



**MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD IN THE COMMITTEE ROOM:
CORPORATE SERVICES ON WEDNESDAY, 12 FEBRUARY 2025 AT 14:00**

PRESENT

Internal members:

Municipal Manager, Mr J J Scholtz (chairperson)
Director: Corporate Services, Ms M S Terblanche
Director: Protection Services, Mr P A C Humphreys

External members:

Ms C Havenga
Mr C Rabie

Other officials:

Director: Development Service, Ms J S Krieger
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

RESOLVED that cognisance be taken that no declarations of interest were received.

4. MINUTES

4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 20 NOVEMBER 2024

RESOLUTION

(proposed by Ms M S Terblanche, seconded by Mr C Rabie)

That the minutes of a Municipal Planning Tribunal Meeting held on 20 November 2024 are approved and signed by the chairperson.

5. MATTERS ARISING FROM MINUTES

None.

6. MATTERS FOR CONSIDERATION

6.1 PROPOSED SUBDIVISION OF ERF 2706, YZERFONTEIN AND APPLICATION FOR EXEMPTION FROM THE REGISTRATION OF A SERVITUDE (15/3/6-14, 15/3/13-14) (WARD 5)

Ms A de Jager, as author of the item, explained that the application entails the subdivision of the property into smaller portions to be more effectively developed or reserved. The property is earmarked for several land uses, such as secondary business nodes, various densities residential development, health services, leisure facilities, industrial development, conservation and activity streets and corridors.

Ms de Jager confirmed that the objectors concerns were regarding the preservation of the exiting right of way servitude and that the latter is not affected by the application as it may not be cancelled or deregistered without adhering to the appropriate land use processes, public participation and other necessary legal requirements

RESOLUTION

A. The application for the subdivision of Erf 2706, Yzerfontein, be 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:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) Erf 2706, Yzerfontein (213,0786 ha in extent), be subdivided into six (6) portions, as presented in the application and on Subdivision Plan YZE/13559/IV, as follows:
- (i) Portion A of 56.6 ha in extent;
 - (ii) Portion B of 4.3 ha in extent,
 - (iii) Portion C of 32.7 ha in extent;
 - (iv) Portion D of 8.1 ha in extent;
 - (v) Portion E 60.6 ha in extent; and
 - (vi) Portion F (0.3 ha) leaving no Remainder;
- (b) The General Plan be submitted to the Surveyor-General for approval, including proof to the satisfaction of the Surveyor-General of—
- (i) the municipality's decision to approve the subdivision;
 - (ii) the conditions of approval imposed in terms of Section 76; and
 - (iii) the approved subdivision plan;
- (c) Copies of said diagrams be made available to the Municipality for record keeping purposes;
- (d) Portion F be transferred by the owner/developer to the Western Cape Department of Infrastructure: Road Planning, in accordance with their letter, referenced 16/9/6/1-26/162, dated 2 September 2024;
- (e) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of By-Law will not be issued unless all the relevant conditions have been complied with;

B. The registration of an 8m wide right-of-way servitude over the newly subdivided portion D of Erf 1706, Yzerfontein, as depicted on Subdivision and Servitude Plan YZE/13575/IV, dated July 2024, complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval from Swartland Municipality;

C. GENERAL

- (a) Cognisance be taken of the fact that Servitude 1259/81 is registered as figure hjkmnp in Title Deed 19549/2024 and may not be cancelled or deregistered without adhering to the appropriate land use processes, public participation and other necessary legal requirements;
- (b) 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;

6.1/C...

- (c) 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;
- D. The application be supported for the following reasons:
- (a) The application for subdivision is regarded as densification which is supported by the SDF and PSDF;
 - (b) Future, detailed development plans will be subject to legal processes and public participation, and environmental issues will be addressed when applicable;
 - (c) The application complies with Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA;
 - (d) The proposed subdivision will not negatively affect the character of the neighbourhood, as it is directed by the spatial proposals of the SDF;
 - (e) Smaller land portions will be more manageable to develop and a larger variety of opportunities may become available for a wider section of the community;
 - (f) All land portions will be subject to the relevant environmental processes and public participation requirements upon rezoning and detailed development stage;
 - (g) The subdivision is exempted from Act 70 of 1970;
 - (h) The proposed servitude complies with the requirements of Section 34 of the By-Law and is exempted from application;
 - (i) The right-of-way servitude no. 1259/81 is registered as figure hjkmnp in Title Deed 19549/2024 and is a real right. The development proposal does not include the cancellation of this existing right-of-way servitude known as the "Strandkombuis Pad" and many of the objections lodged are thus unfounded;
 - (j) Should the applicant/owner in future wish to cancel the right-of-way servitude over the Strandkombuis Road, additional land use applications, public participation processes and other legal procedures will be required;
 - (k) The rights, health and safety of surrounding property owners will not be negatively affected by the development proposal.

6.2 PROPOSED SUBDIVISION AND DEPARTURE ON ERF 195, KALBASKRAAL (15/3/6-6) (WARD 7)

The author, Mr A J Burger, gave background to the application for the subdivision of Erf 195, Kalbaskraal. Mr Burger confirmed that the zoning will remain Residential Zone 5 to be consistent with the character of that specific part of Kalbaskraal which accommodates larger residential properties also used for agricultural purposes.

RESOLUTION

- A. The application for the subdivision of Erf 195, Kalbaskraal be approved in terms of Section 75 of the By-Law, subject to the following conditions:
- A1 TOWN PLANNING AND BUILDING CONTROL**
- (a) Erf 195, Kalbaskraal (7920 m² in extent), be subdivided as follows:
 - (i) remainder (1300 m² in extent),
 - (ii) portion A (1018 m² in extent),
 - (iii) portion B (1018 m² in extent),
 - (iv) portion C (1575 m² in extent),
 - (v) portion D (1002 m² in extent),
 - (vi) portion E (1002 m² in extent) and
 - (vii) portion F (1004 m² in extent);
 - (b) 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;

A2 WATER

- (a) Each subdivided portion be provided with a separate connection. This condition is applicable at building plan stage;
- (b) The water network be expanded in order to provide the subdivided portions with water connections. The owner/developer appoints an engineer appropriately registered in terms of the provisions of Act 46 of 2000 to design the water network extension. The design be submitted to the Director: Civil Engineering Services for approval after which the construction be done under the supervision of the engineer;
- (c) The costs for the expansion of the water network are deductible from the development charges for water distribution;

A3 SEWERAGE

- (a) Each subdivided portion be provided with a separate conservancy tank. Each conservancy tank has a minimum capacity of 8,000 liters and be accessible to the service truck from the street. The condition be part of the building plan, submitted for consideration and approval;

A4 DEVELOPMENT CHARGES

- (a) The owner/developer be responsible for a development charge of R35 984,65 per newly created erf toward the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-176-9210);
- (b) The owner/developer be responsible for the development charge of R20 213,55 per newly created erf towards bulk water reticulation, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-174-9210);
- (c) The owner/developer be responsible for the development charge of R8 642,25 per newly created erf towards sewerage, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/240-184-9210);
- (d) The owner/developer is responsible for the development charge of R9 369,05 per newly created erf towards the wastewater treatment works, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R24 389,20 per newly created erf towards roads and storm water, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/247-188-9210);
- (f) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and can be revised thereafter;

- B. The application for the departure of development parameters on the remainder Erf 195, Kalbaskraal be approved in terms of Section 70 of the By-Law, as follows:

B1 TOWN PLANNING AND BUILDING CONTROL

- (a) Departure of the 6 m side building line (northern boundary) to 1,5 m;

C. GENERAL

- (a) 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;
- (b) 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;
- (c) 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;

6.2/C...

- (d) 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;

D. The application be supported for the following reasons:

- (a) The proposed subdivision supports LUPA and SPLUMA;
- (b) The proposed development effectively caters for future residential needs in new housing opportunities;
- (c) The optimal use of services leads to more affordable infrastructure provision;
- (d) The proposed subdivision will limit urban sprawl within the Kalbaskraal area;
- (e) The development is consistent with the Swartland SDF by promoting residential integration;
- (f) The development also supports the SDF by promoting densification within the existing urban area;
- (g) The zoning of the property will remain unchanged;
- (h) The proposal will not have an adverse impact on the character of the area;
- (i) There are no physical restrictions on the property that will negatively affect the proposed use;
- (j) The development also promotes compactness within existing urban areas.

6.3 PROPOSED CONSENT USE ON ERF 10733, MALMESBURY (15/3/10-8) (WARD 10)

Mr H Olivier, as author, explained that the application is made for a consent use on Erf 10733, Malmesbury to accommodate a double dwelling house on the subject property.

A double dwelling is permitted as a consent use under the Residential Zone 1 zoning and previous applications for same within the Glen Lily development was approved and supported by the Owners' Association.

RESOLUTION

A. The application for consent use on Erf 10733, Malmesbury, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), be approved, subject to the conditions:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a double dwelling house, as presented in the application;
- (b) The double dwelling adheres to the applicable development parameters;
- (c) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;

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 towards the supply of regional bulk water amounts to R11 514,95 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 2024/2025 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b)/...

6.3/A4...

- (b) The development charge towards bulk water reticulation amounts to R6 468,75 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-174-9210);
- (c) The development charge towards sewerage amounts to R4 022,70 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d) The development charge towards wastewater treatment amounts to R4 360,80 and is for the account of the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-183-9210);
- (e) The development charge towards streets amounts to R12 654,60 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA 9/249-188-9210);
- (f) The development charge towards electricity amounts to R5 658,36 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and may be revised thereafter;

B. GENERAL

- (a) 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;
- (b) Should it be determined necessary to expand or relocate any of the engineering services to provide the development with connections, said expansion and/or relocation will be for the cost 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 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;
- (d) All conditions of approval be implemented before the new land uses come into operation/or occupancy certificate be issued 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;
- (e) 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;

C. The application be supported for the following reasons:

- (a) The proposed second dwelling is a residential use and is therefore consistent with the proposals of the MSDF;
- (b) A double dwelling is accommodated as a consent use under Residential Zone 1 of the Development Management Scheme and there are no restrictions registered against the title deed of the property or contained in the design guideline of the Estate prohibiting the proposal;
- (c) The development proposal supports the optimal utilisation of the property;
- (d) The second dwelling provides in a need for a larger variety of housing opportunities to the wider population;
- (e) The development proposal will not negatively impact on the character of the Glen Lily Estate or the larger Malmesbury.

6.4/...

6.4 APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS ON ERF 486, RIEBEEK KASTEEL (15/3/5-11) (WARD 12)

Mr H Olivier, as author, explained the application for the removal of restrictive conditions on Erf 486, Riebeek Kasteel regarding usage of the property, coverage and building lines.

Mr Olivier confirmed that the subject property is 1131 m² in extent and should the design be amended to comply with the coverage restriction, the applicant can still accommodate the dwelling within a footprint of 376 m².

The total removal of the restrictions is therefore not deemed desirable.

RESOLUTION

A. The application for the removal of restrictive conditions 1.B.5, 1.B.6(c), 1.B.6(d), II.(B).5. II.(B)6(c) and II.B.6(d) of Title Deed T35731/2021 on Erf 486, Riebeek Kasteel be refused in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020).

B. GENERAL

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.

C. The application be refused for the following reasons:

- (a) The restrictive title deed conditions apply to a particular township and are more specific / unique, regardless of the zoning. The municipality cannot regard the restrictive conditions in a title deed as outdated / invalid.
- (b) The restrictions were clearly registered against the title deeds of the specific township / extension in order to preserve the character of the neighbourhood. The removal of the restrictions will not contribute positively to the street scape or character of the area.
- (c) The owners' right to apply for the removal of the restrictions is acknowledged, however the application needs to be motivated including the confirmation and evaluation of the potential negative impact on the affected properties. The restrictions are registered for the benefit of all owners in the township protecting their rights.
- (d) The total removal of rights for insufficient reason is equal to the arbitrary removal of such rights which the Swartland Municipal Planning Tribunal already refused in a number of cases. This case is no exception as the applicants need can easily be accommodated consistent with the restrictions if the design is amended.
- (e) The property is 1131m² in extent, should the design be amended to comply with the coverage restriction, the applicant can still accommodate a dwelling with a footprint of 376m². Sufficient space therefore exist on the property, with no other physical restrictions prohibiting development, to accommodate the clients need.
- (f) Swartland Municipality can only evaluate what is presented in the application and the proposal includes a one-bedroom dwelling with outbuildings. A one-bedroom dwelling can surely be accommodated within the 376m² restriction.
- (g) The total removal of the restrictions is deemed undesirable.

**(SIGNED) J J SCHOLTZ
CHAIRPERSON**



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Development Services
Department: Development Management

26 February 2025

15/3/6-14/Erf_1037

Ward: 5

ITEM 6.1 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY 12 MARCH 2025

LAND USE PLANNING REPORT PROPOSED SUBDIVISION OF ERF 1037, YZERFONTEIN

Reference number	15/3/6-14/Erf_1037	Submission date	28 November 2024	Date finalised	26 February 2025
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PART A: APPLICATION DESCRIPTION

The application for the subdivision of erf 1037, Yzerfontein, 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 1037 (1325m² in extent) be subdivided into Portion 1 (±821m² in extent) and Portion 2 (±504m² in extent).

The applicant is C K Rumboll & Partners, and the owner is Johan Viviers Kriel.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 1037 Yzerfontein, situated in the Swartland Municipality; Malmesbury Division, Province Western Cape				
Physical address	72 Dassen Island Drive		Town	Yzerfontein	
Current zoning	Residential Zone 1	Extent (m ² /ha)	1325m 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	Vacant		Title Deed number & date	T 6409/2018	
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		

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

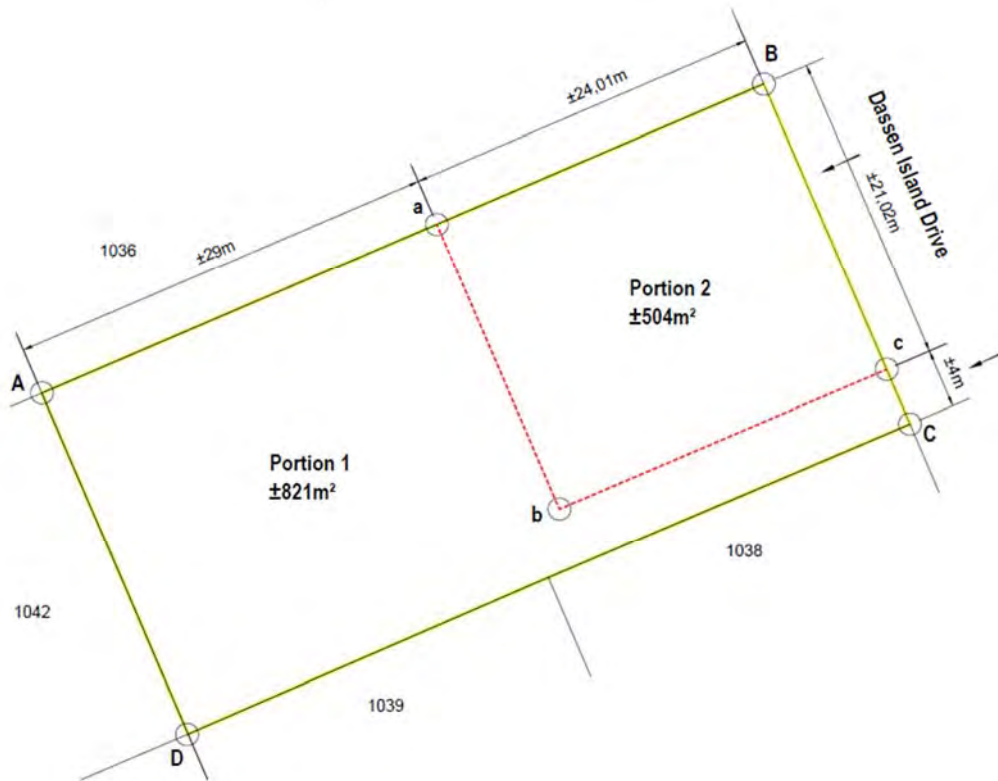
Rezoning		Permanent departure		Temporary departure		Subdivision	✓
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension, or amendment of restrictive conditions	
Permissions in terms of the zoning scheme		Amendment, deletion, or imposition of 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 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

Erf 1037, Yzerfontein is zoned Residential zone 1 and is currently vacant.

