgevoer moet word.</p> <p>Die interne strate en stormwater word deur die munisipaliteit oorgeneem.</p> <p>Vaste ontwikkelingsbydraes is as volg bereken:</p> <p>Strate: R526 112.99</p> <p>Geen eksterne padkonstruksies kan teen die vaste ontwikkelingsbydraes verreken word nie.</p> <p>4. <u>Algemeen</u></p> <p>Hierdie voorwaardes is slegs op fase 1 (aangedui as erwe 1, 7, 8 en 53 in die aansoek) van die voorgestelde ontwikkeling van toepassing. Daar is nie voldoende kapasiteit in die eksterne grootmaat riool- en waterdienste beskikbaar vir die opvolgende fases nie. Verdere kommentaar ten opsigte van siviele dienste vir die oorblywende fases van die voorgestelde ontwikkeling sal gelewer word wanneer grootmaat riool- en waterdienste wel beskikbaar is.</p> <p>Ontwikkelingsbydraes is bereken volgens 80% GLA van die onderskeie erwe se groottes.</p>	
Eskom	19 June 2018	See Annexure "P".	Positive
Department of Water & Sanitation	5 July 2018	See Annexure "O".	Positive
Department of Road Network Management	11 June 2018	See Annexure "K".	Negative
Department of Road Network Management	24 June 2020	See Annexure "L".	Positive
Department of Agriculture, Forestry & Fisheries	16 January 2019	See attachment "J".	Positive

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	COMMENTS FROM THE APPLICANT	MUNICIPAL COMMENTS ON THE OBJECTIONS
<p>A total of 58 objections were received with 2 petitions with a total number of 271 signatures.</p>		
<p>The content of the letters of objections are generic and consist of similar detail. The objections are grouped into the categories below.</p>		
	<p>1. The proposed development does not fit into surrounding area in terms of character and scale of the surrounding residential and rural environment. The development will disrupt the harmony and aesthetics of the area.</p> <p>a) The proposed development is located within the urban edge of Abbotsdale and was first identified for industrial development in the Swartland Spatial Development Framework (SDF) of 2019. The proposed industrial area has been placed on the eastern periphery of the town to ensure minimal disturbance of the existing build up area while providing the much needed opportunity for industrial and economic development in the town. Locating the industrial area on the periphery further creates a transition zone between the residential neighbourhoods and the agricultural land. There is also a physical buffer between the residential area and the proposed industrial area, being the railway line and the provincial road, DR1111. This will further lessen the impact of the development on the existing community.</p> <p>It is common for industrial developments to be located on the periphery of a town, as it ensures accessibility to the uses and reduces disturbance into the residential core of the town. The zoning of the erven is light industrial which focuses on service related uses and is of low nuisances to the community. The development will integrate with the town without disrupting the residential area and will provide economic diversification and job creations, which is much needed for the town. The proposed development will increase job opportunities within walking distance, considering that most residents of Abbotsdale need to make use of transport for work opportunities in Malmesbury and other surrounding towns.</p>	<p>1. The comments from the applicant is supported.</p>

	<p>b) Impact on infrastructure: there is a concern that the existing municipal services like water, sanitation, refuse and road infrastructure will not be able to accommodate the increase need for the proposed development.</p>	<p>2. A GLS report was compiled on 4 May 2022 to determine the bulk capacity of the town to accommodate the proposed development. It was concluded that there are several service upgrades needed to accommodate the proposed development. An updated Service Report was submitted on the 28th of October 2024 and stating that the cost of the bulk water and sewerage services required for the development makes it unfeasible at this stage. The developer will develop the project in phases. Phase 1 will be developed to test the market and also to buy time for other developments to take place to share in the cost of the bulk services. The four erven of Phase 1 will connect to the Abbotsdale service network and will have an insignificant impact on the existing infrastructure. No development will be allowed without sufficient service capacity.</p>	<p>2. The comments from the applicant is supported.</p> <p>The Department Civil Engineering Services confirmed that there is sufficient capacity available for only phase 1 of the proposed development. Currently there is not sufficient capacity available for external bulk sewerage and water services for the other phases. Further comments regarding services will only be provided once capacity is available again.</p>
	<p>c) Traffic and road safety: increase in density due to subdivision can lead to higher traffic volumes than the roads will be able to handle. It increases danger for pedestrians, especially school children and elderly residents.</p>	<p>3. When the Divisional Road was upgrade a pedestrian/cyclist side walk was built from Abbotsdale to Malmesbury. The pedestrians/children/elderly will be safe if they keep to this path. The proposed development will not have an adverse impact on the existing road infrastructure of Abbotsdale or impact highly used pedestrian crossings. A Traffic Impact Assessment was done in February 2020 which showed that the proposed development can be accommodated by the adjacent transport network, provided the recommendations are implemented. The recommended upgrades of the roads will be done per phase as recommended. The Western Cape Department of Road Network Management also supported the proposed recommendations of the TIA in a letter dated 24/06/2020, job 26110.</p>	<p>3. The comments from the applicant is supported.</p>
	<p>4. Environmental and heritages concerns: the area can be of sensitive environmental aspects or heritage worth which will be impacted negatively. An environmental and heritage study needs to be required.</p>	<p>4. An Environmental Basic Assessment process was followed by an independent environmental consultant. The impact of the development on the environmental factors and heritage factors of the area was assessed and Environmental Authorisation was granted on the 27th of</p>	<p>4. The comments from the applicant is supported.</p> <p>The Environmental Authorization is valid until 27 September 2026. It is anticipated that the owner/developer will apply to the Provincial Department</p>

		September 2021 to support the proposed development. This confirms that the proposed development will not have a significant impact on the surrounding natural and heritage environment.	of Environmental Affairs and Development Planning for an extension of the validity period of the authorization.
	5. Community consultation and transparency: the community feels there was not sufficient consultation and notice given to the community. A more inclusionary and transparent process is needed to ensure the rights and concerns of the community is taken into account.	5. The public participation process was done in accordance with the Swartland Municipal Land Use Planning By-Law, 2020. The application was published in the local newspaper in accordance with Section 55 of said By-law and individual notices were given to the adjoining land owners in accordance with Section 56 of said By-Law. The Municipality has the sole mandate to require additional forms of public notice as per Section 58 of the said By-law.	5. A new public participation process was undertaken as it was 7 years since the previous public participation process took place. The applicant was advertised in the local news papers and notices were issued to affected parties of Abbotsdale. Two meetings with the community of Abbotsdale took place on 7 & 28 August 2025. Sufficient consultation took place and the community was appropriately informed. The process could not be more inclusionary and transparent.
	6. The municipality should reject the application and a more thorough impact study (including traffic environmental and service impacts) should be done. A community meeting should be held for a better dialog.	6. The development was assessed in detail and the necessary Environmental Assessment, Traffic Impact Assessment and Service Report were completed and submitted as part of the application. The community requested that the land owner join a community meeting without the involvement of the Municipality, see invitation email attached as Annexure A. The meeting was attended by a representative of Pieter Visser Trust, land owner, without the knowledge of our office or the Municipality. The representative of the Trust tried to answer the questions to the best of his abilities, but most of the concerns were the same as per the received objections in the formal process which is responded to above.	6. The specialist studies that are referred to have been undertaken and it was found to be positive towards the development. The municipality is in possession of sufficient information to take an informed decision on the application. Meetings with the community did take place as mentioned at point 6 above.

PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

An application for rezoning of a portion of erf 373, Abbotsdale in terms of section 25(2)(a) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) has been received. It is proposed that a portion (47,3893ha) of Erf 373 be rezoned from Agricultural Zone 1 to Subdivision Area in order to make provision for the following land uses: 53 Industrial Zone 1 Erven and 1 Transport Zone 2 Erf (road).

An application for subdivision of erf 373, Abbotsdale in terms of section 25(2)(d) of Swartland Municipality : Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), has been received. It is proposed that Erf 373 be subdivided into a remainder (136,9214ha) and portion A (±47,3893ha).

Application for subdivision of portion A of Erf 373, Abbotsdale in terms of section 25(2)(d) of the Swartland Municipality Municipal Land Use Planning By-law (PG 8226 of 25 March 2020) has been received. It is proposed that portion A be subdivided into 53 light industrial erven (7200m² to 1,12ha in extent) and a road (±5,9682ha).

The application for phasing of the subdivision plan into 6 phases, in terms of section 25(2)(k) of the Swartland Municipality: Municipal Land Use Planning By-law (PK 8226 of 25 March 2020), has been received.

The application was advertised by sending registered mail to the surrounding/affected parties and the application was advertised in the local newspapers on 14 July 2025. A total of 58 registered notices were issued to affected parties by hand, by post and via email. A total of 18 letters were uncollected.

A total of 31 objections were received with 2 petitions with a total number of 271 signatures. The comments/objections were referred to the applicant for comments on 20 August 2025. The comments from the applicant on the objections was received on 8 September 2025.

The applicant is C.K. Rumboll and Partners and the property owner is the Pieter Visser Trust.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

- a) Spatial Justice: The proposed development is in compliance with spatial planning of Abbotsdale. The proposed industrial development will make provision for employment opportunities for the people of Abbotsdale.
- b) Spatial Sustainability: The proposed development will create a more spatially compact and resource-efficient town as currently there are no light industrial opportunities in Abbotsdale. This change in land use promotes the short, medium and long term financial sustainability of Abbotsdale as job opportunities will be created for the people of Abbotsdale and surrounding area. Sufficient services capacity exists to accommodate only phase 1 of the development at this stage. As bulk infrastructure is upgraded regarding water and sewerage services, the following phases can be developed. The proposed development is situated inside the urban edge of Abbotsdale and has been exempted from the requirements of Act 70 of 1970. Furthermore, the portion of land has previously been mined and has low agricultural potential.
- c) Efficiency: Existing services are deemed sufficient in order to provide phase 1 of the development with services connections. The proposed development thus promotes the optimal use of existing services within this area. It must be noted that future phases of the development can only take place once sufficient bulk capacity as been secured.
- d) Spatial Resilience: Abbotsdale is a town which has a dominant residential character with very few businesses and job opportunities. The proposed light industrial development will not only contribute to the a desired mix of land uses in the town but also provide job opportunities. This will strengthen the socio-economic opportunities in the town.
- e) Good Administration: The application was communicated to the affected landowners through registered mail and was advertised in the local newspapers. The application was also circulated to the relevant municipal departments and external departments including Eskom for comments. Consideration was given to all correspondence received and the application was dealt with in a timeous manner. It is therefore argued that the principles of good administration were complied with by the Municipality.

It is subsequently clear that the development proposal is consistent with spatial planning principles referred to in LUPA and SPLUMA.

2.3 Swartland Spatial Development Framework (SDF, 2025)

The Abbotsdale spatial plan indicates that the relevant portion of erf 373 is situated in zone G. Zone G provides opportunities for service industries, transport uses and industrial development along the Old Cape Road between Malmesbury and Abbotsdale. The proposed light industrial development is thus in compliance with the spatial planning of Abbotsdale.

2.4 Schedule 2 of the By-Law: Zoning Scheme Provisions

Not applicable at this stage.

3. **Desirability of the proposed utilisation**

Erf 373, Abbotsdale is currently vacant and has been mined (sand mining) and planted with seasonal crops in the past.

Erf 373 has no physical restrictions which may impact negatively on the application.

Erf 373 is separated from the residential part of Abbotsdale by Divisional Road DR1111 and the railway line between Malmesbury and Kalbaskraal. The closest houses to the proposed light industrial erven are $\pm 70\text{m}$ and $\pm 190\text{m}$ at the furthest. The pictures below are taken in the direction from Malmesbury towards Kalbaskraal along the DR1111. It clearly shows the buffer between the existing residential area of Abbotsdale and the proposed light industrial erven.



The proposed development will impact on the character of Abbotsdale as the town currently has no light industrial or industrial erven. The proposed development being situated to the east of Abbotsdale is deemed to have a low impact on the character of the town. The zoning of the erven is light industrial which focuses on service related uses

and is of low nuisances to the community. The development will integrate with the town without disrupting the residential area and will provide economic diversification and job creations, which is much needed for the town.

An Environmental Authorization has been issued for the development.

Sufficient consultation with the community of Abbotsdale was undertaken to ensure that the concerns of the community has been considered.

Specialist studies (environmental, traffic and services) have been undertaken and it was found to be positive towards the development.

There are no restrictions in the title deed of erf which impacts on the application.

The proposed development is in compliance with the spatial planning of Abbotsdale.

Sufficient services capacity exists to accommodate phase 1 of the development.

4. Impact on municipal engineering services

The Department Civil Engineering Services confirmed that there is sufficient capacity available for only phase 1 of the proposed development. Currently there is not sufficient capacity available for external bulk sewerage and water services for the other phases. Further comments regarding services will only be provided once capacity is available again.

5. Comments of organs of state

See Annexures J, K, L, O and P.

6. Response by applicant

See Annexure H.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

N/A

N/A

N/A

N/A

PART L: RECOMMENDATION WITH CONDITIONS

- A.** The application for the rezoning of erf 373, Abbotsdale, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).
- B.** The application for the subdivision of Erf 373, Abbotsdale, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).
- C.** The application for the subdivision of portion A of Erf 373, Abbotsdale, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).
- D.** The application for the phasing of the subdivision plan, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

Points A to D are subject to the following conditions:

1. TOWN PLANNING AND BUILDING CONTROL

- a) A portion (47, 3893ha) of Erf 373 be rezoned from Agricultural Zone 1 to Subdivision Area in order to make provision for the following land uses: 53 Industrial Zone 1 erven and 1 Transport Zone 2 erf (road), as presented in the application;
- b) Erf 373 be subdivided into a remainder (136,9214ha) and portion A ($\pm 47,3893$ ha), as presented in the application (Subdivision plan 1, reference ABB/9749/ZN_1, dated March 2018);
- c) Portion A be subdivided into 53 light industrial erven (7200m² to 1,12ha in extent) and a road ($\pm 5,9682$ ha), as presented in the application (Amended site development plan – Portion A of Erf 373, Abbotsdale, reference ABB/9749/ZN_2, dated February 2020);
- d) The subdivision plan be divided into 6 phases, as presented in the application (Amended phasing plan – Portion A of Erf 373, Abbotsdale, reference ABB/9749/ZN, dated February 2020);
- e) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of the By-Law will not be issued unless all the relevant conditions have been complied with;

2. WATER

2.1 Internal network

- a) The development be provided with an internal water distribution network with connections for each subdivided portion. The internal water distribution network be taken over by the Municipality;
- b) The owner/developer appoints an engineer appropriately registered in terms of the provisions of Act 46 of 2000 to design the water network. The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the engineer;

2.2 Connection to the external water distribution network

- a) The internal water distribution network connects to the existing water distribution network in Abbotsdale at a suitable location.
- b) The owner/developer appoints an engineer appropriately registered in terms of the provisions of Act 46 of 2000 to design the connections to the existing water distribution network. The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the engineer.

2.3 Fixed development charges

- a) Fixed development charge have been calculated as follows:

External water supply: R825 897,43 (VAT included)

Bulk water supply: R1 470 254,31 (VAT included)

- b) No external water services will be installed that can be charged against the fixed development charges..

3. SEWERAGE

3.1 Internal network

- a) The development be provided with an internal sewerage distribution network with connections for each subdivided portion. The internal sewerage distribution network be taken over by the Municipality;
- b) The owner/developer appoints an engineer suitably registered in terms of the provisions of Act 46 of 2000 to design the sewerage network. The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the engineer;

3.2 Connection to the external sewerage distribution network

- a) The internal sewerage distribution network connects to the existing sewerage distribution network in Abbotsdale at a suitable location;
- b) The owner/developer appoints an engineer suitably registered in terms of the provisions of Act 46 of 2000 to design the connection to the existing network. The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the engineer.

3.3 Fixed development charges

- a) Fixed development charges have been calculated as follows:

Sewerage Distribution: R385 194,68 (VAT included)

Sewerage Treatment: R977 711,65 (VAT included)

- b) No external sewerage services will be installed that can be charged against the fixed development charges.

4. STREETS

- a) The geometric improvements of the intersections as stipulated in the TIA be approved by the Provincial Department of Mobility and implemented by the owner/developer;
- b) The owner/developer appoints an engineer appropriately registered in terms of the provisions of Act 46 of 2000 to design the streets and stormwater system. The design be submitted to the Director: Civil Engineering Services for approval after which the construction work be carried out under the supervision of the engineer;
- c) The internal streets of the development be constructed to a permanent surface standard;
- d) The internal streets and stormwater are taken over by the municipality;
- e) Fixed development charges have been calculated as follows:

Streets: R557 679,77

- f) No external road constructions exists to be charged against the fixed development charges.

5. LANDSCAPING

- (a) A landscaping plan for the area along DR 1111 be submitted to the Director Infrastructure and Civil Engineering Services for approval after which the landscaping plan be installed as phases are completed;

6. ENGINEERING SERVICES CONTRACT

- (a) The detailed engineering services is subject to the drafting and signing of an engineering services contract in terms of the Swartland Development Charge Policy between the owner/developer and Swartland Municipality for all internal and external services, including the landscaping, before contractors be permitted access to the site.

C. GENERAL

- a) The conditions at points 2, 3 and 4 apply only to phase 1 (designated as erven 1, 7, 8 and 53 in the application) of the proposed development. There is insufficient capacity in the external bulk sewerage and water services available for the subsequent phases. Further comments regarding civil services for the remaining phases of the proposed development will be provided when bulk sewerage and water services are available;
- b) Development charges have been calculated according to 80% GLA of the respective erven sizes;
- c) The approval does not exempt the applicant from adherence to all 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 valid for a period of 5 years, in terms of section 76(2) of the By-Law from date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision against the appeal;
- e) All conditions of approval be implemented before the new land uses come into operation and failing to do so the approval will lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent, and the approval period will no longer be applicable;
- f) The applicant/objectors be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of the decision. An appeal is to comply with section 90 of the By-Law and be accompanied by a fee of R5000,00 to be valid. Appeals that are received late and/or do not comply with the requirements, will be considered invalid and will not be processed.

PART M: REASONS FOR RECOMMENDATION

1. The proposed development complies with the principles of LUPA and SPLUMA.
2. The proposed development complies with the spatial planning of Abbotsdale.
3. Erf 373 has no physical restrictions which may impact negatively on the proposed development.
4. The proposed development will have a low impact on the character of Abbotsdale.

5. Sufficient services capacity exist for phase 1 of the proposed development.
6. An Environmental Authorization has been issued for the proposed development by the Department of Transport and Public Works.
7. The concerns raised by the community of Abbotsdale has been adequately addressed.
8. The proposed development will lead to job creation.

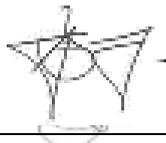
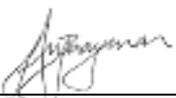
PART N: ANNEXURES

Annexure A	Locality Plan
Annexure B	Subdivision plan (remainder and portion A)
Annexure C	Subdivision plan (portion A in 53 portions and a road)
Annexure D	Phasing plan
Annexure E	Plans indicating the public participation process
Annexure F	Objection from ED Syster with a petition of 8 pages
Annexure G	Objection from A Liedeman with a petition of 1 page
Annexure H	Comments from the applicant on the objections
Annexure I	Environmental Authorization
Annexure J	Comments from Department of Agriculture, Forestry & Fisheries
Annexure K	Comments from the Department Road Network Management dated 11 June 2018
Annexure L	Comments from the Department Road Network Management dated 24 June 2020
Annexure M	Services Report dated 21 August 2022
Annexure N	Services Report dated 25 October 2024
Annexure O	Comments from the Department of Water & Sanitation
Annexure P	Comments from Eskom
Annexure Q	Traffic Impact Assessment

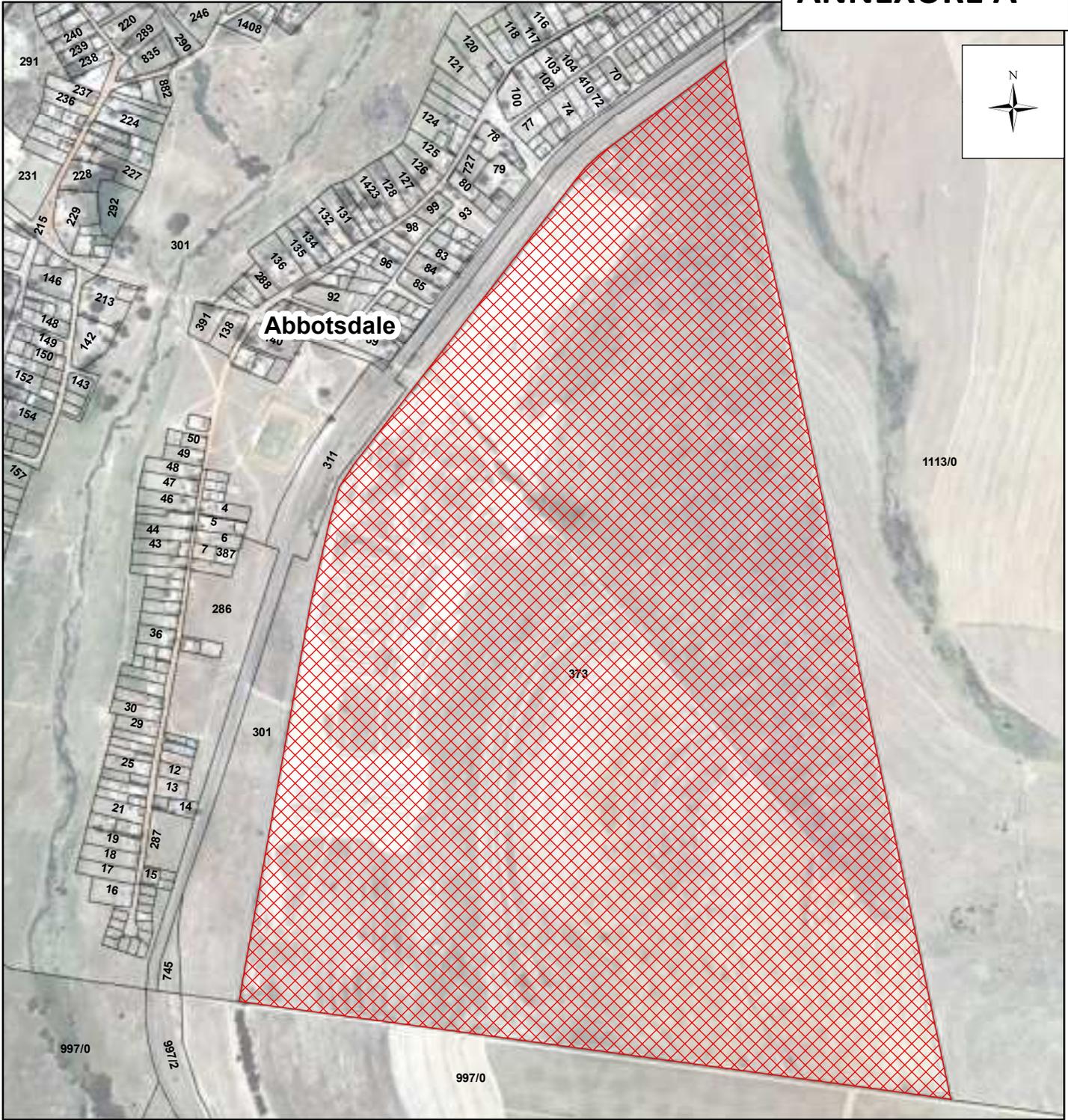
PART O: APPLICANT DETAILS

First name(s)	C.K. Rumboll and Partners			
Registered owner(s)	Pieter Visser Trust	Is the applicant authorised to submit this application:	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N

PART P: SIGNATURES

Author details: AJ Burger Manager Town Planning SACPLAN: B/8429/2020			Date: 3 October 2025	
Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN: B/8001/2001	Recommended	<input checked="" type="checkbox"/>	Not recommended	<input type="checkbox"/>
			Date: 6 October 2025	

ANNEXURE A

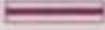
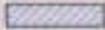


Locality plan
Erf 373, Abbotsdale
Scale: N/A



ANNEXURE B

KEY:

Relevant erf	
Proposed Subdivision	
Existing Electrical Servitude	

ABBOTSDALE

RE/301



Portion A
±47.4112ha

Remainder
±136.9214ha

373

RE/1113

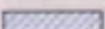


Scale:
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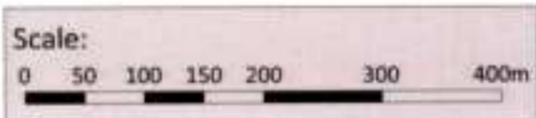
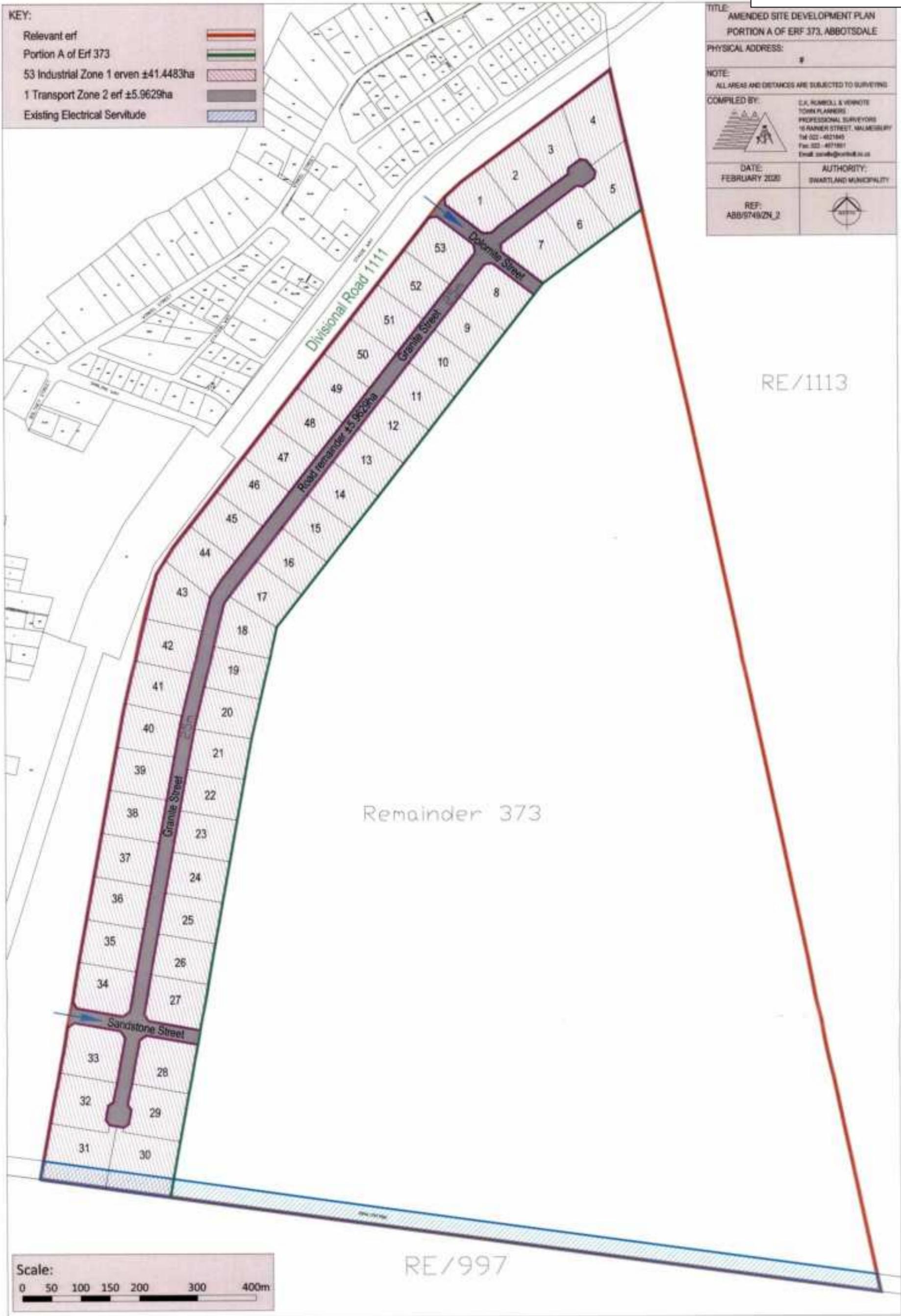
RE/997

TITLE: SUBDIVISION PLAN 1 ERF 373, ABBOTSDALE	
PHYSICAL ADDRESS: #	
NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING	
COMPLETED BY: 	C.E. HAMBOLL & VENNOE TOWN PLANNERS PROFESSIONAL SURVEYORS 16 RAINIER STREET, MALDENHURST Tel: 022 - 487845 Fax: 022 - 487847 Email: cevenno@cehamboll.co.nz
DATE: MARCH 2018	AUTHORITY: DUNEDIN MUNICIPALITY
REF: ABB373/ZN_1	

KEY:

Relevant erf	
Portion A of Erf 373	
53 Industrial Zone 1 erven ±41.4483ha	
1 Transport Zone 2 erf ±5.9629ha	
Existing Electrical Servitude	

TITLE: AMENDED SITE DEVELOPMENT PLAN PORTION A OF ERF 373, ABBOTSDALE	
PHYSICAL ADDRESS: #	
NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING	
COMPILED BY:  G.J. RUMBOLD & VERWOORT TOWN PLANNERS PROFESSIONAL SURVEYORS 16 PAMER STREET, WILMERSBURY Tel: 021-4021845 Fax: 021-4021801 Email: gvrumb@verwoort.co.za	DATE: FEBRUARY 2020
AUTHORITY: SWARTLAND MUNICIPALITY	
REF: ABB/ST48/ZN_2	



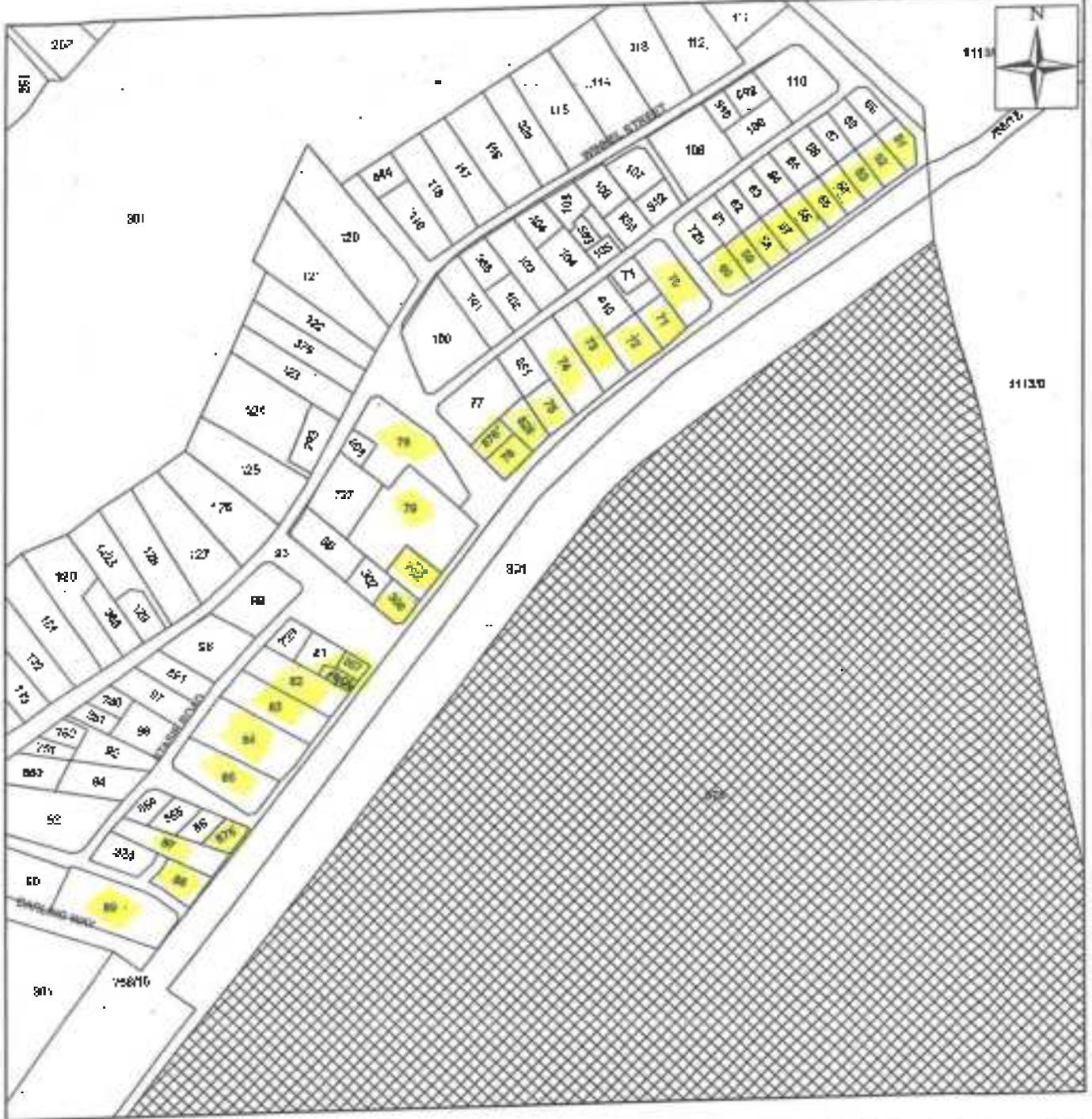
ANNEXURE D

KEY:

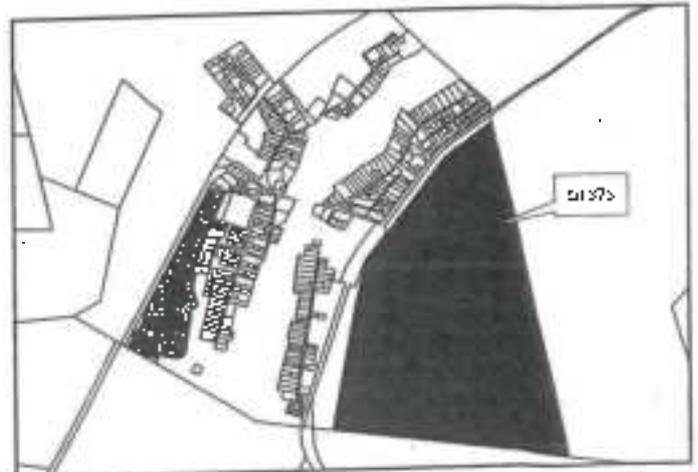
Relevant erf	
Portion A of Erf 373	
53 Industrial Zone 1 erven ±41.4483ha	
1 Transport Zone 2 erf ±5.9629ha	
Existing Electrical Servitude	
Phasing boundaries	

TITLE: AMENDED PHASING PLAN	
PORTION A OF ERF 373, ABBOTSDALE	
PHYSICAL ADDRESS: #	
NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING	
COMPILED BY: 	C.K. RUMBOLD & VENOTE TOWN PLANNERS PROFESSIONAL SURVEYORS 16 PARKER STREET, WILMERSBURY Tel: 022-4621945 Fax: 022-4671981 Email: c.rumbold@venote.co.nz
DATE: FEBRUARY 2020	AUTHORITY: SWARTLAND MUNICIPALITY
REF: ABB/9749/2N	





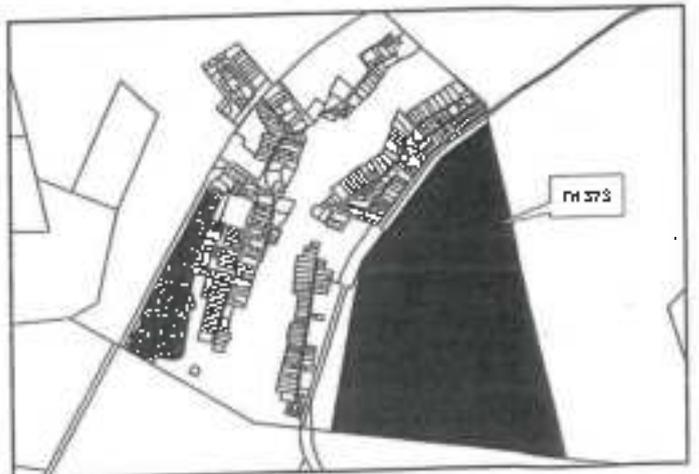
Voorgestelde heroëning en onderverdeling
Erf 373, Abbotsdale
Publieke deelname
Skaal: NVT



Liggingsplan



Vroegsteekse herosnering en anderverdeling
 Erf 373, Abbotsdale
 Publieke deelnsing
 Skaal: NVT



MUNISIPALITEIT SWARTLAND			13392252
15	3	3-1	Erf-373
SSSB			
cc	bel		
Erf 1533-1 Erf-373			

ANNEXURE F

Swartland Munisipaliteit
 swartlandmun@swartland.org.za

15 Augustus 2025

Formele beswaar teen voorgestelde hersonering, onderverdeling en afwyking van ontwikkelingsparameters van Erf 373, Abbotsdale

Geagte Munisipale Bestuurder,

Ons, die ondergetekende inwoners en betrokke belanghebbendes van Abbotsdale, dien hiermee ons formele beswaar in teen die voorgestelde hersonering, onderverdeling en afwyking van ontwikkelingsparameters met betrekking tot Erf 373, Abbotsdale, soos geadverteer.

Ons beswaar is gebaseer op die volgende gronde:

- Onversoenbaarheid met omliggende grondgebruik
- Die voorgestelde ontwikkeling is nie in ooreenstemming met die karakter en skaal van die omliggende residensiële en landelike omgewing nie. So 'n verandering sal die bestaande harmonie en estetika van die gebied ontwig.

Impak op Infrastruktuur en Dienste

Daar is kommer dat bestaande munisipale dienste soos water, sanitasie, afvalbestuur en padinfrastruktuur nie in staat sal wees om die verhoogde vraag wat deur die voorgestelde ontwikkeling gegeneer word, te akkommodeer nie.

Verkeer en Padveiligheid

Verhoogde digtheid as gevolg van onderverdeling kan lei tot hoër verkeersvolumes op paaie wat nie ontwerp is om dit te hanteer nie. Dit wek veiligheidskwessies vir voetgangers, veral skoolkinders en bejaarde inwoners.

Omgewings- en Erfenisoorwegings

Die gebied mag die tuiste wees van sensitiewe omgewingskenmerke of erfeniswaarde wat negatief beïnvloed kan word deur die voorgestelde ontwikkeling. 'n Omvattende omgewings- en erfenisimpakstudie behoort vereis te word.

Gemeenskapsraadpleging en deursigtigheid

Baie inwoners voel dat daar nie voldoende konsultasie of kennisgewing rakende hierdie aansoek was nie. 'n Meer inklusiewe en deursigtige proses is noodsaaklik om te verseker dat die regte en bekommernisse van die gemeenskap ten volle in ag geneem word.



Hiermee erken ek ontvangs van skrywe
[Handwritten signature]

In die lig van bogenoemde versoek ons met respek dat die Swartland Munisipaliteit:

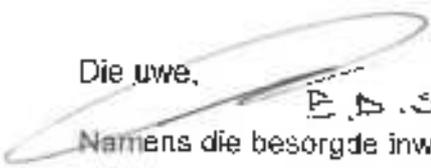
Verwerp die aansoek om herosnering, onderverdeling en afwyking soos dit tans slaan;

Doen 'n meer deeglike impakstudie (insluitend verkeer-, omgewings- en diensteverwante impakte); en

Fasiliteer 'n gemeenskapsvergadering om breër openbare deelname en dialoog oor die saak moontlik te maak.

Aangeheg aan hierdie brief is die handtekeninge van gemeenskapslede wat hierdie beswaar ondersteun. Ons vertrou dat ons bekommernisse ernstig opgeneem sal word en dat die besluitnemingsproses die kollektiewe belange van die Abbotsdale-gemeenskap sal weerspieël.