The owner intends to subdivide the erf into 2 portions.



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 development will not affect the zoning of the property as the current zoning will still be maintained with corresponding land uses.

The proposed development to create smaller plots will not adversely affect the existing residential character but rather strengthen it by making new residential opportunities available on existing land.

The owners wish to sell the proposed Portion 1 and Portion 2 to provide them with an additional income opportunity.

The applicant motivates that there is a tendency for owners to invest in smaller properties. Smaller erven are easier to maintain and creates new housing opportunities. The proposed subdivision aims at dividing the property into one Portion 1 and a Portion 2. Ownership of land is one of the economic pillars of the South African economy. In most cases the possession of land represents the largest portion of an individual's estate. The free trading of parcels of land is an acknowledged form of accumulation of wealth. The South African landscape offers investors the opportunity to subdivide and consolidate as the market dictates.

The proposed subdivision will adhere to the minimum size of 500m² as stipulated for the area. The applicant motivates that the proposed subdivision can therefore be considered desirable with regards to the Swartland SDF, Amendment, 2023, as it aims to promote densification within residential areas within Yzerfontein.

The applicant motivates that the proposed subdivision supports the principles of Chapter VI of the Land Use Planning Act, Act 3 of 2014 as well as Chapter 2 of the Spatial Planning and Land Use Management Act, Act 16 of 2013.

The applicant further state that the proposed subdivision is considered desirable based on the following:

1. The proposed subdivision supports LUPA and SPLUMA;
2. The proposed development effectively caters for future residential needs in Yzerfontein by creating new housing opportunities;
3. The optimal use of services leads to cheaper infrastructure provision;
4. The proposed subdivision will limit urban sprawl within the Yzerfontein area;
5. The development also supports the SDF by promoting densification within the existing urban areas;
6. The current zoning of the property will remain unchanged;
7. Creation of smaller erven is easier to maintain.
8. It complies with the minimum erf size of 500m².
9. The development proposal will complement the character of the area and not adversely affect any natural conservation areas or surrounding agricultural practices.
10. With the proposed subdivision, the owner of Erf 1037, Yzerfontein, is granted an income opportunity.
11. One additional functional erf will be created.

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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With reference to Section 56(2) of the By-Law, a total of 15 notices were sent via registered post and per e-mail to the owners affected by the application.

Total valid comments	1	Total comments and petitions refused	0
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Valid petition(s)	Y	N	If yes, number of signatures
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Community organisation(s) response	Y	N	Ward councillor response	Y	N	The application was forwarded to councillor Rangasamy, but no comments were forthcoming.
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Total letters of support	0
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PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS				
Name	Date received	Summary of comments	Recommendation	
			Positive	Negative
Department: Civil Engineering Services	30 December 2024	1. Water (a) Each subdivided portion be provided with a separate water connection at building plan stage; 2. Sewerage (a) Each subdivided portion be provided with a separate conservancy tank with a minimum capacity of 8000liters. The connection be placed as such that it is accessible for the service truck. This condition is applicable on building plan stage; 3. Streets and Storm water (a) In order 4. Solid waste (a) In order 5. General (a) Fixed cost development charges be made as follows: (i). Water R 394,68 (ii). Bulk water R4 345,34 (iii). Sewer R1 978,53 (iv). WWTW R4 800,93 (v). Roads R2 717,22	X	
Building control	6 December 2024	No comment	X	
Protection services	18 December 2024	No comment	X	
Department: Electrical Engineering Services	29 November 2024	(a) Each subdivided portion be provided with a separate electrical connection, costs to be borne by the owner/developer; (b) Any relocation of electrical cables will be for the owners / developer's account. (c) Any electrical inter-connection be isolated and completely removed. (d) The electrical connections be connected to the existing low-voltage network. (e) Additional to the abovementioned the owner/developer must pay for the electrical connections to the subdivided erven.	X	

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS
<p data-bbox="109 730 304 911">Iris Fissiaux as owner of neighbouring property erf 1035, Yzerfontein</p>	<p data-bbox="327 209 745 300">Me Fissiaux, objects against the proposed application for the following reasons:</p> <ol data-bbox="327 331 745 1066" style="list-style-type: none"> <li data-bbox="327 331 745 512">1. She is concerned about the potential impact on the character of the neighbourhood due to the increase in density as well as environmental considerations. <li data-bbox="327 975 745 1066">2. The proposed subdivision will disrupt the balance and integrity of the area. 	<ol data-bbox="1581 331 2150 1225" style="list-style-type: none"> <li data-bbox="1581 331 2150 608">1. The character of the surrounding area includes single residential properties, most of which has already been developed. The proposed erf sizes of >500m² are in keeping with the erf sizes of the surrounding properties as well as that of subdivisions approved by the municipality. The potential impact of the proposal on the character of the area is deemed minimal to none. <li data-bbox="1581 975 2150 1225">2. The proposed subdivision promotes densification and the optimal use of land and infrastructure, making it in compliance with provincial and municipal planning policy. Access is also obtained from an existing municipal street. The proposal fits into the urban fabric and will therefore not disrupt the balance or integrity of the area.

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 28th of November 2024. The public participation process commenced on 13th of December 2024 and ended on 24th of January 2023 (affected parties and internal departments). The objection was received and referred to the applicant for comments on 31st of January 2025. The municipality received the comments on the objections on the 4th of February 2025. Please refer to the comments attached as Annexure E.

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

- a) Spatial Justice: The proposed subdivision supports higher density and enhances the availability of alternative residential opportunities, making the area more accessible to a wider range of society;
- b) Spatial Sustainability: The proposed development promotes the intensive utilisation of engineering services, without additional impact on the natural environment. Urban sprawl is contained through densification;
- c) Efficiency: The development proposal promotes the optimal utilisation of services on the property and enhance the tax base of the Municipality;
- d) Good Administration: The application and public participation were administrated by Swartland Municipality and public and departmental comments obtained;
- e) Spatial Resilience: The proposed subdivision creates more affordable housing typologies in Yzerfontein.

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) 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:

1. Protect and enhance the sense of place and settlement patterns.
2. Improve accessibility at all scales.
3. Promote an appropriate land use mix and density in settlements.
4. Ensure effective and equitable social services and facilities.
5. Support inclusive and sustainable housing

And to secure a more sustainable future for the Province the PSDF propose that settlement planning and infrastructure investment achieves:

1. Higher densities
2. A shift from a suburban to an urban development model
3. More compact settlement footprints to minimise environmental impacts, reduce the costs, time impacts of travel, and enhance provincial and municipal financial sustainability in relation to the provision and maintenance of infrastructure, facilities, and services.
4. Address apartheid spatial legacies by targeting investment in areas of high population concentration and socio-economic exclusion.

The development proposal is therefore deemed consistent with the PSDF as the proposal will achieve higher densities, will result in the optimum use of land / space within the urban edge, will not have a negative impact on the character of the area as well as not adversely affect the sense of place. This is achieved by complying with the minimum property size for Residential Zone 1 properties ensuring integration within the existing urban fabric.

The proposed development is therefore deemed consistent with the spatial development principles of the PSDF, 2014.

2.3 West Coast District SDF (WCDSDF, 2020)

In the WCDSDF, 2020 it is stated that the functional classification for Yzerfontein is tourism and according to the growth potential study Yzerfontein has a medium growth potential.

In terms of the built environment policy of the WCDSDF, 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.

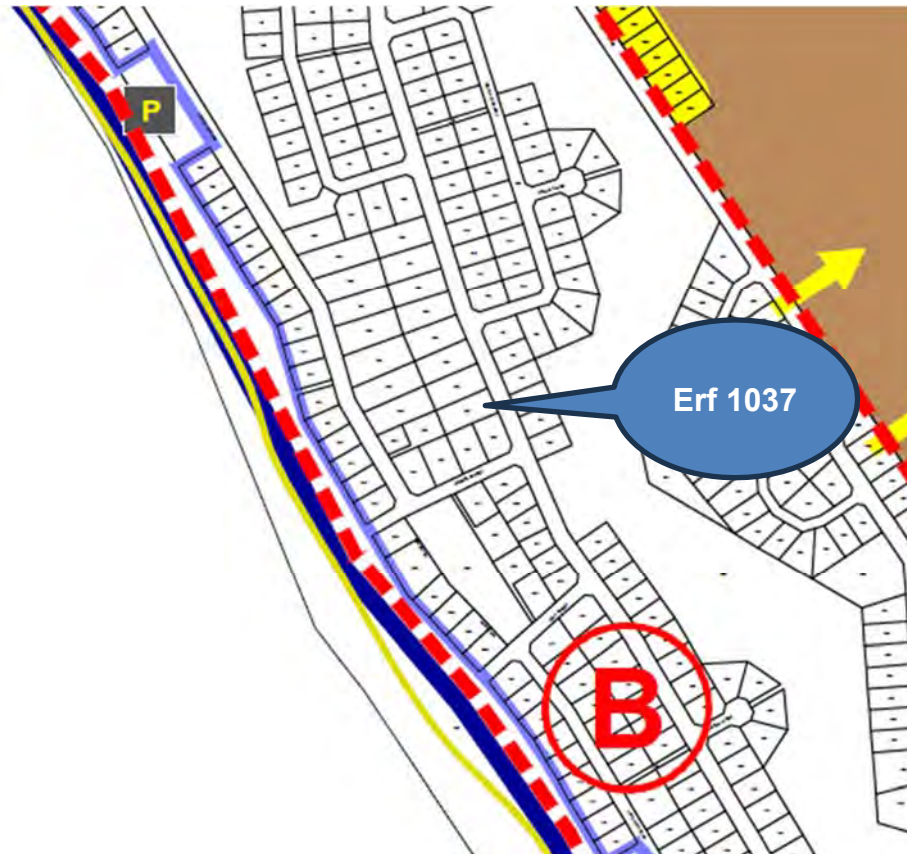
The proposal is thus consistent with the WCDSDF.

2.4 Municipal Spatial Development Framework (MSDF, 2023)

The subject property is situated in an area demarcated as Land use proposal Zone B, as per the spatial proposals for Yzerfontein contained in the MSDF, 2023. The Pearl Bay area, as it is also known, consists of low-density residential uses along the coastal stretch to the south, with a proposed node along the beach front as well as areas for medium and high-density housing opportunities. Low and Medium density residential uses are supported in this area.

Furthermore, the proposed erf sizes comply with the minimum erf size of 500m² as prescribed by the MSDF. The proposed subdivision is seen as densification and the optimal use of land and infrastructure.

The proposal is therefore deemed consistent with the land use proposals of the MSDF, 2023.



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

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

Erf 1037, Yzerfontein is zoned Residential Zone 1. The proposed subdivision will not affect the zoning of the property.

2. **Desirability of the proposed utilisation**

Erf 1037, Yzerfontein is zoned Residential zone 1 and is currently vacant. Erf 1037 does not have any physical restrictions which may negatively affect the application.

The character of the surrounding area includes single residential properties, most of which have already been developed. The proposed erf sizes of >500m² are in keeping with the erf sizes of the surrounding properties and will not affect the character of the area.

The proposed subdivision promotes densification and the optimal use of land and infrastructure, making it in compliance with provincial and municipal planning policy.

Sufficient services capacity exists to provide the newly created erf with services.

There are no restrictions in the title deed of erf 1037 which affects this application.

Surrounding property values are deemed not be affected as the proposed subdivision will not impact negatively on the character of the area.

The development potential of the newly created erven is in keeping with the character of the area.

3. Impact on municipal engineering services

Sufficient services capacity exists to provide the newly created erf with services.

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 rights

N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for the subdivision of erf 1037, Yzerfontein be 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) Erf 1037, Yzerfontein (1325m² in extent) be subdivided into portion 1 (±821m² in extent) and portion 2 (±504m² in extent) as presented in the application;

2. WATER

(a) Each subdivided portion be provided with a separate water connection and meter at building plan stage;

3. SEWERAGE

(a) Each erf be provided with a conservancy tank with a minimum capacity of 8000 litres which is accessible for the municipal sewerage truck from the street. This condition is applicable at building plan stage;

4. ELECTRICITY

- (a) Each subdivided portion be provided with a separate electrical connection, costs to be borne by the owner/developer;
- (b) Any relocation of electrical cables will be for the owners/developer's account.
- (c) Any electrical inter-connection be isolated and completely removed.
- (d) The electrical connections be connected to the existing low-voltage network.
- (e) Additional to the abovementioned the owner/developer must pay for the electrical connections to the subdivided erven. Please contact the Director: Electrical Engineering Services for a quotation;

5. DEVELOPMENT CHARGES

- (a) The owner/developer is responsible for a development charge of R4 318,19 towards the bulk supply of regional water, at clearance stage. The amount is payable to the Swartland Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-176-9210);
- (b) The owner/developer is responsible for the development charge of R392, 21 towards bulk water distribution, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/249-174-9210);

- (c) The owner/developer is responsible for the development charge of R2 826, 34 towards sewerage, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA: 9/240-184-9210).
- (d) The owner/developer is responsible for the development charge of R6 858,20 towards wastewater treatment works at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/240-183-9210);
- (e) The owner/developer is responsible for the development charge of R11 437, 56 towards roads, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/247-188-9210);
- (f) The owner/developer is responsible for the development charge of R 17 762,00 towards electricity, at clearance stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA: 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and can be revised thereafter;

6. GENERAL

- (a) The legal certificate which authorises transfer of the subdivided portions in terms of Section 38 of the By-Law not be issued unless all the relevant conditions have been complied with;
- (b) Any existing services connecting the remainder and/or new portions be disconnected, and relocated, for each erf to have a separate connection and pipe work;
- (c) Should it be deemed necessary to extend the existing services network to provide the subdivided portions with service connections, it will be for the cost of the owner/developer;
- (d) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be implemented within these 5 years, without which, the approval will lapse. Should all the conditions of approval be met before the 5-year approval period lapses, the subdivision will be permanent, and the approval period will not be applicable anymore.
- (e) Appeals against the Tribunal decision 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 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 proposal is consistent with the spatial proposals of the Municipal SDF, 2023.
2. The proposal is consistent with the minimum erf size determined by the SDF, namely 500m².
3. The development promotes densification in an urban area, consistent with national, provincial, and local legislation and policy.
4. The proposal complies with the principles of LUPA and SPLUMA.
5. The zoning of the properties will remain unchanged and consistent with the character of the area.
6. The rights of the surrounding landowners will not be negatively impacted.
7. The subdivision promotes the optimal utilisation of land and the existing engineering services.
8. There are no physical restrictions that prevent the subdivision from being approved.
9. Property values of the surrounding properties will not be affected negatively.