Die uwe,



E.D. SYSTER

Namens die besorgde inwoners van Abbotsdale

Aanhegsels:

Getekende Beswaarskrif

	Name & Surname	ADRES	Telefoon	Handtekening
1	Christophe Koffman	Juarez str 3 Amstelveen	0660054378	<i>Christophe</i>
2	Sybil Schalkhout	Langestraat 51 Abbotsdale	0767687655	<i>Sybil</i>
3	P. ALEXANDER	ASTER 313	/	<i>P.A.</i>
4	Yullie Willems	31 Reijndersstr. Abbotsdale	/	<i>Yullie</i>
5	G. A. A. M. S.	14 Paradijsbloemen	/	<i>G.A.A.M.S.</i>
6	Wendou Koudou	Viooltje 815	/	<i>Wendou</i>
7	Carole M. Buis	51 Viooltje str. Abbotsdale	/	<i>Carole</i>
8	Leontine P. M. M.	56 Viooltje str. Abbotsdale	/	<i>Leontine</i>
9	Sonia - Sonja Malouw	56 Viooltjestraat Abbotsdale	/	<i>Sonia</i>
10	CERNIAS Knaase	80 Viooltje str. Abbotsdale	0605743335	<i>C. Knaase</i>
11	Albertus Wannes	74 Viooltje str. Abbotsdale	/	<i>Albertus</i>
12	Fransiena Hendrick	80 Viooltje str. Abbotsdale	0732998608	<i>Fransiena</i>
13	Leona Hendrick	" " "	" "	<i>Leona</i>
14	Marijon Fielorje	" " "	" "	<i>Marijon</i>
15	Allan Suster	" " "	" "	<i>Allan</i>
16	Joppe Akman	88 Langestraat Abbotsdale	0623930261	<i>Joppe</i>
17	Elly F. Havelde	90 Langestraat " "	0625059687	<i>Elly</i>
18	JENEEA KENNEDY	" " "	0625059687	<i>Jeneea</i>
19	Mariaia Jacobs	87 Eikeboomlaan	" "	<i>Mariaia</i>
20	Dorlan Mahoney	319 Spoorwegstraat	093455760	<i>Dorlan</i>
21	Isis Schierhout	Leeuwerikstr. 19	/	<i>Isis</i>
22	Sevy's Abbas	45 Langstr. A93	072464128	<i>Sevy's</i>
23	Alida Annelis	15 Langstraat	0729491231	<i>Alida</i>
24	Adwin Bolney	84 Langstraat Abbotsdale	0846077555	<i>Adwin</i>
25	Anthei September	69 Langstraat Abbotsdale	0718316397	<i>Anthei</i>
26	Choni Bolney	84 Langstraat Abbotsdale	0848640250	<i>Choni</i>
27	Ashwin Pateron	51 Viooltjestraat Abbotsdale	/	<i>Ashwin</i>
28	Carl Soderman	88 Langstraat Abbotsdale	0629529937	<i>Carl</i>
29	Chaten Jantier	56 Wilgboom Abbotsdale	0747307301	<i>Chaten</i>
30	Amy Jantier	58 Wilgboom Abbotsdale	084473989	<i>Amy</i>
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	Name & Surname	Address	Telephone	Signature
1	ANNEKE WEDEMAN	197 Boltney Street, Abbotsdale	0616347399	[Signature]
2	JEROME WEDEMAN	106 WINKELSTR	0639686003	[Signature]
3	D. Petersen	797 Boltney Street, ABBOTSDALE	062.1380866	[Signature]
4	R. CLARKE	204 Boltney Street, ABBOTSDALE	0740197802	[Signature]
5	G. Willems	798 Boltney Street " " "	0797567690	[Signature]
6	Warren Snell	796 Boltney Street " " "	0739029013	W. Snell
7	ANNEKE WEDEMAN			
8	ANNEKE CLAASSEN	796 Boltney Street	0739029013	A. Claassen
9	Johannes ESAU	796 Boltney Street	0607085151	J. Esau
10	Koos ESAU	796 Boltney Street	0607085151	K. A.
11	Estelle Abrahams	199 Boltney Street, Abbotsdale	0631387118	E. Abrahams
12	Mervyn Abrahams	" " "	0655461115	M. A.
13	DESIRE WEDEMAN	199 BOLTNEY STREET ABBOTSDALE	0639850381	D. Wedeman
14	Hunter Macmillan	199 Boltney Street, Abbotsdale	0687625655	H. Macmillan
15	Leana Felding	751 Winkel Street, Abbotsdale	0605552821	[Signature]
16	Jamryn Felding	173 Boltney Street, Abbotsdale	0609117163	[Signature]
17	Caro Felding	202 Boltney Street, Abbotsdale	0780242728	[Signature]
18	Delicia Felding	202 Boltney Street, Abbotsdale	0780665005	[Signature]
19	Brenda Felding	173 Boltney Street, Abbotsdale	0762188753	[Signature]
20	DEBORAH FELDING	202 Boltney Street, ABBOTSDALE	0714858053	[Signature]
21	Kate Felding	202 Boltney Street, ABB	0644773978	[Signature]
22	Kate Felding	202 Boltney Street, ABBOTSDALE	0137268060	[Signature]
23	DUEWANE PETERSEN	143 Boltney Street, ABBOTSDALE	0734801498	[Signature]
24	"	1505 BOLTNEY SE ABBOTSDALE	"	[Signature]
25	DANIEL BOSTER	194 Boltney Street, ABBOTSDALE	0651773476	[Signature]
26	Caro Felding	202 Boltney Street, Abbotsdale	0674050113	[Signature]
27	M. NYBURGH	15 ZINNIA AVENUE	0787075110	[Signature]
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	Name & Surname	Address	Telephone	Signature
1	Sandra-Jasfius	33 Jasmyn straat	068 768 2907	J. Jasfius
2	Nicole-ne-Baron	23 Jasmyn straat	063 464 3262	N. Baron
3	Willeen-Baron	33 Jasmyn straat	0621591625	W. Baron
4	Flela-Josephus	33 Jasmyn straat		F. Josephus
5	Elizabeth-Theron	36 Jasmyn straat	077 864 2521	E. Theron
6	Elzane-Swartz	36 Jasmyn straat	083 667 8925	E. Swartz
7	Lizcan-Theron	36 Jasmyn straat	073 126 3619	L. Theron
8	Kerstin Kersoon	143 Winkel straat	074 014 0346	K. Kersoon
9	Nosiphwe wobwa	34 Jasmyn street	083 275 5104	N. Wobwa
10	Lungwe wobwa	34 Jasmyn straat	063 103 9421	L. Wobwa
11	Mihali NObhola	34 Jasmyn straat	053 795 6191	M. NObhola
12	Rachel Erasmus	41 Jasmyn straat	086 573 8418	R. Erasmus
13	Brendly Dally	47 Jasmyn street	076 506 6443	B. Dally
14	Ndeen Martinus	47 Jasmyn straat	076 506 6443	N. Martinus
15	Soulben Dally	47 Jasmyn straat	076 806 6463	S. Dally
16	Oette-Dally	47 Jasmyn straat	076 806 6443	O. Dally
17	Collin Booysse	47 Jasmyn straat	076 806 6443	C. Booysse
18	Martina	40 Jasmynstraat	073 464 3262	M. Booysse
19	parkenwilliams	40 Jasmynstraat	078 115 5692	P. Williams
20	San Takawilliams	40 Jasmynstraat	078 115 5692	S. Williams
21	Ludiano Hendricks	13 Aandblom	076 312 7941	L. Hendricks
22	Lobbeprkolabser	9 Aandblomstraat	063 979 6985	L. Kolabser
23	Evangelio Samson	9 Aandblomstraat	" " "	E. Samson
24	Maat Louwer	9 AANDBLOM STRAAT	0810516979	M. Louwer
25	DAVID COLTE	84 ELKEBOOM - STRAAT	0761610083	D. Colte
26	MARKO CAIKA	001 AANDBLOM STRAAT	067 404 9200	M. Caira
27	Spring Samson	Aandblom 8	076 313 5974	S. Samson
28	Mikanda groans	Aandblom 15	0828468122	M. Groans
29	Althea Jagers	Konkeld 39	068 296 7532	A. Jagers
30	GINA GROVER	Aandblom 15	067829651	G. Grover
31	Nieder September	Aandblom str. 25	0747374430	N. September
32	Roxdall Pinkman	LELIC STREET NO 2	0725973235	R. Pinkman
33	P.J. Baring	16 Dahlia str. Abbeholok	0788869246	P. Baring
34	E. CORNELIUS	912 WINKEL STR. AR.	076 816 2027	E. Cornelius
35	I. MENTOR	139 " "	076 853 9261	I. Mentor
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	Name & Surname	Adres	Telephone	Signature
1	Angus Mitchell	51 Renonkel str	069 399 0820	[Signature]
2	John Mitchell	31 Renonkel STR		[Signature]
3	AD. Hendrick	48 AANRBLU. STR	071 479 1915	[Signature]
4	H. VAN ROOYEN	45 Aandblom str 45	0786603950	[Signature]
5	ROOYEN SLOAN	45 Aandblom str 45	06665176	[Signature]
6	SIMONEN HENDRICKS	45 AANRBLU. STR	0849165661	[Signature]
7	M. Koopman	67 Renonkel str	0675478293	[Signature]
8	Clare Tiaan	38 Jacana street.		[Signature]
9	Sally-marie Saker	38.		[Signature]
10	Nedine Klaassen	Aandblom straal 16	013 502 0820	[Signature]
11	Deleen Adams	67 Renonkel str		[Signature]
12	Derrick Hobus	67 Renonkel str		[Signature]
13	GINA GROVER	15 Aandblom str.		G.G.
14	Ricarda Grover	5 Aandblom str.		R.G.
15	Kiraugh Grover	5 Aandblom str.		K.G.
16	JAN MOUTON	16A KERK STR	0617336677	[Signature]
17	S. Jacobs	19 Aandblom str	0629507135	[Signature]
18	A. PERLS	16 ASTER STR	0678797083	[Signature]
19	Janel Van Ryn	14 ASTER STR.	0691532086	[Signature]
20	Jacomin Grover	12 Aster str		[Signature]
21	Paulus Kerk	12 Aster str		[Signature]
22	Zevahn Drey	12 Aster str		[Signature]
23	Darrin Hendrick	12 Aster str		[Signature]
24	Annicque Meyer	9 Aster str		[Signature]
25	Lynell Schipper	9 Aster str		[Signature]
26	SARIE WARISS	5 Aster str	0762571556	[Signature]
27	Diago Jantjes	12 Jasmya str	0672298201	[Signature]
28	ANDEA LIEDEMAN	1 KOOSMAREIN STR.	0606708711	[Signature]
29	JOSEP LIEDEMAN	1 KOOSMAREIN STR	0606708711	[Signature]
30	MIONA SWARTS	17 FRESIA STR		[Signature]
31	Mona Swarts	2 Violtjie str		[Signature]
32	DAVID PETER	4 LEEUBECKIE STR	0767726790	[Signature]
33	Lagrecta Kees	4 Leeubeckie str	0767720282	[Signature]
34	Loni Hendrick	4 Leeubeckie street	068 456 4170	[Signature]
35	Marchand Kees	4 Leeubeckie	068 456 4170	[Signature]
36	Hendrick Kottkamp	36 Bloekantbos straat		[Signature]
37	WILHELM FRANKLIN	36 Bloekantbos straat		[Signature]
38	Hendrick Kottkamp	36 Bloekantbos straat		[Signature]
39	Kerwin Mouton	3 Bloekantbos str	0763095457	[Signature]
40	Myron Grosmus	106 Langstraat	0678842021	[Signature]

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	Name & Surname	address	Telephone	Signature
1	Brilliance Appalus	34 Kerkstraat	0602219282	[Signature]
2	Luett Wilka	35 Kerkstraat	08440048286	[Signature]
3	Cedric Cloete	143 Winkler Str	0820745016	[Signature]
4	Philippa de Vries	35 Kerkstraat	0843447280	[Signature]
5	Made. E. Jacobs	67 Lang Str	0731210423	[Signature]
6	Claudine West	86 Eikeboomstr	0735866685	[Signature]
7	Empico Isaac	6 Loozeput	-	[Signature]
8	Mata Appalus	15 Langstraat	0729491231	[Signature]
9	Mina Fredericks	23 Kerkstraat (flatse)	-	[Signature]
10	Berhard Piets	80 Langstraat	0784980036	[Signature]
11	Adriana Groeneweg	80 Langstraat	0653050875	[Signature]
12	DEBOESCH	17 Dohlistraat	-	[Signature]
13	Jandene Williams	18 Kerkstraat (flatse)	0832345880	[Signature]
14	Lakian Korhans	29 JASMYNSTR	0681259771	[Signature]
15	Lucille Sedeman	27 JASMYNSTR	0823931357	[Signature]
16	Shannel Abrahams	27 Jasmynstr	0659286375	[Signature]
17	Mathilda Isaacs	137 Winkler Str	-	[Signature]
18	Manique Korah	26 Takaramola str.	0784620870	[Signature]
19	Melissa Therman	39 Langstraat	0748302544	[Signature]
20	Daniel Therman	39 Langstraat	0748302544	[Signature]
21	Margda Therman	39 Langstraat	0749053012	[Signature]
22	Erwin Ryla	11 Roosmarie STR	-	[Signature]
23	Eikyn Ryla	11 Roosmarie STR	0748150029	[Signature]
24	Dominica Louw	89 Lang Street	-	[Signature]
25	Anna Marie Schagen	Langstr 70	0744053012	[Signature]
26	Catharina Bester	Langstraat 64	-	[Signature]
27	Tjaden Jutter	Protea Singel 675	0715241576	[Signature]
28	PATRICIA Meyers	Takaramola Str 1	0653096945	[Signature]
29	Taryn Adams	Takaramola Str 1	0606177654	[Signature]
30	Diniel Drendse	96 Langstraat	0717731800	[Signature]
31	Beatrix Dewez	1 Langstraat	0785002796	[Signature]
32	Louise Thuman	Protea Singel	-	[Signature]
33	Fatimah Vint	Latelia 2	-	[Signature]
34	Down Giseberg	Langstraat 7	0611834303	[Signature]
35	Edeline Stuurman	9 Langstraat	0633131103	[Signature]
36	GREL KREJZER	34 Langstraat	0721086921	[Signature]
37	Lynette Spite	9 Jasmynstraat	0638598425	[Signature]
38	Rochey ESTAY	28 Jasmynstraat	0839228177	[Signature]
39	Chany Engelbrecht	25 Senneblom straat	0600178109	[Signature]

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Voting for Houses

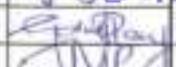
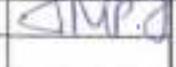
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	Name & Surname	Address	Telephone	Signature
1	Bandy B. ...	Kardishan ...	0790984266	[Signature]
2	W. Craig	" "	"	W. Craig
3	My ...	Lang ...	"	[Signature]
4	A. ...	Langstreet 7	"	[Signature]
5	My ...	Abbotsford 21	"	[Signature]
6	J. ...	Langstreet 77	"	[Signature]
7	John ...	Langstreet 12	"	[Signature]
8	Moore ...	Abbotsford 9	0810816979	[Signature]
9	S. ...	Winkel str 180	"	[Signature]
10	L. ...	Kent ... 121	"	[Signature]
11	K. ...	Herby ... 31	"	[Signature]
12	K. ...	Eikeboom Street 14	"	[Signature]
13	C. ...	Eikeboom Street 40	"	[Signature]
14	A. ...	Vlootje street 35	"	[Signature]
15	... NIAHKA	Vlootje		
16	N. King	Lang Street 100		[Signature]
17	C. KING	Langstreet 100, Abbotdale	062 291 4513	[Signature]
18	H. King	Langstreet 100, Abbotdale	"	[Signature]
19	HENRY DE KLERK	PROGRA CASSENT 674	"	[Signature]
20	MARILENE	PROGRA CASSENT 674	"	[Signature]
21	J. ...	15 FRESIA		
22	N. Peters	18 Kent street Abbotdale.	"	[Signature]
23	Wallace Manuel	168 BOLTWAY STR. ABBOTDALE	0764101821	[Signature]
24	ROSELLE MANUEL	168 BOLTWAY STR ABBOTDALE	0825541868	[Signature]
25	DANIETA CLOVE	5A EIKEBOOM STR	062 014 6074	
26	SOMARIO CLOVE	5A EIKEBOOM STR	073 342 8080	
27	Wendy ...	Langstreet 208	0666278589	[Signature]
28	Ruth Ann Coetzee	Langstreet 38	076 755 2730	[Signature]
29	Bradley ...		065 6644373	[Signature]
30	Lee-nick Daniels	Langstreet 59	011 227 6750	[Signature]
31	Akeem	Langstreet 50	069 107 7842	[Signature]
32	Mother ...			[Signature]
33	Linneth Coetzee	Renonkel Street 62	-	[Signature]
34	LWISHA ...	Renonkel Street 62	068 208 4827	[Signature]
35	Lee-Jane August	Eikeboom Street 91	-	[Signature]
36	Luciano Coetzee	Renonkel Street 68	-	[Signature]
37	Prizaire Charles	Vlootje Street 65	0825541070	[Signature]
38	Prizaire Charles	Vlootje Street 55		[Signature]
39		[Signature]
40	John ...	Abbotdale Street 15	08190661	[Signature]

	Name & Surname	Address	Telephone	Signature
1	Li Esau	75 Kerkstr. Abbotsdale	0826743541	
2	Elora Esau	28 Jocelyn str Abbotsdale	0730410713	
3	Heleny Adria	28 Jocelyn str	—	H.A.
4	Angelique Nannenburg	27 Wilgerboomstr Abbotsdale	068 355 5192	A.W.
5	Alida Nannenburg	27 Wilgerboomstr Abbotsdale	068 355 5192	
6	Kaylen Klawnsberg	14 Naitstr Abbotsdale	074 395 3344	
7	Kathleen Swarts	34 Kerkstraat	062 2571580	
8	Karen Elias	Kerkstr. 22	063 1848733	
9	Samantha Vincent's	64 Eikeboom str.	—	S. Vincent's
10	Mariette Jansen	63 Eikeboomstr	—	M. Jansen
11	Alida Arendse	65 Eikeboom str	0840878-112	
12	Winamanda Sentile	67 Eikeboom str	—	W. Sentile
13	Joselien Gharia	64 Eikeboomstr	—	Joselien
14	Nicole Gysenra	29 Eikeboomstr	—	N. Gysenra
15	Alonso Klampe	20 ASYL STRAAT	081 9266603	
16	Andrea Philander	21 Kerkstraat	060 918 5237	A. Philander
17	Jazzmine Hendricks	21 Kerkstraat	—	J. Hendricks
18	Tiffany Philander	21 Kerkstraat	—	T. Philander
19	Konelle Pieters	19 Kerkstraat	—	K. Pieters
20	Willem Willemsse	15 Kerkstraat	—	W. Willemsse
21	William Adams	21 Kerkstraat	—	W. Adams
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	Name & Surname	Adres	Telephone	Signature
1	Miriam Mattheysse	Kerkstraat Flat No 4	0-181571778	M. Mattheysse
2	Beranie Pieterse	Kerk Str Flat 22	068 9812871	
3	Leighton	Kerk Str 22	/	LW
4	Melanie	Kerk Str 20	/	AK
5	Grace	Kerk Str 16	/	GH
6	Gerswin	Kerk Str 16	/	GW
7	Daniel	Kerk Str 22	/	AP
8	Japie	Kerk Str 20	/	J De Goede
9	Graciela du Plessis	Kerk Str 34	074 275 9587	
10	Michelle Peters	Kerk Str 11	/	
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MUNICIPALITY SWARTLAND				
ERF NO	1533-1	Erf 373		
Area	Height	Area	Area	Area
555B				
De				
Erf 373		Erf 373		

To:
 The Municipal Manager
 Swartland Municipality
 Swartlandmud@swartland.org.za
 *Date:
 [01/08/2025]

Formal Objection to Proposed Rezoning of Portion of Erf 373 Abbotsdale*

Dear Municipal Manager,

We, the undersigned residents and concerned members of the nearest community surrounding Portion of Erf 373 in Abbotsdale, wish to formally lodge our objection to the application for rezoning from Agricultural Zone 1 to Industrial, with the inclusion of an erven subdivision and transport zone.

The proposed development raises serious concerns that threaten the well-being, safety, and integrity of our community. Below are the main grounds for our objection:

Environmental and Health Risks

- **Air Pollution:** Industrial activities are likely to produce airborne emissions that could adversely affect respiratory health, especially among children and the elderly.
- **Water Pollution:** Industrial waste poses a danger to nearby water sources, which many residents rely on for domestic use.
- **Odor Pollution:** Industrial operations may generate unpleasant odors, affecting comfort and quality of life.
- **Noise Pollution:** The increased use of heavy equipment and transport vehicles will cause constant noise, disturbing daily life and sleep patterns.

Impact on Community Well-Being

- **Psychosocial Effects:** Exposure to pollution, noise, and industrial activity may increase stress, anxiety, and other psychological challenges.
- **Loss of Public Space:** Expansion into agricultural land will reduce access to open areas historically used for recreation and community gatherings.
- **Disruption of Rural Character:** Abbotsdale's heritage and tranquil atmosphere will be eroded by industrial development.

Economic Consequences

- **Devaluation of Property:** Properties near industrial zones suffer lower market values due to environmental and aesthetic degradation.
- **Loss of Agricultural Livelihoods:** Rezoning will limit farming opportunities and undermine the area's agricultural identity.

We strongly urge Swartland Municipality to consider the long-term consequences of this rezoning and uphold its commitment to responsible development that respects the integrity of existing communities. We request that the rezoning application be declined and alternative



development options be explored in less sensitive areas.

We appreciate your attention and look forward to a transparent and inclusive decision-making process.

****Sincerely,****
Anthula Liedman
797 Boltney street
Abbotsdale
0615347399

On behalf of the Concerned Community of Abbotsdale a petition signed from the residents and community

	Name & Surname	Adres	Telefoon	Signature
1	Sharon Jackson	795 Boltney Street	071864 0462	
2	Yoko Jackson	795 Boltney Street	0840268809	
3	Ishni Jackson	795 Boltney Street	0749575248	
4	Marcia Markel	795 Boltney Street	064 428 9138	M. Markel.
5	Darrin Markel	795 Boltney Street	065325087	
6	Mariene Johierhaut	195 Boltney Str.	0798265888	
7	Anastasia Geerl	200 Boltney Street	062 911 0472	Not
8	Mervyn ABRAMSON	199 Boltney Street	0655919115	
9	KEANO SYSTER	SPORWEG STR ABBOTSDALE	0840715127	
10	Charles Liedeman	106 Winkelstraat	0723726813	
11	Konradre Tibus	107 Winkelstraat	025167811	
12	Marnie Dyson	SPORWEG STR	083112891	
13	Lenaje Liedeman	134 Winkelstraat	064 658 7281	Geen
14	Kay Tibus	107 Winkelstraat	0646689185	Liedeman
15	Susan Liedeman	134 Winkelstraat	0781230822	S.L.
16	Cindy Wilson	104 Winkelstraat	0781230822	Geen
17	Chad Steyn	104 Winkelstraat	0616830525	
18	John Liedeman	104 Winkelstraat	0781230822	
19	Mirrel Arendse	105 Winkelstraat	Geen	
20	Rozanne V. Grade	107 Winkelstraat	NONE	
21	Hilton Henleman	107 Winkelstraat	089230822	
22	Zane August	803 Boltney Street	← NOT →	
23	Adam J. J. J.	803 Boltney Street	Geen	AJ
24	Daniel Chetters	BOLTNEY STREET	Geen	DB
25	Katje Munchie	403 Boltney Str	None	
26	Marian Kuisie	797 Boltney Street Abbotdale	07263 2178	
27	OPHELDING HELDEN	797 Boltney Street Abbotdale	0603612500	
28	Elmerte Pelenzen	14 Abbotdale Boltney Street	0725167812	
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RESPONSE ON OBJECTIONS

**PROPOSED SUBDIVISION AND
REZONING OF ERF 373, ABBOTSDALE**

Our reference: ABB/9749/ZN



8 SEPTEMBER 2025

Compiled by:



INDEX

1. INTRODUCTION..... 3

2. PURPOSE..... 3

3. BACKGROUND..... 3

4. COMMENT ON OBJECTIONS AND COMMENTS 3

5. CONCLUSION..... 8

ANNEXURE A: COMMUNITY MEETING INVITE 9

1. INTRODUCTION

CK Rumboll and Partners was appointed by Mr SP Visser, representative of the Pieter Visser Trust (owner of Erf 373, Abbotsdale) to handle all town planning and land surveying actions for the proposed subdivision and rezoning of a part of the Erf 373, Abbotsdale.

2. PURPOSE

Swartland Municipality advertised the application in accordance with the Swartland Municipality: By-law on Municipal Land Use Planning, 2023. It is the purpose of this report to respond to comments and objections received during the public participation process for the land use application submitted.

3. BACKGROUND

The purpose of the application was to apply for the following:

- The **Rezoning** of the subject subdivided area, in terms of **section 25(2) (a) of the Swartland Land Use Planning By-Law**, from Agricultural zone 1 to Subdivisional area to allow for Industrial Zone 1, Transport Zone 2 and Agricultural Zone 1.
- The **Subdivision** of a part of Erf 373, Abbotsdale, in terms of **section 25(2) (d) of the Swartland Land Use Planning By-Law**, to subdivide the erf into 1 portion and a remainder. Further subdivision of Portion A will be into 53 portions and a remainder.

The above application was advertised to the public and was available to assess at the Municipality.

4. COMMENT ON OBJECTIONS AND COMMENTS

The objection letters received were all exactly the same and is summarised in the table below and responded to. The following people objected with the same letter content:

Valerie Isaacs, Rochelle Arendse, Morton Pick, Sonia Damonse, Spasie Swarts, Maureen Marthinus, Gavin Klein, Raymond Paulus, Moira October, Chesley Abrahams, Edwina September, Heinrich Klaasen, Rayno Paulus, Eward Syster, Evenlencia Petersen, Sharon Jackson, Mnr. & Mev. M Cleophas, Jeremiah Fortuin, Landvyn Eckstein, Gary Owen Sedeman, Rosina Lategan, Mario Willemse, Kathleen Valentyn, Myrtle Cloete, B & J Bezuidenhout, Susanna Sago, George Fransman, Deon Van der Post, Lester Mackenzie, E.D. Syster

A petition list was also received, with the objections above, of 8 pages long. According to Section 59 of the Swartland Municipal Land Use Planning By-law, 2020, a petition list should contain the contact details of

the authorised representative of the signatories of the petition and comments and reasons therefor. The petition was just attached to the package of objections, as described above, and no formal representative was indicated. It is assumed that the petition is also for the objections received and responded to in the table below, although it should be noted that Page 6 of the petition states "Voting for Houses" which can be an indication that the signatories of the petition could have signed under the impression that it was for the delivery of houses.

Table 1: Response to objections

Objection or comment	Response of objections or comment
<p>1. The proposed development does not fit into surrounding area in terms of character and scale of the surrounding residential and rural environment. The development will disrupt the harmony and aesthetics of the area.</p> <p>2. Impact on infrastructure: there is a concern that the existing municipal services like water, sanitation, refuse and road infrastructure will not be able to accommodate the increase need for the proposed development.</p>	<p>1. The proposed development is located within the urban edge of Abbotsdale and was first identified for industrial development in the Swartland Spatial Development Framework (SDF) of 2019. The proposed industrial area has been placed on the eastern periphery of the town to ensure minimal disturbance of the existing build up area while providing the much needed opportunity for industrial and economic development in the town. Locating the industrial area on the periphery further creates a transition zone between the residential neighbourhoods and the agricultural land. There is also a physical buffer between the residential area and the proposed industrial area, being the railway line and the provincial road, DR1111. This will further lessen the impact of the development on the existing community.</p> <p>It is common for industrial developments to be located on the periphery of a town, as it ensures accessibility to the uses and reduces disturbance into the residential core of the town. The zoning of the erven is light industrial which focuses on service related uses and is of low nuisances to the community. The development will integrate with the town without disrupting the residential area and will provide economic diversification and job creations, which is much needed for the town. The proposed development will increase job opportunities within walking distance, considering that most residents of Abbotsdale need to make use of transport for work opportunities in Malmesbury and other surrounding towns.</p> <p>2. A GLS report was compiled on 4 May 2022 to determine the bulk capacity of the town to accommodate the proposed development. It was concluded that there are several service upgrades needed to accommodate the proposed development. An updated Service Report was submitted on the 28th of October 2024 and stating that the cost of the bulk water and sewerage services required for the development makes it unfeasible at this stage. The developer will develop the project in phases. Phase 1 will be developed to test the market and also to buy time for other developments to take place to share in the cost of the bulk services. The four erven of Phase 1 will connect to the Abbotsdale service network and will</p>

<p>3. Traffic and road safety: increase in density due to subdivision can lead to higher traffic volumes than the roads will be able to handle. It increases danger for pedestrians, especially school children and elderly residents.</p> <p>4. Environmental and heritages concerns: the area can be of sensitive environmental aspects or heritage worth which will be impacted negatively. An environmental and heritage study needs to be required.</p> <p>5. Community consultation and transparency: the community feels there was not sufficient consultation and notice given to the community. A more inclusionary and transparent proses is needed to ensure the rights and concerns of the community is taken into account.</p> <p>6. The municipality should reject the application and a more thorough impact study (including traffic environmental and service impacts) should be done. A community meeting should be held for a better dialog.</p>	<p>have an insignificant impact on the existing infrastructure. No development will be allowed without sufficient service capacity.</p> <p>3. When the Divisional Road was upgrade a pedestrian/cyclist side walk was built from Abbotsdale to Malmesbury. The pedestrians/children/elderly will be safe if they keep to this path. The proposed development will not have an adverse impact on the existing road infrastructure of Abbotsdale or impact highly used pedestrian crossings. A Traffic Impact Assessment was done in February 2020 which showed that the proposed development can be accommodated by the adjacent transport network, provided the recommendations are implemented. The recommended upgrades of the roads will be done per phase as recommended. The Western Cape Department of Road Network Management also supported the proposed recommendations of the TIA in a letter dated 24/06/2020, job 26110.</p> <p>4. An Environmental Basic Assessment process was followed by an independent environmental consultant. The impact of the development on the environmental factors and heritage factors of the area was assessed and Environmental Authorisation was granted on the 27th of September 2021 to support the proposed development. This confirms that the proposed development will not have a significant impact on the surrounding natural and heritage environment.</p> <p>5. The public participation process was done in accordance with the Swartland Municipal Land Use Planning By-Law, 2020. The application was published in the local newspaper in accordance with Section 55 of said By-law and individual notices were given to the adjoining land owners in accordance with Section 56 of said By-Law. The Municipality has the sole mandate to require additional forms of public notice as per Section 58 of the said By-law.</p> <p>6. The development was assessed in detail and the necessary Environmental Assessment, Traffic Impact Assessment and Service Report were completed and submitted as part of the application.</p> <p>The community requested that the land owner join a community meeting without the involvement of the Municipality, see invitation email attached as Annexure A. The meeting</p>
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	<p>was attended by a representative of Pieter Visser Trust, land owner, without the knowledge of our office or the Municipality. The representative of the Trust tried to answer the questions to the best of his abilities, but most of the concerns were the same as per the received objections in the formal process which is responded to above.</p>
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5. CONCLUSION

This application for the subdivision and rezoning of Erf 373 Abbotsdale to accommodate an industrial development is supported as follows:

- The proposed development is fully supported by the **Swartland Spatial Development Framework** which guides development in the area.
- The development is further supported by the Western Cape SDF in regards with spatial patterns of neighbouring towns.
- The development will not have a negative effect on any Critical Biodiversity or protected areas, because the site is already disturbed.
- It supports the initiative to use the erf to its full potential and creating additional form of income to the land owners and the residents of the area by providing job opportunities.
- The development supports and complies with the Land use Planning Act, 2014 (Act 3 of 2014) and the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013)
- It promotes the sustainable use of a property within the area and supporting infill development within the urban edge.
- The character of the existing town will remain low residential and the current agricultural productions on the remainder of the farm will continue.
- The industrial development will be an economical injection to Abbotsdale and create job opportunities.

This office is of the opinion that the proposed application is sustainable and will not have a negative effect on the area. The development poses to be a positive contribution due to the optimal use of the erven and services. The proposed application is thus fully supported by this office.



Zanelle Nortjé

For CK Rumboll and Partners

ANNEXURE A: COMMUNITY MEETING INVITE

From: Brittane Appollus <brittaneappollus@gmail.com>
Sent: Friday, 08 August 2025 08:59
To: Jaco Roux
Cc: Ewerd Syster; desmoniaphilander11@gmail.com; hopley.desire@gmail.com; Cheslyn Peters; duewayne.p@gmail.com
Subject: Subject: Invitation to Engage with the Abbotsdale Community Regarding Rezoning of Property 373

You don't often get email from brittaneappollus@gmail.com. [Learn why this is important](#)

Dear Mr. Visser,

On behalf of the Abbotsdale community, we would like to formally invite you to engage with our residents regarding the proposed rezoning of Property 373.

Our community has several questions and concerns related to this matter, which the municipality has not been able to address. We believe that your direct input will help ensure transparency and foster a clearer understanding of the proposed changes.

Meeting Details:

Date: 14 August 2025

Time: 19:00

Venue: Abbotsdale Community Hall

Your attendance will be greatly appreciated, and we trust this engagement will provide an opportunity for constructive dialogue between yourself and the community.

We look forward to your positive response.

Please respond to this email by Monday, 11 August 2025, to let us know if you will be able to attend the meeting.

Kind regards,
Ewerd Syster
On behalf of the Abbotsdale Community



Western Cape
Government

Department of Environmental Affairs and Development Planning
Natasha Bieding
Development Management
natasha.bieding@westerncape.gov.za | Tel.: 021 483 5833/3185

REFERENCE: 16/3/3/1/F5/1/2018/20
NEAS REFERENCE: WCP/EIA/0000762/2020
DATE: 27 September 2021

The Board of Trustees:
Pieter Visser Trust
P. O. Box 603
MELKBOSSTRAND
7437

Attention: Mr. Pieter Visser

Cell: 082 553 3240
E-mail: pietervisser@tiptranscape.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED ESTABLISHMENT OF A LIGHT INDUSTRIAL DEVELOPMENT ON ERF NO. 373, ABBOTSDALE.

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

Zaahir Toefy

Digitally signed by
Zaahir Toefy
Date: 2021.09.27
12:21:42 +02'00'

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copied to: (1) Mr. Nicolaas Harekom (Enviro EAP (Pty) Ltd)
(2) Mr. Alwyn Burger (Swarthland Municipality)

E-mail: nicolaas@enviro-eap.co.za
E-mail: alwynburger@swarthland.org.za





ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, AS AMENDED: PROPOSED ESTABLISHMENT OF A LIGHT INDUSTRIAL DEVELOPMENT ON ERF NO. 373, ABBOTSDALE.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Activity alternative, described in the Final Basic Assessment Report ("BAR"), dated 7 June 2021.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Pieter Visser Trust
c/o Mr. Pieter Visser
P. O. Box 603
MELKBOSSTRAND
7437

Cell: 082 553 3240
E-mail: pietervisser@fpitranscape.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)– Activity Number: 9 Activity Description: "The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water— (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where— (a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or (b) where such development will occur within an urban area".</p>	<p>Stormwater infrastructure with an internal diameter which exceeds 0,36 metres and a peak throughput which exceeds 120 litres per second will be installed.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)– Activity Number: 24 Activity Description: "The development of a road— (i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road— (a) which is identified and included in activity 27 in Listing Notice 2 of 2014; (b) where the entire road falls within an urban area; or (c) which is 1 kilometre or shorter".</p>	<p>Access and internal road infrastructure will range from being approximately 8m wide and be located inside a 25m road reserve servitude measuring approximately 2km in length.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)– Activity Number: 26 Activity Description: "Residential, retail, recreational, tourism, commercial or institutional developments of 1 000 square metres or more, on land previously used for mining or heavy industrial purposes: — excluding — (i) where such land has been remediated in terms of part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008</p>	<p>The proposed development will take place on a site which was previously used for mining related activities.</p>

<p>applies; or</p> <p>(ii) where an environmental authorisation has been obtained for the decommissioning of such a mine or industry in terms of this Notice or any previous NEMA notice; or</p> <p>(iii) where a closure certificate has been issued in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for such land".</p>	
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)- Activity Number: 28 Activity Description: "Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development;</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes".</p>	<p>The proposed development will take place outside an urban area and portions of the site which were previously used for agricultural related activities.</p>
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended)- Activity Number: 4 Activity Description: "The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>i. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority".</p>	<p>Associated infrastructure and roads wider than 4 metres with a reserve less than 13,5 metres will be constructed outside an urban area containing indigenous vegetation.</p>

The abovementioned list is hereinafter referred to as "the listed activities".

The holder is herein authorised to undertake the following alternative that includes the listed activities relating to the development proposal:

The proposed development includes the establishment of a light industrial development comprising:

- 53 Industrial Zone I erven covering an area of approximately 41.5ha;
- 1 Transport Zone II erf to accommodate one access road with two access points located approximately 1050 m south-west and 530 m north-east off the DR1111/DR1146 intersection;
- Internal roads;
- Sidewalks along the border of the site;
- public transport embayments;
- stormwater infrastructure, including a stormwater pond and pipe network;
- a 0.5 millilitre ("ML") reservoir including associated pipeline infrastructure; and
- a sewer network including associated pipeline infrastructure.

The light industrial development will be developed in 6 phases, as follows:

- phases 1, 2 and 3 (as marked in Annexure 2) will be commenced with first and in operation, as part of phase A; and
- phases 4, 5 and 6 (as marked in Annexure 2) will be commenced with and in operation, as part of phase B, after phase A has been constructed and in operation.

The Industrial Zone 1 will accommodate light industrial uses and service trades and the proposed subdivision and rezoning will create self-sufficient industrial units.

The total development footprint will amount to approximately 47.4112ha.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Erf 373, in Abbotsdale along the Divisional Road 1111 (Malmesbury Road), which connects Abbotsdale with Malmesbury.

The SG digit code is:

C04600160000037300000

The site co-ordinates are:

33° 29' 54" South; 18° 41' 03" East

The co-ordinates for the linear infrastructure are:

Starting point-

33° 30' 11.61" South; 18° 40' 51.49" East

Middle point-

33° 29' 33.23" South; 18° 41' 04.64" East

End point-

33° 29' 13.80" South; 18° 41' 25.88" East

Refer to Annexure 1: Locality Plan.

Refer to Annexure 2: Site Development Plan.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Enviro EAP (Pty) Ltd
c/o Mr. Nicolaas Willem Hanekom
P. O. Box 205
AGULHAS
7287

Cell.: 076 963 6450

E-mail: nicolaas@enviro-eap.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred site alternative described in the Final BAR, dated 7 June 2021 on the site as described in Section C above.
2. Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for-

- (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
 - (b) A period of ten (10) years, from the date the holder commenced with an authorised listed activities, during which period the authorised listed activities, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved "Environmental Management Programme" ("EMP").
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved in writing by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision -
 - 6.1 notify all registered Interested and Affected Parties ("I&APs") of -
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;

- 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
- 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 6.4 provide the registered I&APs with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation;
 - 6.4.2 name of the responsible person for this Environmental Authorisation;
 - 6.4.3 postal address of the holder;
 - 6.4.4 telephonic and fax details of the holder;
 - 6.4.5 e-mail address, if any; and
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

- 7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.
- 8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activities, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

- 9. A minimum of seven calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 14, 19 and 21.4.

Management of activity

- 10. The EMPr submitted, as dated May 2021 is hereby approved and must be implemented.
- 11. An application for amendment of the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended), if any amendments are to be made to the outcomes of the EMPr and these may only be implemented once the amended EMPr has been authorised by the competent authority.
- 12. The EMPr must be included in all contract documentation for all phases of implementation.
- 13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see these for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works performs work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase and rehabilitation phases of implementation.

The ECO must–

- 14.1 be appointed prior to commencement of any land clearing or construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein; and
- 14.3 keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO,

Environmental audit reports

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid–

- 15.1 ensure that compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
- 15.2 submit at least two environmental audit reports to the relevant competent authority during the construction phase. The holder must submit one audit report three (3) months after commencement of the construction phase and another audit report six (6) months after completion of the construction phase; and
- 15.3 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.

16. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must –

- 16.1 provide verifiable findings, in a structured and systematic manner, on–
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
- 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
- 16.3 evaluate the effectiveness of the EMPr;
- 16.4 identify shortcomings in the EMPr;
- 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
- 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
- 16.7 include a photographic record of the site applicable to the audit; and
- 16.8 be informed by the ECO reports.

17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, place on a publicly accessible website.

Specific conditions

- 18. Suitable energy and water saving devices must installed, including *inter alia*, the use of compact fluorescent lamps, dual flush and 6 litre water holding capacity toilet systems etc.
- 19. Urban design, architectural and landscaping guidelines must be compiled and submitted to the Swartland Municipality for approval and/or comment. A copy of the approval and/or comment must be submitted to this Department prior to commencement of the development.



20. The following measures as included in the Traffic Impact Assessment ("TIA") dated February 2020 compiled by Mr. B. du Preez of Sturgeon Consulting must be implemented:
- 20.1 The following must be implemented as part of phase A (i.e., phase 1, 2 and 3 as displayed in the Spatial Development Plan in Annexure 2 of this EA) of the light industrial development:
- 20.1.1 An auxiliary right turn lane along DR1111 for right turning movements into DR1146 must be constructed.
- 20.1.2 An auxiliary right and left turning lanes along MR174 for right and left turning movements into DR1111 must be constructed.
- 20.1.3 A T-intersection with stop control on the development site's side must be constructed, of which the access must have a three-lane cross section with one lane to enter the development site and two lanes to exit the development.
- 20.1.4 An auxiliary right and left turning lanes along DR1111 for right and left turning movements into the development must be constructed.
- 20.2 The following must be implemented as part of phase B (i.e., phase 4, 5, and 6 as displayed in the Spatial Development Plan in Annexure 2 of this EA) of the light industrial development:
- 20.2.1 A separate left turning lane along DR1111 must be constructed.
- 20.2.2 A separate right and left turning lanes and signalise intersection along the Abbotsdale approach must be constructed.
- 20.2.3 A separate left and right turning lanes along DR1111 must be constructed.
- 20.2.4 A T-intersection with stop control on development's site's side must be constructed of which the access must have a three-lane cross section with one lane to enter the development site and two lanes to exit the development.
- 20.2.5 An auxiliary right and left turning lanes along DR1111 for right and left turning movements into the development must be constructed.
- 20.2.6 Both proposed site accesses should have one lane in and two lanes out, with an additional right and left turning lane along DR1111.
21. The following measures adapted from the Groundwater Impact Assessment dated 11 December 2020 compiled by Mr. Charl Muller of GEOSS South Africa (Pty) Ltd. must be implemented:
- 21.1 Four groundwater monitoring boreholes must be installed a depth of approximately 20m in order to detect any potential contamination. The monitoring boreholes should be drilled to.
- 21.2 The borehole water level and the groundwater quality must be monitored quarterly to determine seasonal fluctuation.
- 21.3 Hazardous material(s) must be stored in sealed/closed containers that are leak proof and be located in bunded areas where no potential leaks or spills can enter the groundwater or environment.
- 21.4 A Stormwater Management Plan must be submitted to the Swartland Municipality for approval. A copy of the approval letter and approved Stormwater Management Plan must be submitted to this Department prior to commencement of the development.
22. The following recommendations adapted from the Socio-Economic Assessment dated December 2020 must be implemented:
- 22.1 The Contractor must employ approximately 90% local people.
- 22.2 Should there be a lack of suitably qualified people (with respect to above condition), skills transfer must be prioritised whilst construction is taking place.
- 22.3 The municipality, local community and community organisations must be informed of the light industrial development project and the potential employment opportunities offered by the developer.
- 22.4 A database of local small businesses and service providers (e.g., construction companies, catering companies, waste collection companies, site cleaning companies etc.) must be

compiled by the contractor prior to the commencement. These identified businesses and service providers must be invited to render services where required.

- 22.5 A Monitoring Committee for the construction phase in collaboration with representatives of the local community must be established. The Monitoring Committee must ensure that the light industrial development is implemented as proposed and that any problems that arise during construction phase, is addressed.
- 22.6 International construction, health and safety standards and precaution measures must be adhered to.
- 22.7 Health and social training for the project team and in the community which include Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome awareness training must be provided.
- 22.8 Appropriate Road signage must be placed on-site.
- 22.9 Contractor/ Implementation agent must implement a traffic safety awareness programme amongst the project team and the local community, particularly the kids.
- 22.10 Access during the construction phase must be obtained from the on declared access routes.
- 22.11 Disturbed areas during the construction phase must be kept to a minimum.
- 22.12 Appropriate pedestrian walkways and infrastructure must be provided.
- 22.13 Outdoor lighting must be strictly controlled so as to prevent light pollution
23. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
24. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
25. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

General matters

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activities, and a new application for Environmental Authorisation must be submitted to the competent authority, if the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.
3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an

application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, other than those mentioned above, must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

F. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker i.e., the competent authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker i.e., the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel. (021) 483 3721. E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. RECOMMENDATIONS

This Directorate hereby recommends that the following be implemented:

- Measures should be provided which enables women as well as local youth employment of the working age group to be afforded employment opportunities.
- Building materials and supplies should as far as possible, be purchased from local suppliers located within the Swartland Municipal area.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

**Zaahir
Toefy**

Digitally signed by
Zaahir Toefy
Date: 2021.09.27
12:22:48 +02'00'

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 27 SEPTEMBER 2021

Copied to: (1) Mr. Nicolaas Harekom (Enviro EAP (Pty) Ltd)
(2) Mr. Alwyn Burger (Swartland Municipality)

E-mail: nicolaas@enviro-eap.co.za
E-mail: alwynburger@swartland.org.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/1/F5/1/2018/20
NEAS REFERENCE: WCP/EIA/0000762/2020

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: THE SITE DEVELOPMENT PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated 16 June 2020, the Final BAR dated 7 June 2021, the EMPr dated May 2021 and the additional information received on 1 September 2021, 18 September 2021 and 23 September 2021.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA; and
- d) The comments received from I&APs and responses to these, included in the Final BAR.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- notices regarding the proposed development were distributed to all potential I&APs as well as key authorities;
- advertisements were placed in the 'Swartland Gazette' on 21 July 2020, the 'Swartland Gazette' on 13 September 2016 and 'Die Burger' on 15 September 2016;
- a notice was placed on 13 September 2016;
- a site notice was placed on site fence and entrance to property opposite the Abbotsdale town entrance on 14 July 2020;
- a notice was placed at Abbotsdale Hall and community centre on 14 July 2020;
- a notice was placed at small cafes on 14 July 2020;
- a notice was placed at St Michael's Anglican Church on 14 July 2020; and
- copies of the Draft BAR (from 13 July 2020 to 12 September 2020), revised Draft BAR (from 1 March 2021 to 1 April 2021) & associated information were distributed to all I&APs as well as well as key authorities and

The following key concerns were raised by I&APs during the Public Participation:

Objections were received against the original development proposal which included the development of a compost facility. Due to these objections and its potential impacts, the compost facility was removed from the development proposal.

Aspects of the development being expanded into natural areas was also of concern. It was confirmed that given the transformed state of the site by previous agricultural activities, no expansion into sensitive natural areas will take place.

Other comments related to the need to follow the prescribed Public Participation Process and regulatory requirements in terms of the EIA Regulations, 2014 (as amended). The Environmental Assessment Practitioner responded to these comments by confirming that the said requirements were adhered and the BAR was updated to further comply with the regulatory requirements, including updating the need and desirability context, the comparative assessment of alternatives and using the prescribed template / form to complete the BAR.

Concerns were raised about the potential impacts of the proposed development including traffic, noise (associated with proposed chipping), socio-economic, visual and agricultural as well as the service requirements. It was confirmed that the traffic impacts were addressed as part of a TIA, while no chipping activities are proposed to form part of the development. The BAR was also subsequently updated to respond to the other identified impacts, while a service report was compiled to address the service and engineering requirements.

This Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses made were included in the BAR.

2. Alternatives

Site Alternative (Preferred by the applicant)

Erf 373, Abbotsdale is the only site alternative that was considered for the proposed development. The said property is the only preferred site alternative, as Erf 373 is located within the municipal urban edge while the site is situated close to existing roads (old Malmesbury to Kalbaskraal road) which makes access and being linked to other services spatially possible. Erf 373 is also not found to be biophysically sensitive, as the site largely comprises previously ploughed and mined areas.

Activity alternative (Preferred by the applicant and herewith authorised)

The only activity alternative is for the establishment of a light industrial development, comprising of:

- 53 Industrial Zone I erven covering an area of approximately 41.5ha;
- 1 Transport Zone II erf to accommodate one access road with two access points located approximately 1050 m south-west and 530 m north-east off the DR1111/DR1146 intersection;
- internal roads;
- Sidewalks along the border of the site;
- public transport embayments;
- stormwater infrastructure, including a stormwater pond and pipe network;
- a 0.5 ML reservoir including associated pipeline infrastructure; and
- a sewer network including associated pipeline infrastructure.

The total development footprint will amount to approximately 47.4112ha.

This is the only activity alternative preferred based on the identified need for industrial development to be located within the local area and the aim of generating the associated benefits such as employment and diversified economic opportunities for the local and wider area.

Layout Alternative 1 (rejected by the applicant):

Layout Alternative 1 includes the establishment of a light industrial development as well as a compost facility. Due to the nature of the comments received and detailed objections to the development of the compost facility, Layout Alternative 1 was rejected.

Layout Alternative 2 (rejected by the applicant):

Layout Alternative 2 includes the establishment of a light industrial development, including the construction of two access roads.

Layout Alternative 3 (preferred by the applicant):

Layout Alternative 3 includes the establishment of a light industrial development, including the construction of one access road with two access points located approximately 1050 m south-west and 530 m north-east off the DR1111/DR1146 intersection.

The difference between Layout Alternative 2 and Layout Alternative 3 is the number of access roads that each alternative includes. Layout alternative 3 is however preferred as it was informed by the inputs and recommendations obtained from the local municipality, specialists, engineers and planners, which particularly resulted in the option of only constructing one access road.

Technology alternatives (preferred by the applicant):

The preferred technology alternatives included the use of water and energy saving technologies, including inter alia the use of energy efficient equipment, compact fluorescent lamps, dual flush and 6 litre water holding capacity toilet systems. These are preferred options as it will ensure that the light industrial development will be energy and water efficient.

No-go alternative (rejected by the applicant):

The no-go alternative entails maintaining the status quo, i.e. no light industrial development or associated infrastructure. This alternative was rejected, as it would result in losing employment opportunities to be generated during construction and operational phases. An opportunity to expand economic opportunities in the area will also not be realised.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

Economic opportunities in Abbottsdale are limited and the proposed light industrial development to be located on the periphery of the town will provide additional economic opportunities in the town and create much needed employment opportunities.

The industrial area of Malmesbury is located on the southern periphery of the town towards Abbottsdale and by establishing the proposed industrial development, the connection between the two industrial nodes will have significant economic opportunities for the Swariland region.

Furthermore, the proposed development area is located adjacent to existing roads and services. The development will make use of the existing road network and is able to readily connect to existing services in this area. The favourable location of the site is not only limited to its close proximity to existing infrastructure and services, as the development will not impact on any sensitive ecosystems, Critical Biodiversity Areas or Ecological Support Areas. The proposed development is situated further than 100m away from a non-perennial river and no natural watercourses are located on the site.

3.2 Regional/Planning Context

The site is zoned Agriculture. The necessary applications for subdivision and rezoning are required to permit the proposed development.

In terms of the Swariland Municipal Spatial Development Framework ("MSDF") (2017 – 2022), Erf 373 is located within the urban edge of Abbottsdale in a zone which is earmarked for "Light Industrial" purposes, along the Old Cape Road, also known as Divisional Road 1111. The proposed subdivision and rezoning will create separate entities from the larger erf that can be developed for light industrial uses that will support urban services. The proposed development proposal is, therefore, consistent with the Swariland MSDF.

It was further confirmed that the proposed development will not require a provincial land development approval in terms of section 53 of the Land Use Planning Act, 2014 (Act No. 3 of 2014) as per the Western Cape Land Use Planning Regulations, 2015: Amendment, 2019, i.e., regulation 10(2)(b).

3.3 Biophysical Impacts

The proposed development will take place on a brownfield site which largely contains no ecological features. Portions of the proposed development site were mined previously whereas some portions were cultivated with small grains, which has limited the presence of indigenous vegetation. Limited to insignificant botanical impacts are therefore expected.

A Groundwater Impact Assessment Report dated 11 December 2020, was compiled by GEOSS South Africa (Pty) Ltd. According to the specialist report, there are a number of groundwater users from boreholes/shallow wells and springs surrounding the proposed light industrial development, while a low yielding intergranular and fractured aquifer with moderate groundwater quality underlies the site. No groundwater was however intersected in any of the five trial pits that were excavated on the site. The aquifer vulnerability to contamination was determined to be "low to medium". The bedrock which consists of greywacke that weathers to clay forms an impermeable layer above the fractured greywacke which will likely also provide some protection against point and non-point sources of contamination. It was recommended that monitoring boreholes are required to detect any potential contamination. The specialist's recommendations were included in the conditions of this authorisation and the EMPs.

3.4 Agriculture

In accordance with the requirements of the Protocols for assessing agricultural impacts and given that portions of the site were historically used for agriculture, a Site Verification and Agricultural Compliance Statement dated 10 May 2021, was compiled by Mr. Johann Lanz. The Agricultural Compliance Statement confirmed that certain portions of the site were previously used for agriculture and will be lost to the proposed development. However, the specialist concluded that the site has limited future agricultural production potential and considered to have a medium sensitivity for agriculture, as the remaining soils predominantly having by low nutrient and water

holding capacity. The Department of Agriculture in correspondence dated 16 January 2019, indicated they have no objection to the proposed development.

3.5 Traffic

According to the TIA dated February 2020 it is expected that the proposed development will generate approximately 1557 total AM trips (1090 inbound 468 outbound) and approximately 1557 total PM trips (389 inbound 1168 outbound). Based on these calculations, certain road upgrades and associated infrastructure are required so that the local road network can still operate at acceptable levels. As such, the TIA determined that the proposed development can be accommodated by the local transport network, provided that the certain road upgrades are implemented. The recommended upgrades have been included as conditions of this authorisation and the EMP. The potential traffic impacts associated with the proposed development was identified and assessed as low negative post mitigation.

3.6 Visual impacts/Sense of place

The light industrial development will permanently alter the existing sense of place which comprises undeveloped ploughed fields, rolling foothills above Abbotsdale and the Diep River Valley. In order to mitigate potential visual impacts, urban design, architectural and landscaping guidelines will need to be compiled.

3.7 Nuisance

Only light industrial uses and service trades will be accommodated as part of the development, and as such no nuisances are anticipated. Due to the comments raised by I&APs, the compost facility which originally formed part of the application, was also excluded from the development proposal. The proposed light industrial development is not anticipated to result in significant nuisance related impacts.

3.8 Heritage

No impacts on heritage resources are expected. Heritage Western Cape indicated in correspondence dated 19 September 2016 that the proposed development will not impact on any heritage resources.

3.9 Socio-economic

Although the nature and scale of the proposed development will have negative socio-economic impacts, including a changed sense of place, increased traffic levels and decreased road safety, increased noise and dust levels, influx of people to access the employment opportunities and loss of some agricultural land, the Socio-Economic Impact Assessment dated December 2020 established that the positive impacts outweigh these negative impacts. More specifically, the proposed development will provide opportunities for approximately 165 900m² of industrial bulk Gross Leasable Area and the associated employment opportunities. Developing the site will further translate into additional opportunities, including improved road infrastructure and enhancing mobility as well as diversification of the local economy.

According to the Socio-Economic Impact Assessment dated December 2020, approximately 2031 to 2370 local employment opportunities are expected to be generated by the proposed development. This in turn means that the local community of Abbotsdale will benefit of being in close proximity to an area of employment and will therefore, less likely be required to travel from outside their local area to access employment. This is consistent with one of the required urban planning principles derived from the concept of 'live-work-play-pray' whereby people should benefit from living and working in the same local area. This will further assist to decrease the local carbon footprint, as contributed to no need for travelling long distances to access employment.

The proposed development also aims to directly respond to some of the needs of the Swartland municipal area as identified in the Swartland Integrated Development Plan ("IDP"), 2017 – 2021, which includes *inter alia*, slow economic growth as well as the high and growing unemployment levels. Indirectly, given the scale of the proposed development, the brand of the Swartland region is expected to be improved as an area of economic opportunity and growth. Further indirect benefits are also expected to be generated including support for local suppliers from where building materials will be purchased, possible training opportunities and skills transfer as well as youth development.

The Socio-Economic Assessment assessed the potential increased offences and incidents of crime as low negative prior to and post mitigation. Increased noise and dust impacts were identified as low negative prior to mitigation and neutral post mitigation. These impacts will be mitigated with the implementation of the mitigation measures included in the EMPr. The mitigation measures recommended by the specialist has been included as conditions of this authorisation.

The development will result in both negative and positive impacts.

Negative Impacts:

- Permanently altering the local landscape and sense of place.
- The loss of some potentially viable agricultural land.
- Increased traffic during both the construction and operational phases of the light industrial development.

Positive impacts:

- Utilising an unused space for purposes that will generate local employment opportunities and other related socio-economic benefits.
- Economic spinoffs such as the use of local suppliers to purchase goods and services required by the light industrial development.
- Diversification and contribution to the local economy.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

-----END-----



**agriculture,
forestry & fisheries**

Department
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-6938
Enquiries: Helpdesk Ref: 2018_05_0113

C.K. Rumboll & Partners
P.O. Box 211
MALMESBURY
7299

Attention: Zanelle Nortje

**PROPOSED REZONING TO SUBDIVISIONAL AREA AND SUBDIVISION OF ERF 373
ABBOTSDALE, DIVISION MALMESBURY, WESTERN CAPE PROVINCE**

Your letter bearing reference ABB/9749/ZN dated 08 May 2018 refers.

This Department has no objection against the proposed rezoning of a portion measuring approximately 41,9776 hectares (Proposed Ptn A) from Agricultural Zone to Subdivisional Area.

The formal subdivision shall be considered upon receipt of the rezoning permit from the municipality as well as the completed application form in terms of the Subdivision of Agricultural Land Act, Act 70 of 1970.

It is trusted that you will find the decision in order.

Yours faithfully

MS T.S. CHIPETA
ACTING DEPUTY DIRECTOR GENERAL: FORESTRY AND
NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER

DATE: 16/01/19

CC: Land Use and Soil Management Private Bag X 2 SANLAMHOF 7532
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607

**REFERENCE: 16/9/6/1-26/178 (Job 26110)****ENQUIRIES: Ms GD Swanepoel****DATE: 11 June 2018**

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7299

Attention: Ms DN Stellenberg

Dear Madam

ERF 373, ABBOTSDALE: PROPOSED SUBDIVISION AND REZONING: DIVISIONAL ROAD 1111

1. The following refer:
 - 1.1. Your letter 15/3/3-1/Erf_373 dated 4 May 2018 to this Branch and
 - 1.2. CK Rumboll & Partners letter ABB/9749/ZN dated 21 May 2018 to this Branch.
2. The application affects Divisional Road 1111 of which this Branch is the Road Authority.
3. This proposal is for the subdivision of the subject property to create the following erven:
 - 3.1. 54 Industrial Zone 1 erven and
 - 3.2. 1 Transport Zone 2 erf.
4. Application has also been made for a new access off Divisional Road 1111 at ±km 35.00 RHS.
5. This Branch is not opposed to the development proposed on the subject property but due to a lack of information this Branch objects to the proposal in terms of the Land Use Planning Act 3 of 2014.
6. A Traffic Impact Assessment (TIA) is required for the development and it must address the following:
 - 6.1. The impact of traffic generated on the proclaimed road network,

- 6.2. The impact on the nearest future National Route 7 interchange which is currently under construction and
- 6.3. The form of intersection control required at the intersection of Divisional Roads 1111 and 1146.
7. This Branch will consider withdrawing its objection upon receipt of the abovementioned TIA.
8. The section of Divisional Road 1111 abutting the subject property will cease to be a Divisional Road upon registration of the subdivided erven in terms of Section 66(3) of the Roads Ordinance 19 of 1976 and will be a municipal street under the sole jurisdiction of the Swartland Municipality.
9. The TIA therefore must be circulated to the relevant road officials at Swartland Municipality.

Yours faithfully



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

**REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-26/176 (Job 26110)****ENQUIRIES: Ms GD Swanepoel****DATE: 24 June 2020**

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

Attention: Ms Z Nortjé

Dear Madam

ERF 973 ABBOTSDALE: PROPOSED SUBDIVISION AND REZONING

1. The following refer:
 - 1.1. Your letter to this Branch referenced ABB/9749/ZN dated 21 February 2020 and
 - 1.2. The Traffic Impact Assessment to this Branch dated February 2020.
2. This application affects Divisional Road 1111 of which this Branch is the Road Authority.
3. The proposed application is for:
 - 3.1. The subdivision of the subject property into Portion A (±47.411 ha) and a Remainder (±136.921 ha)
 - 3.2. The rezoning and subdivision of Portion A from Agricultural zone 1 to Subdivisional area to accommodate 53 Industrial zone 1 erven and 1 Transport zone 2 erf.
4. This Branch withdraws its objection and offers no objection to the proposal in terms of the Land use Planning Act 3 of 2014 on condition that:
 - 4.1. The geometric improvements of intersections as stipulated in the TIA must be implemented and this Branch has no budget for improvements to these intersections.
5. The section of Divisional Road 1111 abutting the subject property will cease to be a Divisional Road upon registration of the subdivided erven in terms of Section 66(3) of the Roads Ordinance 19 of 1976 and will be a municipal street under the sole jurisdiction of the Swartland Municipality.

6. As a Controlling Authority in terms of Act 21 of 1940 this Branch approves the subdivision.

Yours faithfully



SW CARSTENS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

ENDORSEMENTS

1. Ck Rumboll & Partners
Attention: Z Nortjé (e-mail: Zanelle@rumboll.co.za)

2. Swartland Municipality
Attention: DN Stellenberg (e-mail: swartlandmun@swartland.org.za)

3. Sturgeon Consulting
Attention: B du Preez (e-mail: barend@sturgeonsa.co.za)

4. District Roads Engineer
Ceres

5. West Coast District Municipality
Attention: Mr Dana van der Westhuizen (e-mail)

6. Mr SW Corstens (e-mail)

7. Ms PZ Govu (e-mail)

8. Mr D Fortuin (e-mail)

SKCMasakhizwe Engineers (Pty) Ltd
South Division



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Offices at Pretoria, Nelspruit,
Aliwal North, Paarl,
and Mozambique

B-BBEE LEVEL TWO CONTRIBUTOR

Your ref:

Our ref: W1731/3.7-04

21/08/2022

Attention: Me. Z. Nortjé

CK Rumboll & Partners
P.O. Box 211
MALMESBURY
7299

Madam

ABBOTSDALE INDUSTRIAL ERVEN: ERF 373, ABBOTSDALE SERVICES REPORT

The development is situated opposite the existing town, Abbotsdale, along the western boundary of the Old Malmesbury Road towards Kalbaskraal. The development will consist of 54 Light Industrial erven of approximately 7 500m² each.

All services will be designed and constructed in accordance with:

- The Provision of Engineering Services to Residential Townships (Blue/Red Book).
- The standards, requirements and approval of the Swartland Municipality.
- SANS1200 specification as applicable.

1. ROADWORKS

Access to the new development will be from the Abbotsdale/Kalbaskraal Road, opposite the existing Darling Road intersection. An internal road network will be installed to provide access to the new erven.

The new roads will be designed and constructed to the following minimum standards:

- a. Asphalt surfacing with minimum surfaced width (blacktop) of 7.4m.
- b. Kerbing on both sides of the road.
- c. Formal stormwater drainage system will be provided.
- d. Sidewalks on both sides of the road: minimum 1.5m wide. One side will be premixed to allow for a bicycle route in the development.
- e. Road markings and signage as per statutory requirements.

2. STORMWATER

The development is situated opposite the existing town, Abbotsdale, along the western boundary of the Old Malmesbury Road towards Kalbaskraal. The development will consist of 54 Light Industrial erven of approximately 7 500m² each. The total area of the erf is 467 060.47m². The landscape has a general slope classification of 3-10%.

Stormwater will be accommodated in a system of concrete stormwater pipes, gravitating to the existing 2,4m x 1,2m concrete culvert underneath the Abbotsdale/Kalbaskraal Road. The stormwater system will be designed to accommodate the post development 1:2 year recurrence interval run-off from the properties.



Figure 1: Proposed Future Development

The storm water for the erven in front of the existing Abbotsdale/Kalbaskraal Road, will be directed by means of overland flow into the existing storm water channel, which discharges into the existing 2.4m x 1.2m concrete culvert underneath the Abbotsdale/Kalbaskraal Road. The storm water for the remaining erven and road surfaces will gravitate by means of concrete storm water pipes and accommodated in a new retention pond which will finally discharge into the existing culvert. Two smaller retention ponds might be required at either end of the development. This depends on the future development phasing.

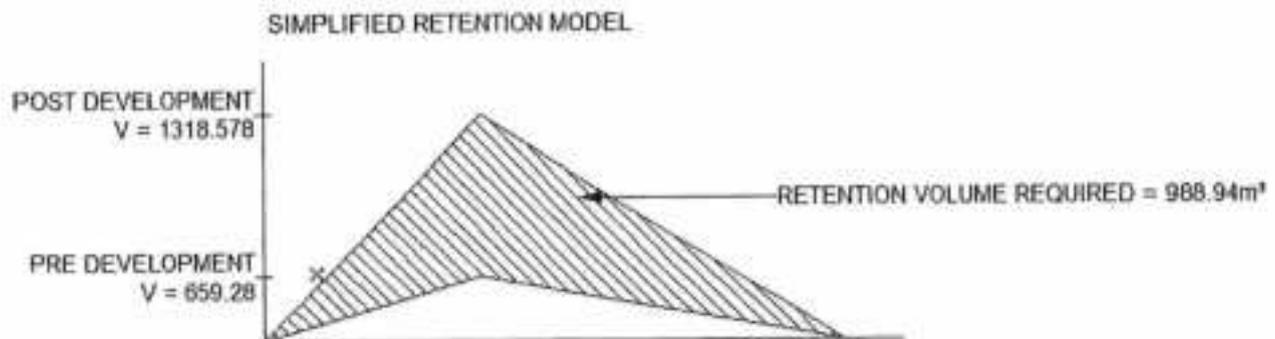
Storm water Retention Pond:

A dry storm water retention pond will be designed to handle the quantity of additional runoff generated by the development. The water depth of the pond will be 1 000mm. The pond will have inlet and outlet structures to manage the critical storm event runoff.

Public safety signage and 1.8m high fencing around the retention pond for optimal safety of the residence, will be implemented.

Detention of the 1:2 year flood:

- | | | |
|----|--|--|
| a) | Duration (Tc) | = 15 min |
| b) | Point rainfall (Table 1) 1:2 year, 15min | = 9.4 mm |
| c) | Run-off factor post development: 0.6 | |
| d) | Run-off factor pre development: 0.3 | |
| e) | Area: 233 790.55m ² | |
| f) | Post development Volume (Tc=15min): | Q = CIA
= 0.6 x 0.0094m x 233 790.55m ²
= 1 318.57 m ³ |
| g) | Pre development Volume (Tc=15min): | Q = CIA
= 0.3 x 0.0094m x 233 790.55m ²
= 659.28 m ³ |
| h) | Retention required | = 988.94 m ³ |



A retention pond of 32m x 32m x 1m deep will be adequate to accommodate the storm water retention required.

3. WATER

3.1 Water Demand

We have assumed that 65% of the erven will be low water usage industries and 35% will be high water users.

1) ADD Calculation: Low water usage

30% coverage x 7 500² erf x 2,0 kl/1 000m² demand = 4.5 kl per erf.

2) ADD Calculation: High water usage

30% coverage x 7 500² erf x 6,0 kl/1 000m² demand = 13.5 kl per erf.

Total Average Daily Demand (ADD):
 35 erven @ 4.5 kl = 157.5 kl/day
 19 erven @ 13.5 kl = 256.5 kl/day
414.0 kl/day

Average Daily Flow = 4.8 l/s

3.2 GLS Report: Bulk Water Recommendations (May 2022)

The master plan indicated that the proposed development should be accommodated in the future Oranjefontein reservoir water distribution zone. The proposed development can however be accommodated in the interim (before the Oranjefontein reservoir is constructed) within the existing Abbotsdale reservoir zone, or alternatively within the Wesbank reservoir zone.

Our recommendation would be to connect to the Abbotsdale reservoir as an interim measure and to connect to the proposed De Hoop reservoirs in the future. Proposed bulk pipelines are shown on the attached drawing.

Master plan items:

- SAW5.2 : 280 m x 250 mm Ø
- SAW1.1 : 250 m x 200 mm Ø
- SAW1.3 : 20 m x 160 mm Ø
- SAW5.1 : 670 m x 250 mm Ø
- SAW2.10 : 340 m x 250 mm Ø

3.3 Internal Water supply

The peak demand for the fully developed industrial area:

Peak Factor: 4

Peak Flow: 4 x 4.8 l/s = 19.2 l/s

Water to the new erven will be supplied by means of a water network consisting of:

- 160mm Ø HDPE (PE 100) Class 12 pipes with the necessary accessories.
- 40 mm Ø HDPE erf connections.
- Hydrants will be placed and installed as per *The Provision of Engineering Services to Residential Townships* (Blue/Red Book).

4. SEWER

4.1 Internal Sewer Network

Sewerage from the new erven will be collected in a sewer network consisting of 160mm Ø uPVC Class 34 pipes with a 160mm Ø uPVC erf connection to each erf. Manholes will be placed at all vertical and horizontal changes of gradient and direction with a maximum of 90m between manholes. The sewerage will flow to Pumpstation 2 via the existing municipal sewer network in Abbotsdale by means of a 200mm Ø Class 34 uPVC sewer pipe. The pipe will cross the Abbotsdale/Kalbaskraal Road and the existing Railway line. These crossings will be installed by means of directional drilling.

Estimated sewerage run-off:

54 erven x 80% of 4.5 kl/erf = 195 kl/day.

4.2 External Sewer Network

Sewerage from Abbotsdale is pumped to the Malmesbury Sewerage Treatment Works by means of two pumpstations. Pumpstation 1 has a capacity of 12.4 l/s and Pumpstation 2 has a capacity of 3.9 l/s. Both pumpstations can pump simultaneously into the rising main. The rising main has a capacity of 16.3 l/s @ 50m head.

4.2.1 Pumpstation 2

Existing Sewerage flow: 259 erven @ 500l/erf	= 129.5 kl/day
Industrial Sewerage flow	= <u>195.0 kl/day</u>
Total	324.5 kl/day

AWWF: $324.5 \times 1.15 = 373.17 \text{kl/day}$ or 4.3 l/s

Peak Factor = 2.15

Peak Flow = $2.15 \times 4.3 = 9.2 \text{ l/s}$

We recommend:

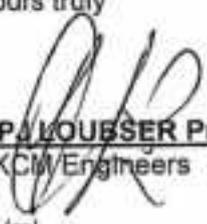
- That Pumpstation 2 be replaced with a 3.65mm Ø pumpstation.
- The pumpstation be designed for at least 4 hours storage capacity based on the AWWF.
- That the pumpstations 1 and 2 be programmed to restrict simultaneous pumping. Alternatively, the 110mm Ø rising main between Abbotsdale and the Malmesbury Sewerage Treatment works must be upgraded to a 200mmØ rising main as per GLS masterplan item SAS3.2

5. SOLID WASTE

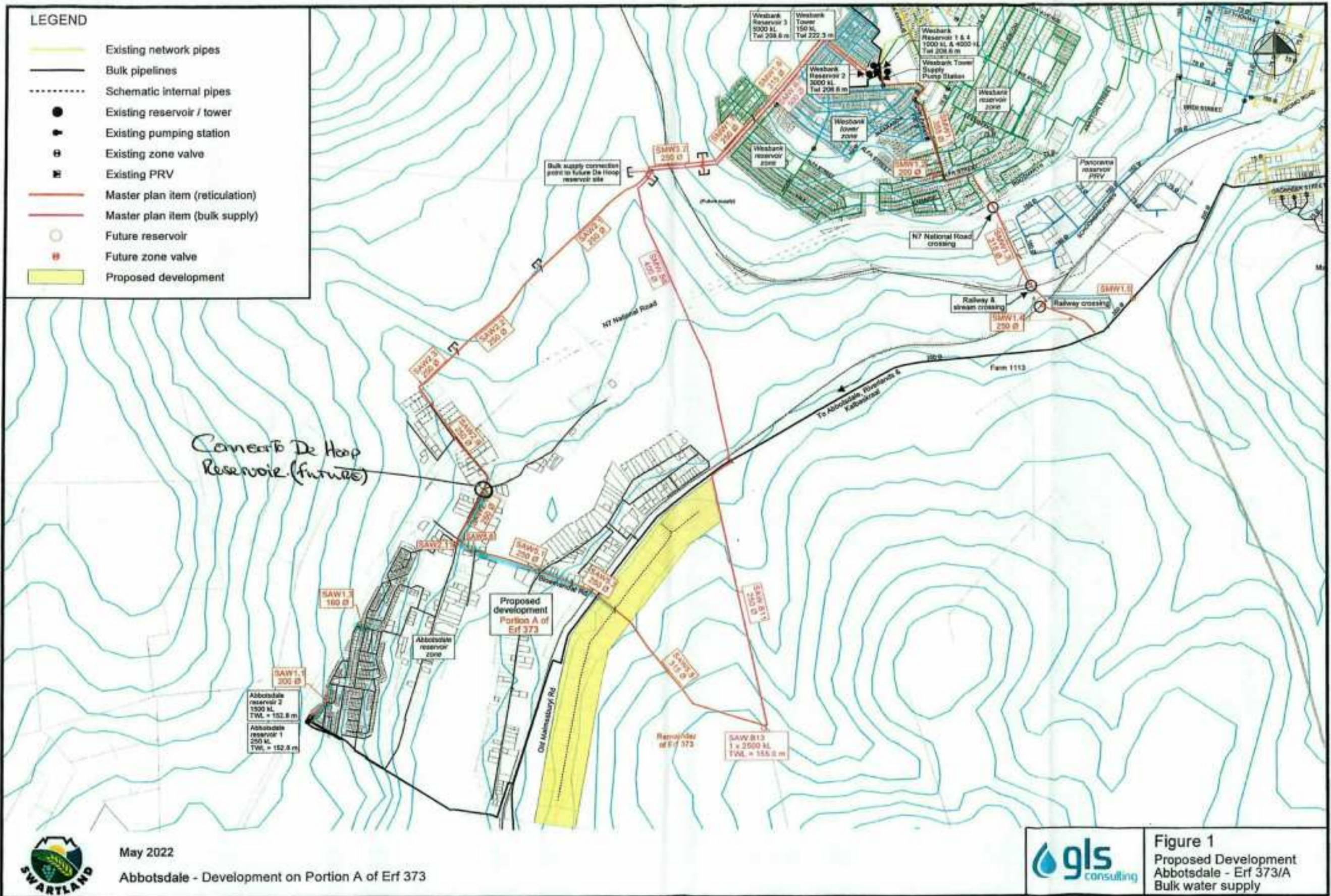
5.1 Solid Waste Disposal

The solid waste disposal service will fall under the Swartland Municipality as normal services to the area. Waste will be disposed of at the Highlands Solid waste disposal site within 5.0km from the development.

Yours truly


M.P. LOUBSER PrEng
 SKCM/Engineers

.../ml



LEGEND

- Existing network pipes
- Bulk pipelines
- Schematic internal pipes
- Existing reservoir / tower
- Existing pumping station
- Existing zone valve
- Existing PRV
- Master plan item (reticulation)
- Master plan item (bulk supply)
- Future reservoir
- Future zone valve
- Proposed development

Carnegie De Hoop Reservoir (future)

Proposed Development Portion A of Erf 373



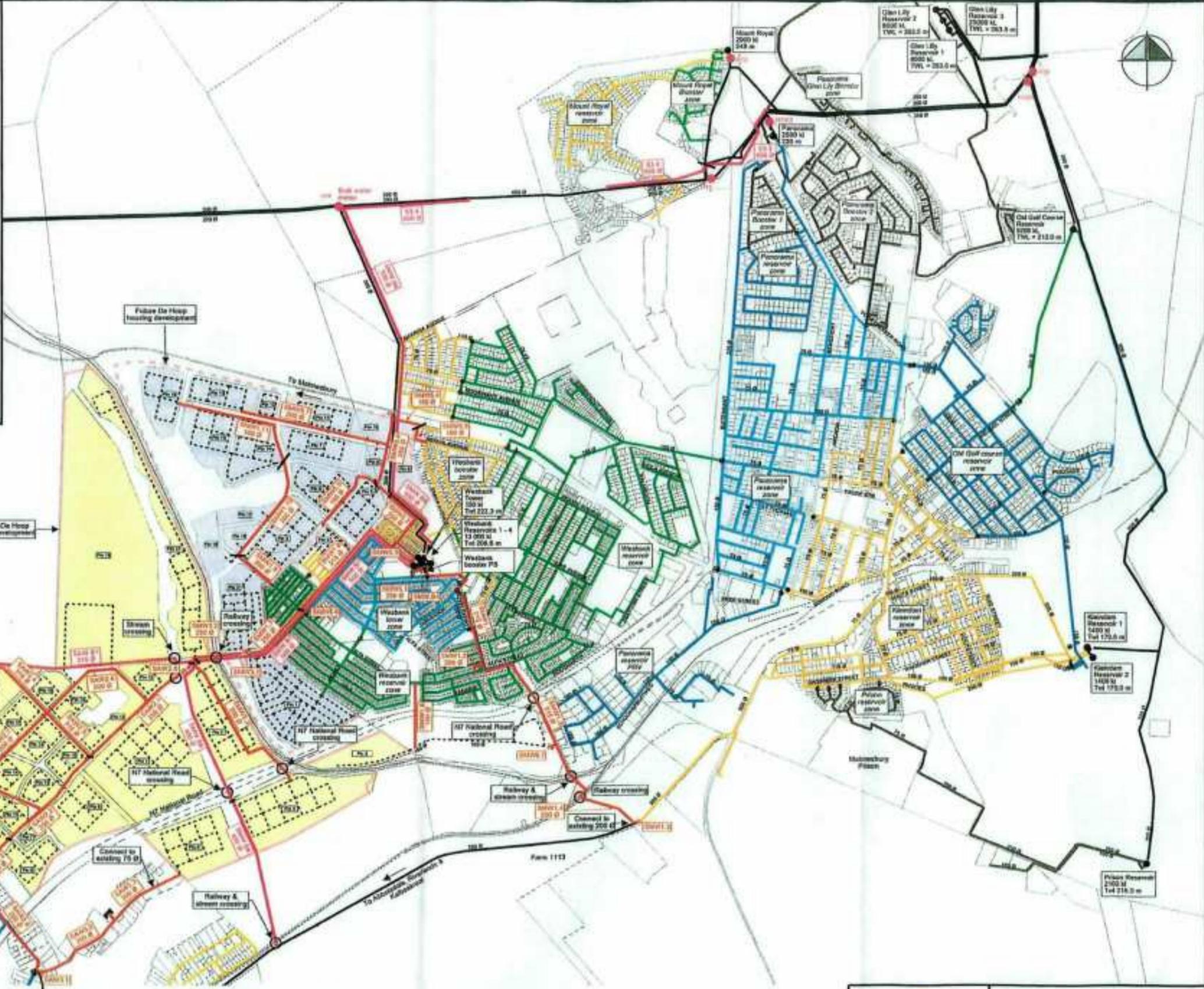
May 2022
Abbotsdale - Development on Portion A of Erf 373



Figure 1
Proposed Development Abbotsdale - Erf 373/A Bulk water supply

LEGEND

- Existing network pipes
- Bulk pipelines
- Schematic internal pipes
- Existing reservoir / tower
- Existing pumping station
- Existing zone valve
- Existing PRV
- Master plan item (reticulation)
- Master plan item (bulk supply)
- Future reservoirs
- Future pumping station
- Future zone valve
- Future PRV
- Future De Hoop mixed development
- Future De Hoop housing development

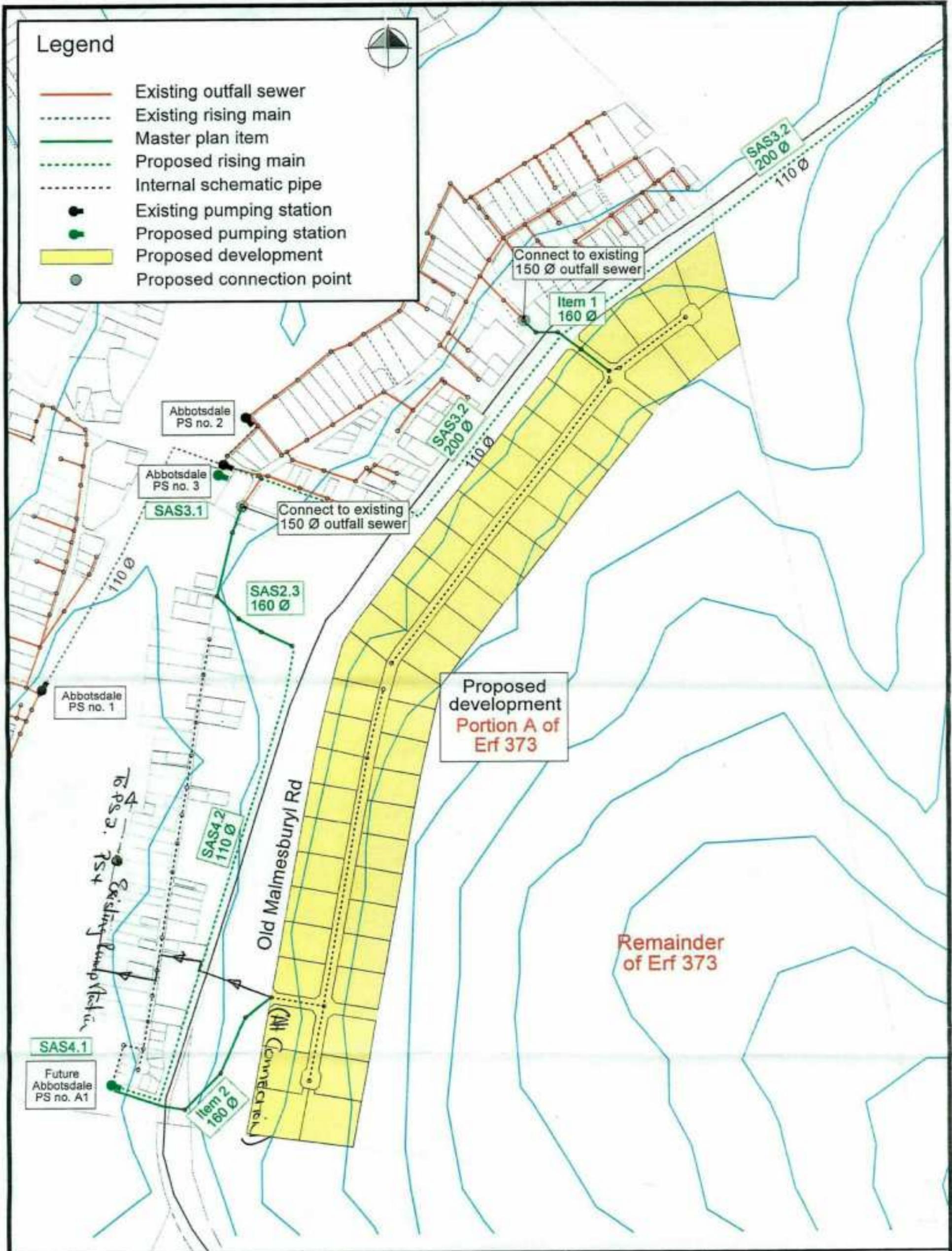


July 2020
Malmesbury - De Hoop Development

Connect to De Hoop Reservoir. (Future)



Figure 1 (Draft)
Proposed Development
Malmesbury - De Hoop
Water master plan



Legend

- Existing outfall sewer
- - - Existing rising main
- Master plan item
- - - Proposed rising main
- - - Internal schematic pipe
- Existing pumping station
- Proposed pumping station
- Proposed development
- Proposed connection point

**Proposed development
Portion A of
Erf 373**

**Remainder
of Erf 373**



April 2022
Abbotsdale - Development on Portion A of Erf 373



Figure 2
Proposed Development
Portion A of Erf 373 - Abbotsdale
Existing Sewer System



CONSECUTIVE CLEAN AUDITS



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

Lêer verw/
File ref: 15/3/1

Navrae/Enquiries:
Louis Zikmann
21 October 2020

To whom it may concern

AVAILABILITY OF BULK SERVICES: DEVELOPMENT OF ERF 373 ABBOTSDALE

Water

The allocation for bulk water from the WCWSS for Swartland Municipality is 9.47 million m³/annum. The current abstraction is in the order of 5.2 million m³/annum. The estimated water demand for the proposed development is 146 m³/annum. The availability of bulk water is therefore confirmed.