PART N: ANNEXURES

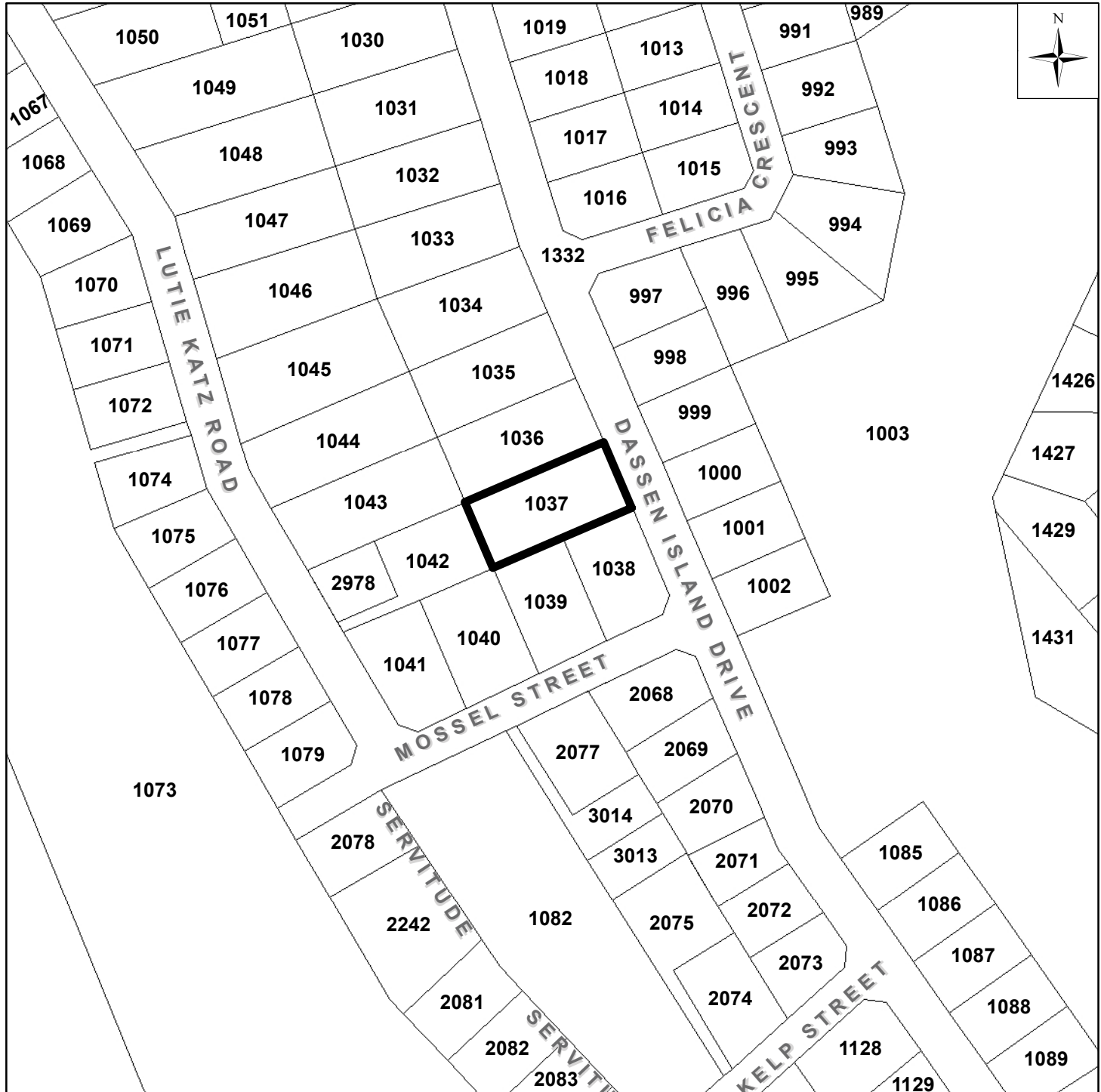
- Annexure A: Locality plan
- Annexure B: Subdivision plan
- Annexure C: Public participation plan
- Annexure D: Objection from Me Iris Fissiaux
- Annexure E: Comments from the applicant on the objections

PART O: APPLICANT DETAILS

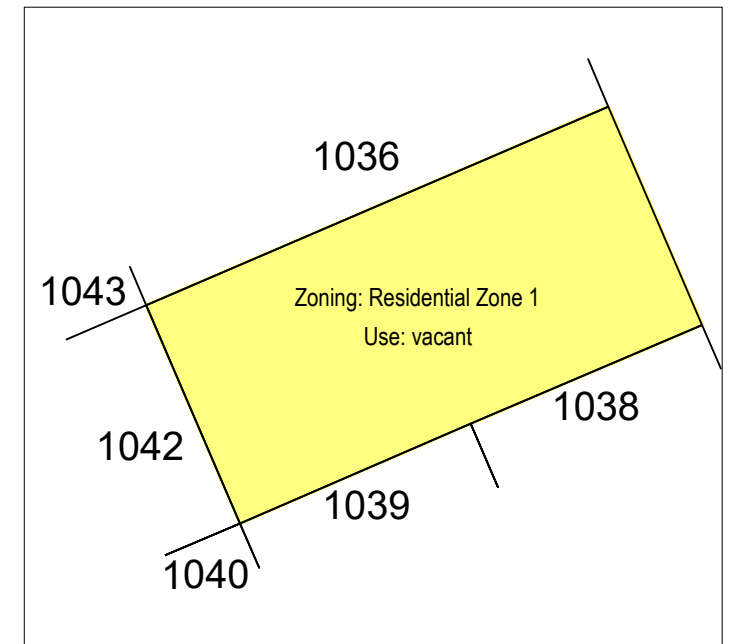
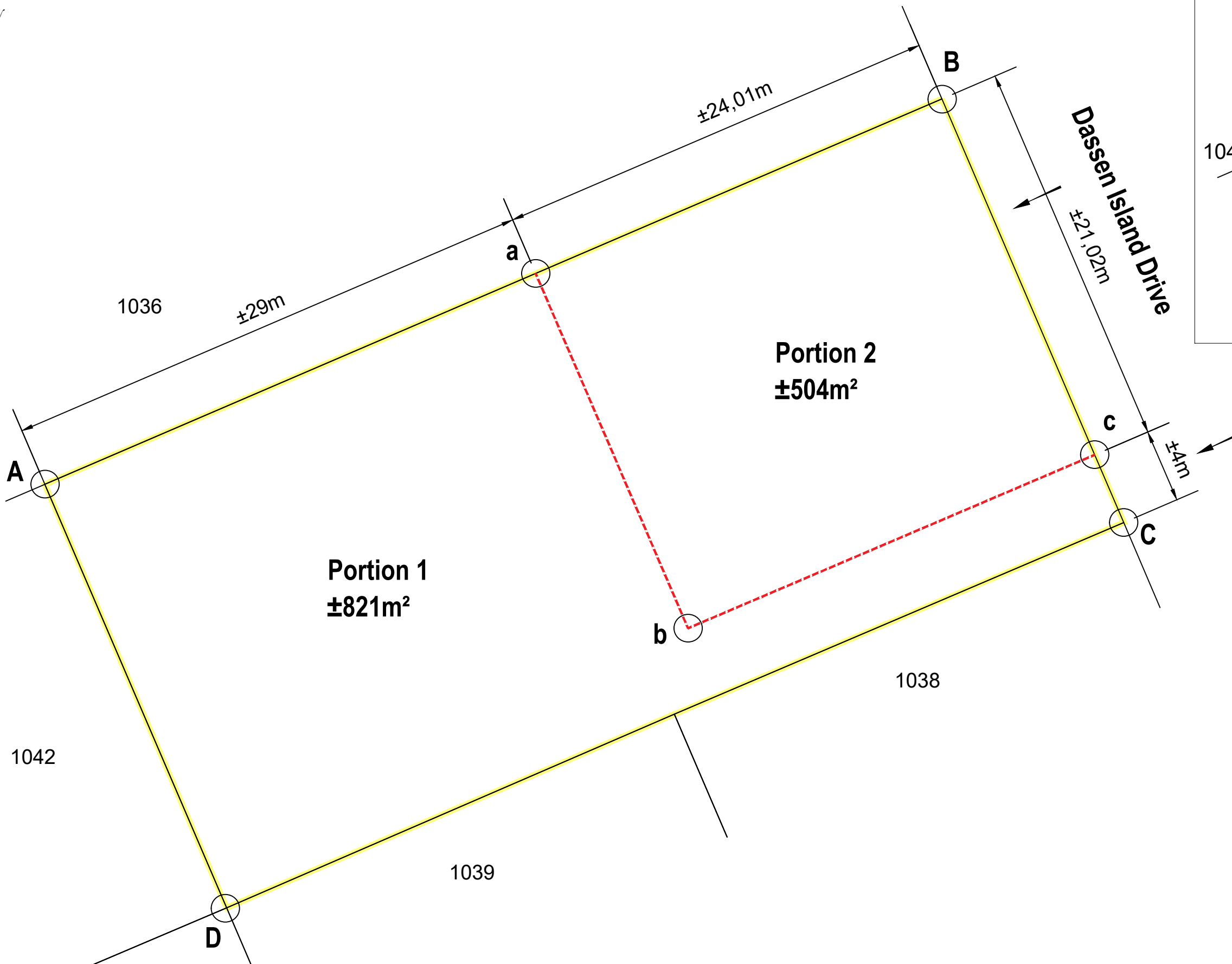
First name(s)	C.K. Rumboll and Partners
---------------	---------------------------

Registered owner(s)	Johan Viviers Kriel	Is the applicant authorised to submit this application:	Y	N
PART P: SIGNATURES				
Author details: Herman Olivier Town Planner and GIS Administrator SACPLAN: A/204/2010			Date: 26 February 2025	
Recommendation: Alwyn Zaayman Senior Manager Development Management SACPLAN: B/8001/2001	Recommended	<input checked="" type="checkbox"/>	Not recommended	
			Date: 28 February 2025	

LOCATION PLAN PROPOSED SUBDIVISION OF ERF 1037, YZERFONTEIN



PLAN OF SUBDIVISION: ERF 1037, YZERFONTEIN



NOTES:

Figure **A B C D** represents Erf 1037 Yzerfontein which measures 1325m². Erf 1037 is to be subdivided into:

- a) Portion 1 (±821m²) represented by Figure **A a b c C d**,
- b) Portion 2 (±504m²) represented by Figure **a B c b**