Sewer

Effluent from the proposed development will be treated at the Malmesbury WWTW. The WWTW has a hydrological capacity of 10 m³/day and an organic treatment capacity of 10 000 kg COD/day. The current flow received at the WWTW is 5.2 m³/day and the organic loading rate is 5 500 kg COD/day. The anticipated flow from the proposed piggery is 0.195 m³/day and the anticipated organic load is 195 kg COD/day. There is therefore sufficient treatment capacity.

Solid Waste

Normal refuse of the proposed development will be handled the Highlands Landfill. The estimated remaining life of the Highlands Landfill is 30 years. There is therefore sufficient capacity.

The abovementioned services will only be made available once all development conditions have been implemented and will be reserved for a period of not longer than 24 months.

Yours faithfully

MUNICIPAL MANAGER
per Department Civil Engineering Services
LDZ/ma

Rig asseblief alle korrespondensie aan:
Die Munisipale Bestuurder
Privaatsek 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
Yaerfontein Tel: 022 451 2366

4 May 2022

The Director Technical Services
West Coast District Municipality (WCDM)
P. O. Box 242
Moorreesburg
7310

Attention: Mr Michiel Visser

Dear Sir,

PROPOSED INDUSTRIAL DEVELOPMENT ON PORTION A OF FARM 373, ABBOTSDALE: CAPACITY ANALYSIS OF THE WCDM BULK WATER SUPPLY SYSTEM

The request by Ms Zanelle Nortjé of CK Rumboll & Partners regarding comments on the capacity of the WCDM bulk water system to supply water to the proposed development on Portion A of Farm 373, Abbotsdale, within the Swartland Municipality (SM) refers.

This document should inter alia be read in conjunction with the Swartland Bulk Water Master Plan (performed for SM, dated December 2021).

1. EXTENT OF DEVELOPMENT

The total annual average daily demand (AADD) required for the development was calculated as follows (as provided by SKCMasakhizwe Engineers (Pty) Ltd):

• 35 Industrial erven @ 4,5 kL/d/unit	=	157,5 kL/d
• 19 Industrial erven @ 13,5 kL/d/unit	=	<u>256,5 kL/d</u>
Total	=	414,0 kL/d

The reticulation master plan for SM indicated that the proposed development should be accommodated in the future Oranjefontein reservoir water distribution zone (new reservoir to the east of Abbotsdale). The proposed development can however be accommodated in the interim (before the Oranjefontein reservoir is constructed) within the existing Abbotsdale reservoir zone, or alternatively within the Wesbank reservoir zone.

The Abbotsdale reservoirs in Abbotsdale are supplied with bulk water from the Kleindam reservoirs in Malmesbury. The Kleindam reservoirs, in turn, are supplied with bulk water through the so-called "Prison-line" between the WCDM bulk system and the Kleindam and Prison reservoirs in Malmesbury. Bulk water supply is also currently augmented from the Old Golf Course reservoir (via the Old Golf Course network) to the Kleindam reservoirs in order to supplement supply to Abbotsdale, Kalbaskraal, Riverlands & Chatsworth during peak demand conditions (Abbotsdale, Kalbaskraal, Riverlands & Chatsworth form part of the Malmesbury system and are currently supplied with bulk water through a dedicated bulk pipeline from the Kleindam reservoirs).

GLS Consulting (Pty) Ltd

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Reg no: 2007/003039/07

www.gls.co.za

Directors: HA Baartman, AG Hingston

The location of the WCDM meters H10/0 (supplying water to the Kleindam reservoirs and Prison reservoir) and H10 (supplying water to the Old Golf reservoir and from there through the network to the Kleindam reservoirs) are shown on Figure 1 attached.

The present AADD recorded at the WCDM meters H10/0 & H10 respectively was 2 495 kL/d and 469 kL/d for the 12 months ending March 2021.

The SM bulk system downstream of WCDM meters H10/0 & H10 is however at capacity and it is proposed in the water reticulation master plan for SM that any additional developments in Abbotsdale, Kalbaskraal, Riverlands & Chatsworth should be supplied with bulk water from the Wesbank reservoirs in Malmesbury.

The Wesbank reservoirs are supplied with bulk water from the WCDM Glen Lily reservoirs through meter I1/4. The location of WCDM's meter I1/4 is shown on Figure 1 attached.

The present AADD recorded at the WCDM meter I1/4 was 2 386 kL/d for the 12 months ending March 2021.

We confirm that the increase in water demand due to the proposed development will be in accordance with that allowed for in the water master plan.

2. WATER SYSTEM

2.1 Distribution system

The proposed development on portion A of Farm 373 in Abbotsdale should be supplied with bulk water from the Wesbank reservoirs in the Malmesbury water system.

The impact of the proposed development on the existing infrastructure of SM is discussed in a separate report, addressed to SM, dated 4 May 2022.

2.2 Reservoir capacity

The Wesbank reservoirs in the Malmesbury water system are supplied with bulk water from the WCDM Glen Lily reservoirs. The existing Glen Lily reservoirs have a current storage capacity of 90 hours of the AADD (of the reservoir supply zone).

The impact of the proposed development on the supply capacity of the Glen Lily reservoirs is relatively insignificant in relation to the storage volume of 41,0 ML for the reservoirs.

2.3 Bulk supply

Swartland WTP to Glen Lily reservoirs:

The Glen Lily reservoirs in Malmesbury are supplied with bulk water from the Swartland Water Treatment Plant (WTP) next to the Voëlvllei dam.

From the Swartland WTP water is pumped to the Kasteelberg reservoirs through a 525 mm Ø rising main, and from the Kasteelberg reservoirs water gravitates to the Glen Lily reservoirs in Malmesbury through the so called H-line. Supply to the Glen Lily reservoirs is augmented during periods of high demand through the Swavelberg and Rustfontein booster pump stations, located between Kasteelberg and Malmesbury.

The 525 mm Ø rising main to the Kasteelberg reservoirs from the Swartland WTP is not significantly impacted by the development. The flow to the development is less than 1% of the flow in the rising main for the additional demand of the development.

It should however be noted that this pipeline supplies more than 96% of the total water demand of the Swartland bulk water system and the risk associated with failure on the line or the pump station is significant. It was therefore proposed in the water master plan for WCDM that the pipeline between the Swartland WTP and the Kasteelberg reservoirs should be reinforced with a parallel 600 mm Ø rising main (project S1 in the master plan) in order to improve the redundancy of the overall system. A large section of this pipeline has already been constructed.

The H-line between the Kasteelberg reservoirs and the Glen Lily reservoirs consists of 3 parallel pipes for large sections of the line (300 mm, 375 mm and 450 mm Ø for a large section between the Kasteelberg reservoirs and the Swavelberg pump station and 300 mm, 300 mm and 350 mm Ø for large sections between the Swavelberg pump station and the Glen Lily reservoirs) and has sufficient capacity to accommodate the proposed development.

Glen Lily to meter 11/4 (Wesbank):

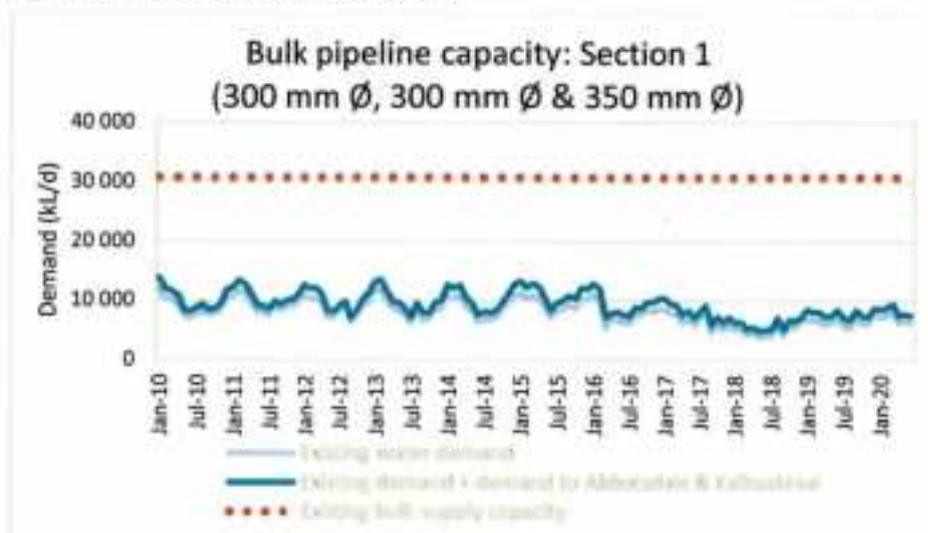
The Wesbank reservoirs are supplied with bulk water from the WCDM system through meter no. 11/4. Meter 11/4 is supplied with bulk water from the Glen Lily reservoirs through the so called "I-line" through the following pipe sections:

- Section 1: (Glen Lily to Panorama), 300 mm Ø, 300 mm Ø & 350 mm Ø parallel pipes.
- Section 2: (Panorama to meter H11), 350 m x 300 mm Ø pipe & 150 m x 450 mm Ø pipe.
- Section 3: (meter H11 to meter 11/4), 300 mm Ø & 200 mm Ø parallel pipes (660 m), 450 mm Ø pipe (780 m) & 300 mm Ø & 200 mm Ø parallel pipes (750 m).

A detailed analysis of the bulk system from the Glen Lily reservoirs to the Wesbank reservoirs showed that the following spare capacity is available within each section of the existing bulk system in order to accommodate additional developments:

Section 1: (Glen Lily to Panorama), 300 mm Ø, 300 mm Ø & 350 mm Ø parallel pipes:

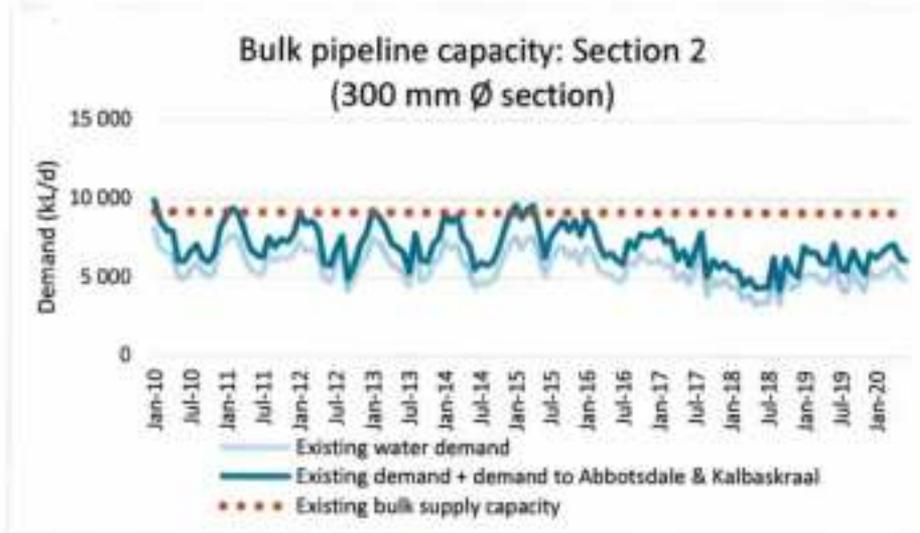
Figure 2: Spare capacity in section 1:



Section 1 of the I-line has sufficient capacity to accommodate the bulk water demand of the proposed development together with the existing water demand to Darling, Yzerfontein and the West Bank reservoirs, as indicated on Figure 2 above.

Section 2: (Panorama to meter H11), 350 m x 300 mm Ø pipe & 150 m x 450 mm Ø pipe:

Figure 3: Spare capacity in section 2:

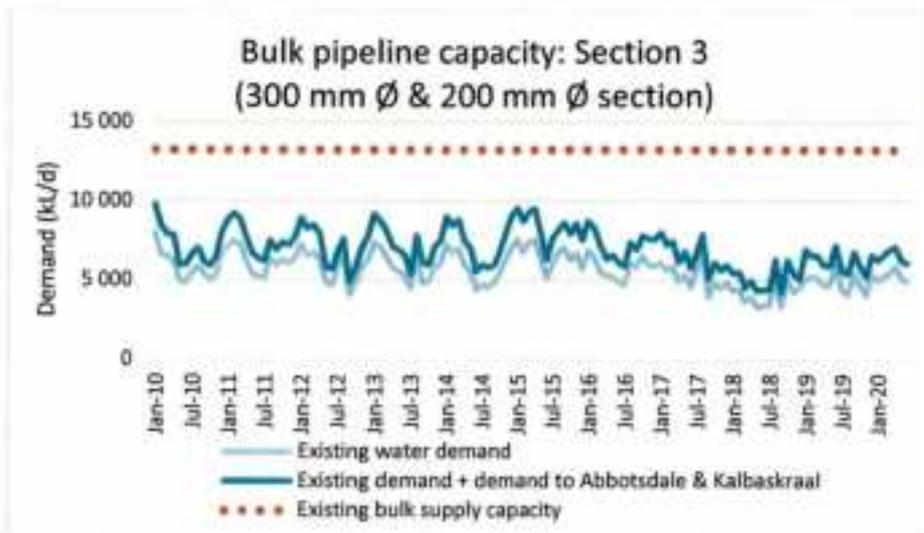


Section 2 of the I-line has insufficient capacity to accommodate the bulk water demand of the proposed development together with the existing water demand to Darling, Yzerfontein and the West Bank reservoirs.

Upgrading of this section of the bulk pipeline between the Glen Lily reservoirs and the draw-off point to the Wesbank reservoirs will therefore be required.

Section 3: (meter H11 to meter I1/4), 300 mm Ø & 200 mm Ø parallel pipes (660 m), 450 mm Ø pipe (780 m) & 300 mm Ø & 200 mm Ø parallel pipes (750 m).

Figure 4: Spare capacity in section 3:



Section 3 of the I-line has sufficient capacity to accommodate the bulk water demand of the proposed development together with the existing water demand to Darling, Yzerfontein and the West Bank reservoirs, as indicated on Figure 4 above.

2.4 Implementation of the master plan

As described in paragraph 2.3, section 2 of the existing bulk system from the Glen Lily reservoirs to the Wesbank reservoirs has insufficient spare capacity to accommodate the bulk water demand of the proposed development on portion A of Farm 373 in Abbotsdale.

The following upgrade to Section 2 is proposed in the bulk water master plan for SLM:

Bulk supply upgrade

• S3.3a	: 310 m x 450 mm Ø bulk pipe to install (replace existing 300 mm Ø AC pipe)	R	1 923 000 *
• S3.3b	: 75 m x 650 mm Ø bulk pipe to install (including N7-crossing)	R	7 080 000 *
	Total	R	9 003 000 *

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2020/21 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Take note that the routes of the proposed pipelines are schematically shown on Figure 1 attached, but have to be finalised subsequent to detail pipeline route investigations.

2.5 Water treatment capacity

The Swartland WTP supplies water to the Swartland bulk water system and has a current treatment capacity of 29,10 ML/d.

The recorded AADD treated at the Swartland WTP during the 2020/21 financial year was ± 15,71 ML/d.

Monthly flow measurements of bulk water treated at the Swartland WTP from July 2003 to June 2021 indicates that the peak monthly demand for the Swartland WTP is 1,26 times the AADD and experienced in the month of February.

With a calculated ratio of peak week demand to peak month demand of 1,158, the current peak week demand for the Swartland WTP can be calculated as follows:

Peak week factor (PWF)	= Peak month factor (PMF) x 1,158
	= 1,26 x 1,158
	= 1,46
Peak weekly flow	= AADD x PWF
	= 15,71 ML/d x 1,46
	= 22,94 ML/d

The Swartland WTP therefore has sufficient spare capacity available to accommodate an additional water demand with an AADD of 4,22 ML/d (peak weekly demand of 6,16 ML/d). The peak week demand should however be verified by the WCDM.

2.6 Permitted water allocation

The WCDM is the bulk water service provider (WSP) for the Bergrivier, Swartland and Saldanha Bay Local Municipalities who are the WSA for their areas of jurisdiction. They are all part of the Western Cape Water Supply System (WCWSS). The WCDM holds the water use license on behalf of the Local Municipalities. The current allocation from the WCWSS to the Swartland system is 8 200 ML/a (7 900 ML/a allocated to SLM and 300 ML/a allocated to the Drakenstein LM respectively).

The recorded raw water abstraction during the 2020/21 financial year from the Voëlvlei dam for the Swartland system was ± 5 866 143 kL, which is less than the current allocation. The current water

allocation from the Voëlvllei dam to WCDM is therefore sufficient to accommodate the proposed development.

3. CONCLUSION

The impact of the proposed development on the Swartland bulk water system infrastructure is considered to be relatively small and it contributes insignificantly to the growth in water demand for the system as a whole (the abstraction is less than 1% of the total peak day flow in the future model).

Upgrading of a small section of the bulk pipeline between the Glen Lily reservoirs and meter no 11/4 is however proposed (master plan items S3.3a & S3.3b) in order to accommodate the proposed development together with other future developments in the towns supplied by the so-called "I-line".

No additional upgrades to the Swartland bulk water system are required as a direct result of the proposed development.

Parallel reinforcement of the rising main between the Swartland WTP and the Kasteelberg reservoirs is however proposed in the bulk water master plan for SLM to be implemented in the near future in order to improve redundancy and thus also the reliability of bulk supply to the larger part of the Swartland water system.

Based on the current water demand of the Swartland bulk water system the Swartland WTP has sufficient capacity to accommodate the proposed development in the existing system. The demand for the total system for the 2020/21 financial year ($\pm 5\,900$ ML) is also less than the current allocation from the WCWSS to the Swartland system (8 200 ML/year).

We trust that you find this of value.

Yours sincerely,

GLS CONSULTING (PTY) LTD
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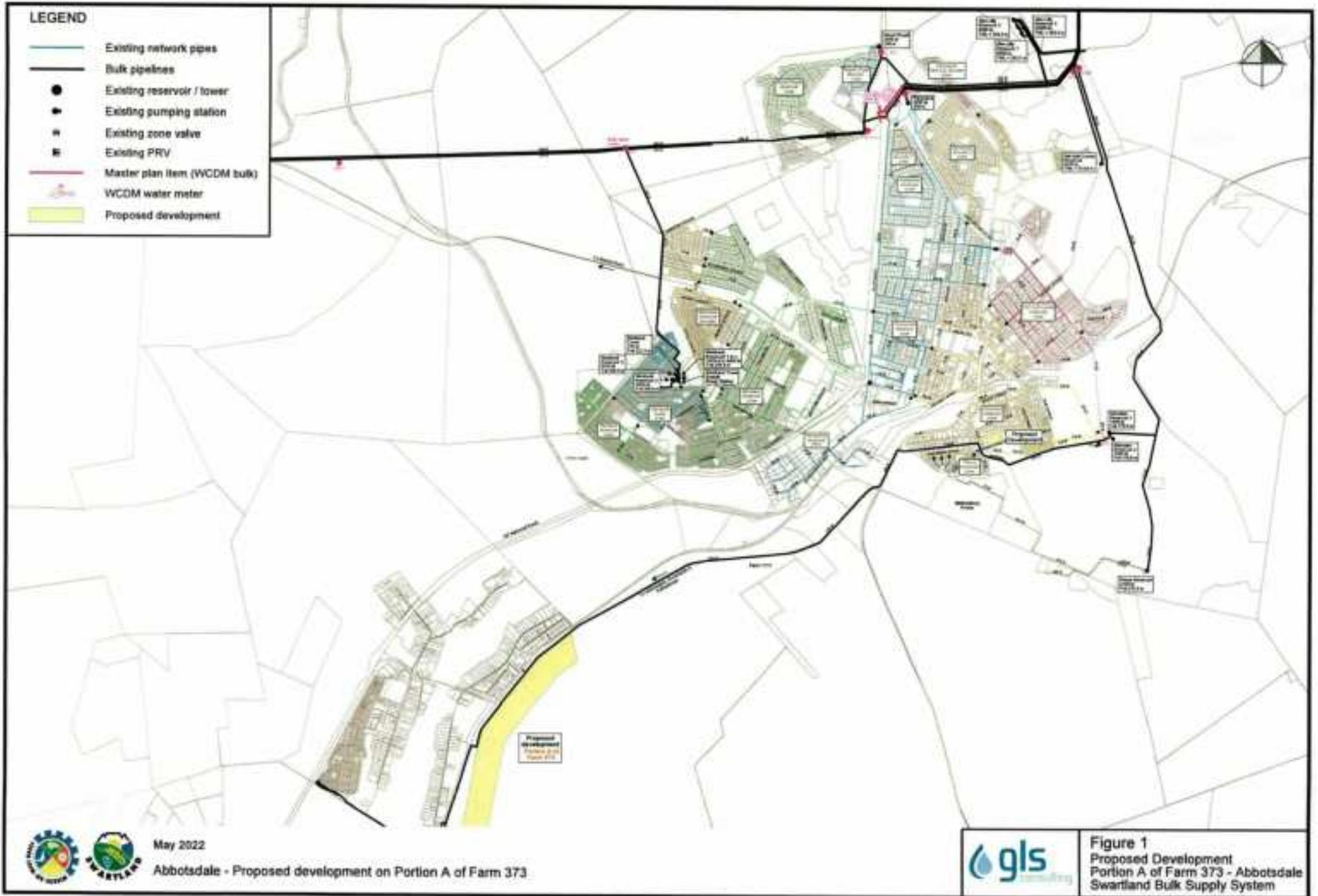
Per: PC DU PLESSIS

cc. Director: Civil Engineering Services
Swartland Municipality
Private Bag X52
MALMESBURY
7299

Attention: Mr. Johan Venter

CK Rumboll & Partners
16 Rainier Street
Malmesbury
7299

Attention: Ms Zanelle Nortjé



4 May 2022

The Manager: Civil Engineering Services
Swartland Municipality
Private Bag X52
Malmesbury
7299

Attention: Mr Johan Venter

Dear Sir,

PROPOSED INDUSTRIAL DEVELOPMENT ON PORTION A OF ERF 373, ABBOTSDALE: CAPACITY ANALYSIS OF THE BULK WATER AND SEWER SERVICES

The request by Ms Zanelle Nortjé of CK Rumboll & Partners regarding comments on the bulk water supply and sewer discharge of the proposed development (industrial development on Portion A of Erf 373, Abbotsdale), refers.

This document should inter alia be read in conjunction with the Water Master Plan (performed for the Swartland Municipality) dated June 2020 and the Sewer Master Plan dated June 2020.

The proposed development on Portion A of Erf 373 was conceptually taken into consideration for the June 2020 master plans for the water and sewer networks as future development area AD_01.

1. WATER DISTRIBUTION SYSTEM

1.1 Distribution zone

The master plan indicated that the proposed development should be accommodated in the future Oranjefontein reservoir water distribution zone. The proposed development can however be accommodated in the interim (before the Oranjefontein reservoir is constructed) within the existing Abbotsdale reservoir zone, or alternatively within the Wesbank reservoir zone.

The development is located inside the water priority area.

1.2 Water demand

The original water analysis for the master plan was performed with a total annual average daily demand (AADD) for the proposed development area (future area AD_01 in the June 2020 water master plan) of 748,0 kL/d.

For this re-analysis, the AADD and fire flow for the proposed development was used as 414,0 kL/d (as provided by SKCMasakhizwe Engineers (Pty) Ltd).

- 35 Industrial erven @ 4,5 kL/d/unit = 157,5 kL/d
- 19 Industrial erven @ 13,5 kL/d/unit = 256,5 kL/d
- Total = 414,0 kL/d

- Fire flow criteria (Moderate risk) = 25 L/s @ 10 m

GLS Consulting (Pty) Ltd

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Directors: HA Swartman, AG Hrugston

1.3 Present situation

1.3.1 Reticulation network

Oranjefontein reservoir

Ultimately the proposed development should be supplied with water from the future Oranjefontein reservoir (new 2,5 ML reservoir to the east of the proposed development with a Top Water Level (TWL) of 155 metres above mean sea level (m a.s.l.). It is proposed in the water master plan that the erven in Abbotsdale east of the Dieprivier is supplied in future from the proposed Oranjefontein reservoir. A new 315 mm diameter supply pipe will be required to connect the proposed development on Erf 373 in Abbotsdale to the proposed reservoir. In the interim, before the Oranjefontein reservoir is implemented, it is however proposed that the development is supplied with water from either the Abbotsdale or Wesbank reservoirs.

Abbotsdale reservoir

The existing reticulation system within the Abbotsdale reservoir distribution zone has insufficient capacity to accommodate the proposed development to comply with the pressure and fire flow criteria as set out in the water master plan.

Wesbank reservoir

An alternative option is to supply the proposed development with water directly from the existing Wesbank reservoirs in Malmesbury. Supply from the Wesbank reservoirs in the interim (before the Oranjefontein reservoir is implemented), will improve the capacity of the system to supply pressure and fire flow to the development. The TWL of the Wesbank reservoirs is 208 m a.s.l as apposed to the TWL of 152.8 m a.s.l of the Abbotsdale reservoirs, resulting in a higher water pressure at the higher lying erven for the development (ground elevation of higher lying erven is roughly 125 m, resulting in a maximum static pressure of 2,5 bar if supplied from the Abbotsdale reservoirs vs a static pressure of 8,0 bar if supplied from the Wesbank reservoirs). New supply pipelines will however be required to connect the existing Abbotsdale water system to the east of the Dieprivier to the existing water network of the Wesbank reservoir zone.

1.3.2 Reservoir capacity

Oranjefontein reservoir

A new reservoir should be constructed as proposed in the water master plan. In the interim, before the reservoir and accompanying bulk water infrastructure is implemented, the development can be supplied from the Abbotsdale or Wesbank reservoir sites.

Abbotsdale reservoir

The criteria for total reservoir volume used in the Swartland Water Master Plan is 48 hours of the AADD (of the reservoir supply zone).

According to the water master plan the AADD of the Abbotsdale reservoir water distribution zone is currently approximately 410 kL/d (based on the 2020 Water Master Plan water demand figures). When all vacant erven within the Abbotsdale water distribution zone are fully occupied (i.e. if all existing erven in the supply area use water as per their zoning rights), the AADD could potentially increase to 1 083 kL/d. The fully occupied AADD of the existing erven in Abbotsdale is therefore 1 083 kL/d.

The capacity of the existing Abbotsdale reservoirs is 1 750 kL, which results in a current reservoir storage capacity of 102 hours of the AADD. With all vacant erven occupied the storage capacity decreases to 32 hours of the AADD of the supply zone (excluding the demand of the proposed development), and therefore there is insufficient capacity in the Abbotsdale reservoirs to accommodate the proposed development.

Wesbank reservoir

The Wesbank reservoirs have sufficient spare capacity to accommodate the proposed development.

1.3.3 WCDM bulk supply

Abbotsdale is supplied with bulk water from Malmesbury. Malmesbury in turn is supplied with bulk water from the Glen Lily reservoirs located to the north of the town. The Glen Lily reservoirs in Malmesbury are supplied with bulk water from the Swartland Water Treatment Plant (WTP) next to the Voëlvlei dam through the Swartland bulk system, operated by the West Coast District Municipality (WCDM).

From the Swartland WTP water is pumped to the Kasteelberg reservoirs through a 525 mm Ø rising main, and from the Kasteelberg reservoirs water gravitates to the Glen Lily reservoirs in Malmesbury through the so called "H-line". The H-line consists of 3 parallel pipes for large sections of the line (300 mm Ø, 375 mm Ø and 450 mm Ø for a large section between the Kasteelberg reservoirs and the Swaveberg PS and 300 mm, 300 mm and 350 mm Ø for large sections between the Swaveberg PS and the Glen Lily reservoirs).

Supply to the Glen Lily reservoirs is augmented during periods of high demand through the Swaveberg and Rustfontein booster PSs, located between Kasteelberg and Malmesbury.

From the WCDM Glen Lily reservoirs bulk water is supplied to Malmesbury through the following bulk meters:

- Meter H10 (Supply to Old Golf Course reservoir)
- Meter H10/0 (Supply to Kleindam & Prison reservoirs)
- Meter H10/3 (Supply to Panorama reservoir)
- Meter H12 (Supply to Mount Royal reservoir)
- Meter I1/4 (Supply to Wesbank reservoir)

The analysis of the capacity of the Swartland bulk system in order to accommodate the proposed development is discussed in a separate report, addressed to WCDM, dated 4 May 2022.

1.3.4 Abbotsdale bulk supply

Oranjefontein reservoir

New bulk infrastructure will be required to implement the future Oranjefontein reservoir.

Abbotsdale reservoir

The existing bulk supply from Malmesbury to Abbotsdale is at capacity and should be upgraded as per the water master plan in order to accommodate any additional development.

Wesbank reservoir

The bulk supply system from WCDM meter no. I1/4 to the Wesbank reservoir has sufficient spare capacity to accommodate the proposed development.

1.4 Implementation of the master plan

Refer to Figure 1 attached:

The following master plan items will be required to accommodate the proposed development in the existing water system together with other potential future development areas:

1.4.1 Bulk supply

Oranjerfontein reservoir

In order to establish the future Oranjerfontein reservoir zone the following new infrastructure and reinforcements to the existing bulk supply system will be required:

• SMW.B7 ¹	: 1 570 m x 500 mm Ø Install new bulk pipeline	R 12 855 000 *
• SMW.B8 ¹	: 1 750 m x 400 mm Ø Install new bulk pipeline	R 9 640 000 *
• SAW.B1	: 1 575 m x 200 mm Ø Install new bulk pipeline	R 3 008 000 *
	Total	R 25 503 000 *

Notes:

¹ An alternative solution to upgrade the existing bulk supply to Abbotsdale is to implement master plan items SMW1.1 to SMW1.5 as discussed in the water master plan (estimated cost for items SMW1.1 tot SMW1.5 calculated at R11,6m).

(* Including P & G, Contingencies and Fees, but excluding VAT – Year 2021/22 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

The routes of the proposed pipelines are schematically shown on Figure 1 attached, but have to be finalised subsequent to detailed pipeline route investigations.

Abbotsdale reservoir

Master plan items SMW.B7 & SMW.B8, or alternatively master plan items SMW1.1 to SMW1.5, will be required to accommodate the proposed development in the existing Abbotsdale reservoir supply area.

Wesbank reservoir

No reinforcements are required to the existing Malmesbury bulk system in order to supply the proposed development with bulk water from the existing Wesbank reservoir site in Malmesbury.

1.4.2 Reservoir capacity

Oranjerfontein reservoir

A new 2,5 ML reservoir will be required to establish the future Oranjerfontein reservoir supply area. In the water master plan this reservoir is however only proposed for the longer term (10 years +), after existing spare capacity in the existing Abbotsdale and Wesbank reservoirs has been depleted.

• SAW.B13	: Install new 2,5 ML Oranjerfontein reservoir	R 9 968 000 *
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(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2021/22 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Abbotsdale reservoir

The existing Abbotsdale reservoir has capacity to accommodate a total water demand of 875 kL/d. The current AADD for Abbotsdale is calculated at 410 kL/d, but has to be verified by Swartland Municipality. The Abbotsdale reservoirs have insufficient spare capacity to accommodate the proposed development as discussed in section 1.3.2 earlier in the report. In the interim, before the existing spare capacity of the Abbotsdale reservoirs has been depleted, a portion of the development can be supplied from the Abbotsdale reservoirs. When the AADD for Abbotsdale reaches 875 kL/d new bulk infrastructure should however be in place to supply the development with water from either the existing Wesbank reservoir site or from the proposed Oranjefontein reservoir site.

Wesbank reservoir

The Wesbank reservoirs have sufficient spare capacity to accommodate the development.

1.4.3 Network reinforcements

Oranjefontein reservoir

The following master plan item will be required to supply the proposed development with water from the future Oranjefontein reservoir.

- SAW5.5 : 1 100 m x 315 mm Ø Install new pipeline R 3 674 000 *

After master plan item SAW5.5 is implemented, it is proposed that the existing erven in Abbotsdale east of the Dieprivier is accommodated within the Oranjefontein reservoir supply area. This will alleviate pressure on the existing Abbotsdale reservoirs.

The following master plan items will be required to accommodate the erven east of the Dieprivier within the Oranjefontein reservoir supply area.

- SAW5.1 : 670 m x 250 mm Ø Install new pipeline R 1 530 000 *
 - SAW5.2 : 280 m x 250 mm Ø Install new pipeline R 681 000 *
 - SAW5.6 : 250 mm Ø Isolating valve to insert and close R 144 000 *
- Total R 2 355 000 *

Note: The water network from the Oranjefontein reservoir will be able to supply fire flow to the corner of Bloemendal Road and Old Malmesbury Road of above 25 L/s @ 10 m head.

Abbotsdale reservoir

The following link services item will be required to connect the proposed development to the existing Abbotsdale reservoir network:

- SAW5.2 : 280 m x 250 mm Ø Install new pipeline R 681 000 *

The following master plan items will be required to reinforce the existing Abbotsdale network in order to accommodate the proposed development in the existing system:

- SAW1.1 : 250 m x 200 mm Ø Install new pipeline R 520 000 *
 - SAW1.3 : 20 m x 160 mm Ø Install new pipeline R 80 000 *
 - SAW5.1 : 670 m x 250 mm Ø Install new pipeline R 1 530 000 *
- Total R 2 130 000 *

After master plan items SAW1.1, SAW1.3 & SAW5.1 are implemented the existing system will be able to supply fire flow to the corner of Bloemendal Road and Old Malmesbury Road of 25 L/s @ 10 m head. If a higher fire flow is required, an internal booster pump station will be required for the development.

Wesbank reservoirs

The following master plan items will be required to connect the existing water network of the Wesbank reservoir zone to the existing water network of the Abbotsdale reservoir zone:

• SMW1.7 ²	: 400 m x 250 mm Ø Install new pipeline	R	870 000 *
• SMW3.2 ²	: 330 m x 250 mm Ø Install new pipeline	R	1 270 000 *
• SAW2.1 ²	: 770 m x 250 mm Ø Install new pipeline	R	2 290 000 *
• SAW2.2	: 660 m x 250 mm Ø Install new pipeline	R	1 370 000 *
• SAW2.3	: 420 m x 250 mm Ø Install new pipeline	R	900 000 *
		Total	R 6 700 000 *

The following master plan item will be required to reinforce the existing Wesbank reservoir network in order to accommodate the proposed development in the existing water system:

• SMW1.6 ²	: 950 m x 315 mm Ø Install new pipeline	R	3 550 000 *
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² Master plan items SMW1.6, SMW1.7, SMW3.2 & SAW2.1 are identified in a separate bulk water capacity investigation report performed by GLS for Swartland Municipality (Proposed De Hoop housing and Mixed Use development, Malmesbury & Abbotsdale, dated 27 November 2020) as minimum requirements to accommodate the proposed Swartland Mall development on Farm 1113/1 between Malmesbury and Abbotsdale.

The following master plan items will be required to reinforce the existing Abbotsdale network in order to accommodate the proposed development in the existing water system if supply is from the Wesbank reservoirs:

• SAW2.9	: 600 m x 250 mm Ø Install new pipeline	R	1 390 000 *
• SAW2.10	: 340 m x 250 mm Ø Install new pipeline	R	800 000 *
• SAW2.11	: Valve to close (isolate supply from existing Abbotsdale network)		No cost
• SAW5.1	: 670 m x 250 mm Ø Install new pipeline	R	1 530 000 *
		Total	R 3 720 000 *

Link services item SAW5.2 will be required to connect the internal infrastructure of the development to the existing Abbotsdale network:

• SAW5.2	: 280 m x 250 mm Ø Install new pipeline	R	681 000 *
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Total cost of the network upgrades in order to supply the development from the existing Wesbank reservoir site is calculated at R14.0 m (master plan items SMW1.6, SMW1.7, SMW3.2, SAW2.1, SAW2.2, SAW2.3, SAW2.9, SAW2.10, SAW2.11 & SAW5.1 and link services item SAW5.2).

Notes:

The water network from the Wesbank reservoir site will be able to supply fire flow to the corner of Bloemendal Road and Old Malmesbury Road of more than 25 L/s @ 10 m head.

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2021/22 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Take note that the routes of the proposed pipelines and are schematically shown on Figure 1 attached, but have to be finalised subsequent to detailed pipeline route investigations.

1.4.4 Proposed short to medium term upgrades

The most cost effective solution to accommodate the proposed development in the existing Swartland water system will be to supply the development directly from the Wesbank reservoir site, as costly upgrades to the bulk system and the proposed new Oranjefontein reservoir will not be required:

The following upgrades will be required to implement this solution:

- Master plan items SMW1.7, SMW3.2, SAW2.1, SAW2.2 & SAW2.3 to connect the existing Malmesbury and Abbotsdale reticulation systems.
- Master plan items SMW1.6, SAW2.9, SAW2.10 & SAW5.1 to reinforce the existing Malmesbury and Abbotsdale networks.
- Master plan item SAW2.11 to isolate the Abbotsdale and Wesbank distribution zones.
- Link services items SAW5.2 to connect to the existing Abbotsdale network.

1.4.5 Longer term upgrades

In the water master plan for Malmesbury and Abbotsdale it is proposed that the development area is supplied from a new so-called Oranjefontein reservoir to the east of the development area with a TWL of 155 m a.s.l.

This reservoir should be constructed when the existing spare capacity in the Wesbank reservoirs has been depleted. Upgrading of the existing bulk supply from Malmesbury to Abbotsdale will be required before the reservoir can be constructed.

The following items will be required in the longer term (10 years +) in order to establish the future Oranjefontein reservoir zone:

- Master plan items SMW.B7 & SMW.B8 to improve bulk water supply to Abbotsdale (alternatively master plan items SMW1.1 to SMW1.5 can be implemented).
- Master plan item SAW.B11 to supply bulk water to the proposed Oranjefontein reservoir.
- New 2,5 ML Oranjefontein reservoir, master plan item SAW.B2.
- Master plan item SAW5.5 to connect the development to the new reservoir.
- Master plan item SAW5.6 to isolate the Wesbank reservoir zone from the new Oranjefontein reservoir zone.

2. SEWER NETWORK

2.1 Drainage area

The master plan indicated that the northern portion of the proposed development should be accommodated within the existing Abbotsdale pumping station (PS) no. 2 sewer drainage area. The Abbotsdale PS no. 2 pumps to the Abbotsdale PS no. 3, which pumps directly to the Malmesbury Wastewater Treatment Plant (WWTP) through a 110 mm diameter rising main. The proposed connection point to the existing sewer system for the northern portion of the development is to the existing 150 mm Ø outfall sewer to the north west of the development, as shown on Figure 2 attached.

The master plan further proposed that the southern portion of the proposed development should be accommodated within the proposed Future Abbotsdale PS no. A1 drainage area. Future Abbotsdale PS no. A1 should be located at the lowest point of the drainage area in order to accommodate the existing erven in Abbotsdale to the east of the Dieprivier and west of the Old Malmesbury Road (erven that are currently serviced via septic tanks).

It is proposed in the sewer master plan that Future PS A1 discharges into the Abbotsdale PS no. 3 drainage area.

2.2 Sewer flow

The original sewer analysis for the master plan was performed with a peak daily dry weather flow (PDDWF) for the proposed development area (future area AD_01 in the June 2020 sewer master plan) of 523,6 kL/d.

For this re-analysis of the sewer master plan, the PDDWF for the proposed development was calculated as 324,5 kL/d (as calculated by SKCMasakhizwe Engineers (Pty) Ltd).

2.3 Present situation

There is sufficient capacity in the existing Abbotsdale PS no. 2 drainage area to accommodate the northern portion of the proposed development.

Link services item 1 is however required to connect the northern portion of the proposed development to the existing Abbotsdale PS no. 2 sewer drainage area:

Link services:

- Item 1 : 215 m x 160 mm Ø Install new outfall sewer R 496 000 *

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2021/22 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

New sewer infrastructure is however required to accommodate the southern portion of the proposed development within the existing Abbotsdale sewer system (new sewer pumping station, rising main and outfall sewer).

The capacity of the Abbotsdale PS no. 3 is insufficient to accommodate the proposed development and should be upgraded according to the sewer master plan.

2.4 Implementation of the master plan

The following master plan items are required to accommodate the southern portion of the proposed development within the existing Abbotsdale sewer system:

- | | | |
|----------|--|---------------|
| • Item 2 | : 570 m x 160 mm Ø Install new outfall sewer | R 860 000 * |
| • SAS4.1 | : New 8 L/s Future PS A1 | R 2 250 000 * |
| • SAS4.2 | : 1 120 m x 110 mm Ø Install new rising main | R 1 080 000 * |
| • SAS2.3 | : 390 m x 160 mm Ø Install new outfall sewer | R 700 000 * |
| | Total | R 4 890 000 * |

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2021/22 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Take note that the routes of the proposed pipelines and location of the proposed PS are schematically shown on Figure 2 attached, but have to be finalised subsequent to detailed pipeline route and PS location investigations.

Link services item 2 is required to connect the southern portion of the development to Future PS A2. Master plan items SAS2.3, SAS4.1 & SAS4.2 are required in order to implement the Future Abbotsdale PS A1 drainage area. This will enable Swartland Municipality to service the existing erven in Abbotsdale between the Dieprivier and the Old Malmesbury Road with a full waterborne sanitation system.

The minimum required pumping capacity of the Abbotsdale PS no. 3 is calculated at 21.2 L/s in order to accommodate the full development within the existing Abbotsdale sewer system (9.7 L/s for full occupation of existing serviced erven in Abbotsdale + 11.5 L/s for the proposed development).

The capacity of the 110 mm diameter rising main (4,4 km) between the Abbotsdale PS no. 3 and the Malmesbury WWTW is calculated at 7,9 L/s (based on a flow velocity of 1,0 m/s through the rising main; pumps at the pump station should then pump at 80 m head).

In the sewer master plan it is proposed that the Abbotsdale PS no. 3 is ultimately upgraded to a capacity of 42 L/s in order to accommodate future flows from its own drainage area as well as flow from upstream pumping stations.

It is proposed that upgrading to the pump station and rising main is phased, as follows:

- Phase 1 : Upgrade capacity of PS to 7.9 L/s (capacity of existing rising main)
- Phase 2^{1 & 2} : (1) Upgrade rising main to a diameter of 200 mm (inside diameter of 182 mm)
 (2) Construct new bulk PS for Abbotsdale
 (3) Upgrade capacity of pumps to 21.2 L/s
 (velocity through rising main = 0.8 m/s)
- Phase 3¹ : Upgrade capacity of PS to 42.0 L/s (velocity through rising main = 1.6 m/s)

¹ The option to upgrade the rising main from 110 mm to 250 mm should be considered in the detail design, as the pumps at the PS should pump at 75 head in order to reach the ultimate capacity of 42 L/s through the 200 mm diameter rising main (inside diameter of 182 mm).

² The option to decommission the existing Abbotsdale PS no. 2 and re-direct flow to the upgraded/new PS no. 3 should be investigated.

Phase 1: Upgrade pumps

- SAS3.1a : Upgrade pumps of PS no. 3 to 7,9 L/s @ 80 m R 1 216 000 *

Phase 2: New PS & rising main

- SAS3.1b : New Abbotsdale no. 3 PS (interim capacity of 21.2 L/s) R 3 375 000 *
 - SAS3.2 : 4 400 m x 200 mm Ø upgrade existing rising main R 8 315 000 *
- Total R 11 690 000 *

Phase 3: Upgrade pumps

- Item 2 : Upgrade pumps of PS no. 3 to 42,0 L/s @ 75 m R 2 430 000 *

3. CONCLUSION

The developer of Portion A of Erf 373 in Abbotsdale may be liable for the payment of a Development Contribution (as calculated by the Swartland Municipality) as a contribution towards water and sewer infrastructure respectively.

The water master plan indicated that the proposed development should be accommodated in the future Oranjefontein reservoir water distribution zone. The proposed development can however be accommodated in the interim (before the Oranjefontein reservoir is constructed) within the existing Abbotsdale reservoir zone, or alternatively within the Wesbank reservoir zone.

Accommodation of the proposed development in the future Oranjefontein reservoir zone or within the existing Abbotsdale reservoir zone will require upgrading of the existing bulk system and additional reservoir storage capacity.

The most cost effective solution to accommodate the proposed development in the existing Swartland water system will be to supply the development directly from the Wesbank reservoir site, as costly upgrades to the bulk system and the proposed new Oranjefontein reservoir will not be required:

The following upgrades will be required to implement this solution:

- Master plan items SMW1.7, SMW3.2, SAW2.1, SAW2.2 & SAW2.3 to connect the existing Malmesbury and Abbotsdale reticulation systems.
- Master plan items SMW1.6, SAW2.9, SAW2.10 & SAW5.1 to reinforce the existing Malmesbury and Abbotsdale networks.
- Master plan item SAW2.11 to isolate the Abbotsdale and Wesbank distribution zones.
- Link services items SAW5.2 to connect to the existing Abbotsdale network.

The sewer master plan indicated that the northern portion of the proposed development should be accommodated within the existing Abbotsdale pumping station (PS) no. 2 sewer drainage area. The Abbotsdale PS no. 2 pumps to the Abbotsdale PS no. 3, which pumps directly to the Malmesbury Wastewater Treatment Plant (WWTP) through a 110 mm diameter rising main. Link services item 1 will be required to connect the northern portion of the proposed development to the existing Abbotsdale PS no. 2 drainage area.

The master plan further proposed that the southern portion of the proposed development should be accommodated within the proposed Future Abbotsdale PS no. A1 drainage area. Future Abbotsdale PS no. A1 should be located at the lowest point of the drainage area in order to accommodate the existing erven in Abbotsdale to the east of the Dieprivier and west of the Old Malmesbury Road (erven that are currently serviced via septic tanks). Future PS A1 should discharge into the Abbotsdale PS no. 3 drainage area.

Link services item 2 and master plan items SAW2.3, SAW4.1 & SAW4.2 will be required to accommodate the southern portion of the proposed development within the existing Abbotsdale sewer network.

The capacity of the Abbotsdale PS no. 3 and accompanying 4 400 m x 110 mm diameter rising main are insufficient to accommodate the proposed development and should be upgraded according to the sewer master plan.

It is proposed that upgrading to the pump station and rising main is phased, as follows:

- | | |
|---------|--|
| Phase 1 | : Upgrade capacity of PS to 7.9 L/s (capacity of existing rising main) |
| Phase 2 | : (1) Upgrade rising main to a diameter of 200 mm
(2) Construct new bulk PS for Abbotsdale
(3) Upgrade capacity of pumps to 21.2 L/s
(velocity through rising main = 0.8 m/s) |
| Phase 3 | : Upgrade capacity of PS to 42.0 L/s |

We trust you find this of value.

Yours sincerely,

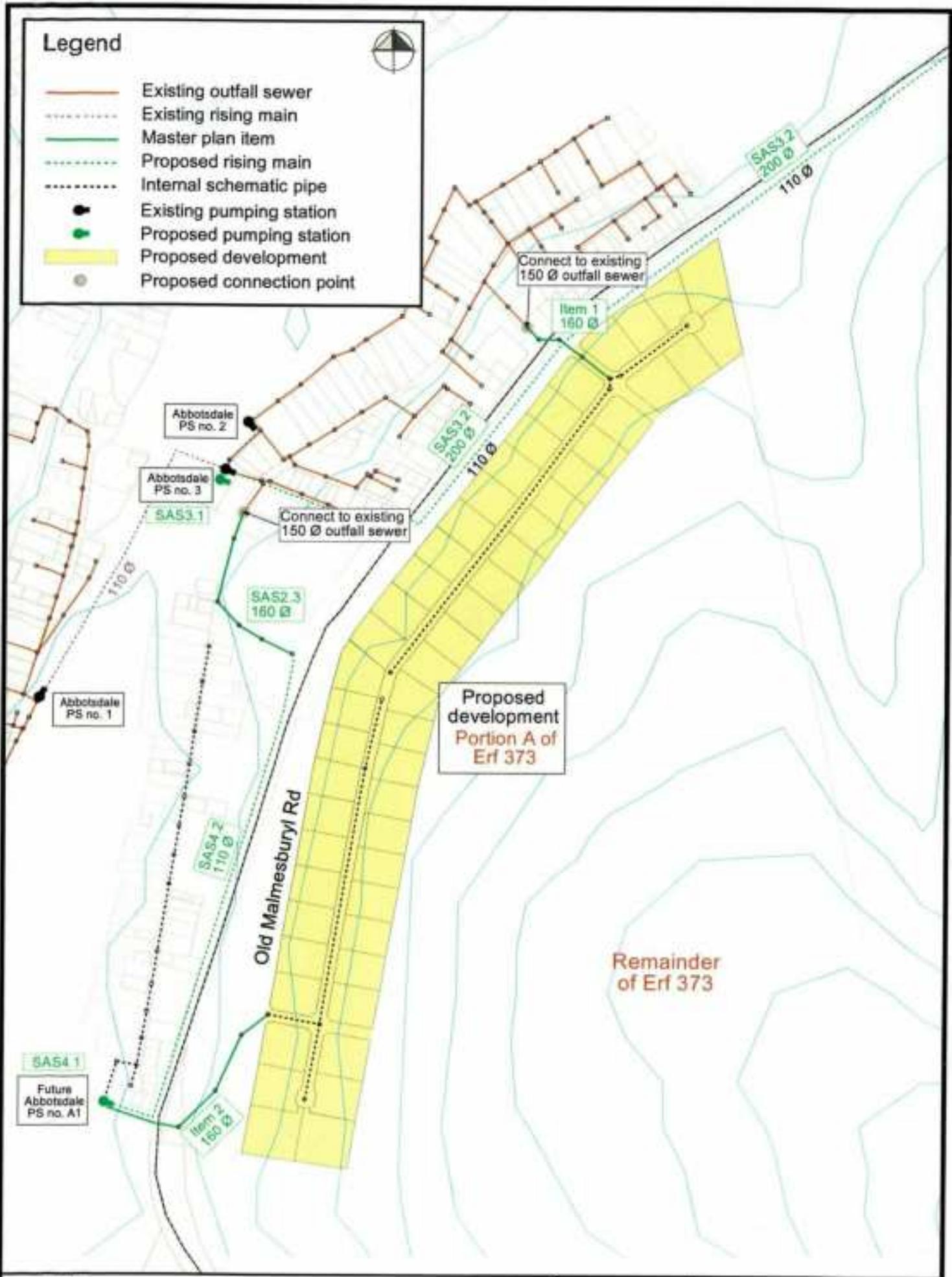
GLS CONSULTING (PTY) LTD
REG. NO.: 2007/003039/07



Per: PC DU PLESSIS

cc. CK Rumbold & Partners
16 Rainier Street
Malmesbury
7299

Attention: Ms Zanelle Nortjé



Legend

- Existing outfall sewer
- - - Existing rising main
- Master plan item
- - - Proposed rising main
- - - Internal schematic pipe
- Existing pumping station
- Proposed pumping station
- Proposed development
- Proposed connection point

Proposed development
Portion A of Erf 373

Remainder of Erf 373



April 2022
Abbotsdale - Development on Portion A of Erf 373



Figure 2
Proposed Development
Portion A of Erf 373 - Abbotsdale
Existing Sewer System

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B-BBEE LEVEL TWO CONTRIBUTOR

Your ref:

Our ref: W1731/3.7-05

25/10/2024

Attention: Me. Z. Nortjé

CK Rumboll & Partners
P.O. Box 211
MALMESBURY
7299

Madam

ABBOTSDALE INDUSTRIAL ERVEN; ERF 373, ABBOTSDALE
REVISED SERVICES REPORT

The development is situated opposite the existing town, Abbotsdale, along the western boundary of the Old Malmesbury Road towards Kalbaskraal. The development will consist of 54 Light Industrial erven of approximately 7 500m² each. The development will be phased. Phase 1 will consist of 4 erven.

All services will be designed and constructed in accordance with:

- The Provision of Engineering Services to Residential Townships (Blue/Red Book).
- The standards, requirements and approval of the Swartland Municipality.
- SANS1200 specification as applicable.

1. ROADWORKS

A. TOTAL DEVELOPMENT:

Access to the new development will be from the Abbotsdale/Kalbaskraal Road (Divisional Road 1111). Two access points are planned into the development. An internal road network will be installed to provide access to the new erven.

The new roads will be designed and constructed to the following minimum standards:

- a. Asphalt surfacing with minimum surfaced width (blacktop) of 7.4m.
- b. Kerbing on both sides of the road.
- c. Formal stormwater drainage system will be provided.
- d. Sidewalks on both sides of the road: minimum 1.5m wide. One side will be premixed to allow for a bicycle route in the development.
- e. Road markings and signage as per statutory requirements.

B. PHASE 1:

The four erven in Phase 1 will generate a maximum of 29 trips per hour at peak hour (23 in and 6 out). The impact on the traffic on the DR1111 is therefore insignificant as the morning peak in should be from the Malmesbury direction.

2. STORMWATER

The development is situated opposite the existing town, Abbotsdale, along the western boundary of the Old Malmesbury Road towards Kalbaskraal. The development will consist of 54 Light Industrial erven of approximately 7 500m² each. The total area of the erf is 467 060.47m². The landscape has a general slope classification of 3-10%.

Stormwater will be accommodated in a system of concrete stormwater pipes, gravitating to the existing 2,4m x 1,2m concrete culvert underneath the Abbotsdale/Kalbaskraal Road. The stormwater system will be designed to accommodate the post development 1.2 year recurrence interval run-off from the properties.

The storm water for the erven in front of the existing Abbotsdale/Kalbaskraal Road, will be directed by means of overland flow into the existing storm water channel, which discharges into the existing 2,4m x 1,2m concrete culvert underneath the Abbotsdale/Kalbaskraal Road. The storm water for the remaining erven and road surfaces will gravitate by means of concrete storm water pipes and accommodated in a new retention pond which will finally discharge into the existing culvert. Two smaller retention ponds might be required at either end of the development. This depends on the future development phasing.

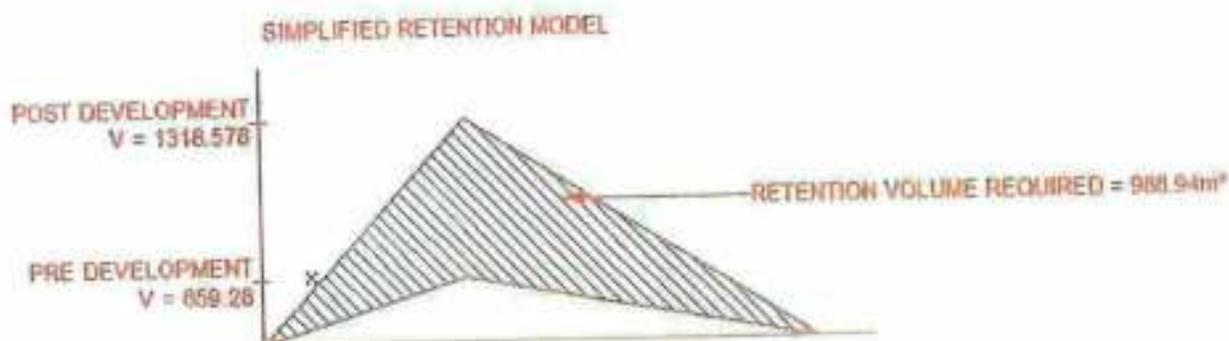
Storm water Retention Pond:

A dry storm water retention pond will be designed to handle the quantity of additional runoff generated by the development. The water depth of the pond will be 1 000mm. The pond will have inlet and outlet structures to manage the critical storm event runoff.

Public safety signage and 1.8m high fencing around the retention pond for optimal safety of the residence, will be implemented.

Detention of the 1:2 year flood:

a)	Duration (T _c)	= 15 min
b)	Point rainfall (Table 1) 1:2 year, 15min	= 9.4 mm
c)	Run-off factor post development: 0.6	
d)	Run-off factor pre development: 0.3	
e)	Area: 233 790.55m ²	
f)	Post development Volume (T _c =15min):	$Q = CIA$ $= 0.6 \times 0.0094m \times 233\ 790.55m^2$ $= 1\ 318.57\ m^3$
g)	Pre development Volume (T _c =15min):	$Q = CIA$ $= 0.3 \times 0.0094m \times 233\ 790.55m^2$ $= 659.28\ m^3$
h)	Retention required	= 988.94 m ³



A retention pond of 32m x 32m x 1m deep will be adequate to accommodate the storm water retention required.

3. WATER

A. TOTAL DEVELOPMENT:

3.1 Water Demand

We have assumed that 65% of the erven will be low water usage industries and 35% will be high water users.

1) ADD Calculation: Low water usage

30% coverage x 7 500m² erf x 2,0 kl/1 000m² demand = 4.5 kl per erf.

2) ADD Calculation: High water usage

30% coverage x 7 500m² erf x 6,0 kl/1 000m² demand = 13.5 kl per erf.

Total Average Daily Demand (ADD):	35 erven @ 4.5 kl =	157.5 kl/day
	19 erven @ 13.5 kl =	<u>256.5 kl/day</u>
		414.0 kl/day

Average Daily Flow = 4.8 l/s

3.2 GLS Report: Bulk Water Recommendations (May 2022)

The master plan indicated that the proposed development should be accommodated in the future Oranjefontein reservoir water distribution zone. The proposed development can however be accommodated in the interim (before the Oranjefontein reservoir is constructed) within the existing Abbotsdale reservoir zone, or alternatively within the Wesbank reservoir zone.

Our recommendation would be to connect to the Abbotsdale reservoir as an interim measure and to connect to the proposed De Hoop reservoirs in the future. Proposed bulk pipelines are shown on the attached drawing.

Master plan items:

- SAW5.2 : 280 m x 250 mm Ø
- SAW1.1 : 250 m x 200 mm Ø
- SAW1.3 : 20 m x 160 mm Ø
- SAW5.1 : 670 m x 250 mm Ø
- SAW2.10 : 340 m x 250 mm Ø

3.3 Internal Water supply

The peak demand for the fully developed industrial area:

Peak Factor: 4

Peak Flow: 4 x 4.8 l/s = 19.2 l/s

Water to the new erven will be supplied by means of a water network consisting of:

- 160mm Ø HDPE (PE 100) Class 12 pipes with the necessary accessories.
- 40 mm Ø HDPE erf connections.
- Hydrants will be placed and installed as per *The Provision of Engineering Services to Residential Townships* (Blue/Red Book).

B. PHASE 1:

3.4 Water Demand

We have assumed that 3 of the erven will be low water usage industries and 1 will be a high water user.

1) ADD Calculation: Low water usage

30% coverage x 7 500m² erf x 2,0 kl/1 000m² demand = 4.5 kl per erf.

2) ADD Calculation: High water usage

30% coverage x 7 500m² erf x 6,0 kl/1 000m² demand = 13.5 kl per erf.

Total Average Daily Demand (ADD):	3 erven @	4.5 kl =	13.5 kl/day
	1 erf @	13.5 kl =	13.5 kl/day
			27.0 kl/day

Average daily Flow: 0,3 l/s

Peak Flow = 1,25 l/s

Static pressure : 5 bar

3.5 Water Connection

The water connection will be taken off the waternetwerk in Railway Street. The Abbotsdale internal network will be upgraded to cater for the additional capacity required, although the time of peak water demand differs from that of the residential erven. The water demand from the industrial development will therefore have an insignificant impact on the peak water demand. The connection point is close to the original supply line to Abbotsdale. (See attached sketch)

4. SEWER

A. TOTAL DEVELOPMENT:

4.1 Internal Sewer Network

Sewerage from the new erven will be collected in a sewer network consisting of 160mm Ø uPVC Class 34 pipes with a 160mm Ø uPVC erf connection to each erf. Manholes will be placed at all vertical and horizontal changes of gradient and direction with a maximum of 90m between manholes. The sewerage will flow to Pumpstation 2 via the existing municipal sewer network in Abbotsdale by means of a 200mm Ø Class 34 uPVC sewer pipe. The pipe will cross the Abbotsdale/Kalbaskraal Road and the existing Railway line. These crossings will be installed by means of directional drilling.

Estimated sewerage run-off:

54 erven x 80% of 4.5 kl/erf = 195 kl/day.

4.2 External Sewer Network

Sewerage from Abbotsdale is pumped to the Malmesbury Sewerage Treatment Works by means of two pumpstations. Pumpstation 1 has a capacity of 12.4 l/s and Pumpstation 2 has a capacity of 3.9 l/s. Both pumpstations can pump simultaneously into the rising main. The rising main has a capacity of 16.3 l/s @ 50m head.

4.2.1 Pumpstation 2

Existing Sewerage flow: 259 erven @ 500l/erf	= 129.5 kl/day
Industrial Sewerage flow	= <u>195.0 kl/day</u>
Total	324.5 kl/day

AWWF: $324.5 \times 1.15 = 373.17$ kl/day or 4.3 l/s
 Peak Factor = 2.15
 Peak Flow = $2.15 \times 4.3 = 9.2$ l/s

We recommend:

- That Pumpstation 2 be replaced with a 3.65mm Ø pumpstation.
- The pumpstation be designed for at least 4 hours storage capacity, based on the AWWF.
- That the pumpstations 1 and 2 be programmed to restrict simultaneous pumping. Alternatively, the 110mm Ø rising main between Abbotsdale and the Malmesbury Sewerage Treatment works must be upgraded to a 200mmØ rising main as per GLS masterplan item SAS3.2

B. PHASE 1

Sewerage Demand: $80\% \times \text{water demand: } 80\% \times 27\text{kl/day} = 21.6$ kl/day

Sewerage will flow to Pumpstation 2:

4.2.2 Pumpstation 2

Existing Sewerage flow: 259 erven @ 500l/erf	= 129.5 kl/day
Industrial Sewerage flow (Phase 1)	= <u>21.6 kl/day</u>
Total	151.1 kl/day

AWWF: $151.1 \times 1.15 = 173.8$ kl/day or 2 l/s

The time of peakflow of the industrial development differs from the residential erven. The Phase 1 sewerage discharge will therefore have no influence on the performance of the pumpstation.

5. SOLID WASTE

5.1 Solid Waste Disposal

The solid waste disposal service will fall under the Swartland Municipality as normal services to the area. Waste will be disposed of at the Highlands Solid waste disposal site within 5.0km from the development.

6. SUMMARY

The cost of bulk water and sewerage services required for the development makes it unfeasible at this stage. The developer will develop the project in phases. Phase 1 will be developed to test the market and also to buy time for other developments to take place to share in the cost of the bulk services. The four erven of Phase 1 will connect to the Abbotsdale services network and will have a negligible impact on the existing infrastructure.

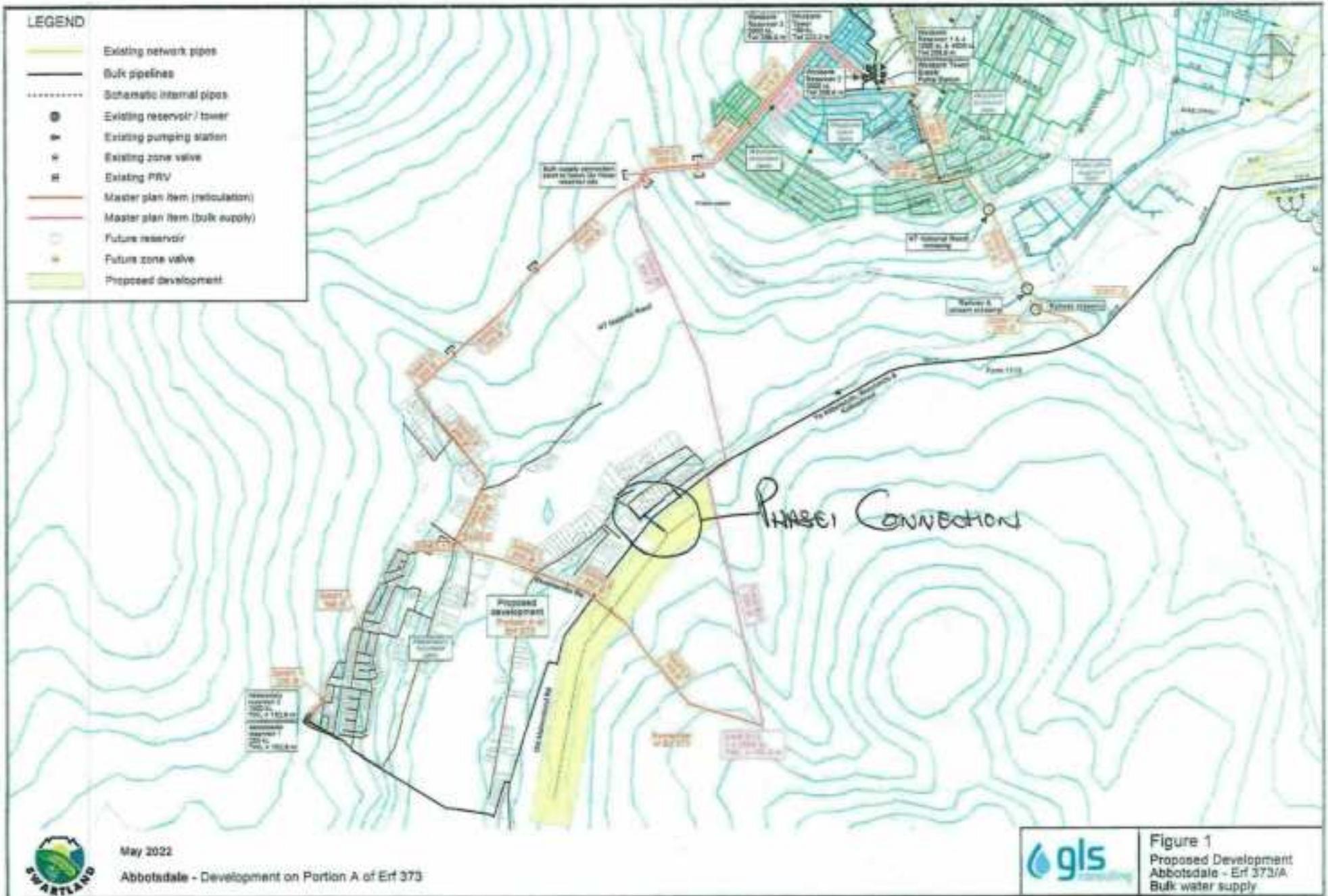
Yours truly



MPJ LOUBSER PrEng
SKCM Engineers

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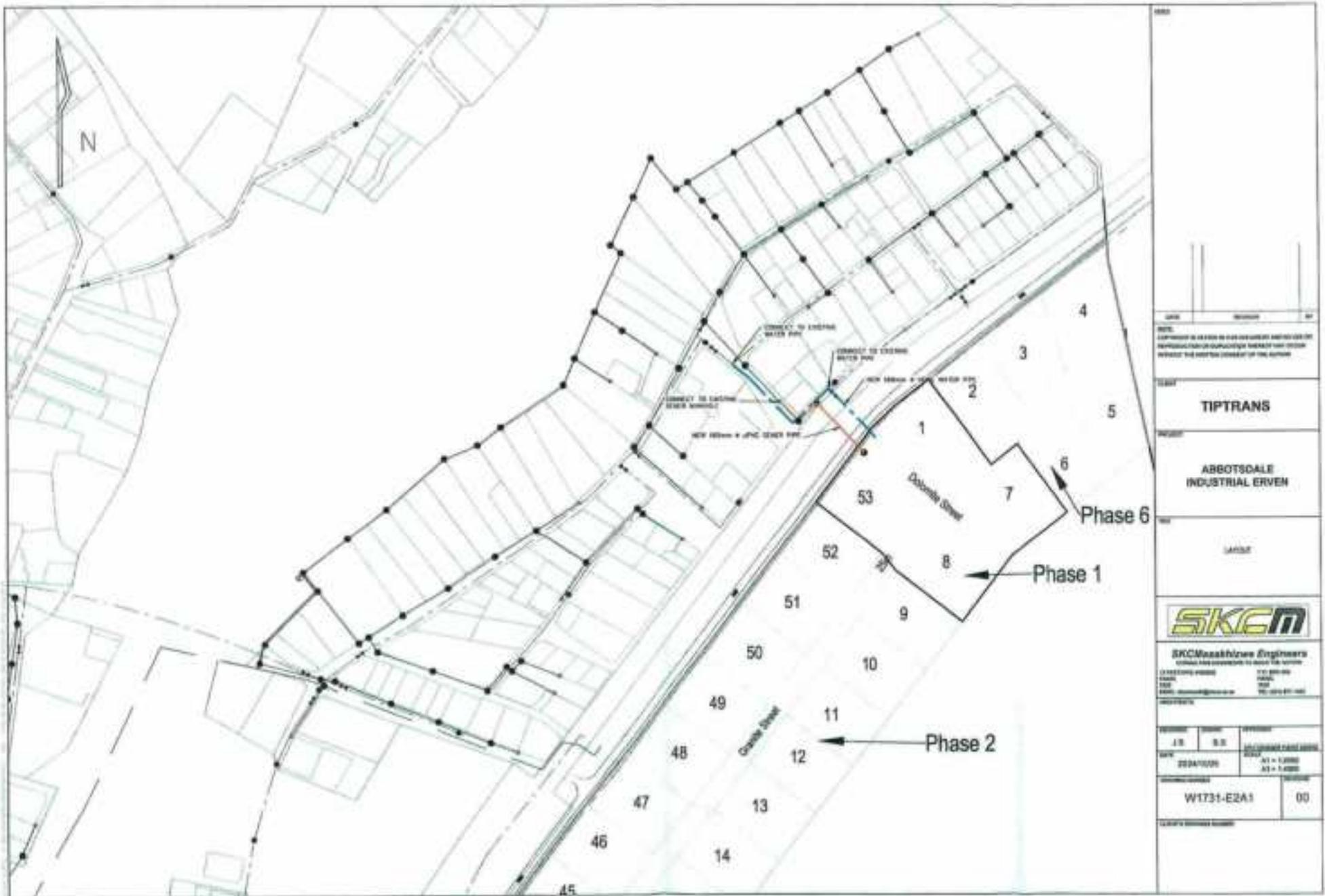
**APPENDIX A
DRAWINGS**



May 2022
 Abbotsdale - Development on Portion A of Erf 373

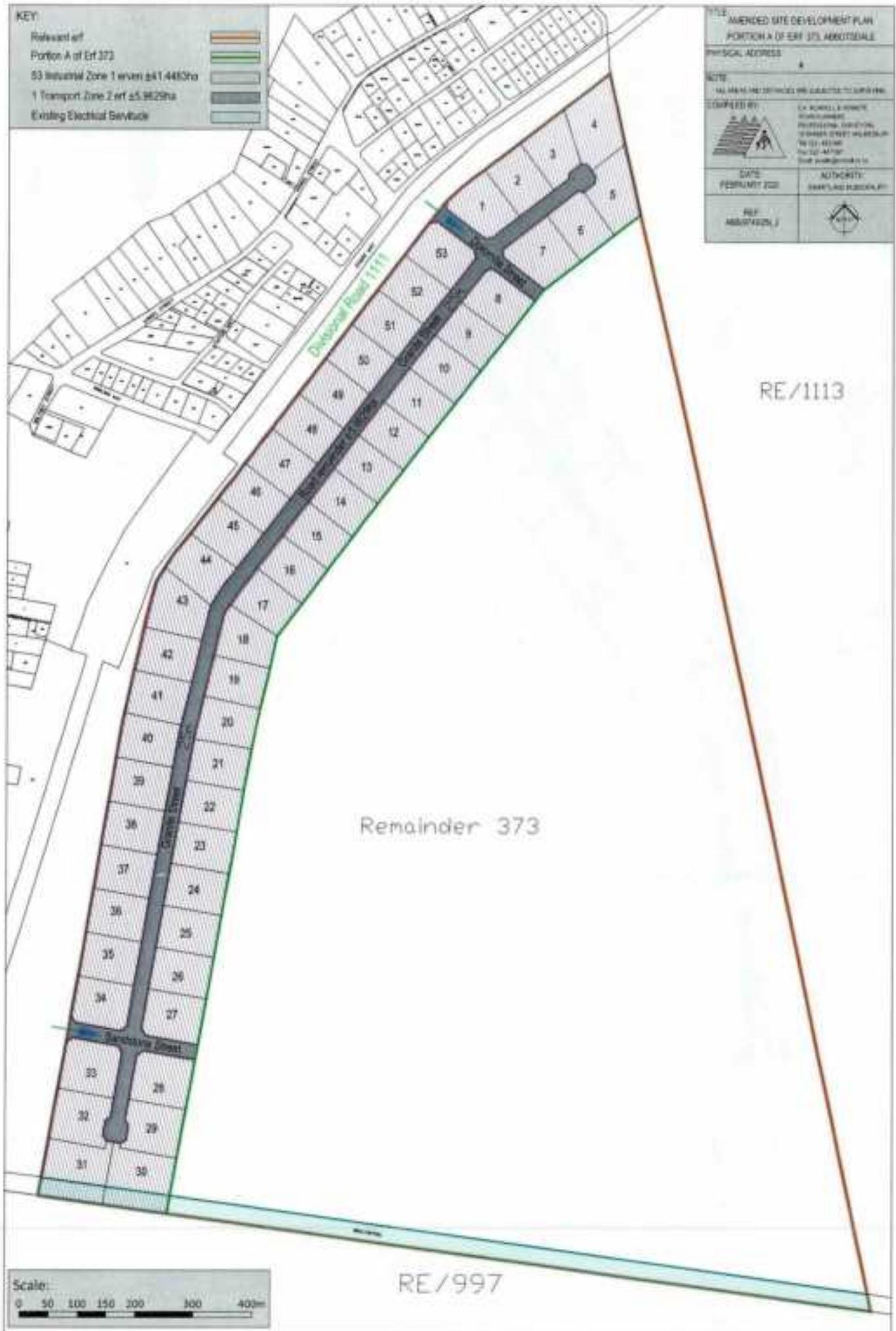


Figure 1
 Proposed Development
 Abbotsdale - Erf 373/A
 Bulk water supply



KEY	
Remainder of	
Portion A of Erf 373	
S3 Industrial Zone 1 erf 241 440ha	
1 Transport Zone 2 erf 25 9629ha	
Existing Electrical Service	

TITLE	
AMENDED SITE DEVELOPMENT PLAN PORTION A OF ERF 373, ARBOTSDALE	
PHYSICAL ADDRESS	
-	
NOTE	
ALL AREAS AND SERVICES ARE SUBJECT TO SURVEYING	
COMPILED BY:	
	CA KIMMEL & PARTNERS REGISTERED ENGINEERS 12 SANDY CREEK WILLOWDALE TEL: 011 431 4000 WWW.KIMMEL.CO.ZA
DATE	AUTHORITY
FEBRUARY 2022	SHARON MURPHY, PE
REF	
ARBOTSDALE J	





water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

Please do not hesitate to contact the above officer should there be any queries.

Yours sincerely

M. Lintnaar-Strauss
 19 **CHIEF DIRECTOR:** **WESTERN CAPE**
Signed by: **M. Lintnaar-Strauss**
Designation: **Control Environmental Officer**
Date: *5 July 2018*

Cc: **Swartland Municipality**
Address: **Private Bag X52 Malmesbury 7299**
Attention: **Me DN Stellenberg**



NATIONAL DEVELOPMENT PLAN
Our Future - make it work

**SWARTLAND MUNICIPALITY**Per email: DelmarieStellenberg@swartland.org.za**Date:**

19 June 2018

Enquires:

Mr. Antonio Coerequis

Tel: 021 980 3866

Fax: 021 980 3053

antonio.coerequis@eskom.co.za**Attention: D N STALLENBERG**

Dear Madam

PLEASE NOTE: THIS IS NOT A WORKING PERMIT. OBTAIN WORKING PERMIT FROM CUSTOMER NETWORK CENTRE – MALMESBURY GNO

WAYLEAVE APPLICATION: APPLICATION FOR PROPOSED REZONING AND SUBDIVISION OF ERF 373, ABBOTSDALE

YOUR REF: 15/3/3-1 /Erf_373

OUR REF: 01615/18

I refer to your application dated 4 May 2018.

I hereby inform you that Eskom has no objection on the proposed development. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

This application affects the following Eskom power lines and servitudes.

- **DASSENBERG / MALMESBURY 1 132kV OVERHEAD POWERLINE**
- **MALMESBURY FARMERS1 11kV OVERHEAD POWERLINE**

THIS IS NOT AN APPROVAL TO UNDERTAKE ANY WORK WITHIN ESKOM RIGHTS.

- a) The following Servitude widths / building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Servitude / Building restriction either side of centre line
11kV	9.0 m
66kV	11.0 m
132kV	15.5 m

Western Region
Eskom Road, Brackenfell, 7561 P.O. Box 222, Brackenfell, 7560 SA
Tel: 021 27 0088 003 7560 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30



- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No building may be erected within **3 (THREE)** metres from any Eskom underground cable.
- d) No work or no machinery nearer than the following **distances from the conductors**:

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

- e) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- f) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- g) 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.
- h) 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.
- i) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- j) 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.
- k) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- l) Eskom shall at all times have unobstructed access to and egress from its services.
- m) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- n) **PLEASE CONTACT AND MAKE APPOINTMENT: MALMESBURY CNC – SANDILE FALTEIN – 073 247 5270, BEFORE WORKING IN CLOSE PROXIMITY TO ANY ESKOM OVERHEAD POWER LINES:**

The above is a requirement under the **Occupational Health and Safety Act (Act No. 85 of 1993)** to ensure safety.

Should it be necessary to move any of the Eskom services a written request must be given to the local Eskom office. It must be noted that it will take 3 month or longer to move any power line and that the cost of moving a power line will be for the applicant's account.

Kindly contact **Antonio Coerecuis** at Tel: 021 980 3866, should you require any further information.

Yours sincerely



Antonio Coerecuis
LAND DEVELOPMENT (BRACKENFELL)



LEGEND

- CADASTRAL
- ESKOM MV 11KV OVERHEAD POWER LINE
- PROPOSED ESKOM MV 11KV OVERHEAD POWER LINE
- ESKOM MV 12KV OVERHEAD POWER LINE AND SERVITUDE EXTENT
- AREA OF INTEREST



MALMESBURY CIVIC
ERF 373, ABBOTSDALE
PROPOSED REZONING AND SUBMISSION
SMART AND MUNICIPALITY

WAYLEAVE REQUEST

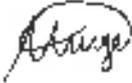
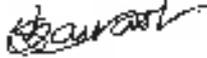
11/15/18



1:400 DEVELOPMENT SECTION
 1:500 (1:1000)

ANNEXURE Q

DOCUMENT CONTROL SHEET

DATE	REPORT STATUS	AUTHORED BY:	APPROVED BY:
December 2019	Draft for comment	NAME Annebet Krige, Pr. Eng	NAME Sarah Larratt, Pr. Tech Eng
		SIGNATURE 	SIGNATURE 
February 2020	Final Report	NAME Annebet Krige, Pr. Eng	NAME Sarah Larratt, Pr. Tech Eng
		SIGNATURE 	SIGNATURE 
TITLE: TRAFFIC IMPACT ASSESSMENT FOR THE PROPOSED DEVELOPMENT ON A PORTION OF ERF 373, ABBOTSDALE, MALMESBURY			
CARRIED OUT BY: STURGEDON CONSULTING Postnet Suite 347 Private Bag x1 Melkbosstrand 7437 Mr B du Preez Tel: +27 21 553 4167 Email: bar@sturdonsa.co.za		COMMISSIONED BY: PVK MANAGEMENT SERVICES P.O. Box 603 Melkbosstrand 7437 Mr S Visser Tel: +27 21 971 1404 Email: sietevisser@pvkmanagement.co.za	
SYNOPSIS: This report assesses the key transportation issues pertaining to the proposed development on a portion of Erf 373, Abbotdale, Malmesbury, Western Cape.			



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Final Traffic Impact Assessment

For the Proposed Development on a Portion of Erf 373, Abbotsdale, Malmesbury

Project No. : STUR0233

FEBRUARY 2020

PREPARED BY:

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TRANSPORT PLANNING AND TRAFFIC ENGINEERING

STURGEON CONSULTING (PTY) LTD (Reg No. 2015/069313/07)
Directors: B du Preez (PrEng) & DS du Preez (Act) Associates: SI Larnan (Pr Tech Eng) & A Krige (PrEng)

SUMMARY SHEET

Report Type	Final Traffic Impact Assessment
Title	Proposed development on a portion of Erf 373
Location	Abbotsdale, Malmesbury, Western Cape
Client	PVVK Management Services
Reference Number	STUR0233
Project Team	Sarah Larratt Annebet Krige Barend du Preez
Contact Details	083 418 4241 sarah@sturgeonsa.co.za 084 610 0233 annebet@sturgeonsa.co.za 083 701 2299 barend@sturgeonsa.co.za
Date	February 2020
Report Status	Final for comment

This transport impact assessment has been prepared by a suitable qualified and registered professional traffic engineer. Details of any of the calculations on which the results of this report are based will be made available on request.