- Erf boundary
- Subdivision Line
- Zoning: Residential Zone 1

Drawing by:
NJ de Kock

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING



C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning2@rumboll.co.za

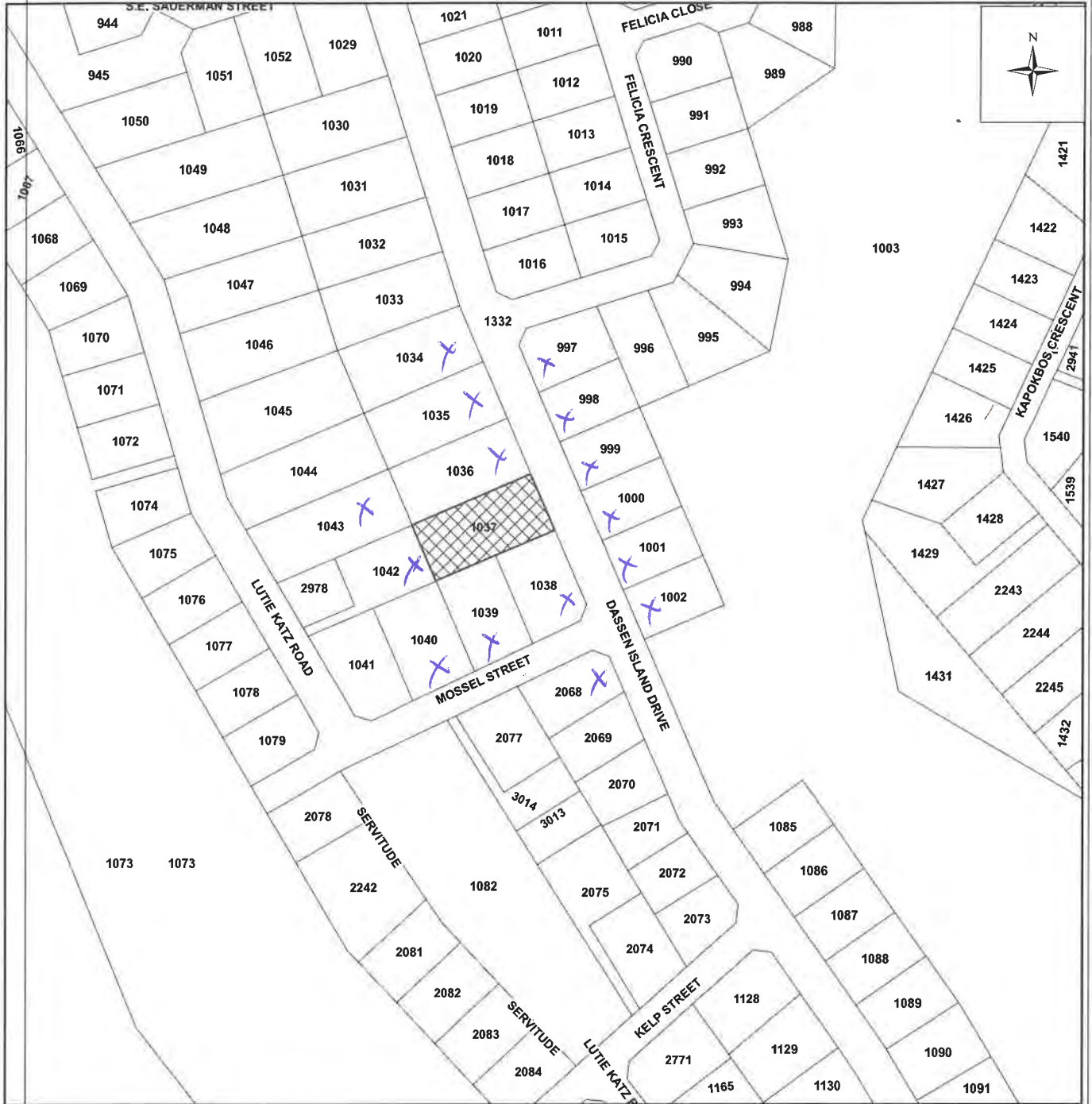
DATE:
November 2024

AUTHORITY:
SWARTLAND MUNICIPALITY

REF:
YZER/14186/NJdK

SCALE: NTS

Liggingsplan

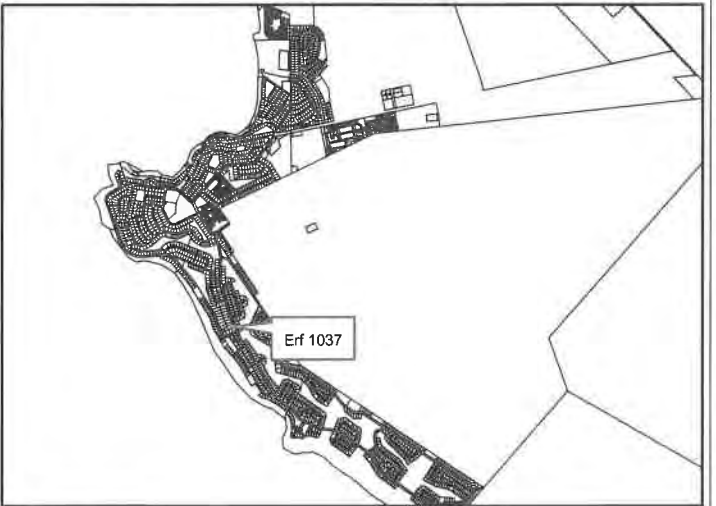


Voorgestelde onderverdeling

Erf 1037, Yzerfontein

Publieke deelname

Skaal: NVT



From: iris <iris@fimuko.be>
Sent: Thursday, January 02, 2025 2:48 PM
To: Nabrashka Van Nelson <PlanIntern1@swartland.org.za>
Cc: neels@vdwatt.co.za; blancdeblanc68@gmail.com
Subject: Re: Voorgestelde onderverdeling van erf 1037, Yzerfontein

Subject: Objection to Subdivision Proposal for Erf 1037

Dear,

I am writing as a neighboring resident and property owner of Erf 1035 in Yzerfontein to formally object to the proposed subdivision of Erf 1037.

My opposition stems from concerns about potential impacts on the character of the neighborhood, increased density and environmental considerations.

Yzerfontein is a unique and tranquil community, and I believe that this subdivision would disrupt the balance and integrity of our area.

I kindly request that my objection be taken into consideration during the decision-making process. I am happy to provide further details or participate in discussions regarding this matter if needed.

Thank you for your attention to my concerns.

Yours sincerely,
Iris Fissiaux
Property Owner, Erf 1035
Yzerfontein

CK RUMBOLL & VENNOTE / PARTNERS

PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 4 February 2025

Your Ref: 15/3/6-14/Erf_1037

PER HAND AND EMAIL

Attention: Mr A Zaayman

The Municipal Manager
Swartland Municipality
Private Bag X52
YZERFONTEIN
7300

Sir

COMMENTS ON OBJECTIONS

PROPOSED SUBDIVISION OF ERF 1037, YZERFONTEIN

Your letter dated 31 January 2025 refers (see annexure A attached). Please find attached our comments to objections.

This office has been instructed by the owner of Erf 1037 to handle all town planning actions regarding the application for subdivision of Erf 1037, Yzerfontein.

During the public participation period, comments were received from the following objectors:

- Iris Fissiaux (Erf 1035)

VENNOTE / PARTNERS:

IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299

MALMESBURY (T) 022 482 1845



Figure 1: Erf 1037 and surrounding objectors.

Objector	Objection	Comment from CK Rumboll & Partners
Iris Fissiaux	1. The subdivision may have a potential impact on the character of the neighbourhood, will have an increase in density and have environmental considerations.	<p>1.1 Character: Erf 1037 is located in Zone B of the Land Use Zones in Yzerfontein, which “consists mainly of low density residential uses along the coastal stretch to the south, with a proposed node along the beach front as well as areas for medium and high density housing opportunities.” Since the proposal only involves subdividing the property into one portion and a remainder, the area's low-density character will be preserved, as both properties comply with the minimum erf size of 500m².</p> <p>1.2 Increase in density: The Swartland Spatial Development Framework for Yzerfontein encourages the following: “Increase density by 2027 from the current 6.8 units per hectare to 7.8 units per hectare in Yzerfontein.” The proposal is therefore in line with</p>

VENNOTE / PARTNERS:

IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299

MALMESBURY (T) 022 482 1845

		<p>the Swartland Spatial Development Framework for Yzerfontein.</p> <p>1.3 Environmental impact: Since the property is located within the urban edge of Yzerfontein, is zoned as Residential Zone 1 and is located within an existing built environment, the proposed subdivision will not have a negative impact on the environment.</p>
	<p>2. The subdivision will have an impact on the unique and tranquil community of Yzerfontein and would disrupt the balance and integrity of the area.</p>	<p>2. The subdivision has been carefully designed to align with the established character of the area (see previous subdivision of Erf 1042). The proposed subdivision maintains the low-density nature of the area by adhering to strict minimum erf sizes and zoning regulations. Rather than disrupting the community's balance, the subdivision is structured to complement the existing layout and natural landscape.</p>

Based on the analysis above, it is evident that the proposed subdivision of Erf 1037 will have little to no impact on the area's existing character or its surrounding neighbours. Given this minimal impact, and its alignment with the Spatial Development Framework, the application merits support.

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

Kind regards



NJ de Kock
 For *CK RUMBOLL AND PARTNERS*

Annexure A

Objections



Lêerverw: 15/3/6-14/Erf_1037

Navrae:
Me D N Stellenberg

31 January 2025

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

Dear Sir

PROPOSED SUBDIVISION OF ERF 1037, YZERFONTEIN

Your application with reference YZER/14186/NJdK dated 12 November 2024 refers.

Kindly find attached the objection received by Iris Fissiaux 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

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- ISwartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

From: iris <iris@fimuko.be>
Sent: Thursday, January 02, 2025 2:48 PM
To: Nabrashka Van Nelson <PlanIntern1@swartland.org.za>
Cc: neels@vdwatt.co.za; blancdeblanc68@gmail.com
Subject: Re: Voorgestelde onderverdeling van erf 1037, Yzerfontein

Subject: Objection to Subdivision Proposal for Erf 1037

Dear,

I am writing as a neighboring resident and property owner of Erf 1035 in Yzerfontein to formally object to the proposed subdivision of Erf 1037.

My opposition stems from concerns about potential impacts on the character of the neighborhood, increased density and environmental considerations.

Yzerfontein is a unique and tranquil community, and I believe that this subdivision would disrupt the balance and integrity of our area.

I kindly request that my objection be taken into consideration during the decision-making process. I am happy to provide further details or participate in discussions regarding this matter if needed.

Thank you for your attention to my concerns.

Yours sincerely,
Iris Fissiaux
Property Owner, Erf 1035
Yzerfontein



Verslag ♦ Ingxelo ♦ Report

Directorate: Development Services
Department: Development Management

26 February 2025

15/3/10-15/Farm 1277

WYK: 5

ITEM 6.2 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL ON WEDNESDAY, 12 MARCH 2025

LAND USE PLANNING REPORT APPLICATION FOR CONSENT USE ON FARM 1277, DIVISION MALMESBURY					
Reference number	15/3/10-15/Farm 1277	Application submission date	5 December 2024	Date report finalised	27 February 2024

PART A: APPLICATION DESCRIPTION					
Application for a consent use on Farm no. 1277, Division Malmesbury, in terms of section 25(2)(o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), is made in order to construct a transmission tower on the property.					
The applicant is Warren Petterson Planning and the owner is De Grendel Landgoed (Pty) Ltd.					

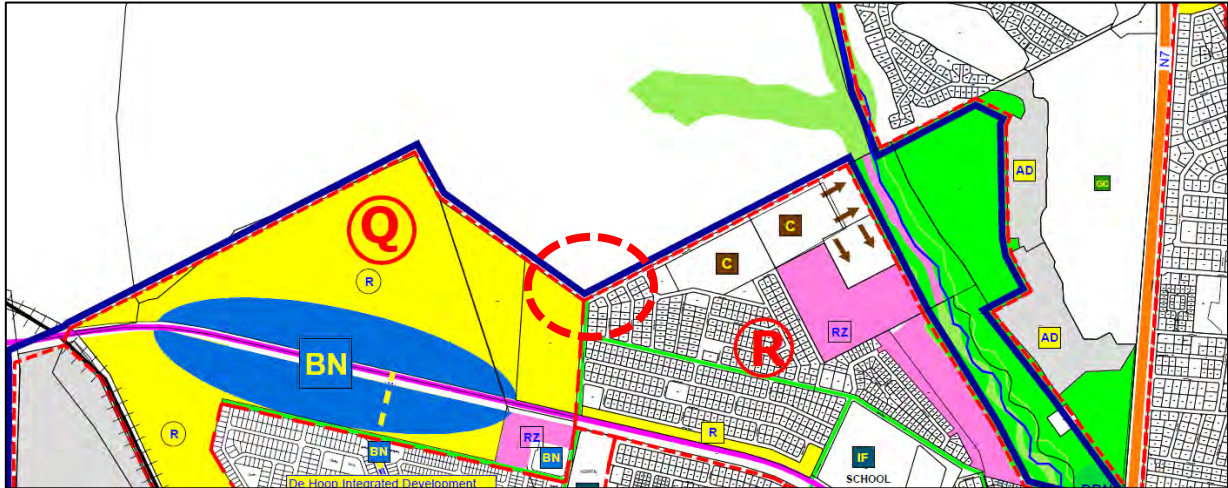
PART B: PROPERTY DETAILS					
Property description (in accordance with Title Deed)	PLAAS NOMMER 1277, in die Swartland Munisipaliteit, Afdeling Malmesbury, Provinsie Wes-Kaap				
Physical address	Farmland abutting the corner of Tamarisk Lane and Peperboom Street (refer to Annexure A)	Town	Division Malmesbury		
Current zoning	Agricultural Zone 1	Extent (m ² /ha)	533,8610ha	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020)				
Current land use	Agriculture	Title Deed number & date	T52316/2021		
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			

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)					
Rezoning	Permanent departure	Temporary departure	Subdivision		
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	<input checked="" type="checkbox"/>	Occasional use	

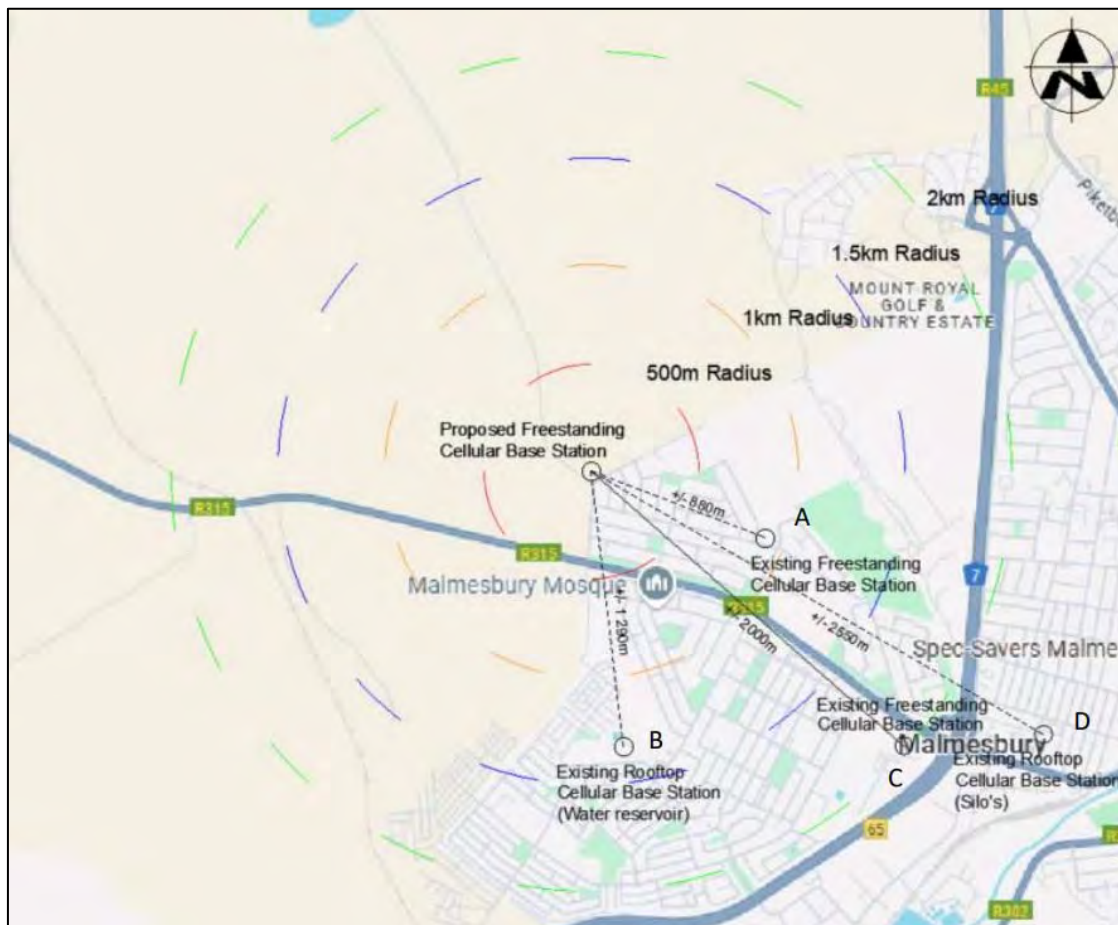
Disestablish a home owner's association	Rectify failure by home owner's association to meet its obligations	Permission for the reconstruction of an existing building that constitutes a non-conforming use	
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PART D: BACKGROUND

Farm no. 1277 is situated north-west of Malmesbury, outside the urban edge and at the junction between Area Q and Area R as identified by the Swartland Municipal Spatial Development Framework (MSDF; 2023). The area is currently utilised for agricultural purposes, but located directly adjacent to an urban area, earmarked for extensive residential expansion, business activities, educational and healthcare facilities and a transport corridor.



A transmission tower is a consent use under Agricultural Zone 1. The permissible height of farm buildings is limited to 12m, but in terms of section 10.1.1.d(iii) of the By-Law, the height may be increased in accordance with the discretion of the Municipality. An increase in height should be necessary for the functioning of the building (read 'structure'), which is an applicable criterion for a transmission tower. The development proposal is subsequently for a 25m high mast.



The applicant conducted a survey of existing transmission towers and base stations in the area and determined the area of coverage. Despite the existing infrastructure, it was nonetheless concluded that the planned development for the area and associated population increase will create sufficient additional demand for cell-cover to justify the development of a new mast, in the proposed location.

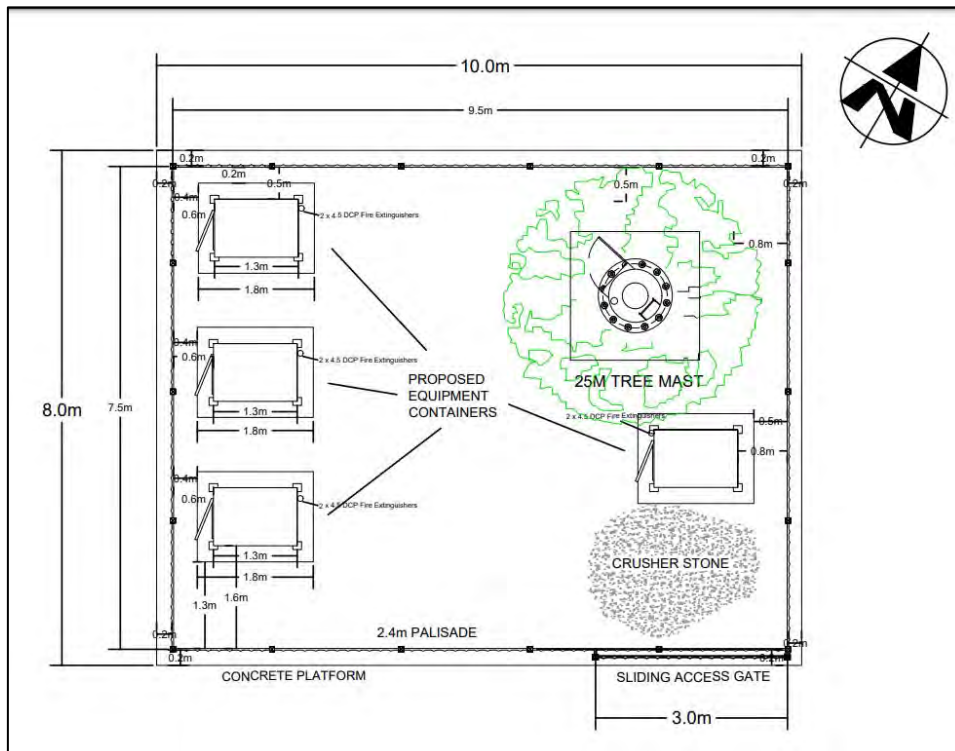
The location and height of the tower will trigger Listing Notice 3, Activity 3 of the National Environmental Management Act, 1998 (act 107 of 1998), as the mast will be located outside the urban edge and it will be higher than 25m. The owner/developer has appointed an environmental consultant to prepare the necessary environmental applications.

The application aims at providing sharable infrastructure for multiple mobile network providers at one location. The mast is proposed to be camouflaged as a tree as the design is aimed at blending with the existing trees and future growth in the area. The camouflage is intended to mitigate the visual impact of the mast in an urban area.



The transmission tower will entail the following:

- Erection of a 25m transmission tower camouflaged as a tree situated in the north western corner of the property.
- Transmission dishes on the proposed 18m transmission tower camouflaged as a tree.
- 4 x telecommunications equipment containers at ground level.
- A 8m x 10m compound (80m²) enclosed by a 2.4m high palisade fence.



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 APPLICANTS MOTIVATION

1. Background

Over recent years cellular communication in South Africa has evolved from merely a means of convenience to an essential business tool, means of communication and safety measure. User behaviour patterns are continuously changing in reaction to cheap internet, new data intensive smartphones, data intensive applications and websites, and an increasingly social-media-driven society. These factors resulted in the average consumer data usage doubling every year.

The current cellular infrastructure is not equipped to handle this level of high demand. As a result, the networks become congested with connection problems and dropped calls on the voice network and limited or unstable internet connections on the data network. Cellular service providers are taking steps to improve their network by keeping abreast with the advances in communication technology and providing increased capacity in terms of coverage in the areas where there is an increased demand.

Newer technology such as 5G provides faster internet to more users which alleviates the pressure on the transmission tower, however its range is very limited. The new LTE transmission towers have a maximum coverage range of 500m depending on the number of users. The congestion of existing sites together with the decrease in its coverage range necessitates that the distance between transmission towers decreases, resulting in the need for construction of new freestanding and rooftop cellular transmission towers.

It is estimated that cellular network operators in South Africa will build more than 4000 new transmission towers over the next 5 years. The proposed site is located at a nominal point as identified by the network planners. By utilizing sites located at the networks' nominal points the number of future transmission towers is limited and an effective service network can be developed.

2. Physical Characteristics

Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage. The need for coverage is however not the only determining factor when identifying a possible position for a telecommunication transmission tower. Other determining factors include altitude, zoning and the visual impact of the proposed transmission tower. Distance away from existing base stations in the surrounding area is also an influencing factor.



3. Health Concerns

There has been public concern about health risks associated with cellular communication. Current scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with, or living close to cellular technology. Although antennae and base stations emit radio waves, their frequency is not considered high enough to pose a health risk. Antennae mounted on towers, masts or any other structures are usually substantially elevated above ground level, and as radio waves are emitted at this level thereby further reducing the amount of radiation at ground level. Furthermore, regular tests regarding the compliance to safety regulations add to reducing the health risk factor.

South Africa's Department of Health has published EMF exposure limit guidelines. These are based on guidelines endorsed by the ICNIRP (International Commission on Non-Ionising Radiation Protection), an independent scientific organization established in 1992. Emissions from the base stations and antennae comply with these guidelines. In a statement made by the Department of Health dated 8 September 2020 on the Health Effects of base stations states the following: "The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as height of the mast, distance to the mast, and duration of exposure."

There are no conclusive studies linking emissions at these levels to any health effects and scientific research that may reveal such a link is ongoing. The steps taken by the cellular communication companies to ensure the safety of the public against any possible harmful emissions, along with the above facts, concerns about health issues can be allayed.

a) Ionising Radiation

This type of radiation refers to the type that carries enough energy to cause ionisations in atoms. This is a much stronger type of radiation compared to non-ionising radiation. This is the dangerous type that you typically will find in gamma rays, x-rays, etc;

b) Non-Ionising Radiation

This type of radiation refers to types of radiation that do not have enough energy to cause ionisation of the atoms. These types of radiation are the "every day" radiation that everyone experience such as infrared, microwaves and do not have enough energy to cause harm. It is proven that the proposed cell tower development and every other freestanding transmission tower utilise non-ionising radiation.

4. Need and Desirability

The need for the freestanding base telecommunication station is not only centred on cell phone reception for the Business of Division Malmesbury, but the focus is also on improving internet speeds in the area as the industry is moving towards a data centric industry. It is also aimed at users of new wireless technology. Due to the emergence of more apps than anyone can keep track of and advanced software the pressure on networks has intensified. This is likely to continue with more and more data centric services such as video streaming.

The network relief brought on by this Transmission Tower will aid local businesses and can unlock growth potential which will have a positive economic impact. Residents, businesses, and commuters have a more secure connection with day-to-day services, transport, emergency services and armed response which have a huge social impact on a functional living environment.

The land use in the area is primarily, middle to high-income housing and agricultural farms. The Transmission Tower does not interfere with the current use on the property and there are no negative impacts on the surrounding land uses and environment. No trees need to be removed to build the base station and no buildings with heritage value will be affected. The Transmission Tower does not have any impact on the external engineering services, on transport or traffic related items, or on the biophysical environment. Every possible measure has been taken to make the design as aesthetically pleasing as possible.

The entire transmission tower site will be surrounded by a 2.4m tall Palisade fence with an access gate that will be locked at all times. The proposed equipment will be secure inside the equipment units that will be kept locked at all times. The antennas and dishes will be secure given their position at the top of the mast.

5. Policy Framework

5.1 Principles of SPLUMA (2013) and Chapter VI of LUPA (2014)

- a) Spatial Justice: The aim of this proposal is to place the FSTBS in an appropriate position as to provide excellent communication services to the inhabitants of the area. The proposal complies;
- b) Spatial Sustainability: Spatial sustainability is a concept which describes the relationship between environmental, economic, and socio-cultural facets within a society. Enhanced communication signal in an area will promote all three of the dimensions of sustainability. Economically, business in the area will benefit from enhanced connectivity. Socially more people will have access to services (Healthcare, Police, Fire, armed response etc.) and communication in general which is fast becoming society's main means of interaction. Environmentally the sensible placement of telecommunication base stations and the ability of co-location which limits the number of base stations should there be sufficient signal in an area. The proposal complies.
- c) Spatial Efficiency: Efficiency relates to the concept of placement and organisation, promoting efficient urban functionality. TMI should be optimally placed to limit the proliferation of similar infrastructure, minimising any negative impacts. The proposal complies;
- d) Spatial Resilience: Spatial resilience can be defined as the ability of a region to withstand economic or social crises. In any state of crisis, communication plays an integral role in management and recovery thereof. The proposal complies;
- e) Good administration: Good Administration is defined as complying to Laws, Policies and Legislation. This proposal complies to current legislation governing the erection and installation of TMI. The proposal is compliant.

5.2 Swartland Municipality Spatial Development Framework (2023)

The proposed development complies with the Integrated Development Plan (IDP) principles as set out in the Swartland Municipal Spatial Development Framework 2023-2028. These principles are also echoed in the National Development Plan (NDP) and the Provincial Spatial Development Framework (PSDF). The core focus of the IDP principles and the SMSDF review (2018: 4), are to ensure the spatial transformation through the integration of communities. Spatial transformation in this sense is only possible through the development of denser and more inclusive neighbourhoods. Denser and more inclusive neighbourhoods are possible through the harness of advances in energy, water, transport, and communication services to improve resource efficiency. Therefore, the application is in-line with the SDF of Swartland municipality.

6. Visual Impact

The impact of the site, proposed at the height of 25m, will be mitigated by means of proposing a tree type mast. The tree type mast is deemed to have a 'softer' appearance and fits in better with the nearby residential environment as well. Please see Figure 11 below. Additional landscaping can be considered in the form of small trees and shrubs that can assist reducing the visual impact of the tree over the longer term. The fence and equipment can also be painted in order to blend in better with the backdrop of the base station. Alternative mast designs such as a monopole or lattice can also be explored if deemed to be more appropriate within the receiving environment.

7. Access and Traffic

Access will be gained from the existing gravel road, found on the southern side of the property, situated adjacent to Peperboom Street.

8. Electricity

Power for the Transmission tower will be obtained from the available on-site electrical supply to the property. Advances in technology (telecommunication related equipment) enable the Transmission tower to utilise less electricity. No water and utility services will be needed for the installation and functioning of the transmission tower.

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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With reference to Section 56(2) of the By-Law, 20 notices were sent to affected parties by means of registered mail and e-mail, where applicable. The application was also referred to Eskom and the Department of Transport and Public Works for comments.							
Total valid comments	1			Total comments and petitions refused	0		
Valid petition(s)	Y	N	If yes, number of signatures	0			
Community organisation(s) response	Y	N	N/A	Ward councillor response	Y	N	The application was referred to the Ward Councillor and no comments have been received.
Total letters of support	None						

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recommendation	
			Positive	Negative
Development Services	9 Dec 2024	Building plans be submitted to Building Control for consideration and approval.	X	
Western Cape Department of Infrastructure: Road Planning	27 February 2025	No objection.	X	
Eskom		No comment		

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS	
<p>W and L Peplow Annexure D</p>	<p>1. Health concerns</p>	<p>1. Current research on freestanding base telecommunication stations has reached a point whereby scientists are satisfied that freestanding base telecommunication stations do not pose a health threat. Research on handsets is however ongoing, as it is deemed that placing the handset against your head could pose a greater threat to health. Mobile phones are low powered radiofrequency transmitters. They operate at frequencies between 450 and 2700 MHz. The handset only transmits power when turned on. Using the phone in areas of good reception decreases exposure as it allows the phone to transmit at reduced power. Radio waves are emitted by numerous instruments including microwave ovens and television screens inside our households. Walking along any street exposes us to RF emissions. RF emissions are part of modern-day society and scientists continuously monitor the impacts of these.</p> <p>The increase in demand for telecommunication infrastructure raises anxiety amongst the general public regarding the adverse effect on human health. Telecommunication infrastructure is generally perceived as hazardous because of the radiation they produce. Misconceptions are held by the general public in South Africa about the radiation (non-ionising radiation) of the electromagnetic waves used for telecommunications especially from transmission towers. This perception has often led to public opposition on the construction and existence of these transmission towers in many parts of the country. One misconception is that non-ionizing radiation (produced by the transmission towers) causes cancer and other health related issues. It should be noted that both forms of energy are correctly called radiation, however their biological effects are vastly different. Half-true or inaccurate information has caused a lot of public</p>	<p>1. The statement of the Department of Health : Directorate Radiation Control of January 2020 regarding the minimum health risk of transmission towers is supported.</p> <p>The applicant succeeds in addressing the statements and claims made by the objectors and the arguments are based on science and logic.</p> <p>Should it be determined (scientifically proven), at a later stage, that health risks do in fact exist, the owner/developer may be held liable for the removal of the tower, through the formulation of applicable conditions of approval.</p>

opposition re. the development of telecommunication infrastructure.

- Ionising Radiation This type of radiation refers to the type that carries enough energy to cause ionisations in atoms. It is a much stronger type of radiation compared to non-ionising radiation, namely the dangerous kind, typically found in gamma rays, x-rays, etc.

- Non-Ionising Radiation This type of radiation refers to types of radiation that do not have enough energy to cause ionisation of the atoms. These types of radiation are the “every day” radiation that everyone experience such as infrared and microwaves and do not have enough energy to cause harm. It is proven that the proposed cell mast development and every other freestanding base telecommunication station utilise non-ionising radiation.

In a statement made by the World Health Organisation (WHO) it is stated that effects from transmission towers and wireless networks are so low that the temperature increases are insignificant and do not affect human or animal health.

The WHO in 2004 said:

“In the area of biological effects and medical applications of non-ionizing radiation approximately 25,000 articles have been published over the past 30 years. Despite the feeling of some people that more research needs to be done, scientific knowledge in this area is now more extensive than for most chemicals. Based on a recent in-depth review of the scientific literature, the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields.” – World Health Organization (WHO) – website: <http://www.who.int/peh-emf/research/database/en/>

Radio waves are emitted by numerous instruments including microwave ovens and television screens

inside our households. Walking along any street exposes us to RF emissions. RF emissions are part of modern-day society and scientists continuously monitor the impacts of these.