TABLE OF CONTENTS

1.	PURPOSE OF REPORT.....	1
2.	LOCALITY.....	1
3.	SCOPE OF WORK.....	1
4.	EXISTING AND PROPOSED DEVELOPMENT.....	2
5.	LAND USE / ZONING.....	2
6.	PHASING.....	2
7.	PROPOSED ACCESS.....	3
8.	EXISTING ROADWAYS.....	3
9.	FUTURE ROAD NETWORK.....	5
10.	ANALYSES HOURS.....	6
11.	SCENARIOS ANALYSED.....	6
12.	STUDY INTERSECTIONS.....	6
13.	EXISTING OPERATIONS.....	7
14.	BACKGROUND TRAFFIC (2024).....	7
15.	TRIP GENERATION RATES.....	8
16.	DEVELOPMENT TRIPS.....	9
17.	TRIP DISTRIBUTION.....	9
18.	TOTAL TRIPS (PHASE A).....	10
19.	BACKGROUND TRAFFIC (2029).....	12
20.	TOTAL TRIPS (PHASE B).....	13
21.	APPROVED DEVELOPMENTS.....	15
22.	SITE ACCESS.....	15
23.	SIGHT DISTANCE.....	15

24. NON-MOTORISED TRANSPORT (NMT)	16
25. PUBLIC TRANSPORT	17
26. CONCLUSIONS	17
27. RECOMMENDATIONS	19
REFERENCES	21
APPENDIX A: FIGURES	22
APPENDIX B: TABLES	39

List of Figures

Figure 1: Locallty Plan

Figure 2: Site Development Plan

Figure 3: Present AM Traffic Demand (2019)

Figure 4: Present PM Traffic Demand (2019)

Figure 5: Expected 2024 Traffic Demand (AM)

Figure 6: Expected 2024 Traffic Demand (PM)

Figure 7: Development Traffic Phase 1 (AM)

Figure 8: Development Traffic Phase 1 (PM)

Figure 9: Development Traffic Phase 2 (AM)

Figure 10: Development Traffic Phase 2 (PM)

Figure 11: Expected 2024 Traffic Demand plus Phase A Development (AM)

Figure 12: Expected 2024 Traffic Demand plus Phase A Development (PM)

Figure 13: Expected 2029 Traffic Demand plus Phase A Development (AM)

Figure 14: Expected 2029 Traffic Demand plus Phase A Development (PM)

Figure 15: Expected 2029 Traffic Demand plus Phase B Development (AM)

Figure 16: Expected 2029 Traffic Demand plus Phase B Development (PM)

List of Tables

Table 1: Sidra Results

Table 2: Estimated Peak Hour Trips

Acronyms

TIA – Traffic Impact Assessment

SDP – Site Development Plan

LOS – Level of Service

PHF – Peak Hour Factor

AM – Morning

PM – Afternoon

d – Average delay in seconds

v/c – Volume/capacity ratio

vph – vehicles per hour

RNIS – Road Network Information System

RAG – Road Access Guidelines

RCAM – Road Classification and Access Management Manual

Traffic Impact Assessment (TIA)

Proposed development of a Portion of Erf 373, Abbotsdale, Malmesbury, Western Cape

1. Purpose of Report Sturgeon Consulting was appointed by PVVK Management Services to determine the expected transport related impacts of the proposed development of a portion of Erf 373, Malmesbury.

2. Locality
Refer to Figure 1

Malmesbury, Western Cape.

Description: Erf 373 is located near the small town of Abbotsdale, south-west of Malmesbury along the N7. Erf 373 is bordered by Divisional Road 1111 to the north-west. Refer to Figure 1 in Appendix A for the Locality Plan.



3. Scope of Work

The scope of work included in this TIA covers the following traffic engineering aspects:

- Site observations;
- Existing and proposed development;
- Access arrangements;
- Existing and future road network planning;
- Existing traffic flows in the vicinity of the development;
- Trip generation of the proposed development;
- Traffic flow analysis;

	<ul style="list-style-type: none"> • Recommended road upgrades if necessary; • Non-motorised transport (NMT); • Public transport; and • Parking requirements.
<p>4. Existing and Proposed Development</p>	<p>Erf 373 is currently vacant.</p> <p>The proposed development will entail a portion of Erf 373 for industrial erven.</p>
<p>5. Land Use / Zoning <i>Reference: Figure 2</i></p>	<p><u>Current Zoning / Use:</u> Agricultural Zone 1</p> <p><u>Proposed Zoning / Use:</u></p> <ul style="list-style-type: none"> • 53 Industrial Zone 1 erven (±41.5 ha / 228 960 m² GLA) • 1 Transport Zone 2 erf (±6 ha) <p>Figure 2 in Appendix A provides a copy of the proposed Site Development Plan (SDP).</p>
<p>6. Phasing</p>	<p>The proposed development will take place in six phases as shown on the adjacent phasing plan. It is anticipated that the six phases will roll out over the next 10 years. Therefore, for analyses purposes, a 5-year and 10-year design period will be used with the phasing assigned as follows:</p> <p>Phase A (5-year design period): Includes Phase 1, Phase 2 and Phase 3</p> <p>Phase B (10-year design period): Includes Phase 4, Phase 5 and Phase 6</p>



7. Proposed Access

Access to the development is proposed off DR1111 from two proposed accesses. The accesses will be located approximately 1050 m south-west and 530 m north-east of the DR1111/DR1146 intersection.



Once developed, the Roadside Development Environment (RDE) can be described as intermediate (Floor Area Ratio (m^2 of development per m^2 of land area) = 0.3 – 1.0).

According to the *Western Cape Government Access Management Guidelines Draft July 2016*, for Class 3 Roads in an intermediate RDEs, a minimum access spacing of **225 m** is required from Signalised Full Intersections (SFI) to Unsignalised Full Intersection (UFI) and Unsignalised Full Intersection (UFI) to Unsignalised Full Intersection (UFI). A minimum access spacing of **370 m** is required from Signalised Full Intersections (SFI) to Signalised Full Intersections (SFI).

8. Existing Roadways

Malmesbury Road (Divisional Road 1111) can be classified as a Rural Class 3 road. It is a 2-lane undivided road (one lane in each direction) with surfaced shoulders. DR1111 runs more or less parallel to the N7 and connects Malmesbury in the north to the N7 towards Cape Town in the south. The posted speed limit along the road is 80 km/h in the vicinity of the site. DR1111 is a proclaimed provincial road for which the Western Cape Government is the controlling road authority for this road.



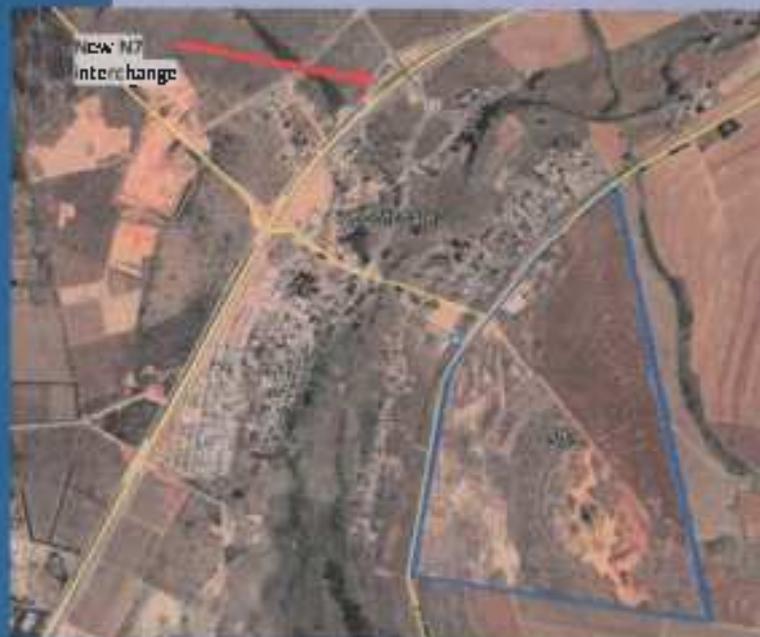
Abbotsdale Road (Divisional Road 1146) can be classified as a Rural Class 4 road. It is a 2-lane undivided road (one lane in each direction). DR1146 is the main road that runs through the small town of Abbotsdale and links Abbotsdale on the south-east of the N7 with Main Road 224 to the north-west of the N7 by means of an underpass. DR1146 is a proclaimed provincial road for which the Western Cape Government is the controlling road authority for this road.



R302 (Main Road 174) can be classified as a Rural Class 2 Minor Arterial road with one lane per direction, a 100km/h speed limit, surfaced shoulders on both sides and no sidewalks. It is a proclaimed Main Road (MR174) for which the Western Cape Government is the controlling road authority. RMIS classifies this as a R3a road in terms of RCAM.

9. Future Road Network

Construction is currently underway at the N7 / Abbotsdale Road interchange. It is expected that this interchange will attract many of the proposed development's trips. It is uncertain exactly when this interchange will become operational, but considering the latest aerial image, it will be operational before the proposed development commences.



10. Analysis Hours	<p>Peak period traffic counts were undertaken on Wednesday, 30 May 2018 at the Malmesbury Road/Philadelphia Road (DR1111) and Abbotsdale Road (DR1146) intersection between 07:00 and 09:00 and 16:00 and 18:00 to determine the AM and PM peak hours. A traffic count was also undertaken on Tuesday, 26 November 2019 at the Malmesbury Road (DR1111) and R302 (MR174) intersection between 06:30 and 08:30 and 16:00 and 18:00 to determine the AM and PM peak hours. The peak hours were determined as follows:</p> <ul style="list-style-type: none"> • AM peak hour: 07:00 to 08:00 • PM peak hour: 16:30 to 17:30
11. Scenarios Analysed	<ul style="list-style-type: none"> • 2019 Present Traffic Demand • 2024 Background Traffic Demand (2019 traffic volumes escalated with growth rate, as discussed in Section 14 of this report) • 2024 Total Traffic Demand (Background Traffic volumes including Phase A development trips) • 2029 Background Traffic Demand (2024 traffic volumes escalated with growth rate, as discussed in Section 19 of this report) including Phase A development trips) • 2029 Total Traffic Demand (Background Traffic volumes including Phase A AND Phase B development trips) <p>Intersection analyses were done using SIDRA Intersection software (version 8).</p>
12. Study Intersections	<p>Based on our experience with similar traffic studies, the anticipated traffic impact on the surrounding road network and its location within the wider road network, the following intersections were included in the scope of the study:</p> <ul style="list-style-type: none"> • DR1111 (Malmesbury Road) / DR1146 (Abbotsdale Road) • DR1111 (Malmesbury Road) / MR174 (R302)
	

	<p>It is expected that the N7 Interchange that is currently being constructed will attract many of the development trips since this will be the quickest route between Cape Town and the towns located to the north. This intersection was however not been analysed as it is still being constructed and it is anticipated that this interchange will have sufficient spare capacity when completed.</p>
<p>13. Existing Operations References: Figure 3 & 4, Table 1</p>	<p>The present traffic demand on the surrounding road network can generally be described as moderate. Refer to Figure 3 and Figure 4 for a summary of the existing counted traffic volumes at each of the study intersections.</p> <p>The following comments are made in relation to the traffic volumes (total two-way) on the surrounding road network:</p> <ul style="list-style-type: none"> • Abbotsdale Road (DR1146) carries low-medium volumes of traffic (two-way) with approximately 286 vph during the AM peak hour and 302 vph during the PM peak hour. • Malmesbury Road (DR1111) carries low volumes of traffic (two-way) with approximately 122 vph during the AM peak hour and 130 vph during the PM peak hour on the south western approach of the Malmesbury Road/Abbotsdale Road Intersection. On the north western approach, DR1111 carries low-medium volumes of traffic (two-way) with approximately 360 vph during the AM peak hour and 390 vph during the PM peak hour. • The R302 (MR174) carries medium volumes of traffic (two-way) with approximately 645 vph during the AM peak hour and 684 vph during the PM peak hour. <p>The Sidra results indicate that the study intersections are all currently operating at acceptable levels of service. No upgrades are proposed in this scenario.</p> <p>See Table 1 for the existing capacity analysis. Full details of the SIDRA analysis can be provided if required.</p>
<p>14. Background Traffic (2024) References: Figure 5 & 6, Table 1</p>	<p>To determine the Background 2024 and 2029 traffic volumes, an average growth rate of 3.0% per annum was used. This traffic growth rate relates to average growth rate areas and is deemed appropriate for this area. This growth rate also corresponds with the historic growth rate indicated on the RNIS website along DR1111.</p>

Development Area	Growth rate
Low growth areas	0 – 3%
Average growth areas	3 – 4%
Above average growth areas	4 – 6%
Fast growing areas	6 – 8%
Exceptionally high growth areas	> 8%
Source: City Council of Pretoria (1998)	

The estimated 2024 AM and PM peak hour background traffic volumes are indicated in Figure 5 and Figure 6. For the 2029 AM and PM peak hour background traffic volumes, the development trips related to Phase A was also added – this will be discussed in Section 19.

All the study intersections are expected to operate at acceptable levels of service for the background 2024 scenario, therefore no upgrades are required in this scenario.

Refer to Table 1 for a summary of the SIDRA results. Full details of the SIDRA analysis can be provided if required.

15. Trip Generation Rates

References: Table 2

The additional vehicle trips that will be generated by the proposed development were calculated using the trip generation rates as provided in the *TMM17 South African Trip Data Manual (Volume 1, September 2012)* published by the Committee of Transport Officials (COTO).

For the proposed development, Land Use COTD130 Industrial Area (Park) will be used. Industrial Area (Park) refers to "industries that do not generally provide services directly to the general public. The Industrial area or park may also contain related facilities such as services and warehousing. A small amount of retail may be included."

Land Use	Units	Extent (Phase A)	Extent (Phase B)	Peak Hour	Trip Generation Rate	Split	
						In	Out
Industrial Area (Park)	GHA (m ²)	103 680	125 280	AM	0,80	75%	30%
				PM	0,80	25%	75%

A reduction factor of 15% is applied for developments in areas with transit nodes or corridors. It is anticipated that the proposed development will have the potential to attract public transport and non-motorised trips from the surrounding areas.

	<p>The estimated additional peak hour trips are summarised in Table 2.</p>
<p>16. Development Trips References: Table 2</p>	<p>The total expected peak hour trips likely to be generated by the development during the AM and PM peak hours are (Refer to Table 2):</p> <p>PHASE A</p> <ul style="list-style-type: none"> • 705 total AM trips (494 inbound 212 outbound) • 705 total PM trips (176 inbound 529 outbound) <p>PHASE B</p> <ul style="list-style-type: none"> • 852 total AM trips (596 inbound 256 outbound) • 852 total PM trips (213 inbound 639 outbound) <p>TOTAL TRIPS (PHASE A + PHASE B)</p> <ul style="list-style-type: none"> • 1557 total AM trips (1090 inbound 468 outbound) • 1557 total PM trips (389 inbound 1168 outbound)
<p>17. Trip Distribution References: Figures 7, 8, 9 and 10</p>	<p>The generated traffic associated with the proposed development has been distributed onto the surrounding road network taking the following into account:</p> <ul style="list-style-type: none"> • Present traffic conditions; • The nature of the development being industrial; and • Trip attractions within the area. <p>Based on the above, the following distribution was used to assign the development traffic to the surrounding network for all peak hours:</p> <ul style="list-style-type: none"> • 10% to/from the south along Malmesbury Road • 40% to/from the N7 along Abbotsdale Road • 30% to/from the north along the R302 • 20% to/from the south along the R302

Proposed Trip distribution:



The trips associated with Phase A of the development are indicated in Figure 5 and Figure 6 and the trips associated with Phase B of the development are indicated in Figure 9 and Figure 10.

18. Total Trips (Phase A)

References: Figures 11 & 12 and Table 1

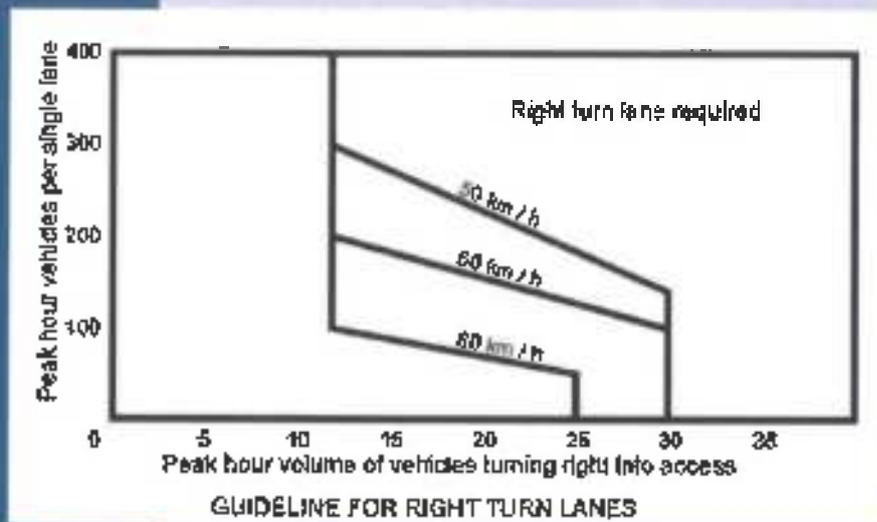
The resulting Phase A development trips were added to the expected 2024 background traffic volumes. The resulting total traffic volumes are shown in Figure 11 and Figure 12.

For this scenario, only one access (Dolornite Street) will be required to service Phase 1, Phase 2 and Phase 3 (Phase A).

The Sidra results can be seen in Table 1 and are discussed below.

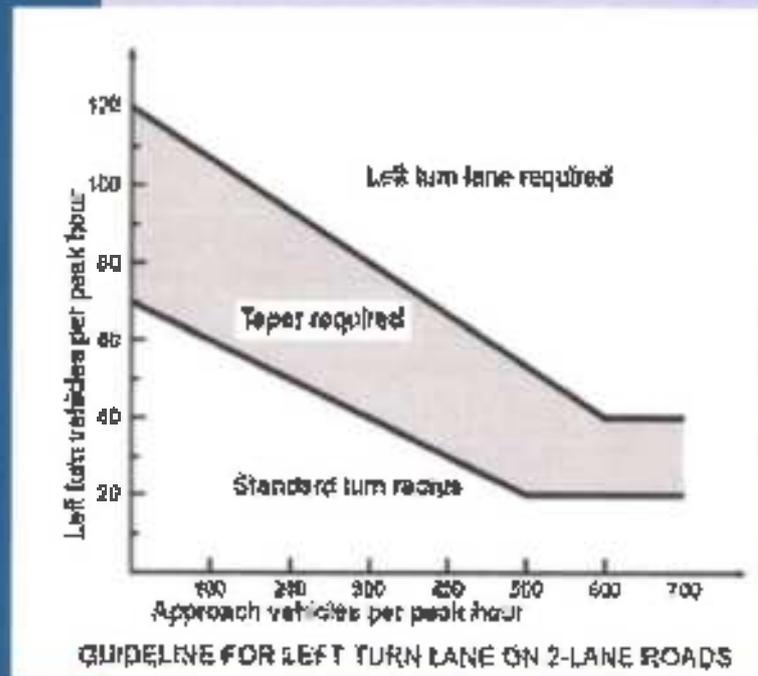
Malmesbury Road (DR1111)/Abbotsdale Road (DR1164)

In terms of the Provincial Administration Western Cape: Road Access Guidelines (RAG) document, the right turning volumes from DR1111 into DR1164 will warrant an auxiliary right turning lane along DR1111 (right turning lanes are warranted if the right turning volume exceeds 25 vehicles during the peak hour for an 80km/h design speed). The intersection was analysed as such and will operate at acceptable Levels of Service (LOS) for both peak hours.



Malmesbury Road (DR1111)/R302 (MR174)

The traffic volumes that will be added to this intersection as a result of the proposed development will warrant an auxiliary right turning lane and left turning lane along MR174. The intersection was analysed as such and will operate at acceptable Levels of Service (LOS) for both peak hours.



Malmesbury Road (DR1111)/Access 1

The access was analysed as a three-legged intersection with stop control on the development's side. The access should have a three-lane cross section with one lane into the development and two lanes out of the development. The traffic volumes generated by the proposed development that will use this access will warrant auxiliary right and left turning lanes along DR1111. The capacity analysis shows that this intersection will operate at acceptable Levels of Service (LOS) for both peak hours.



19. Background Traffic (2029)

References: Figures 13 & 14 and Table 1

For the Background 2029 traffic volumes, the growth rate (3%) was applied to the 2019 traffic volumes and the Phase A trips were also added. The resulting volumes are shown in Figure 13 and Figure 14. Analysis of this scenario was based on the upgrades proposed in previous scenario.

The Sidra results can be seen in Table 1 and are discussed below.

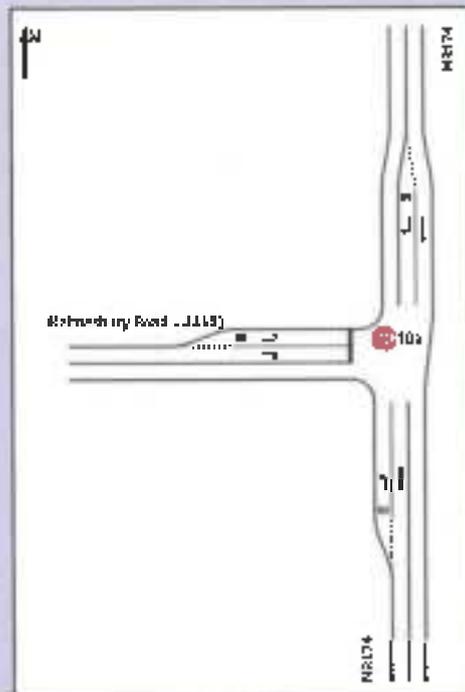
Malmesbury Road (DR1111)/Abbotsdale Road (DR1164)

This Intersection will continue to operate at an acceptable Level of Service during the AM and PM peak hours with the proposed geometric improvements listed in Section 18.

Malmesbury Road (DR1111)/R302 (MR174)

This Intersection will continue to operate at an acceptable Level of Service during the AM and PM peak hours with the proposed geometric improvements listed in Section 18.

	<p><u>Malmesbury Road (DR1111)/Access 1</u></p> <p>This intersection will continue to operate at an acceptable Level of Service during the AM and PM peak hours with the proposed geometric Improvements listed in Section 13.</p>
<p>20. Total Trips (Phase B)</p> <p>References: Figures 15 & 16 and Table 1</p>	<p>For the Total 2029 traffic volumes, the resulting Phase B development trips were added to the expected 2029 background traffic volumes.</p> <p>The Sidra results can be seen in Table 1 and are discussed below.</p> <p><u>Malmesbury Road (DR1111)/Abbotsdale Road (DR1154)</u></p> <p>The anticipated trips that will be added by the proposed development to this intersection will warrant a separate left turning lane along DR1111 in addition to the auxiliary right turning lane. With this geometry, the movements on the approach along Abbotsdale Road will operate at unacceptable Levels of Service (LOS) F during the AM and PM peak hours. It is proposed that this intersection be signalled to continue to operate at an acceptable Level of Service. Furthermore, it is proposed that separate right and left turning lanes be constructed along the Abbotsdale approach. The proposed geometry is shown schematically below.</p> <div data-bbox="603 1077 1225 1630" data-label="Diagram"> </div> <p><u>Malmesbury Road (DR1111)/R302 (MR174)</u></p> <p>The anticipated trips that will be added by the proposed development to this intersection will require a separate left and right turning lane on the approach on DR1111. With this geometry, the intersection will operate at acceptable Levels of Service (LOS) during the AM and PM peak hours. The proposed geometry is shown schematically below.</p>



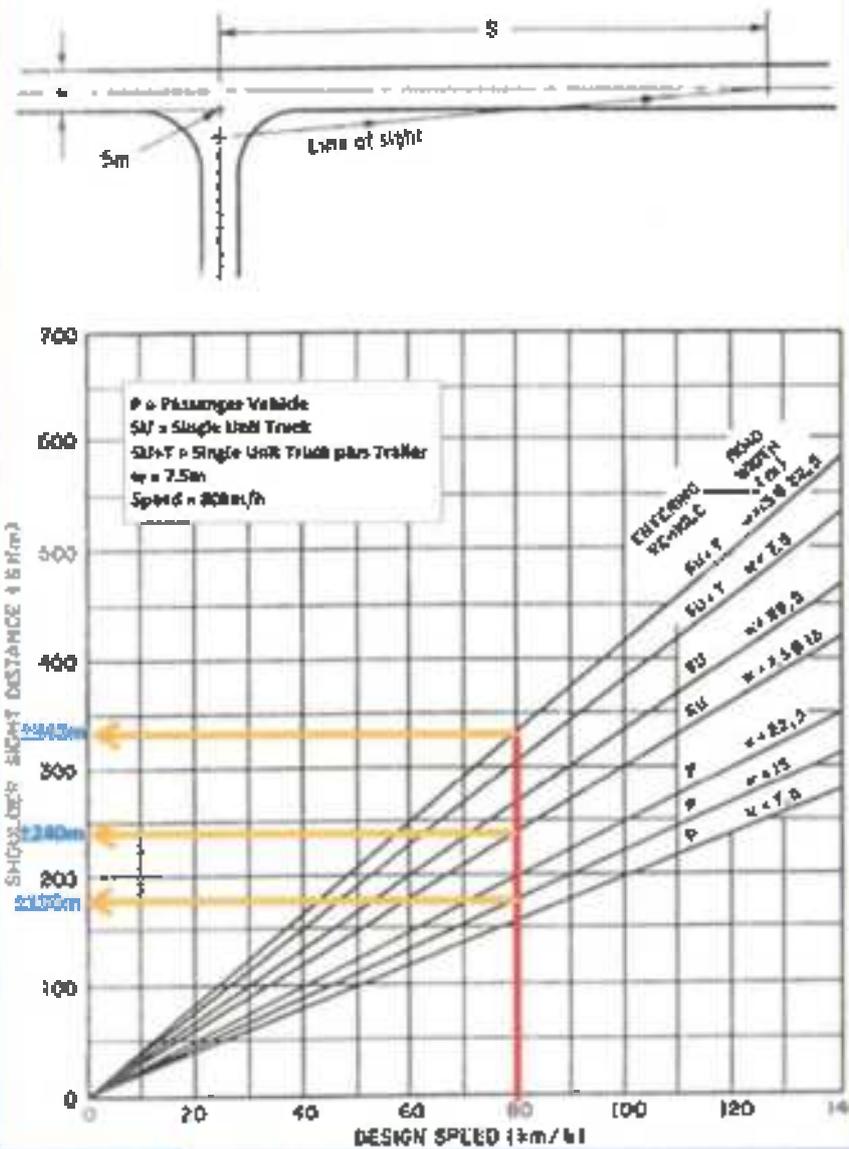
Malmesbury Road (DR1111)/Access 1

Overall, this intersection will continue to operate at an acceptable Levels of Service during the AM and PM peak hours for the Total 2029 traffic scenario. However, the right turning movement from the access road onto DR1111 operates at a LOS E during the PM peak hour. It is possible to signalise this intersection in future (access spacing is sufficient), however, the warrants specified in SARTSM (average queue length is not greater than 4 vehicles) are not met at the moment and therefore this option is not explored in further detail.

Malmesbury Road (DR1111)/Access 2

The access was analysed as a three-legged intersection with stop control on the development's side. The access should have a three-lane cross section with one lane into the development and two lanes out of the development. The traffic volumes generated by the proposed development that will use this access will warrant an auxiliary right and left turning lane along DR1111. The capacity analysis results indicate that this intersection will operate at an acceptable Levels of Service (LOS) for the AM and PM peak hours.

<p>21. Approved Developments</p>	<p>There are no known developments in the area that will have a significant impact on the existing and future traffic operations.</p>
<p>22. Site Access</p>	<p>Number of Accesses: Two</p> <p>Access to the development is proposed from DR1111 from two new accesses. The accesses will be located approximately 1050 m south-west and 530 m north-east of the DR1111/DR1146 intersection.</p> <p>The proposed site accesses will have a three-lane cross section i.e. one lane in and two lanes out. Separate right and left turning lanes along DR1111 at both accesses are also proposed. The access intersection on the development access side will be stop controlled for right and left turners.</p>
<p>23. Sight Distance</p>	<p>Sight distance at the proposed access should satisfy the requirements as set out in the UTG 1 Geometric Design Urban Arterial Roads (Fig. 10.9). For a design speed of 80km/h, a Single Unit (SU) design vehicle and a road width of 7.5m and 15m, the required shoulder sight distance is 240m. Sight distance was measured on site at both accesses and is sufficient.</p>



24. Non-Motorised Transport (NMT)

There are no formal non-motorised facilities (NMT) in the vicinity of the proposed development. It is expected that the proposed development will generate non-motorised trips from Abbotsdale other towns which are close enough to walk and/or cycle. It is proposed that sidewalks be constructed along the north-eastern side of DR1111 of the proposed development between Access 1 and Access 2 along the DR1111 as indicated with the blue line below.

	
25. Public Transport	<p>It is anticipated that the proposed development will generate a number of minibus taxi trips, transporting workers from the surrounding areas to the development. It is proposed that minibus taxi embayments are provided within the development at each access to avoid minibus taxi's stopping along DR1111 and potentially making illegal u-turns.</p>
26. Conclusions	<p>This report describes the investigation of transport implications of the proposed development of a Portion of Erf 373, Abbotsdale, near Malmesbury in the Western Cape. It summarises the existing transportation conditions within the site vicinity, provides an assessment of the transportation impacts of the proposed development on the surrounding road network, and recommendations with regard to improvements to mitigate negative impacts.</p> <p>The main findings and conclusions are:</p> <ul style="list-style-type: none"> • This TIA is in support of the application for the proposed development on a Portion of Erf 373. • The proposed development will consist of 53 Industrial Zone 1 erven, covering an area of approximately 41.5ha [approximately 228 960m² GLA]. • The development will take place in 6 phases, of which the first 3 phases (Phase A) are expected to be operational within a 5-year design year and the rest of the phases (phase 4, 5 and 6: Phase B)) is expected to be operational within a 10-year design period. • Access to the development will be from two new accesses along the DR1111, approximately 1050 m south-west and 530 m north-east of the DR1111/DR1146 Intersection.

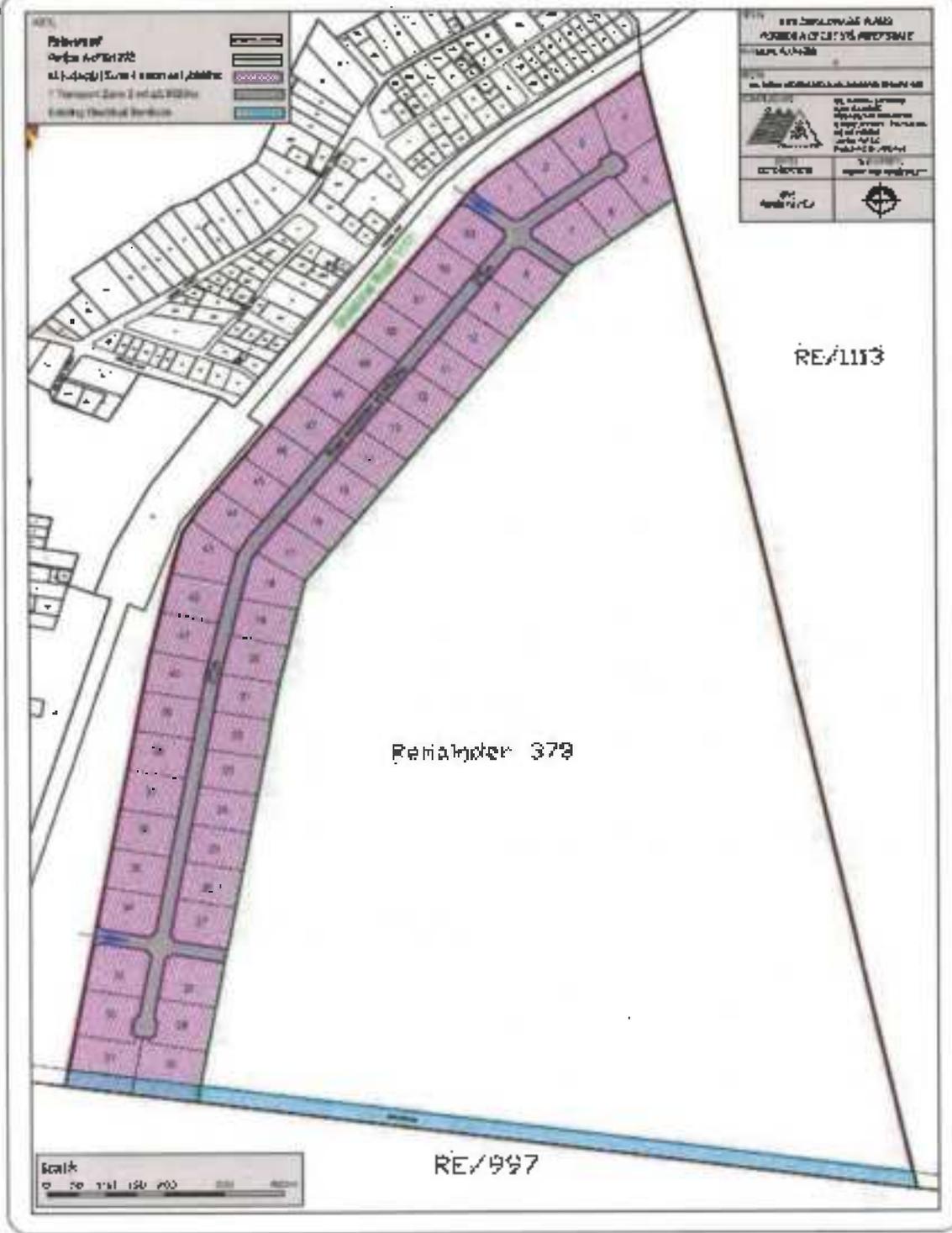
- The development has the potential to generate **705 new trips** during the AM peak hour (484 in and 212 out) and **705 new trips** during the PM peak hour (176 in and 529 out) over the 5-year design period (Phase A).
- The development has the potential to generate a total of **1557 new trips** during the AM peak hour (1090 in and 468 out) and **1557 new trips** during the PM peak hour (389 in and 1168 out) over the 10-year design period (Phase B).
- All study Intersections are currently operating at acceptable levels of service.
- No geometric improvements are required to accommodate the growth in background traffic (2024).
- The following geometric improvements are required to accommodate the traffic impact of the total traffic generated during Phase A of the proposed development (2024).
 - **Malmesbury Road (DR1111)/Abbotsdale Road (DR1164):** Construct auxiliary right turn lane along DR1111 for right turning movements into DR1164.
 - **Malmesbury Road (DR1111)/R302 (MR174):** Construct auxiliary right and left turning lanes along MR174 for right and left turning movements into DR1111.
 - **Malmesbury Road (DR1111)/Access 1:** Construct T-intersection with stop control on development's side. The access should have a three-lane cross section with one lane into the development and two lanes out of the development. Construct auxiliary right and left turning lanes along DR1111 for right and left turning movements into the development.
- No further geometric improvements are required to accommodate the background traffic (2029).
- The following geometric improvements are required to accommodate the traffic impact of the total traffic generated during Phase B of the proposed development (2029).
 - **Malmesbury Road (DR1111)/Abbotsdale Road (DR1164):** Construct separate left turning lane along DR1111. Construct separate right and left turning lanes along the Abbotsdale approach. Signalise intersection.
 - **Malmesbury Road (DR1111)/R302 (MR174):** Construct separate left and right turning lanes along DR1111.
 - **Malmesbury Road (DR1111)/Access 1:** No further geometric improvements required.
 - **Malmesbury Road (DR1111)/Access 2:** Construct T-Intersection with stop control on development's side. The access should have a three-lane cross section with one lane into the development and two lanes out of the development. Construct auxiliary right and left turning lanes along DR1111 for right and left turning movements into the development.
- Both proposed site accesses should have one lane in and two lanes out, with an additional right and left turning lane along DR1111.
- Sight distance was measured on site and both access positions are sufficient.

	<ul style="list-style-type: none"> • The proposed development will generate NMT and public transport trips. • Sidewalks are proposed along the border of Erf 373 between Access 1 and Access 2. • Public Transport embayments are proposed within the development at each access.
2.7. Recommendations	<p>From the report, the following are recommended that:</p> <ul style="list-style-type: none"> • For the 5-year design year the following geometric improvements are implemented: <ul style="list-style-type: none"> ◦ <u>Malmesbury Road (DR1111)/Abbotsdale Road (DR1164)</u>: Construct auxiliary right turn lane along DR1111 for right turning movements into DR1164. ◦ <u>Malmesbury Road (DR1111)/R302 (MR174)</u>: Construct auxiliary right and left turning lanes along MR174 for right and left turning movements into DR1111. ◦ <u>Malmesbury Road (DR1111)/Access 1</u>: Construct T-intersection with stop control on development's side. The access should have a three-lane cross section with one lane into the development and two lanes out of the development. Construct auxiliary right and left turning lanes along DR1111 for right and left turning movements into the development. • For the 10-year design year the following geometric improvements are implemented: <ul style="list-style-type: none"> ◦ <u>Malmesbury Road (DR1111)/Abbotsdale Road (DR1164)</u>: Construct separate left turning lane along DR1111. Construct separate right and left turning lanes along the Abbotsdale approach. Signalise intersection. ◦ <u>Malmesbury Road (DR1111)/R302 (MR174)</u>: Construct separate left and right turning lanes along DR1111. ◦ <u>Malmesbury Road (DR1111)/Access 1</u>: No further geometric improvements required. ◦ <u>Malmesbury Road (DR1111)/Access 2</u>: Construct T-intersection with stop control on development's side. The access should have a three-lane cross section with one lane into the development and two lanes out of the development. Construct auxiliary right and left turning lanes along DR1111 for right and left turning movements into the development. • Construct sidewalks along the north-eastern side of DR1111 of the proposed development between Access 1 and Access 2 along. • Construct mini-bus taxi embayments within the development at each access. • The detailed design of the proposed road upgrades is approved by the Road Authority before construction commences.

This report has shown that the proposed development can be accommodated by the adjacent transport network, provided the recommendations presented in the report are implemented. From a traffic engineering perspective, the application for this development is supported.