The following was a study that was conducted in South Africa and published on the 6th of September 2021 on My Broadband. (The link to the source is at the bottom of this section): “The electromagnetic radiation you are exposed to when standing close to an active microwave oven is much higher than a 5G cellular tower, a MyBroadband investigation has shown. Even though the radiation from the microwave was much higher, it remained within the safety thresholds of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

ICNIRP (International Commission on Non-Ionizing Radiation Protection), an independent scientific organization, published guidelines providing a means of limiting and guiding human exposure to electromagnetic fields. These guidelines have become the world standard for human exposure to electromagnetic fields. ICNIRP considers both the thermal and non-thermal effects of RF exposures as well as all other identified hazards of RF exposure. Cellular equipment needs to comply with all the regulations of ICNIRP as well as the WHO and also National Legislation governing the use of the equipment and the emissions of radio waves.

Cellular operator antennae operate at a level of not more than 0.04 (v/m) within a distance of 15m, in laymen’s terms the levels are approximately 1/1000th of the prescribed exposure levels. It is therefore clear that the installation of these antennae does not pose a health risk.

South Africa’s Department of Health has also published EMF exposure limit guidelines. These are based on guidelines endorsed by the ICNIRP.

		<p>Emissions from all existing and proposed transmission towers are following these guidelines and are far below international standards.</p> <p>A statement made by the Department of Health dated 2020 on the Health Effects of cellular communications transmission towers states that:</p> <p>” Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from transmission towers and wireless networks cause adverse health effects”.</p> <p>The Department of Health goes on to say that: “The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc.”</p> <p>We are therefore of the opinion that all health aspects regarding the proposed transmission tower were taken into consideration and that the proposal will not be in violation of any individual’s constitutional right to an environment that is not harmful to their health or general wellbeing.</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 Farm 1277, Division Malmesbury, in terms of Section 25(2)(o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), was made in order to establish a transmission tower on the property.

The application was communicated in a total of 20 registered notices issued to affected parties and where e-mail addresses were available, notices were also forwarded electronically. Two notices were returned unclaimed.

Due to the advent of the December holidays and in the public interest of reaching as many affected parties as possible, the Municipality commenced the commenting period on 13 December 2024, but the closing date was postponed until 24 January 2025. Only one objection was received.

Objections were referred to the applicant for comment on 31 January 2025, and the response to comments was received on 4 February 2025.

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

The applicant is Warren Petterson Planning and the owner is De Grendel Landgoed (Pty) Ltd.

2. Legislation and policy frameworks

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

The application is evaluated according to the principles of spatial planning, as contained in the abovementioned legislation.

- a) Spatial Justice: According to the Spatial Development Framework (SDF) Farm 1277 is situated just outside the urban edge, abutting Areas Q and R, north of the R315 identified as an activity axis and tourism development corridor.

The SDF does not specifically make provision for the transmission towers as a land use but does promote access to information and technology. The proposed mast constitutes infrastructure that will provide service to an under-served portion of the community, as well as to future developments in the area, including education facilities.

The visual impact of the mast will be mitigated and it will comply with environmental legislation.

The proposed tower will contribute to the socio-economic environment, as sufficient mobile coverage (voice- and data) will allow for businesses, residents and seasonal holidaymakers to have enhanced access to faster, efficient and reliable internet and communication connectivity. The application is compliant with the SDF.

- b) Spatial Sustainability: The applicant proposes to mitigate the visual impact of the tower by using a tree mast type tower. In terms of section 13.3(v) of the relevant scheme regulations "...masts tend to have less impact in areas with high visual absorption potential, such as urban or industrial areas, than in areas with high visual sensitivity and low visual impact absorption potential such as residential, rural and wilderness areas...". In section 13.3(iii), the scheme regulations proposed that, "...The municipality should seek to strike a balance between antenna infrastructure and economic development on the one hand, and the conservation of visual, tourist, environmental and heritage characteristics on the other...".

The visual impact of the tower is deemed to be mitigated by the tower being proposed in tree-form which is foreseen to be absorbed in the landscape and the future development of the surrounding area over time. All the aspects mentioned above (Section 13.3(iii) of the By-Law) have been evaluated and it is found that none will be affected negatively. It can rather be argued that all sectors in Malmesbury will benefit from an improvement in the telecommunication network.

- c) Efficiency: Sufficient services capacity exists to accommodate the proposed tower.

Several factors are considered when selecting a preferred site to accommodate a transmission tower, one of the most important factors is to place proposed towers in such locations that will minimise the number of towers that are needed in future. The proposed site was, according to the applicant, identified by network planners to be situated optimally between planned and existing base stations.

The application therefore complies with the principle of efficiency.

- d) Good Administration: The application was published in the local newspapers, the Provincial Gazette and notices were sent to affected property owners. The comments from the relevant municipal departments and Department of Transport and Public Works were also obtained. Consideration was given to all correspondence received and the application was dealt with in a timeously manner. It is therefore argued that the principles of good administration were complied with by the Municipality.
- e) Spatial Resilience: The proposed transmission tower will result in residents, businesses and commuters in Malmesbury to have a more secure connection, this will have a positive social impact. The improvement in the communication network may contribute to the principle of spatial resilience.

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

According to the Spatial Development Framework (SDF) Farm 1277 is situated just outside the urban edge, on a farm abutting the town. The application property is agricultural land, but the SDF earmarks the surrounding portions of town extensive development of the residential sector, a business node, educational facilities, health services and other mixed uses.

The application property is located directly north of the R315, identified as an activity axis and tourism development corridor.

The SDF does not specifically make provision for the transmission towers as a land use but does promote access to information and technology. It also states that new developments must be sympathetic to heritage assets and that the local character be protected. It cannot be denied that a telecommunications mast, due to its function, will inevitably have a visual impact on its context. The area surrounding the proposed mast is currently largely undeveloped farmland, emphasising the horizontal, linear nature of the structure. However, the impact of the tower on the landscape will be mitigated by the development of the surrounding area and camouflaging the mast as a tree. The position is considered to be sensitively located and the impact on tourism, scenic routes and the landscape of Malmesbury was mitigated as far as possible.

The proposed tower will contribute to the socio-economic environment, as sufficient mobile coverage (voice- and data) will allow for businesses, health and educational facilities, residents and tourists to have enhanced access to faster, efficient and reliable internet and communication connectivity. Thus the application is in compliance with the SDF.

The SDF forms an integral part of the IDP. Applications like these are measured according to the principles of the SDF to determine whether it is in compliance. Therefore it contributes to healthy management of the urban area. IDP outcome 5.2.

2.3 Schedule 2 of the By-Law (Zoning Scheme Provisions)

The proposed transmission tower is a consent use that may be applied for within Agricultural Zone 1. The maximum height of agricultural buildings is limited to 12m, but the Municipality may allow higher structures if the height is required for the function of the structure. Taking into account that the maximum height of any building in the Swartland is 21m, but that the proposed mast will be peripheral to the town, on agricultural land, the proposed height of 25m is deemed acceptable.

The developer was informed of the 30m building lines applicable to Agricultural Zone 1. The precise position of the mast has not been finalised, but if the final position triggers a departure application, the matter will be addressed at the building plan stage.

All other zoning parameters are complied with.

3. The desirability of the proposed development

Farm 1277, Division Malmesbury is zoned Agricultural Zone 1 and utilised for planting and grazing. The transmission tower is proposed on the rear (north-western) a portion of Farm 1277 and will not impact on the functionality of the property.

Farm 1277 is situated east of Malmesbury, north of the R315 that is one of the main access routes into Malmesbury. A large piece of vacant land, earmarked for extensive development by the SDF, is located between the mast and the R312. The fact that the mast will be disguised as a tree and that the surrounding area will develop over time and further absorb the visual impact, are seen as sufficient mitigating measures. It is consequently not foreseen that the transmission tower will have any impact on the conservation of visual, tourist, environmental and heritage characteristics of the area.

Other transmission towers in Malmesbury are located approximately 1km away, which has a marked impact on signal strength and connectivity. The proposed strategic positioning of the new transmission tower is foreseen to promote optimum coverage provision for the town of Division Malmesbury.

The transmission tower and equipment will be enclosed by a 2,4m palisade compound on the property boundary, to enhance security.

No new access point are proposed and the parking and circulation on the property is deemed sufficient.

Transmission towers typically do not emit any notable noise. It uses normal air conditioning supply to actively run and maintain the site. In the case of a power outage, the mast relies on a battery back-up system which can last up to 18 hours. In accordance with SANS regulations, noise levels will not exceed the acceptable decibels.

The proposed transmission tower transmits and receives data. No cameras will be installed which may jeopardise the privacy of surrounding properties. Access to the site will be restricted to technicians and representatives of major service providers – therefore, the general public will not have access to this base station. Maintenance occurs only by routine inspections and in the event of emergencies. Therefore, the number of visits to the antennae at the top of the mast will be minimal.

Telecommunication infrastructures do not pose a fire risk. Furthermore, any telecommunication infrastructure compound needs to comply with Health & Safety Regulations and must be equipped with fire extinguishers and the relevant Health & Safety signage.

The proposal is subject to environmental legislative requirements and

The title deed of Farm 1277 does not contain any restrictions with relevance to this application.

Taking the mitigation of the impact, as well as the improved service delivery to the wider community into account, the development proposal for a transmission tower, is considered desirable in the context.

4. Impact on municipal engineering services

Sufficient engineering services capacity exists to accommodate the proposed transmission tower. Safety distances will be complied with in accordance with the comments from the Electrical Services Department.

5. Response by applicant

Refer to Annexure E.

6. Comments from other organs of state/departments

Comments were requested from Eskom, but no response was forthcoming.

7. Public interest

The proposed transmission tower has been evaluated according to all relevant legislation, spatial development frameworks and planning principles and is found to be in compliance.

Transmission towers pose a low risk regarding fire and noise. Additionally, the proposed transmission tower will improve and optimise the existing telecommunication network in Malmesbury which will benefit the community.

The visual impact of the transmission tower is deemed to be mitigated argued in the report.

The short term gains and long term benefits of the proposed transmission tower are not in conflict. At both stages better telecommunication network coverage will be created for the community of Division Malmesbury and visitors to the tourism destination.

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

A. The application for a consent use on Farm no. 1277, Division Malmesbury 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 conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The consent use authorises the establishment of a transmission tower and equipment containers inside an 80m² compound enclosed by a 2,4m high palisade fence, as presented in the application;
- b) The maximum height of the mast be restricted to 25m, measured from the natural ground level to the highest point, as presented in the application;
- c) The tower be equipped with a lightning spike and navigation lights, in terms of the SANS 10400, to the satisfaction of the Senior Manager: Development Management;
- d) Fire safety equipment and extinguishers be provided on-site as presented in the application and to the satisfaction of the Swartland Chief Fire Safety Officer;
- e) Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
- f) A copy of the applicable Environmental Approval be submitted at building plan stage, before the mast is constructed;
- g) The position of the mast and compound is restricted to a 30m radius of the position illustrated in the proposal. Should building line departure be necessary, the matter may be addressed as building plan stage;
- h) Application for the construction and affixing of advertising signs for the service providers be made to the Senior Manager: Development Management for consideration and approval;
- i) Should it be proven in future that transmission towers do in fact cause negative health effects, according to official, legal findings of peer reviewed, independent testing, and the transmission tower does not adhere to the health and safety requirements, the applicant/developer will be held accountable to ensure compliance and where not possible, the decommissioning and removal of the tower and related infrastructure;

2. ELECTRICITY

- a) The mast be removed from the nearest conductor for a distance equal to the height of the transmission tower;

3. GENERAL

- a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- b) 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 for or against the appeal. All conditions of approval be implemented before the new land use comes into operation 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.
- c) 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, Division 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.

PART M: REASONS FOR RECOMMENDATION

1. The proposed transmission tower is an acceptable land use inside a secondary business node of Division Malmesbury.
2. The transmission tower is strategically placed on the property.
3. The placement of the transmission tower in context to the broader telecommunication network for Division Malmesbury will create optimum coverage for the town.
4. The visual impact of the transmission tower is deemed to be mitigated.
5. As the visual impact of the transmission tower is deemed to be low, it cancels out any possible concerns/impacts on tourism, the environment and character of Malmesbury.
6. The transmission tower requires NEMA approval and building plans will not be considered prior to proof of approval being provided.

7. Potential noise created by the transmission tower will not exceed the permissible decibels.
8. The privacy of surrounding land owners will not be affected.
9. The proposed telecommunication infrastructure does not pose a fire risk.
10. Surrounding property values will not be affected negatively.
11. Sufficient services capacity exists to accommodate the proposed transmission tower.
12. Farm 1277 has no title deed restrictions which are restrictive to this application.
13. The transmission tower and equipment is placed strategically on Farm 1277 in order to have the lowest possible impact on surrounding properties.
14. The public interest of this application is deemed to be positive.
15. The application is in compliance with the SDF for Malmesbury.
16. The application complies with the principles of LUPA and SPLUMA.
17. There is a lack of evidence to prove the perceived health risk associated with telecommunications base stations, as often claimed by objectors. Various studies and the opinions of international, national, provincial and local health authorities have been taken into account and are available for scrutiny by the public.


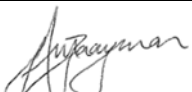
PART N: ANNEXURES

- Annexure A Locality plan
- Annexure B Site development plans
- Annexure C Public participations process
- Annexure D Objection from L. & W. Peplouw
- Annexure E Response to objections

PART O: APPLICANT DETAILS

Name	Warren Petterson Planning		
Registered owner(s)	De Grendel Landgoed (Pty) Ltd.	Is the applicant authorised to submit this application:	Yes N

PART P: SIGNATURES

Author details: Annelie de Jager Town Planner SACPLAN registration number: A/2203/2015			Date: 27 February 2025	
Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN registration number: B/8001/2001	Recommended	✓	Not recommended	
			Date: 28 February 2025	



HELIOS TOWERS SITE ID:
ZAWC 2012

HELIOS TOWERS SITE NAME:
DE GRENDDEL LANDGOED

PROPERTY DESCRIPTION:
REMAINDER FARM 1277, MALMESBURY RD

ADDRESS:
PEPERBOOM STREET, MALMESBURY,
WESTERN CAPE

CO-ORDINATES: **ELEVATION:**
Lat: -33.453508° 206m
Long: 18.698894°

TOWN AND REGIONAL PLANNING CONSULTANTS

Tel: (021) 952 5255 Unit H, 3rd Floor Po Box 152,
Fax: 096 537 9187 Matrix Building, Bridgeway, Century City,
 Century City, Cape Town 7440

PROJECT:
PROPOSED NEW HELIOS TOWERS 25m TREE MAST
WITH 10m X 8m BASE STATION

APPROVED MAST:
25m MONOPOLE MAST

- NOTES:**
- A) NEW 25m TREE MAST
 - B) 80m² BASE STATION
 - C) 2.4m PALISADE FENCE
 - D) SITE SIZE: SITE SHAPED TO FENCE WITH
 - E) BASE STATION: CHIP STONE SURFACE
 - F) ZONING: AGRICULTURAL ZONE 1: AGRICULTURE

DATE	DESCRIPTION
26-09-2024	1st Issue
06-11-2024	Change to tree mast

DRAWING NUMBER: ZAWC 2012

DRAWING TITLE:

DRAWN: D. LOOTS

DATE: 2024-11-06

ANNEXURE A

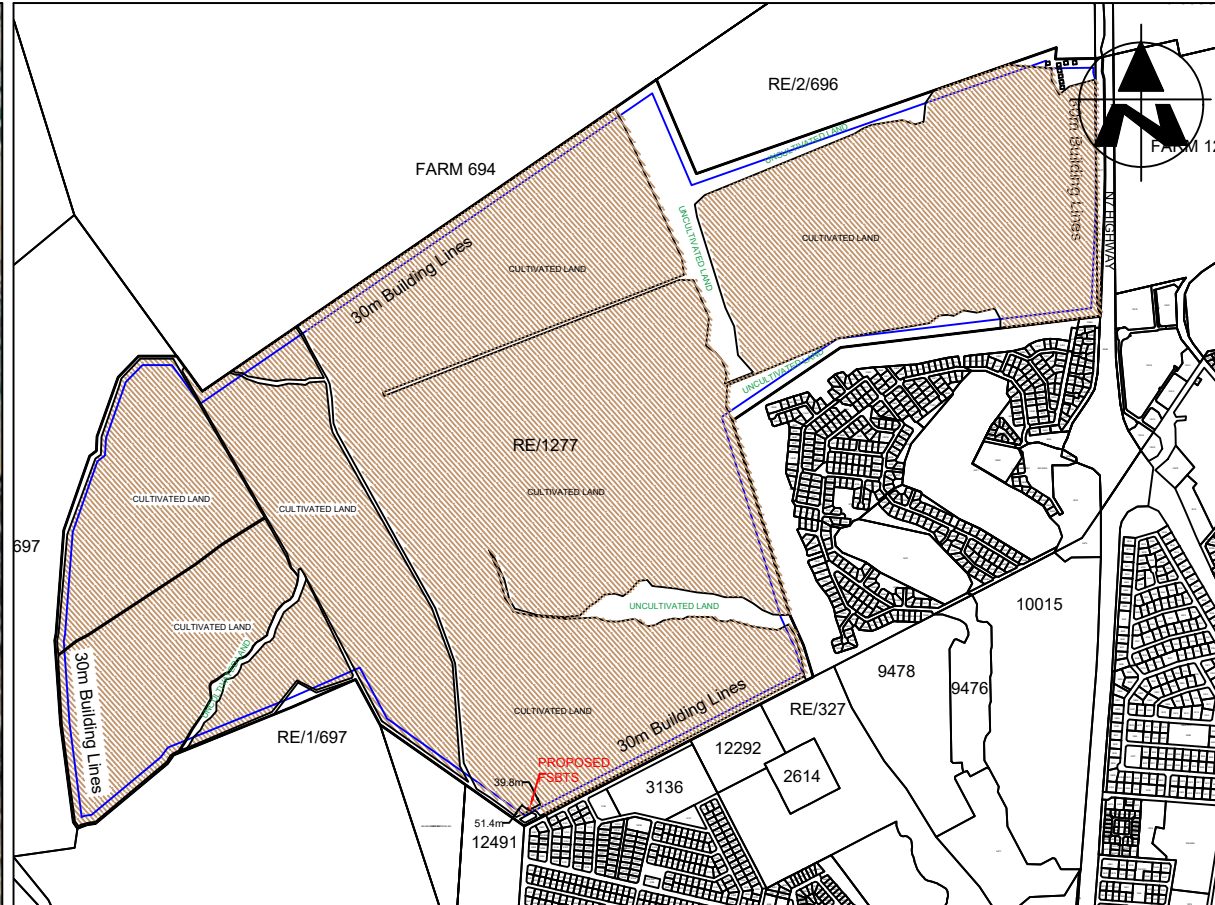
ANNEXURE B

A3 PLANS



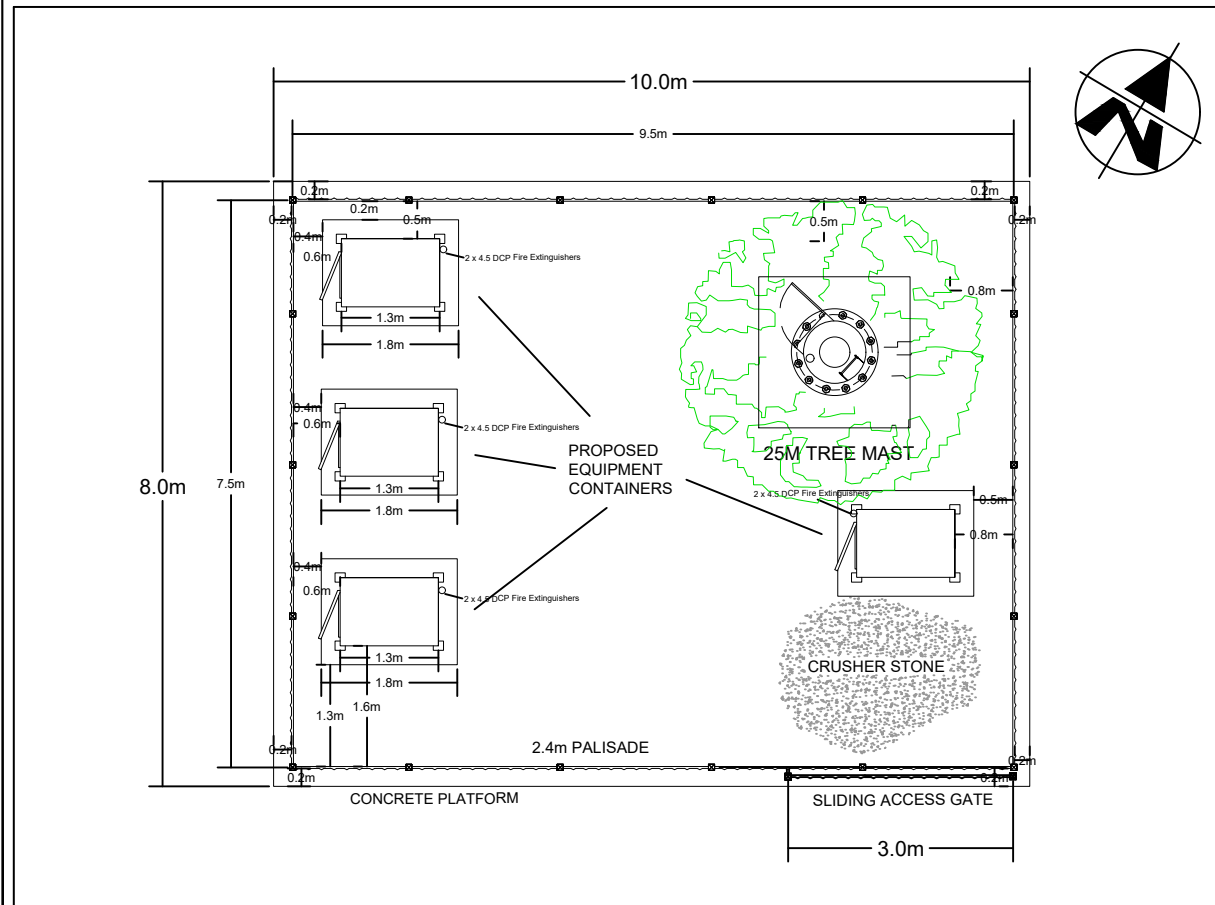
LOCALITY MAP

SCALE: NTS



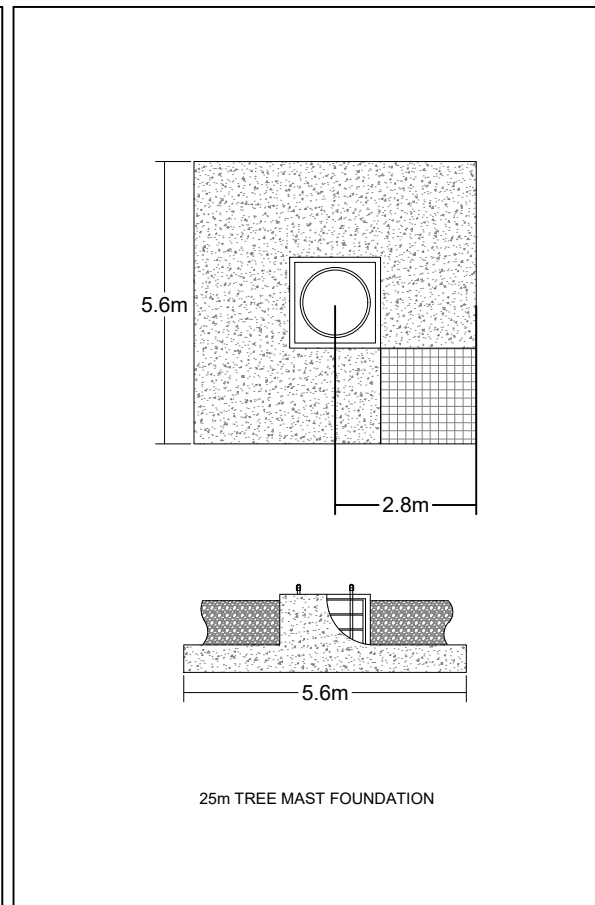
SITE PLAN

SCALE: 1:25000

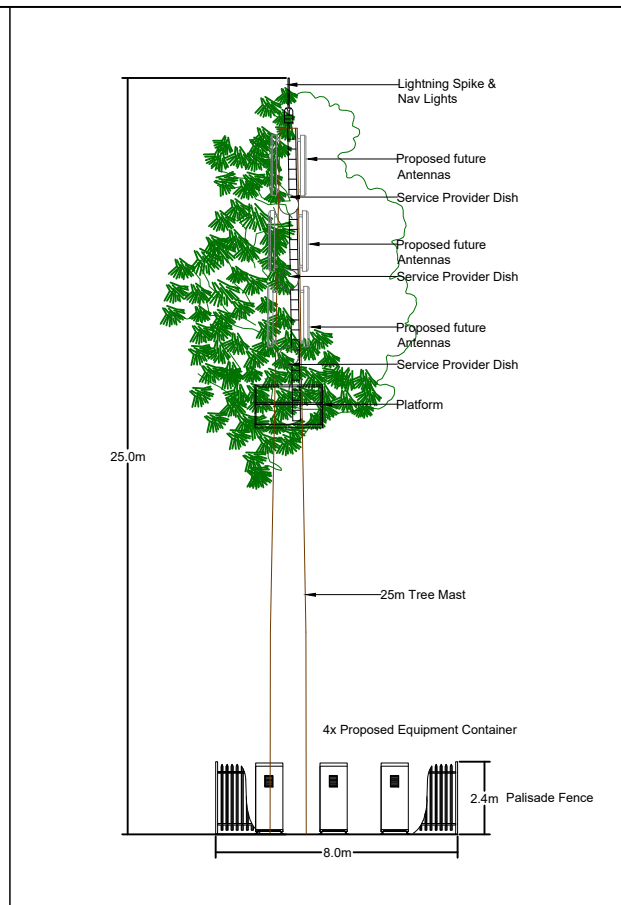


TOP VIEW

SCALE: 1:100



ELEVATION SCALE: 1:150



ELEVATION SCALE: 1:250



HELIOS TOWERS SITE ID:
ZAWC 2012

HELIOS TOWERS SITE NAME:
DE GRENDEL LANDGOED

PROPERTY DESCRIPTION:
REMAINDER FARM 1277, MALMESBURY RD

ADDRESS:
PEPERBOOM STREET, MALMESBURY,
WESTERN CAPE

CO-ORDINATES: ELEVATION:
Lat: -33.453508° 206m
Long: 18.698894°



Tel: (021) 552 5255 Unit H, 3rd Floor Po Box 152,
Fax: 086 537 9187 Matrix Building, Bridgeway, Century City, Cape Town, 7446

PROJECT:
PROPOSED NEW HELIOS TOWERS 25m TREE MAST
WITH 10m X 8m BASE STATION

APPROVED MAST:
25m MONOPOLE MAST

- NOTES:
- A) NEW 25m TREE MAST
 - B) 80m² BASE STATION
 - C) 2.4m PALISADE FENCE
 - D) SITE SIZE: SITE SHAPED TO FENCE WITH FENCE
 - E) BASE STATION: CHIP STONE SURFACE
 - F) ZONING: AGRICULTURAL ZONE 1: AGRICULTURE

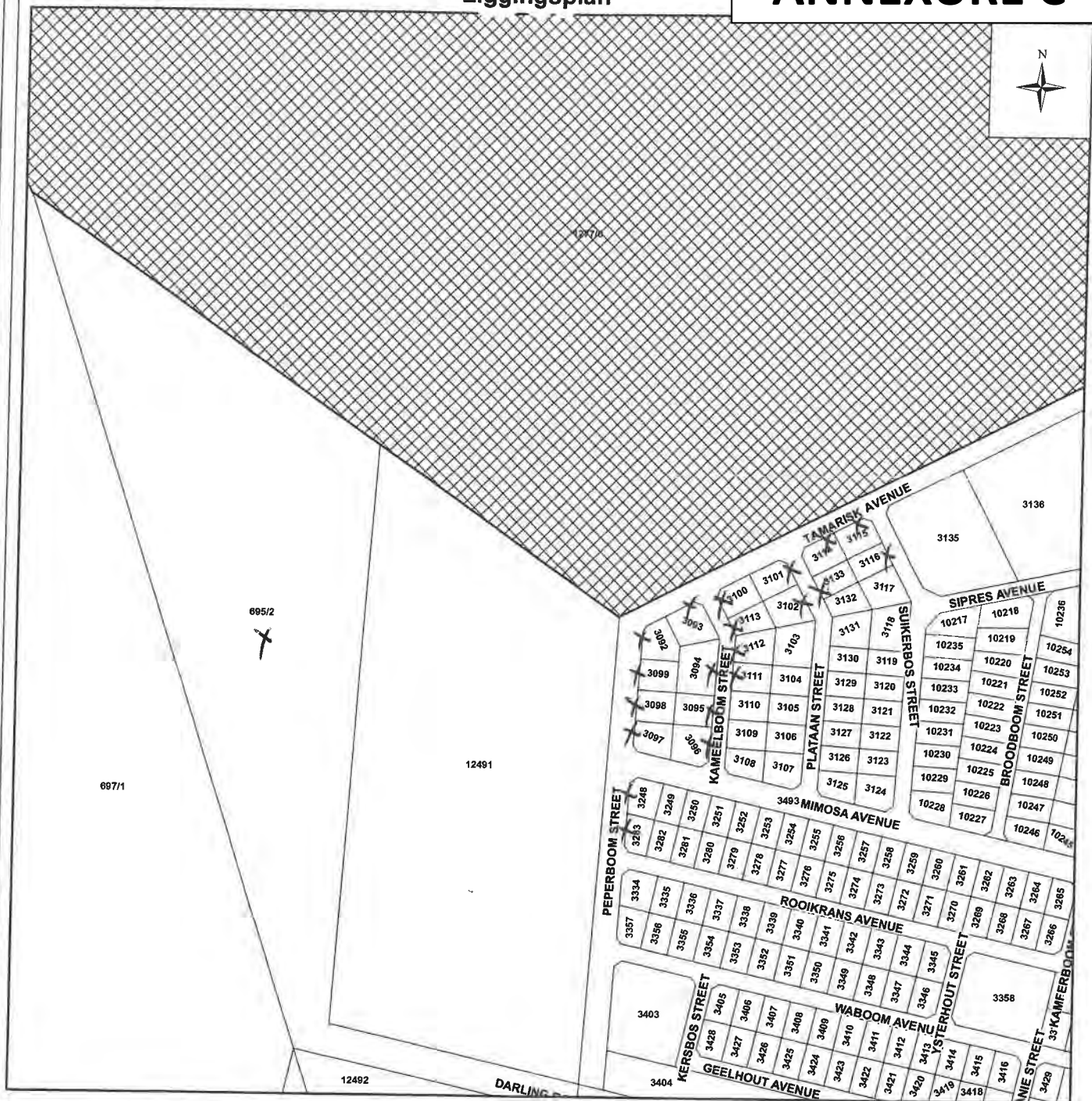
DATE	DESCRIPTION	REVISION
26-09-2024	1st Issue	0
06-11-2024	Change to tree mast	1
15-11-2024	Indicate distances to boundaries	2