 <p>Trudie Burdick & Tomlinson 141 Main Street, Suite 100 Malmesbury, MA 01459</p>	<p>Project</p> <p>PROPOSED DEVELOPMENT ON A PORTION OF GR 373, MALMESBURY</p>	<p>Job No: STUR0006</p>
<p>LOCALITY PLAN</p>	<p>Figure 1</p>	

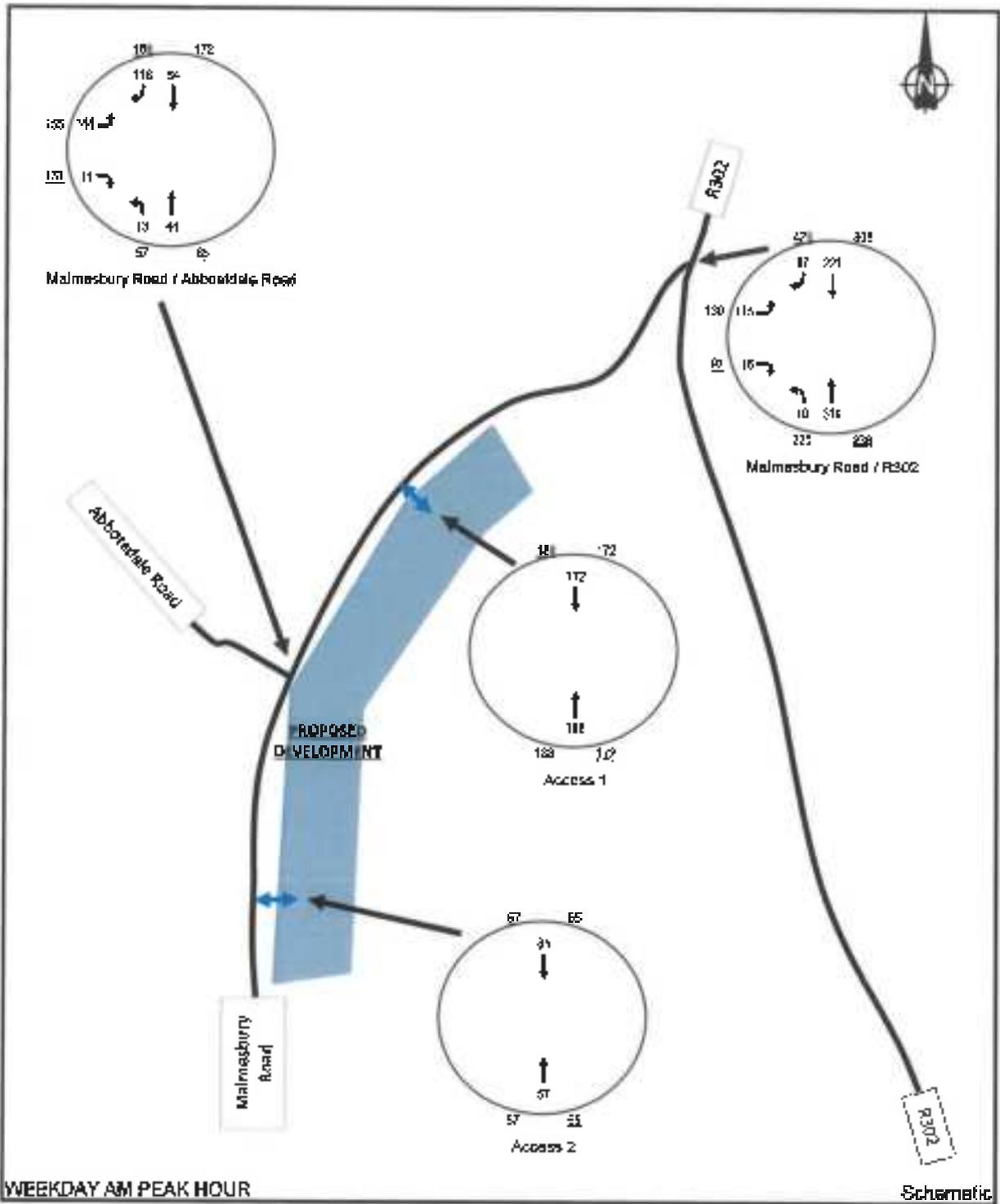


Project: PROPOSED DEVELOPMENT ON A PORTION OF LOT 372, MIRAMICHI

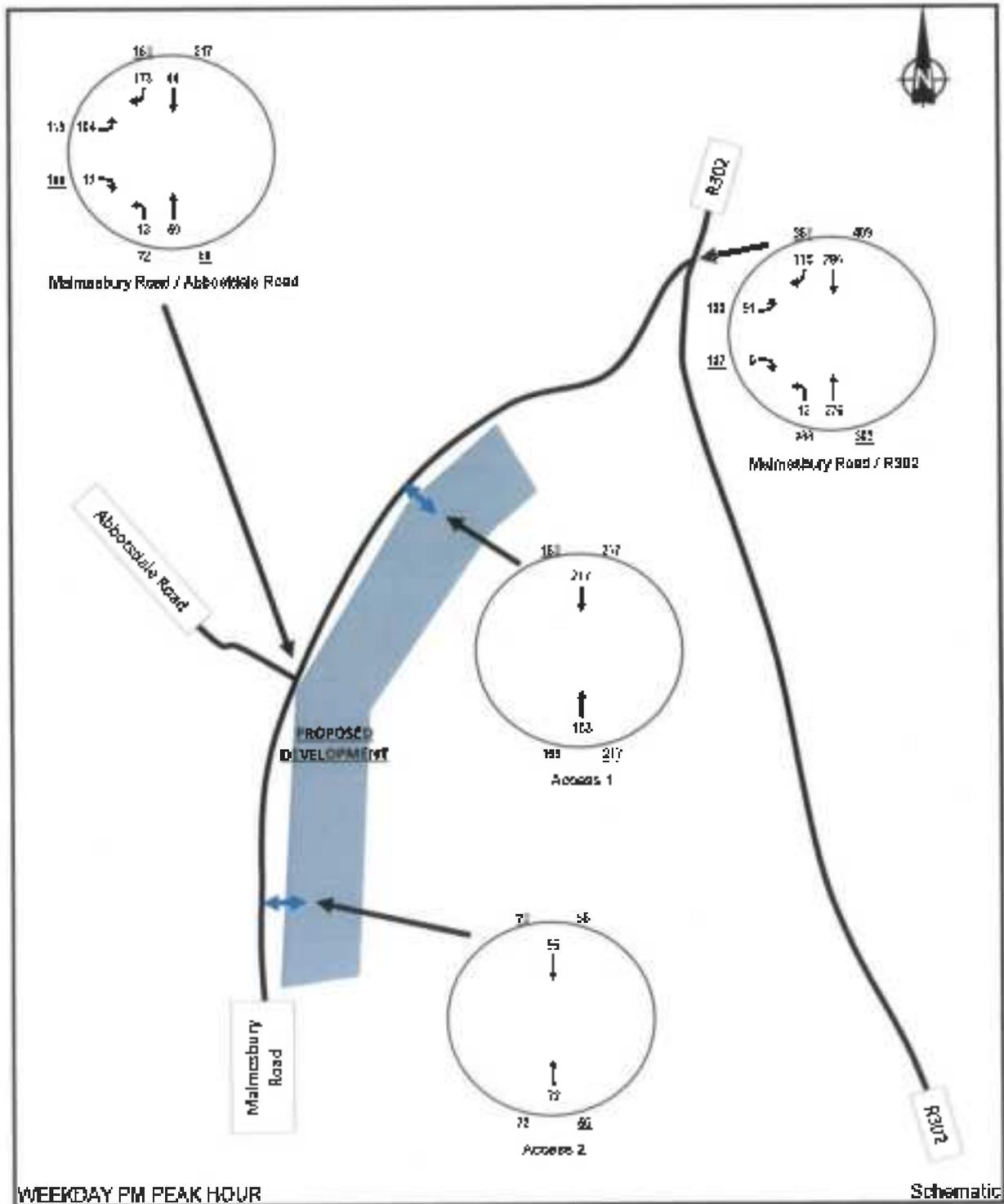
Site Development Plan (Part 1)

Lot No: STUR9223

Page: 2



	Erf 373 Abbotsdale	Job Ref No: STUR0233
	Present Traffic Demand (2019)	Fig: 3



Erf 878 Abbotsdale

Present Traffic Demand (2019)

Job Ref No:

STUR0233

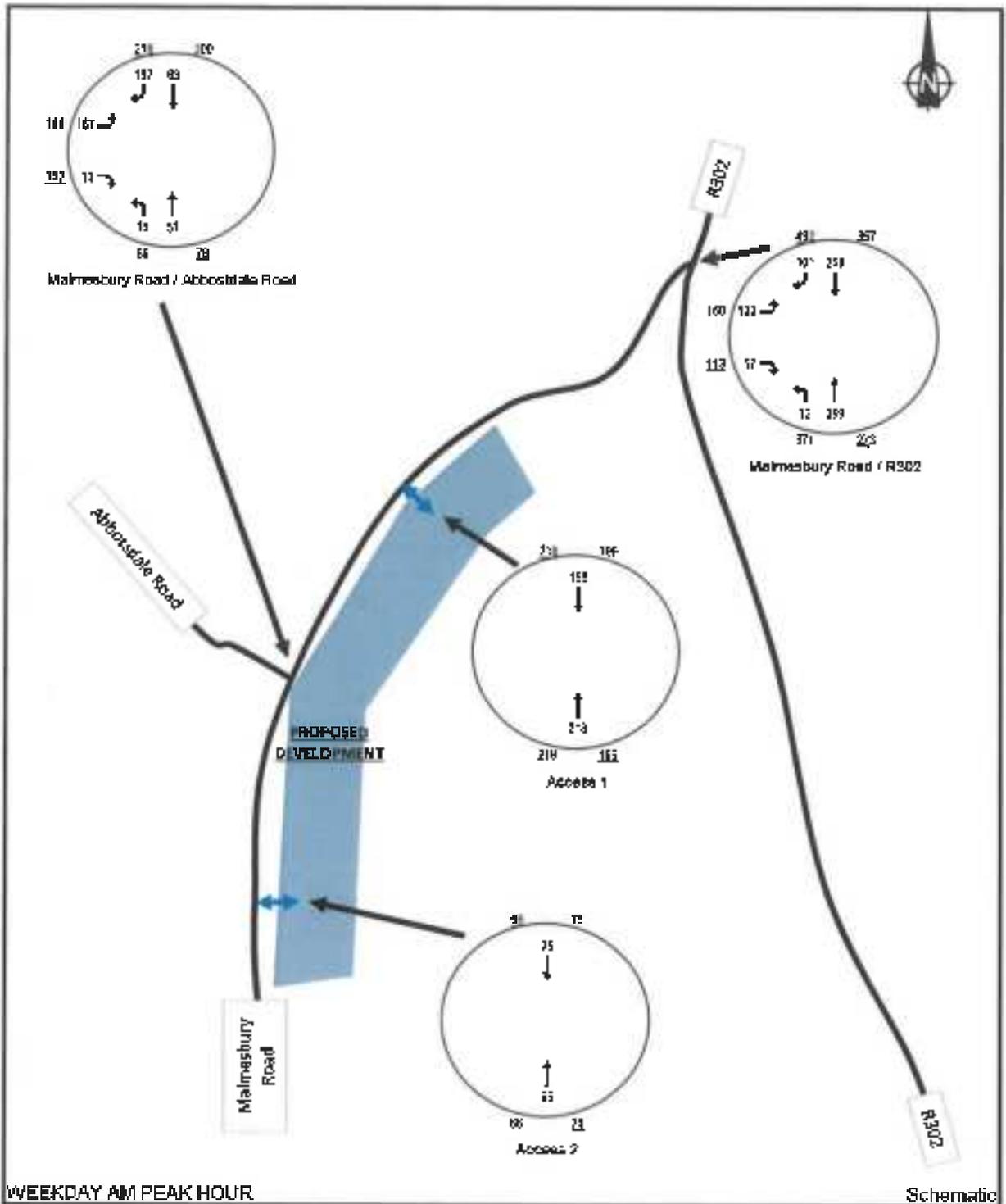
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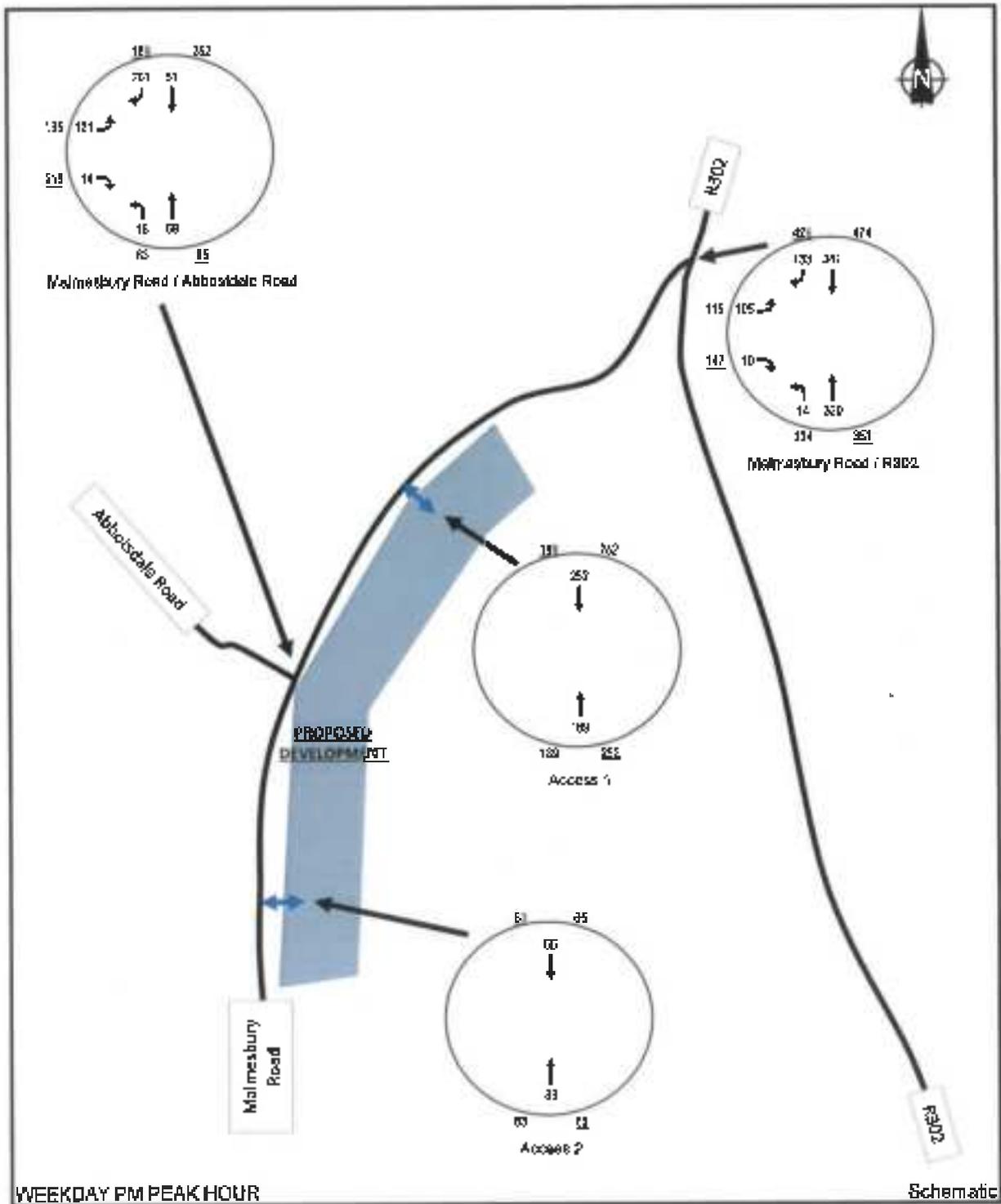
REFERENCES

1. Provincial Administration: Western Cape, Department of Economic Affairs, Agriculture and Tourism: Transport Branch, Road Access Guidelines and Policies, Sept 2002.
2. Western Cape Government: Access Management Guidelines, Draft, July 2016.
3. Department of Transport, Guidelines for Traffic Impact Studies, Report No. PR93/645, Pretoria, 1995.
4. Department of Transport, South African Trip Generation Rates, Report No. RR92/228, Pretoria, 1995.
5. Committee of Transport Officials (COTO), South African Trip Data Manual, Volume 1 TMH 17, September 2012.
6. Committee of Transport Officials (COTO), South African Traffic Impact and Site Traffic Assessment Manual Standards and Requirements Manual, Volume 2 TMH 16, September 2012.
7. Committee of Transport Officials (COTO), South African Traffic Impact and Site Traffic Assessment Manual, Volume 1 TMH 16, September 2012.

APPENDIX A: FIGURES



	Erf 878 Abbotsdale	Job Ref No: STUR0233
	Expected 2024 Traffic Demand	Fig: 5

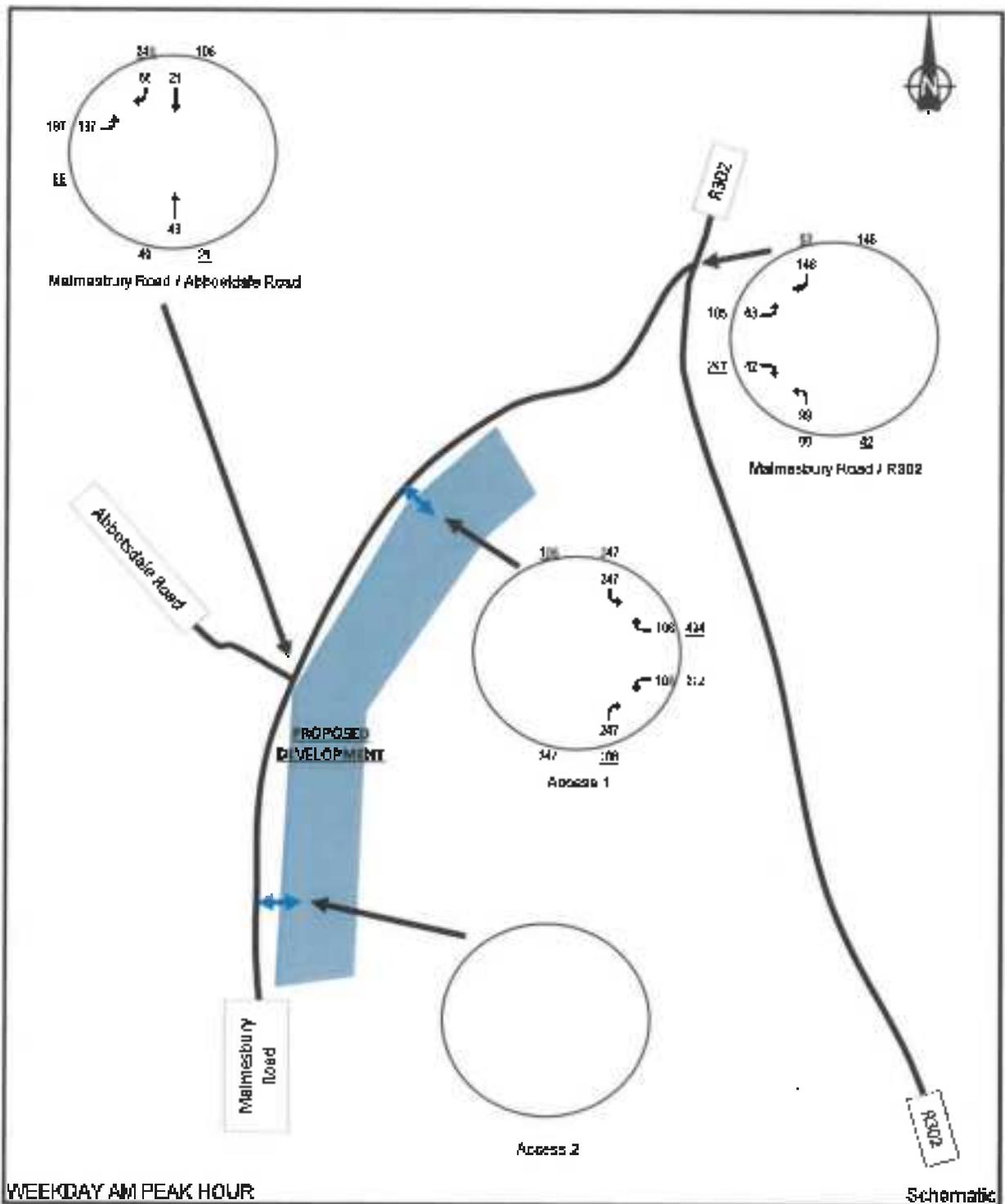


Erf 373 Abbotdale

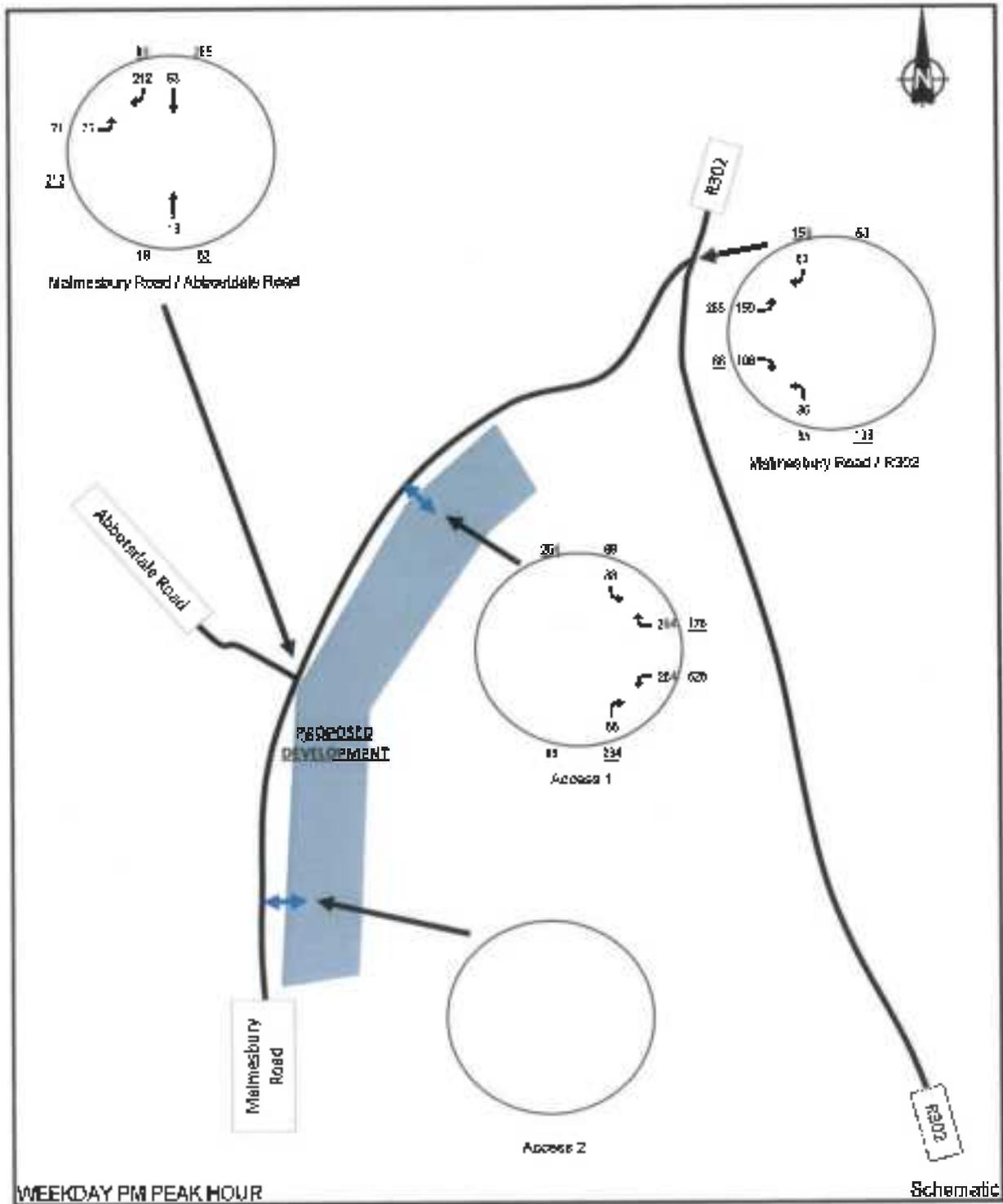
Expected 2024 Traffic Demand

Job Ref No:
STUR0233

Fig:
6



	Erf 373 Abbotdale	Job Ref No: STUR0233
	Development Traffic: Phase 1	Fig: 7



Erf 373 Abbotdale

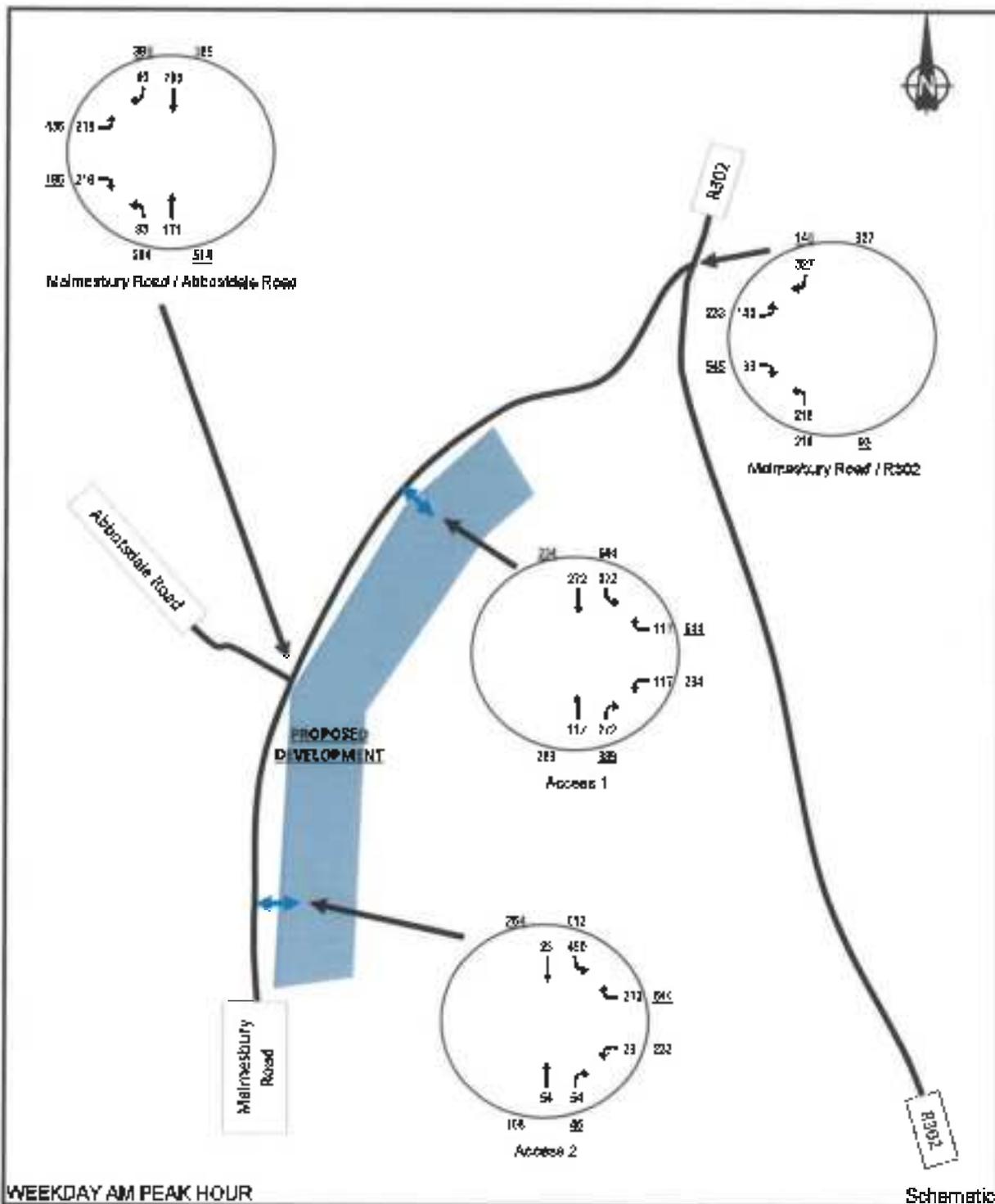
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STUR0233

Development Traffic: Phase 1

Fig.

8



Erf 373 Abbotsdale

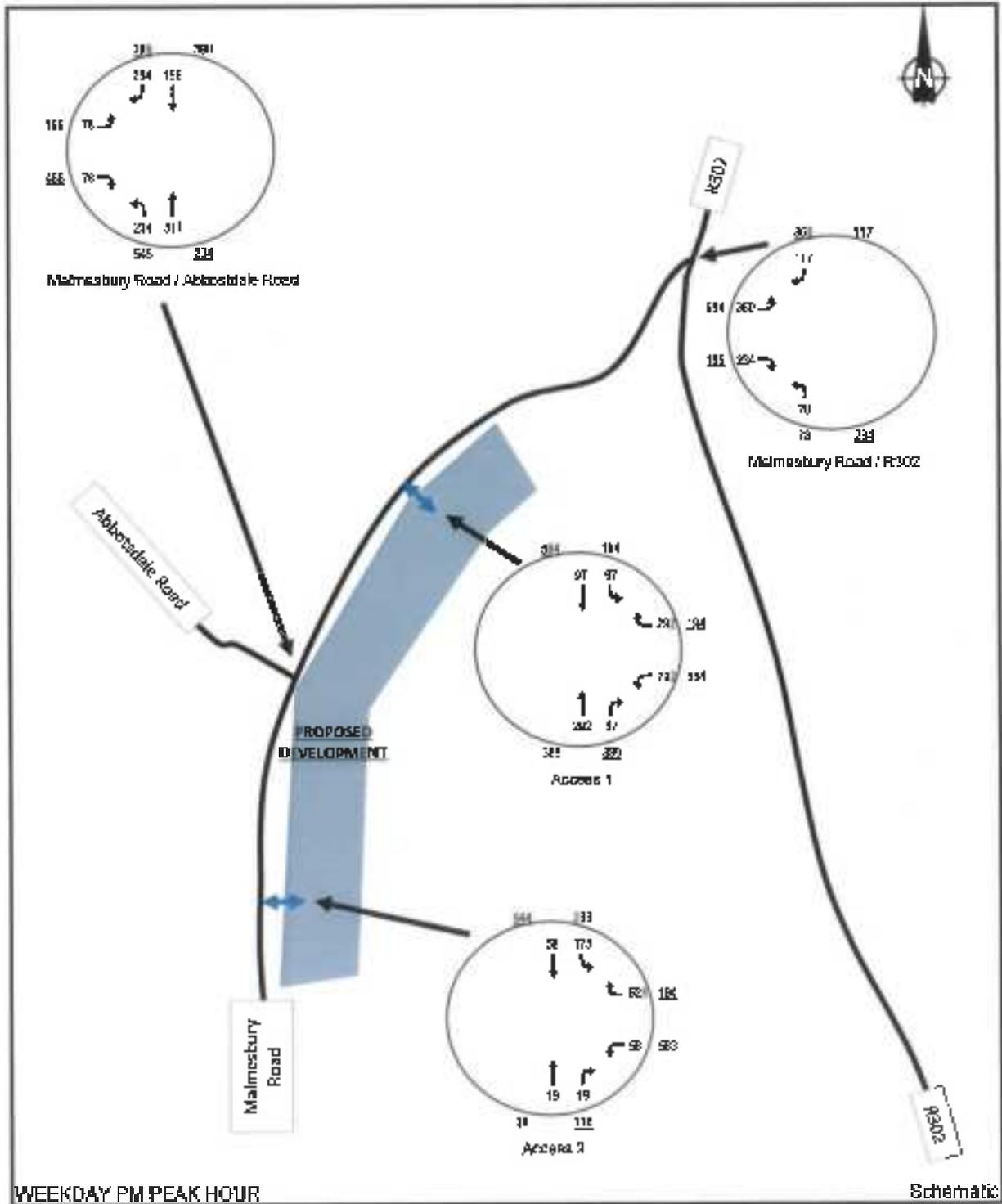
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STUR0233

Development Traffic: Phase 2

Fig

9



Erf 373 Abbotsdale

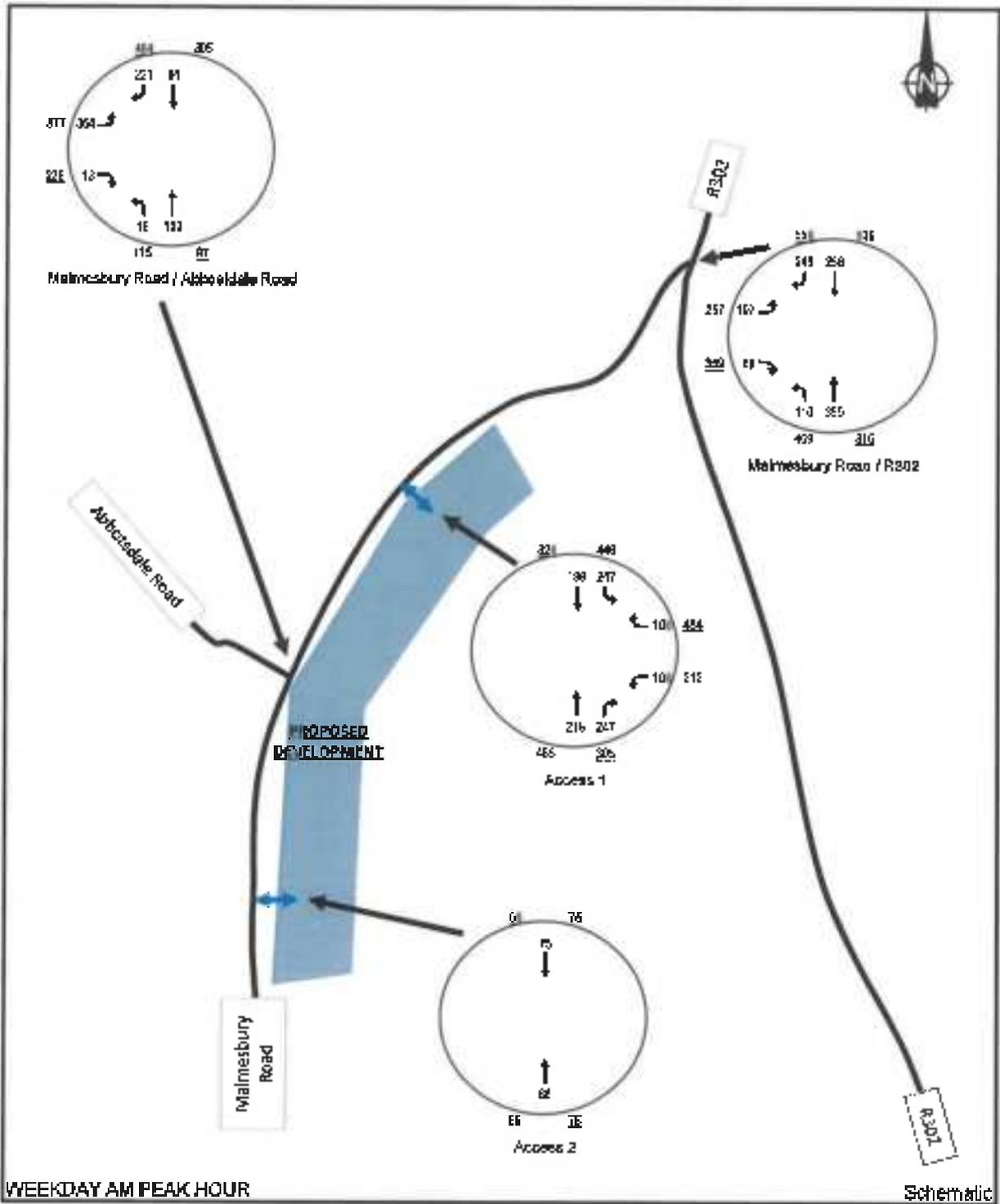
Development Traffic; Phase 2

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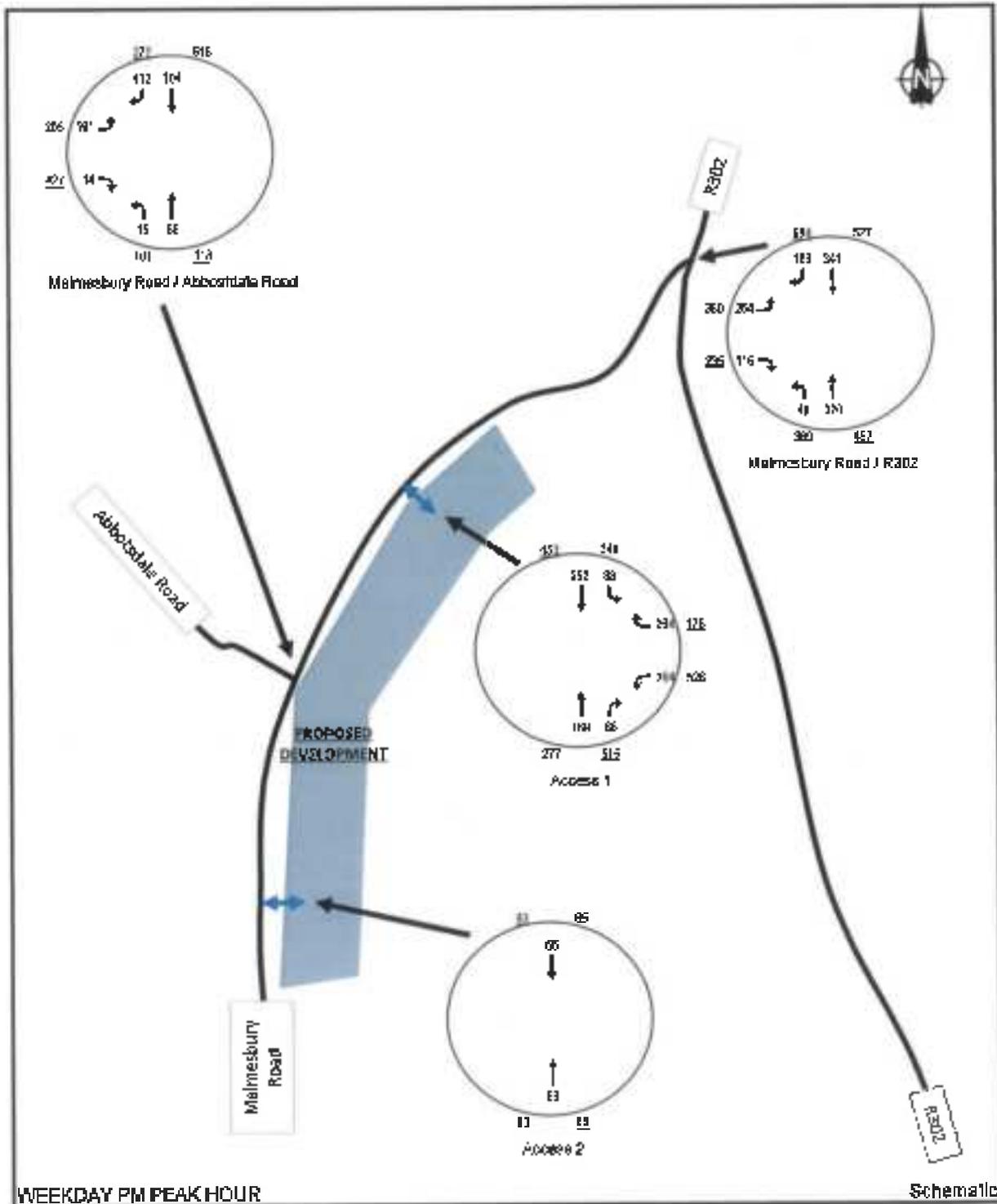
STUR0233

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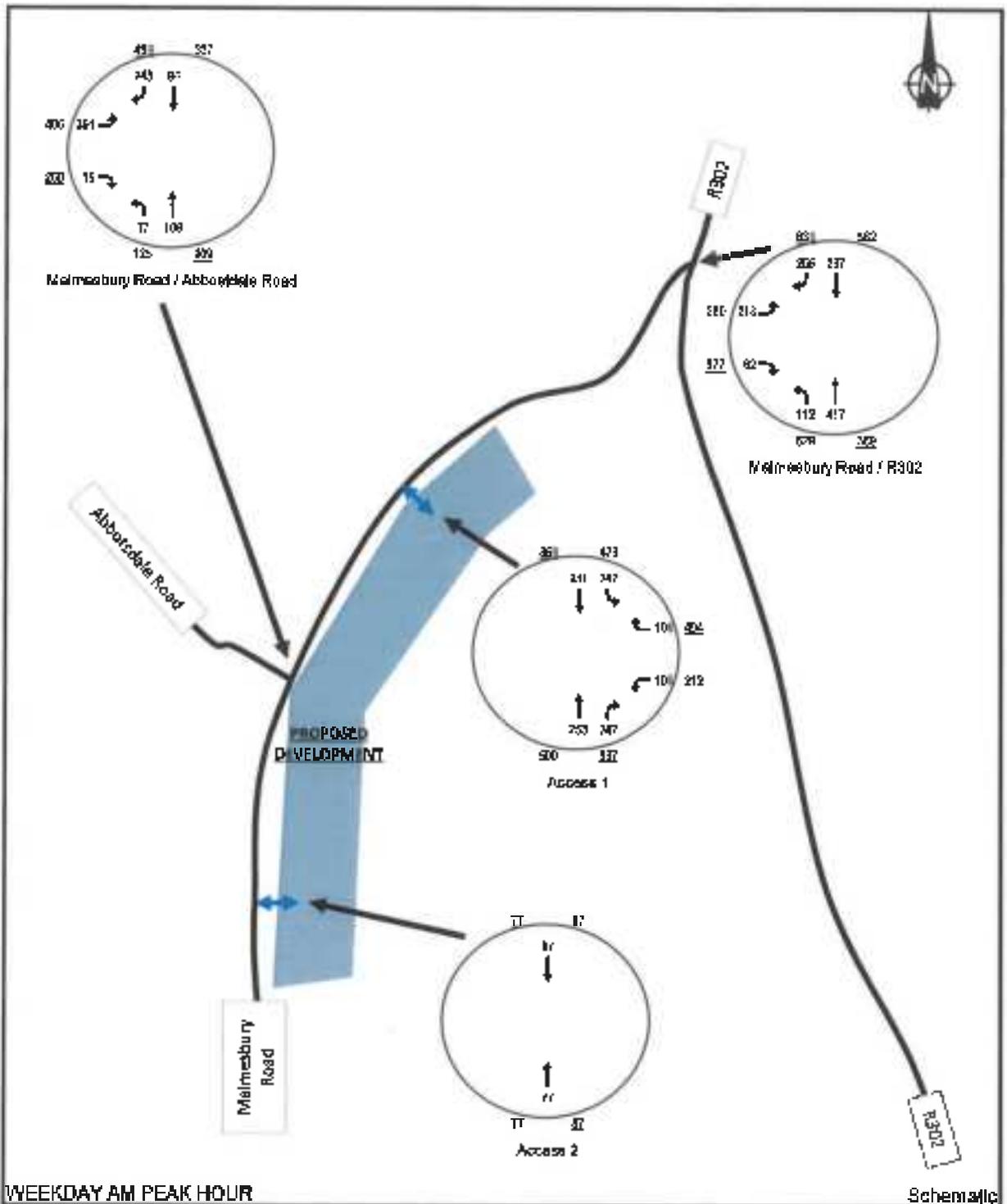
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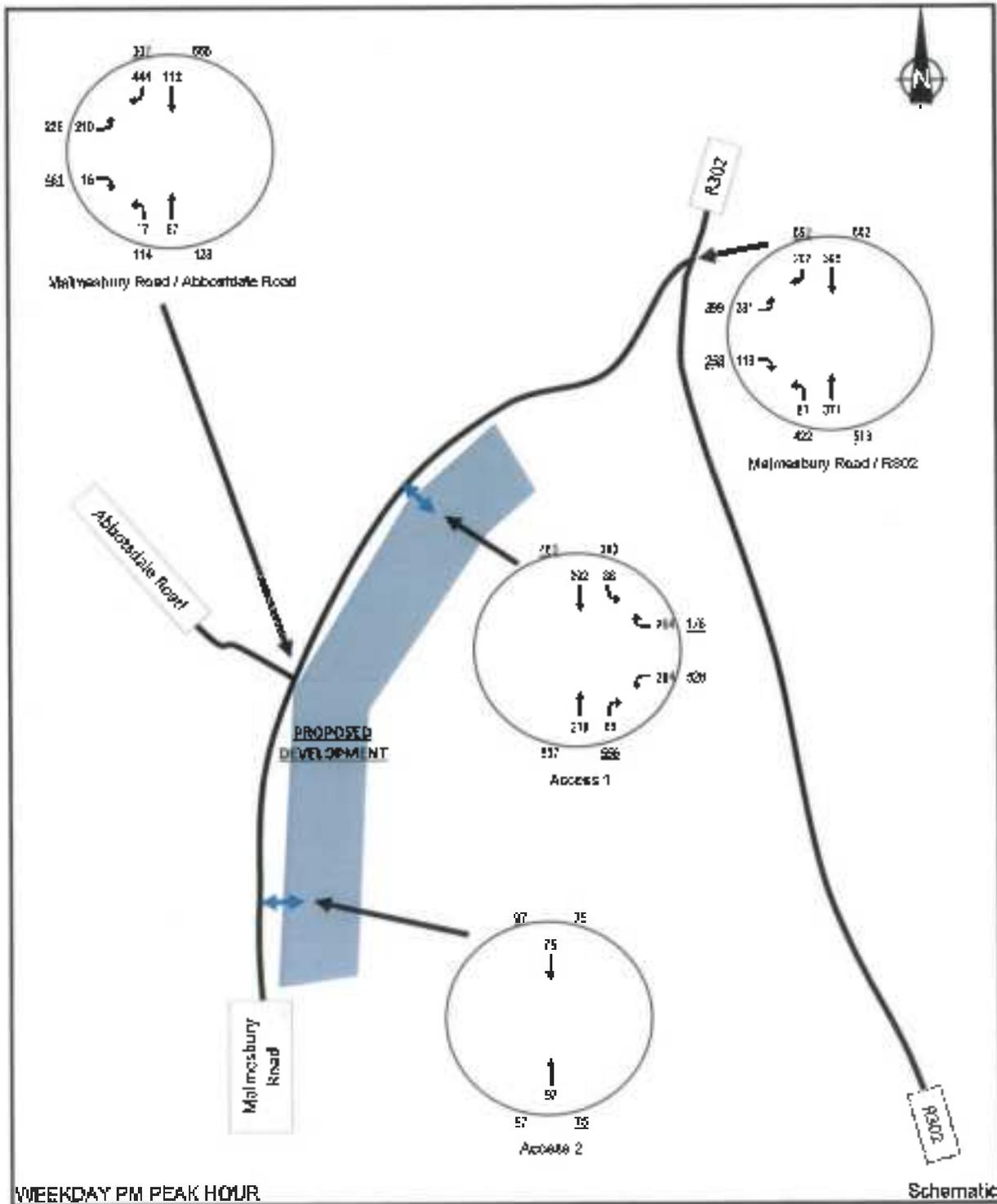
	Erf 373 Abbeidale	Job Ref No: STUR0233
	Expected 2024 Traffic Demand plus Development Phase 1	



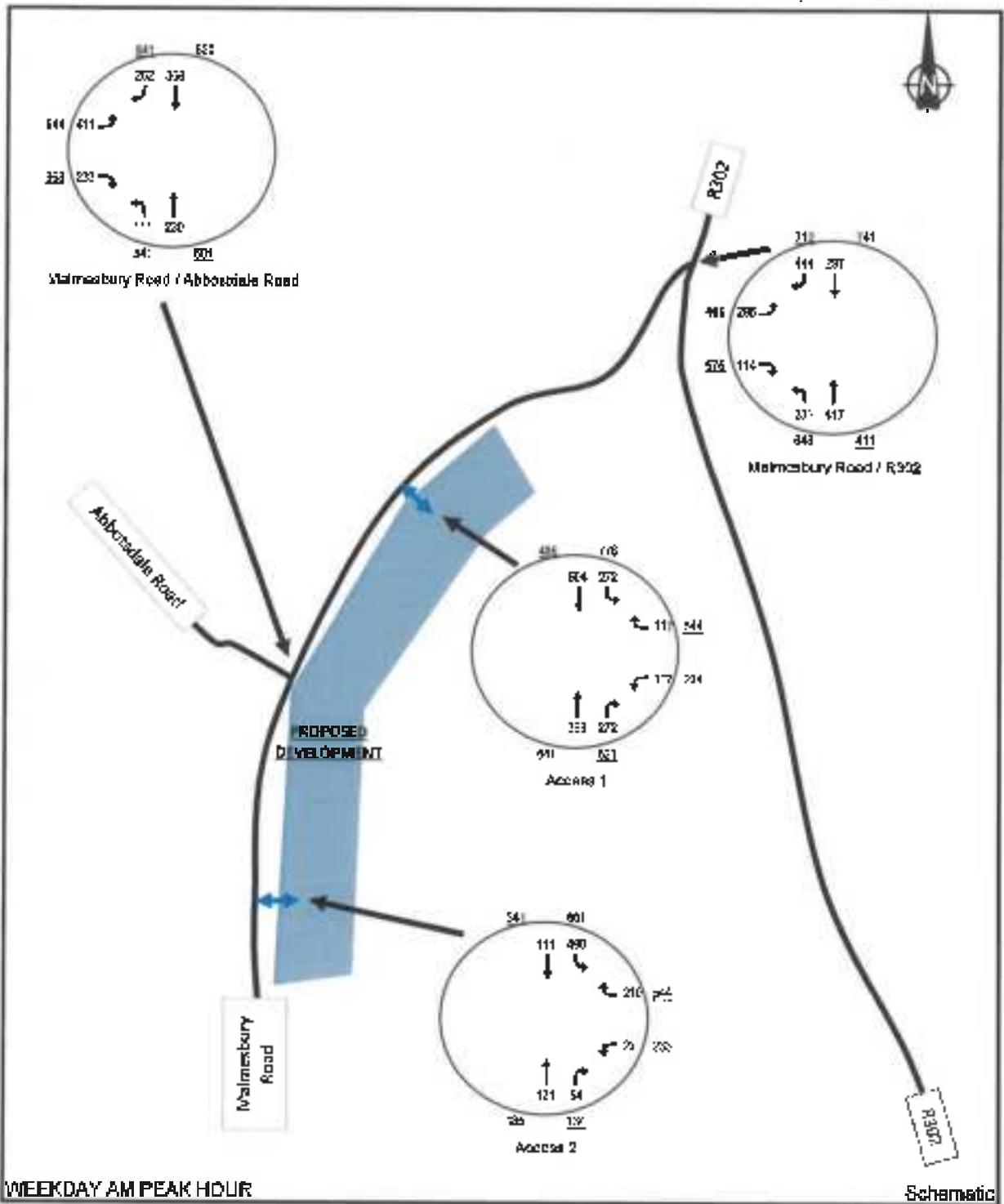
	Erf 373 Abbotsdale	Job Ref No: STUR0233
	Expected 2024 Traffic Demand plus Development Phase 1	Fig: 12



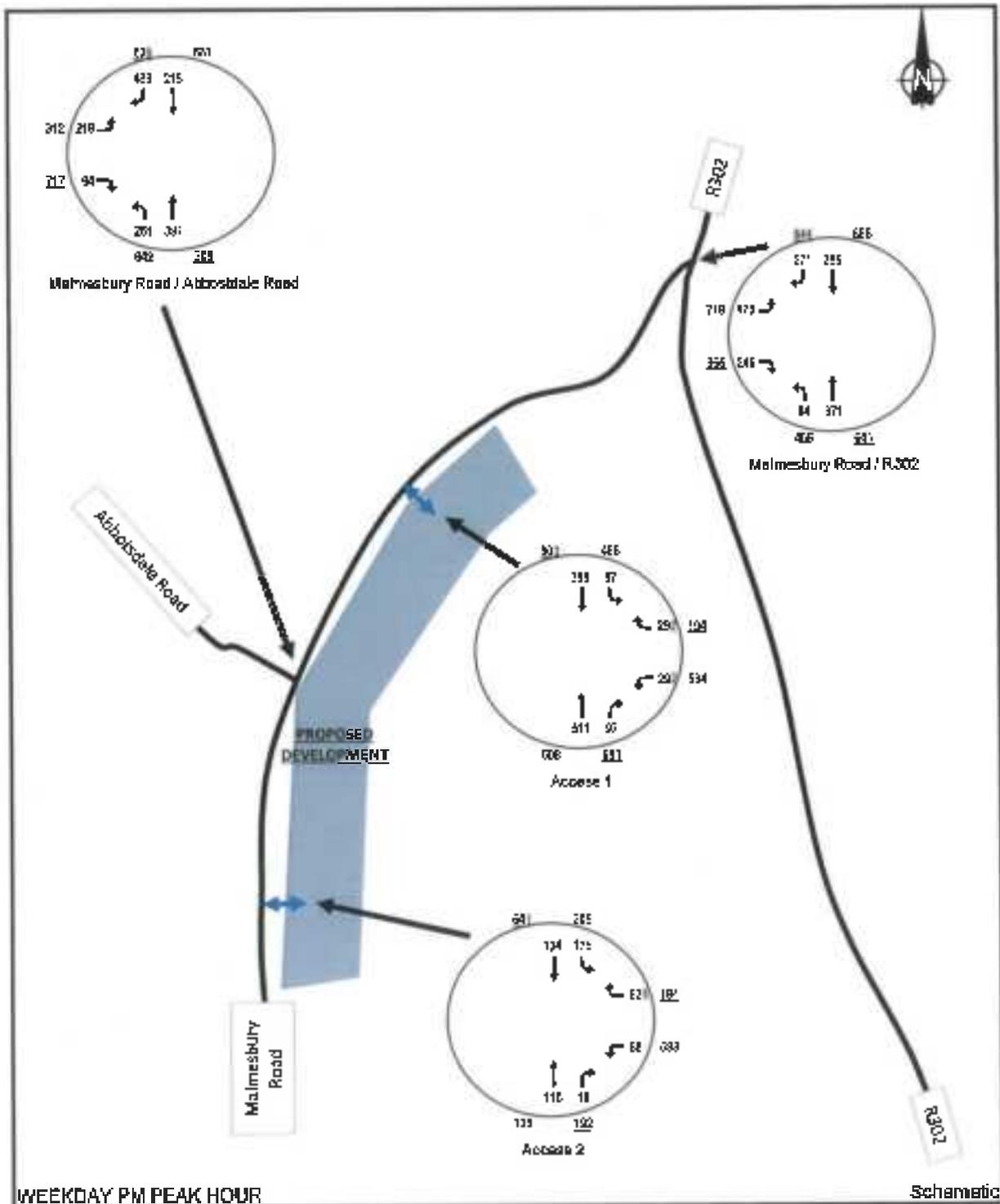
	Erf 373 Abbotsdale	Job Ref No: STUR0233
	Expected 2029 Traffic Demand plus Development Phase 1	Fig: 13



	Erf 373 Abbotsdale	Job Ref No: STUR0238
	Expected 2029 Traffic Demand plus Development Phase 1	Fig 14



	Erf 373 Abbotsdale	Job Ref No: STUR0233
	Expected 2029 Traffic Demand plus Development Phase 2	Fig: 15



	Erf 373 Abbotsdale	Job Ref No: STUR0233
	Expected 2029 Traffic Demand plus Development Phase 2	Fig: 16

APPENDIX B: TABLES

Table 1: Peak Hour Traffic Conditions at Intersections

Intersection	Scenario	Intersection Control	Peak Hour	Intersection Avg Delay (s)	Intersection LOS	Intersection v/c	Approach	Critical Approach Avg Delay (s)	LOS	v/c
Malmesbury Road / Abotsdale Road	Existing (2019)	Stop Controlled	AM	5,4	N/A	0,120	NorthWest	8,6	A	0,100
	Background (2024)	Stop Controlled		5,5	N/A	0,141	NorthWest	8,6	A	0,118
	Total Future (2029)	Stop Controlled		6,1	N/A	0,266	NorthWest	9,1	A	0,266
	Background (2029)	Stop Controlled		6,1	N/A	0,291	NorthWest	9,2	A	0,291
	Total Future (2029)	Stop Controlled		65,4	N/A	1,291	NorthWest	154,0	F	1,291
	Total Future (2029)	Signalised		19,1	B	0,865	NorthWest	24,0	C	0,865
	Existing (2019)	Stop Controlled	PM	5,2	N/A	0,156	NorthWest	8,7	A	0,079
	Background (2024)	Stop Controlled		5,2	N/A	0,186	NorthWest	8,8	A	0,094
	Total Future (2024)	Stop Controlled		5,4	N/A	0,318	NorthWest	9,1	A	0,155
	Background (2029)	Stop Controlled		5,5	N/A	0,349	NorthWest	9,3	A	0,177
	Total Future (2029)	Stop Controlled		28,9	N/A	1,028	NorthWest	67,0	F	0,999
	Total Future (2029)	Signalised		22,5	C	0,493	SouthWest	30,6	C	0,893

Intersection	Scenario	Intersection Control	Peak Hour	Intersection Avg Delay (s)	Intersection LOS	Intersection v/c	Approach	Critical Approach Avg Delay (s)	LOS	v/c
Malmesbury Road / R302	Existing (2019)	Stop Controlled		3,8	N/A	0,203	West	9,9	A	0,105
	Background (2024)	Stop Controlled		3,0	N/A	0,242	West	10,4	B	0,131
	Total Future (2024)	Stop Controlled	AM	5,3	N/A	0,375	West	13,9	B	0,375
	Background (2029)	Stop Controlled		5,9	N/A	0,466	West	16,3	C	0,466
	Total Future (2029)	Stop Controlled		10,0	N/A	0,784	West	18,3	C	0,521
	Existing (2019)	Stop Controlled		2,6	N/A	0,263	West	10,0	B	0,080
	Background (2024)	Stop Controlled		2,9	N/A	0,311	West	10,4	B	0,089
	Total Future (2024)	Stop Controlled	PM	6,4	N/A	0,576	West	17,0	C	0,576
	Background (2029)	Stop Controlled		7,5	N/A	0,696	West	21,8	C	0,696
	Total Future (2029)	Stop Controlled		11,2	N/A	0,855	West	24,4	C	0,855
Access 1	Total Future (2024)	Stop Controlled		5,2	N/A	0,292	East	11,3	B	0,201
	Background (2029)	Stop Controlled	AM	5,1	N/A	0,303	East	11,9	B	0,219
	Total Future (2029)	Stop Controlled		6,1	N/A	0,513	East	20,2	C	0,484

Intersection	Scenario	Intersection Control	Peak Hour	Intersection Avg Delay (s)	Intersection LOS	Intersection v/c	Approach	Avg Delay (s)	LOS	v/c
ACTON	Total Future (2024)	Stop Controlled		6,2	N/A	0,385	East	11,3	B	0,385
	Background (2029)	Stop Controlled	PM	6,2	N/A	0,422	East	12,1	B	0,422
	Total Future (2029)	Stop Controlled		9,2	N/A	0,857	East	24,1	C	0,857
	Total Future (2029)	Stop Controlled	AM	5,8	N/A	0,294	East	11,4	B	0,294
	Total Future (2029)	Stop Controlled	PM	7,9	N/A	0,584	East	12,0	B	0,584

LOS – Level of Service. Delay in seconds per vehicle, v/c – Volume to Capacity Ratio

Table 2: Estimated Peak Hour Trips

Peak Hour	Phase A			Phase B		
	Total Primary Trips	Primary Trips (vph)		Total Primary Trips	Primary Trips (vph)	
		In	Out		In	Out
AM	705	494	212	852	596	256
PM	705	176	529	852	213	639



3 October 2025

15/3/10-8/Erf 4031

WYK: 11

ITEM 6.4 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 15 OCTOBER 2025

LAND USE PLANNING REPORT PROPOSED CONSENT USE ON ERF 4031, MALMESBURY					
Reference number	15/3/10-8/Erf 4031	Application submission date	19 May 2025	Date report finalised	3 October 2025

PART A: APPLICATION DESCRIPTION

Application for consent use on Erf 4031, Malmesbury, is made in terms of section 25(2)(o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), in order to operate a house shop from a portion of the dwelling structure on the property.

The applicant and property owner is C. Cleophas and the operator of the house shop is D.A. Erjabo.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	ERF 4031 MALMESBURY, in die Swartland Munisipaliteit, Afdeling Malmesbury, Provinsie Wes-Kaap				
Physical address	54 Gousblom Street		Town	Malmesbury	
Current zoning	Residential Zone 1	Extent (m ² /ha)	386m ²	Are there existing buildings on the property?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020)				
Current land use	Dwelling and house shop		Title Deed number & date	T26108/2023	
Any restrictive title conditions applicable	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	If Yes, list condition number(s)		
Any third party conditions applicable?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	If Yes, specify		
Any unauthorised land use/building work	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	If Yes, explain		

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	<input type="checkbox"/>	Permanent departure	<input type="checkbox"/>	Temporary departure	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>
Extension of the validity period of an approval	<input type="checkbox"/>	Approval of an overlay zone	<input type="checkbox"/>	Consolidation	<input type="checkbox"/>	Removal, suspension or amendment of restrictive conditions	<input type="checkbox"/>
Permissions in terms of the zoning scheme	<input type="checkbox"/>	Amendment, deletion or imposition of conditions in respect of existing approval	<input type="checkbox"/>	Amendment or cancellation of an approved subdivision plan	<input type="checkbox"/>	Permission in terms of a condition of approval	<input type="checkbox"/>
Determination of zoning	<input type="checkbox"/>	Closure of public place	<input type="checkbox"/>	Consent use	<input checked="" type="checkbox"/>	Occasional use	<input type="checkbox"/>

Disestablish a home owner's association	Rectify failure by home owner's association to meet its obligations	Permission for the reconstruction of an existing building that constitutes a non-conforming use	
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PART D: BACKGROUND

Erf 4031 is a Residential Zone 1 erf of 386m² in extent, located on the corner of Gousblom and Gardenia Street, in the south-western portion of Malmesbury. The area is an existing development, containing various residential densities, with a place of worship, a place of education and open space in close proximity.



Towards the end of 2024, the president, Mr. Ramaphosa, proclaimed that all house shops in municipal areas must be registered, to ensure that house shops adhere to the minimum health and safety requirements, minimising the risk to the public of using and/or ingesting harmful products.

Swartland Divisions: Town Planning and Law Enforcement, in conjunction with the West Coast District Municipality: Environmental Health Services, launched a concerted effort to survey, inspect and document all the house shops in the Swartland area. Both registered and unregistered shops were documented. The unregistered shop owners were contacted and workshops were presented where the processes were explained and the relevant documentation was provided as far as possible.

Property owners and shop operators were also clearly informed that unauthorised house shops would not be automatically approved through the process. The shops would be required to adhere to development parameters, which in some cases would require the demolition of certain building portions. Each application would be evaluated in accordance with the relevant legislation and deemed desirable or undesirable.

The aim was to enable owners/shop operators to prepare and submit applications themselves to minimise costs. In most instances they were only required to fill in forms, obtain neighbours' consent and provide a sight plan, indicating the position and area of the house shop on the erf.

Written notices were sent to affected property owners who could not be reached physically or who did not want to provide their written consent. A 30 day commenting period was afforded for the opportunity to lodge written objections against a house shop.

The objection at hand results from the application process explained above.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?

Y N

If yes, provide a brief summary of the outcomes below.

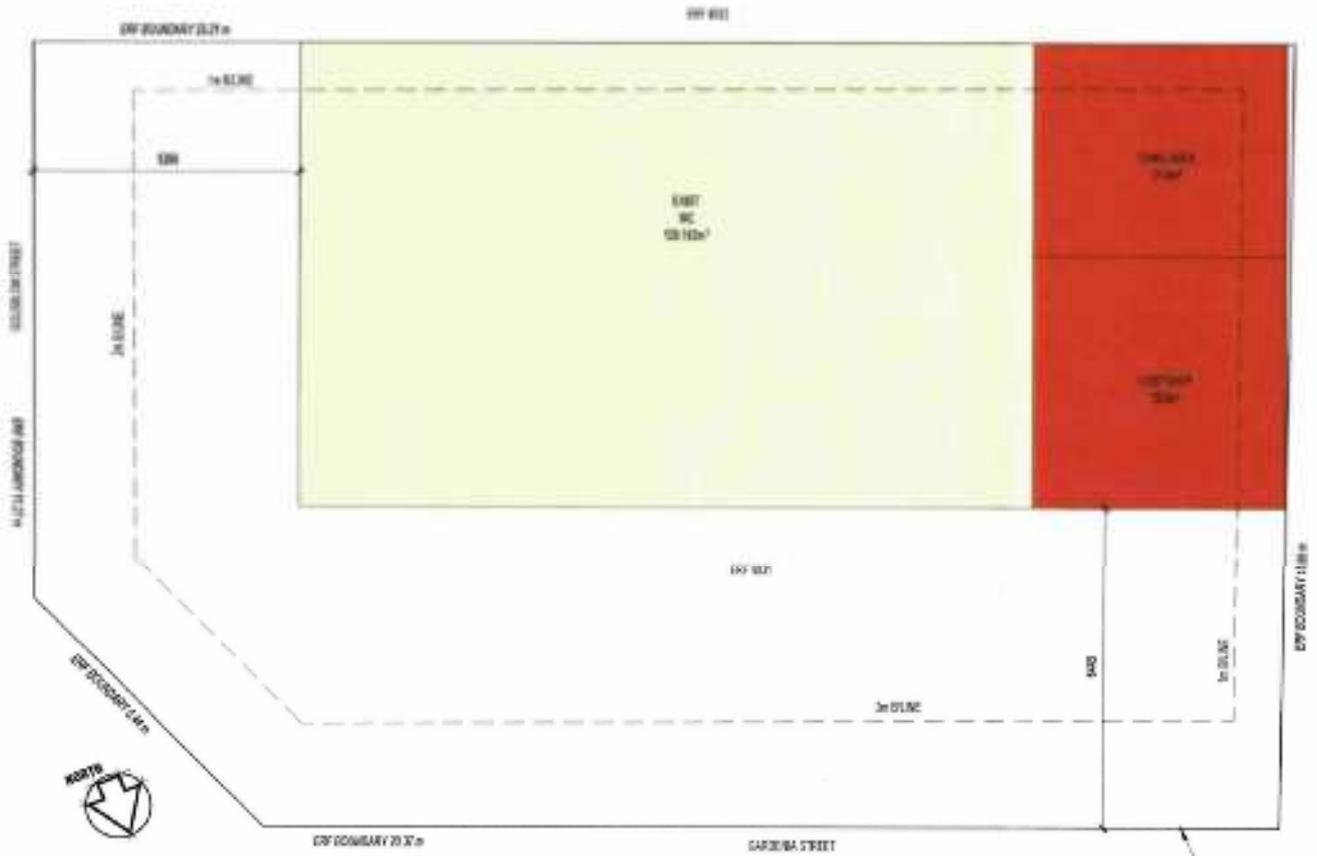
PART F: SUMMARY OF APPLICANT’S MOTIVATION

Erf 4031 is located in Area M of Malmesbury, as identified by the Spatial Development Framework (2024). The area allows for residential development of various densities, social amenities and secondary/neighbourhood business development. The proposal is thus consistent with the spatial planning of Malmesbury.

The application property is 386m² in extent and zoned Residential Zone 1. A house shop is a permissible consent use within the zoning category. Section 1.2.7.(a) of Schedule 2 of the By-Law states:

“...The extent and position of the retail component must be clearly defined on a plan, and shall not exceed 25m² or 50% of total floor space (excluding any toilet, change room and storeroom), whichever is the lesser area...”

The erf is developed with an existing semi-detached dwelling. The house shop is proposed to be contained in a portion (26m² in extent) of the dwelling, consisting of the shop and an area for storage. A separate portion of the existing dwelling is made available as living quarters for the shop operator.



The proposed house shop will provide in the need for basic groceries, such as bread, sweets, vegetables, beverages, canned goods and miscellaneous household products in small quantities.

Area M is located several kilometres from the Malmesbury CBD. The house shop is intended to promote convenience for the local community through shortened travel distances and eliminating the need to reach the CBD for obtaining essential goods.

The house shop has been in operation for ±10 years, without incident.

PART G: SUMMARY OF PUBLIC PARTICIPATION							
Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?						Y N	
<p>A total of 10 affected property owners were identified by the Municipality (please refer to Annexure C for the public participation map). The applicant obtained written consent for operating a house shop on Erf 4031 from 2 of the identified individuals and 8 written notices were consequently delivered by hand (through Law Enforcement) to the affected property owner who were not reached, in terms of Section 56(1) & (2) of the By-Law.</p> <p>The commenting period for or against the application concluded on 27 July 2025 for the public and on 27 August for external bodies, such as West Coast District Municipality.</p> <p>One objection was received against the proposal. The applicant was afforded 30 days, from 4 August 2025 to 5 September 20245 to respond to the comments and objections received. The applicant responded to the correspondence on 1 September 2025 (please refer to Annexure E for the response to comments).</p>							
Total valid comments	1		Total comments and petitions refused	0			
Valid petition(s)	Y	N	If yes, number of signatures				
Community organisation(s) response	Y	N	Ward councillor response	Y	N	The application was circulated to the Ward Councillor, but no comments were forthcoming	
Total letters of support	0						
PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS						Recommendation	
Name	Date received	Summary of comments				Pos	Neg
Department: Civil Engineering Services	23 Jul. 2025	<p><u>Water:</u> 1. Die bestaande wateraansluiting gebruik word en dat geen addisionele aansluitings voorsien word nie;</p> <p><u>Riolering:</u> 1. Die bestaande wateraansluiting gebruik word en dat geen bykomende aansluitings voorsien word nie;</p> <p><u>Strate en stormwater:</u> 1. Aflewering beperk word tot ligte afleweringvoertuie, wat nie 16 000kg oorskry nie;</p> <p><u>Vullisverwydering:</u> 1. 'n Basiese vullisverwyderingstarief vir die woning sowel as die besigheid gehef word, wat in die geval van die besigheid aangepas sal word volgens die hoeveelheid vullis verwyder . 2. Vullis op die oggend van verwydering op die naaste munisipale sypaadjie in vullissakke geplaas word.</p>				✓	
Building	10 Jun. 2025	Building plans to be submitted to Building Control for consideration and approval				✓	

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION		
SUMMARY OF OBJECTION	SUMMARY OF APPLICANT'S RESPONSE	MUNICIPAL ASSESSMENT OF COMMENTS
<p>RJ & OE Klasen Erf 4030 (Annexure E)</p> <p>1. The behaviour of individuals on the property are disrespectful and crude language is used regularly. Clients of the house shop litter in the streets. Loitering is a problem and fighting takes place between loiterers. Drugs are used on the property. Clients of the house shop intimidate members of the community. Clients of the house shop make the residents feel unsafe. The house shop operator sleeps inside the house shop, which is unhygienic. Portions of the property is unsafe and promotes drug use.</p>	<p>1. Ek het met die huiswinkel eienaar gepraat en hy het bevestig dat daar wel in die verlede leeglêers op die erf teenwoordig was, maar dat die probleem nou opgelos is.</p> <p>2. Ek verstaan dat die winkel oorkant 'n kerkerf geleë is en ek het dit aan die winkeleienaar deurgegee dat hy daarvoor verantwoordelik is dat gaan kru taal op die erf gebruik word nie.</p> <p>3. Die huiswinkel bestaan al vir 10 jaar en ons het nog geen klagtes ontvang tot op hede nie.</p>	<p>1. The erf owner/house shop operator may be held responsible to control the behaviour of clients on Erf 4031. In addition, the conditions of approval will stipulate that loitering will not be tolerated on the property. The condition will provide the Municipality with a legal foothold to assist with enforcement, should the condition of no loitering be contravened</p> <p>However, the street and sidewalk are public spaces and any nuisances, intimidation or criminal behaviour must be reported to and managed by the SAPS.</p> <p>2. The policing of drugs and gangsterism are specialised actions that fall within the jurisdiction of the SAPS.</p> <p>3. The conditions of approval will require that building plans be submitted, detailing how the shop and the living quarter will be used, which will enable the Municipality to manage and monitor the use of the shop and the living quarters. The operator will not be allowed to sleep in the shop or storage area, among the products/goods.</p> <p>4. A Certificate of Acceptability will also be required, which will involve inspections by the WCDM: Department of Environmental Health and hygiene regulations that must be adhered to. The shop will not be able to operate if the certificate has not been obtained.</p>



PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

Application for a consent use on Erf 4031, Malmesbury was submitted in terms of Section 25(2)(o) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

The property owner requested and obtained consent for operating a house shop on Erf 4031 from 2 property owners in the affected area and 8 written notices were delivered by hand to the affected property owners who could not be reached otherwise, in terms of Section 56(1) & (2) of the By-Law. The 30 days commenting period concluded on 27 July 2025 for the public and on 27 August for external bodies.

One objection was received and forwarded to the applicant to provide a response. The applicant was afforded 30 days to respond to the objections and the response was received on 1 September 2025.

The applicant and property owner is C. Cleophas and the operator of the house shop is D.A. Erjabo.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA (Act 3 of 2014)(LUPA)

- a) Spatial Justice: Granting the land use of a house shop on the property, will facilitate optimal utilisation of the erf, making economic opportunities available to the owner and providing a service to a previously disadvantaged community.

All the relevant facts and considerations surrounding the application have been taken into account during the decision-making process. Therefore, the application may be deemed consistent with spatial justice.

- b) Spatial Sustainability: The proposed consent use will enable the owner to develop the property to its full potential and the spatially more compact and resource efficient utilisation of the property.
- c) Efficiency: The proposal ensures the optimisation of resources, through the practise of a wider variety of land uses on a residential property. The house shop will make retail opportunities and convenience available to the population of the area on a small scale.

The application property is of sufficient size to accommodate both the dwelling unit and the house shop, should one or both be developed to its maximum capacity. The development approach is thus seen as holistic and integrated and deemed spatially efficient.

- d) Good Administration: The applicant obtained written consent from affected property owners and written notices were hand-delivered to other affected parties. The application was also circulated to the relevant municipal departments and West Coast District Municipality for comment. Consideration was given to all correspondence received. It is therefore argued that the principles of good administration were complied with by the Municipality.
- e) Spatial Resilience: The portion of the dwelling used as the house shop and living quarters was previously a garage and no structural changes are proposed to the dwelling. The existing accesses to the property will be used. The house and property can easily be converted back into a residence and the proposal is thus considered spatially resilient.

2.2 Integrated Development Plan (IDP) and Spatial Development Framework (SDF 2023)

IDP Goal 2 for Ward 11 (Malmesbury) is to support the local economy through certain strategies, including supporting entrepreneurship and promoting local businesses.

The proposed development will contribute to the local economy, both directly and indirectly and is thus considered consistent with the IDP.

Erf 4031 is situated in area M of Malmesbury, as indicated by the SDF. This zone is a medium to high density residential area with relevant supporting services and infrastructure. The expansion of business and other related mixed land uses are supported in this zone, as well as house shops as secondary business ventures.

2.3 Land Use Planning By-Law: Schedule 2

The Zoning Scheme, contained as Schedule 2 of the By-Law, makes provision for house shops as a consent use within the Residential Zone 1 zoning.

The house shop adheres to the development parameters of a Residential Zone 1 property, as well as the specific requirements for house shops, as stipulated in the scheme. The departure from the side and rear building lines was previously approved upon construction of the dwelling.

3. Desirability of the proposed utilisation

The house shop is already in operation and the application is aimed at authorising and regularising the use on the property. There are no physical restrictions on the property that will have a negative impact on this application.

The area is characterised by medium to high density residential erven and social amenities. The application property is located at the end of a residential block, on a corner, with a place of worship on the opposite side of the road. The erf is thus highly accessible and ideally located for the purpose of operating the proposed house shop from a portion of the property.

The house shop and living quarters are located in the rear corner of the property, accessed from the street via the existing driveway. The shop operates separately from the dwelling and will not impair future development on the erf. The building line departure by the structure was approved at building plan stage when the dwelling was originally constructed.

Vehicular access to the property is unobstructed and small delivery vehicles are not foreseen to cause traffic safety issues. The size of the delivery vehicles will be restricted to a mass appropriate to a residential area and the residential street capacity, through imposing conditions of approval.



In order to obtain approval, the owner/operator had to submit a proposal that is consistent with the development parameters of the By-Law. The owner/developer subsequently submitted a proposal indicating the size of the house shop to be limited to 25m², with a storage area of at least 1m², and living quarters for the shop operator.

The application is evaluated on the grounds of the information submitted, which adheres to the By-Law, but enforcing and policing the actual operation of the house shop will take place after the land use approval, by means of the conditions of approval.

The municipal building inspector will complete an inspection of the building works, prior to granting occupation, to ensure that the shop is consistent with the proposal. Should the shop in reality deviate from the approved plans, the owner/developer may be ordered to demolish the offending portions or close down the shop or be subject to further administrative actions.

Another crucial aspect of the house shop will be the inspection by the Environmental Health Offices and the issue of the required Certificate of Acceptability. Should the house shop and living quarters not comply with the relevant health standards and regulations, the business may also lawfully be closed down.

Taking into account that the house shop is already in operation, the By-Law allows for the determination of a time frame within which all conditions of approval must be adhered to.

In conclusion, the alleged adverse impact of the house shop may be mitigated through the imposition of conditions of approval, such as:

- a) Limiting the retail products sold from the house shop;
- b) Prescribing business hours;
- c) Restricting the use of audio-visual appliances;
- d) Specifying the building materials/construction of the structure containing the shop;
- e) Requiring adherence to health and safety regulations;
- f) Specifying the time frame for adhering to the conditions of approval.

The property owner and house shop operator are acting within their rights when applying for the house shop. The development proposal is consistent with the land use proposals of the SDF and principles of local, Provincial and National policies. Furthermore, the proposal is consistent with the applicable development parameters for a house shop.

Erf 4031 is located within a developing residential area, within the urban edge of Malmesbury, and the proposal will not negatively affect any environmental resources, either biophysically or culturally (heritage). The By-Law requires that the character of the area must be taken into account when considering development proposals and this proposal is not foreseen to have any detrimental impact.

Access to the site as well as on-site parking is available directly from Gardenia Street. The proposal will have no additional impact on exiting municipal services and infrastructure and all costs relating to this application are for the account of the applicant.

The development proposal is consistent with the IDP goals for economic development and upliftment and does not negatively affect the rights of the surrounding owners. The issues raised by the objector may be mitigated by imposing conditions of approval. Aspects outside of the purview of land use, may be addressed through involving the SAPS and Law Enforcement.

The house shop and living quarters on Erf 4031, Malmesbury, may therefore be considered as desirable in the spatial context.

4. Impact on municipal engineering services

The existing engineering services will remain unchanged and no additional impact will be generated by the proposal.

5. Response by applicant

None forthcoming.

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights
N/A

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal
N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended
N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights
N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for a consent use on Erf 4031, Malmesbury, is approved in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The consent authorises a house shop restricted to a floor area of 25m² in extent and a storage space of 1m², in accordance with the site plan, dated 8 May 2025, presented in the application;
- b) Building plans, clearly indicating the house shop and storage in relation to the house, as well as any unauthorised structures on the property, be submitted to the Senior Manager: Development Management, for consideration and approval;
- c) Application for an advertising sign be submitted to the Senior Manager: Development Management, for consideration and approval. Only one sign, not exceeding the land unit boundaries with any part of it, be permitted and only indicating the name of the owner, name of the business and nature of the retail trade;
- d) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- e) Application for a Certificate of Acceptability be submitted to the West Coast District Municipality for consideration and approval;
- f) The operating hours of the house shop be restricted to between 6:00 and 21:00 daily;
- g) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be applied;
- h) Any music played on the property only be audible inside the shop and dwelling and no appliances used for the broadcasting or amplification of sound may be positioned or affixed outside the house shop, including to any awning, stoep or shade structure;
- i) The operation of the house shop may not result in congestion / obstruction along Gardenia Street, therefore at least one on-site parking bay be provided in front of the house shop, for clients and deliveries;
- j) No loitering be permitted anywhere on Erf 4031, Malmesbury whether it be inside or outside the buildings on the erf or around any entrance to the erf;
- k) The house shop operator and employees be responsible for discouraging loitering and dispatching loiterers from the property;
- l) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- m) Only pre-packaged food products may be sold;
- n) No food preparation be allowed in the house shop;
- o) The following activities not be allowed for sale in the house shop:
 - i. The sale of wine and alcoholic beverages;
 - ii. Storage or sale of gas and gas containers;
 - iii. Vending machines;
 - iv. Video games; and
 - v. Snooker or pool tables;

2. WATER

- a) The existing water connection be used and that no additional connections be provided;

3. SEWERAGE

- a) The existing sewerage connection be used and that no additional connections be provided;

4. STREETS AND STORM WATER

- a) Deliveries to the property be made only by delivery vehicles not exceeding 16 000kg gross vehicle mass.

5. GENERAL

- a) The approval letter from Swartland Municipality be displayed inside the house shop;
- b) Compliance with all conditions of approval (submission of relevant applications) be undertaken within a period of 3 months from the date of the decision, no later than 30 January 2026;
- c) Failure to comply with all conditions of approval, obtaining an occupancy certificate and concluding all other necessary processes, will result in legal action to enforce compliance;
- d) An occupancy certificate for building work completed in accordance with the approved building plan for the house shop be obtained within 6 months after the approval of the building plan;
- e) Appeals against the decision should be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R5 000,00 is to accompany the appeal and section 90 of the By-Law complied with,

for the appeal to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed.

PART M: REASONS FOR RECOMMENDATION

1. The application complies with section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA.
2. The application complies with the land uses proposed for this area of Malmesbury, as determined by the SDF.
3. This application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP.
4. The development parameters and requirements of the By-Law Zoning Scheme are complied with through imposing conditions of approval.
5. The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood.
6. The additional income generated by the house shop may enable the property owner to expand the dwelling unit in the future, which in turn may improve financial security during retirement.
7. The anticipated impact of the house shop on the surrounding community may be mitigated by specific conditions of approval;
8. The number of house shops in the area is foreseen to create healthy economic competition and over time create economically robust businesses;
9. Individuals in the community retain their right to choose which business to frequent and cannot be forced to do business with one shop or another;
10. The house shops in the neighbourhood are largely unauthorised and the applicant seeks to rectify the situation and legalise the land use on Erf 4031;
11. The approval of a consent use may be revoked in future if the use does not comply with the conditions of approval or if the use impact negatively on its surroundings.

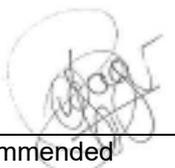
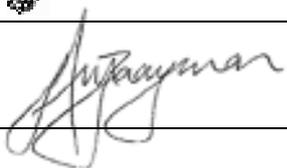
PART N: ANNEXURES

- Annexure A Locality Plan
- Annexure B Site Development Plan
- Annexure C Public participation map
- Annexure D Objection by RJ & OE Klasen
- Annexure E Response to comments

PART O: APPLICANT DETAILS

First name(s)	House shop operator: D.A. Erjabo.		
Registered owner(s)	C. Cleophas	Is the applicant authorised to submit this application:	Y N

PART P: SIGNATURES

Author details: Annelie de Jager Town Planner A/2203/2015		Date: 3 October 2025
Recommendation: Alwyn Zaayman Senior Manager: Development Management B/8001/2001	Recommended 	Not recommended Date: 3 October 2025

PUBLIC PARTICIPATION FOR
PROPOSED CONSENT USE ON ERF 4031,
MALMESBURY

ANNEXURE A





ANNEXURE D

451 SINCE 2011
2010/11

Lêernum: 15/3/10-8

Navrae:
Me D N Stellenberg

4 August 2025

Christopher Cleophas
54 Gousblom Street
MALMESBURY
7300

e-mail : christophercleophas44@gmail.com

Dear Sir

PROPOSED CONSENT USE ON ERF 4031, MALMESBURY

Your application received in this office on 19 May 2025 refers.

Kindly find attached the objection received by Olga Klaser during the commenting period.

Your comment on the objections is requested within 30 days from the date of this letter in order for Swartland Municipality to make a decision.

Yours sincerely

MUNICIPAL MANAGER
per Department Development Services

/ds

From: Olga Fisher <olga.fisher3@gmail.com>
Sent: Monday, July 28, 2025 8:39 AM
To: Lenay Abdol <Planintern1@swartland.org.za>
Subject: Re: Voorgestelde vergoeringsgebruik op erf 4031, Malmesbury.

Goeie dag Abdul

Ek Olga Klasen gee geensins toestemming vir die bestaan van die huiswinkel nie
Dit is gelee regoor n kerk
Geen respek word betoon aan die kerk of sy kerk gangers
Voil gru taal word daaglik gebruik hier by die winkel
Hier is n hele gangster operasie aan die gang elke dag wat dagga rook en niemand ontsien
met hulle gebruike
Die mense kom sit voor jou huis en eet die chips en lekkergoed wat hul koop en los dan die
papiere netso voor jou deur wat dan in mens se agterplaas inwaa
Die huis winkel dienaar is onnet op sy perseel en slaap dan binne in die winkel waar verkope
van kos gedoen word
Die mense urineer teen die draad en kerk se muur en as die wind opkom of die son daarop
bak dan gee dit n stink bitter reuk af
Daaglik vind hier n haktelery aan tussen die loeg loer manne wat staan hier voor die winkel
Grootmense en kinders word geintimideer deur die skolie elemente wat staan by die winkel
Die huis winkel lok n hele klomp skolie elemente en dit skep gevaar vir my as buurvrou
omdat my hek is teenaan die winkel gelee en hulle sit binne in jou hek
By die winkel self is daar verskillende hoekies rondom die huis waar die skolie elemente
gebruik van dwelms doen

Ek hoop my klage word na gekyk
Groete
Olga Klasen

ANNEXURE E

From: Christopher Cleophas <christophercleophas44@gmail.com>

Sent: 01 September 2025 11:35

To: Delmary Stellenberg <StellenbergD@swartland.org.za>

Subject: Re: Objection : Consent use on erf 4031, Malmesbury

More, Delmary

Hoop dit Gaan goed.

Jammer day ek nou eers terug Kom na U.

Graag Wil ek net kommentaar op die skrewe rakende die epos wat Olga die buurvrou gerig het.

Ek is een van die erf gename van ses kinders van die woning te gousblomstraat 54 en bewoon tans nie die woning maar wel my auntie wat woonreg het op die woning.

Ek het met die huiswinkel eienaar gepraat waarvolgens hy bevestig het day dit well in die verlede gebeur het waar seuns staan plek gemaak het daar maar day dit well ytgesorteer is. Ek verstaan fat die huiswinkel oorkant n kerk gelee is maar dit is deur gegee aan die huiswinkel eienaar dat jy moet omsien a.g.v respek en green gru Taal gebruik. Graag Wil ek dit net noem dat die huiswinkel Al Vir meer as tien jaar bestaan en nog green klagtes geontvang was waarvan ons moet weet nie.

Dus Wil ek graag vra dat u dit U sal oorweeg om dit toe te staan asb.

Groete
Christopher