DRAWING NUMBER: ZAWC 2012 SHEET:

DRAWING TITLE:

DRAWN: D. LOOTS SCALE:

DATE: 2024-11-15 REVISION:
2



Voorgestelde vergunningsgebruik
 Restant plaas no 1277, Afdeling Malmesbury
 Publieke deelname
 Skaal: NVT



ANNEXURE D

From: Leona Peplouw <lpeplouw@gmail.com>

Sent: Friday, 24 January 2025 15:47

To: Registrasie Email <RegistrasieEmail@swartland.org.za>

Cc: Michelle Medeiros <michelle.medeiros@pathcare.net>; wpeplouw@mweb.co.za

Subject: Re: Proposed Consent Use on Farm No. 1277, Division Malmesbury. Reference No. 15/3/10-15 Farm_1277

Dear Sir/Madam

Your registered communicate in regard to the above consent refers:

As property owners who will be affected by the erection of the proposed transmission tower on Farm No. 1277, as we are directly opposite where the tower may be constructed; we would like to know if the necessary safety studies have been conducted in terms of distance from residential developments and safety of the EMF frequencies generated by such towers.

We cannot in good conscience consent to any establishment of such a structure until we know the facts, which are not clearly spelt out in the letter.

Looking forward to a more detailed report on the integrity & safety of the tower.

Yours sincerely

Wayne & Leona Peplouw

Swartland Municipality: Division Planning

Swartland Municipality
Municipal Offices
Church Street
Malmesbury
7299

4 February 2025

Dear Sir/Madam

LOCAL AUTHORITY CONSENT USE APPLICATION TO ALLOW FOR THE INSTALLATION OF A TRANSMISSION TOWER ON FARM 1277, MALMESBURY RD

Dear Sir/Madam,

Your letter received dated 31 January 2025 refers.

One objection was received during the public participation process. The concerns of the objector relates to health impacts and have been addressed below.

Health:

Recent development shows the concerns among the public related to the health effect of RF radiation emitting from Freestanding Base Telecommunication Stations (FBTS). This is obvious from the frequent reporting in the newspaper and the electronics media concerning the complaint of residence nearby FBTSs. As results, the telecommunication industry is with faced many problems and protests from the public in the installation of new FBTS.

Along with popularity of mobile telephones and other devices, the increase in number of FBTSs installations in the country provide better coverage services to consumer have raised anxiety to the general public about whether it have an adverse effect on human health. They are generally perceived as hazardous because of the radiation they produced. Misconceptions are held by the general public in South Africa about the radiation (non-ionising radiation) of the electromagnetic waves used for telecommunications especially from FBTSs. This perception has often led to public opposition on the construction and existence of these facilities in many parts of the country. The general public often misunderstand the concept that non-ionizing radiation (produced by the FBTS) can cause cancer and other health related issues. Although both forms of energy are correctly called radiation, their biological effects are vastly different. Half-true or inaccurate information written in web sites, newspaper and

circulated materials by some groups of people with vested interest has caused a lot of opposition by public on the development of telecommunication infrastructures.

Current research on telecommunications base stations has reached a point whereby scientists are satisfied that the base stations do not pose a health threat. Research on handsets is however ongoing, as it is deemed that placing the handset against your head could pose a greater threat to health. Mobile phones are low powered radiofrequency transmitters. They operate at frequencies between 450 and 2700 MHz. The handset only transmits power when turned on. Using the phone in areas of good reception decreases exposure as it allows the phone to transmit at reduced power.

In a statement made by the World Health Organisation (WHO) it is stated that effects from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human or animal health.

A statement made by the Department of Health dated 8 September 2020 on the Health Effects of cellular communications base stations states the following (see letter attached as Annexure A):

"Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects".

Also mentioned in the statement of the Department of Health another WHO fact sheet was published in June 2011 and reviewed in October 2014 (i.e. Electromagnetic fields and public health: mobile phones viewable online at <http://www.who.int/mediacentre/factsheets/fs193/en/>) and subsequently concluded the following:

"Many studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use."

Further on in the document (attached in application), the Department of Health goes on to say that:

"The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc."

A letter was also received from the South African Health Products Regulatory Authority (SAHPRA), which is attached as Annexure B. This letter also makes reference to the letters published over the years by the Department of Health and we would like to place emphasis on the following statement:

"However, generally speaking unless a person would climb to the top of a mast (or other structure supporting an antenna) and position him/herself not more than a few meters away right in front of the active antenna, such a

person would have no real possibility of being exposed to even anywhere near the aforementioned ICNIRP guideline limits.”

The proposed location of the base station is approximately 55 to 60m from the nearest residential unit. Considering that the tower is proposed at a height of 25m, it would mean that the lowest antennas would be situated at approximately 16m (bottom of antennas), should there be 3 to 4 service providers on the tower. The maximum height of dwellings on these residential units will be 8m (10.5m to top of roof), which means that there will still be a space of between 5.5 to 8m. There is also a 1 to 2m difference in ground elevation with the tower being located on higher ground – which increases this space even more. This is important to consider in relation to the paragraph that is highlighted above.

Furthermore, as an example - a test done by the City's Department: City Health – Specialised Services at a similar installation in Camps Bay proved that emissions from base stations are a mere fraction of a percentage point of the ICNIRP guideline. The test was also conducted by EMSS, a private company specialising in this RF emission testing. This study as an example is available on request. The City of Cape Town is more than welcome to take its own readings once the cellular communications infrastructure is operational.

We are therefore of the opinion that all health aspects regarding the proposed base station were taken into consideration and that this proposal will not be in violation of any individual's constitutional right to an environment that is not harmful to their health or general wellbeing.

A condition may be included in the approval stating that should it be proven that there are negative health effects from base stations (in accordance with specific guidelines), and this base station falls within those guidelines, it will be rectified or if not possible, be decommissioned.

Conclusion:

In conclusion, we would like to emphasise the positive contribution this base station will have on the surrounding community:

- In today's fast-moving society, mobile communication has become essential for the successful operation of numerous businesses and something that successful business men and woman cannot live without. Hence, the need for mobile communication network coverage in this area.
- A clear majority of the households depend on the services of the cellular telecommunications providers, including internet and social networking media (Facebook, Twitter etc.). With such a high demand for their products, it follows that service providers are responsible for supplying a high level of network coverage.

- Mobile communication has become an important safety and security element in modern society. In an emergency, such as a housebreaking, medical alert or fire, a member of a household can quickly and easily contact the emergency services for help. However, if the coverage of mobile service providers' is poor, then contacting emergency services is a difficult task.

Finally, I would like to emphasize that communications companies deliver an important service to the wider public, and in terms of their license with ICASA they must meet certain standards to retain their licenses. One of these standards is to supply adequate network coverage to their demanding customers.

Please let us know should any additional information be required.

Yours faithfully



Dirko Loots
Warren Petterson Planning



Department of Health

Directorate: Radiation Control
Private Bag X62
BELLVILLE
7535

☎: 021 957 7483
Fax: 021 946 1589
E-mail: Leon.DuToit@sahpra.org.za

Enquiries: LL du Toit
Date: 8 September 2020

To whom it may concern

HEALTH EFFECTS OF CELLULAR BASE STATIONS AND HANDSETS

The Directorate: Radiation Control was the section within the National Department of Health that was responsible, from the viewpoint of human health, for regulating electronic products producing **non-ionising** electromagnetic fields (EMF), i.e. where the frequency of such EMF is less than 300 GHz. The Directorate Radiation Control has since been transferred to the South African Health Products Regulatory Authority (SAHPRA). In carrying out its responsibility, the Directorate has been utilising the World Health Organization's (WHO) International EMF Project (www.who.int/peh-emf/en/) as its primary source of information and guidance with respect to the health effects of EMF. The International EMF Project was established by the WHO in 1996 to (i) assess the scientific evidence for possible adverse health effects of non-ionising electromagnetic fields on an on-going basis, (ii) initiate and coordinate new research in this regard, and (iii) compile health risk assessments for different parts of the electromagnetic spectrum. The Department of Health has been a member of the International Advisory Committee of the International EMF Project since 1998.

In June 2005 the International EMF Project hosted a workshop that was specifically aimed at considering the possible health consequences of the emissions from cellular base stations and wireless networks. The findings of this workshop were summarised in a 2-page Fact Sheet (<http://www.who.int/peh-emf/publications/facts/fs304/en/>). The following extract from this Fact Sheet is still considered by the WHO as a summary of the findings to date, i.e. ***“Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects.”***

Another WHO Fact Sheet was published in June 2011 and reviewed in October 2014, i.e. *Electromagnetic fields and public health: mobile phones*. This Fact Sheet can be found at

<http://www.who.int/mediacentre/factsheets/fs193/en/>) and the conclusion is stated as follows:

“A large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use.”

The WHO recommends utilising internationally recognised exposure guidelines such as those that were published in 1998 by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and reconfirmed in 2009. The 1998 guidelines were replaced by the updated 2020 version for the frequency range 100 kHz – 300 GHz (i.e. including all the frequencies employed by the cellular industry). The Department of Health likewise recommends the use of these ICNIRP guidelines to protect people against the known adverse health effects of EMF.

The numerous measurement surveys, which have been conducted around the world and in South Africa, have shown that the actual levels of public exposure as a result of base station emissions invariably are only a fraction of the ICNIRP guidelines, even in instances where members of the public have been really concerned about their exposure to these emissions. At present there is **no** confirmed scientific evidence that points to any health hazard associated with the very low levels of exposure that the general public would typically experience in the vicinity of a cellular base station. The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc.

The Department of Health is not able to make any pronouncements about the specific levels of EMF that a member of the public would experience at any particular base station site when it is in operation. However, generally-speaking unless a person would climb to the top of a mast (or other structure supporting an antenna) and position him/herself not more than a few meters away right in front of the active antenna, such a person would have no real possibility of being exposed to even anywhere near the afore-mentioned ICNIRP guideline limits. Since these base stations are typically cordoned off by means of barbed wire fencing and locked gates/doors in order to protect the sensitive and expensive technology, getting to a mast and actually climbing it despite the afore-mentioned security measures would certainly not be considered responsible behaviour. Even then the only real threat to the health of the person would be falling at any height from the structure in question. Based on the results of numerous global and local surveys, the experience has been that the exposure to base station EMF at ground level is typically in the range of between 0.001 – 1.0 % of the

afore-mentioned ICNIRP guideline limits. Against this background of available data, there would be no scientific grounds to support any allegation that adverse health effects might be suffered by a responsible member of the public due to the EMF emitted by a base station.

Although the Department of Health currently neither prescribes nor enforces any compulsory exposure limits for electromagnetic fields, the Department does advise all concerned (whether they be a government department, the industry or the public) that voluntary compliance with the afore-mentioned ICNIRP exposure guidelines is the recommended and science-based way to deal with any situation involving human exposure to the non-ionising electromagnetic fields emitted by cellular base stations and handsets.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'LL du Toit', written in a cursive style.

LL du Toit
DEPUTY DIRECTOR: RADIATION CONTROL



SAHPRA Head Office
Building A
Loftus Park
2nd Floor
Kirkness Road
Arcadia
0083

Enquiries: Colbert Ditsepu
Tell number:(+27) 072 084 5736
Email address: colbert.ditsepu@sahpra.org.za
nirmed.enquiry@sahpra.org.za

Chairperson: Prof Helen Rees • Vice-Chairperson: Dr Obakeng Khaole • Prof Joyce Tsoka-Gwegweni
Prof Patrick Demana • Dr Xolani Khayelihle Ngobese • Adv Hasina Cassim • Ms Ditaba Lucy Maraka
Mr Itani Elias Mashau • Ms Lerato Mothae • Mr Norman Baloyi • Dr Afred Kgasi • Prof Johanna Meyer
• Ms Mandisa Skhosana • Prof Yahya Choonara • Dr Zinhle Makatini
CEO: Dr Boitumelo Semete-Makokotlela

To whom it may concern

HEALTH EFFECTS OF CELLULAR BASE STATIONS AND HANDSETS

The Directorate Radiation Control is the section – previously within the National Department of Health and currently as part of the South African Health Products Regulatory Authority (SAHPRA) – that is responsible, from the viewpoint of human health, for regulating electronic products producing **non-ionising** electromagnetic fields (EMF), i.e. where the frequency of such EMF is less than 300 GHz. In carrying out its responsibility, the Directorate has been utilising the World Health Organization's (WHO) International EMF Project (www.who.int/peh-emf/) as its primary source of information and guidance with respect to the health effects of EMF. The International EMF Project was established by the WHO in 1996 to (i) assess the scientific evidence for possible adverse health effects of non-ionising electromagnetic fields on an on-going basis, (ii) initiate and coordinate new research in this regard, (iii) compile health risk assessments for different parts of the electromagnetic spectrum, and (iv) advise national authorities on EMF radiation protection. The Department of Health has been a member of the International Advisory Committee of the International EMF Project since 1998.

In June 2005 the International EMF Project hosted a workshop that was specifically aimed at considering the possible health consequences of the emissions from cellular base stations and wireless networks. The findings of this workshop were summarised in a 2-page Fact Sheet (<http://www.who.int/peh-emf/publications/facts/fs304/en/>). The following extract from this Fact Sheet is still considered by the WHO as a summary

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The WHO recommends utilising internationally recognised exposure guidelines such as those that were published in 1998 by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and reconfirmed in 2009. The 1998 guidelines were replaced by the updated 2020 version for the frequency range 100 kHz – 300 GHz (i.e. including **all** the frequencies employed by the cellular industry). The Directorate Radiation Control likewise recommends the use of these ICNIRP guidelines to protect people against the known adverse health effects of EMF.

On 27 January 2020 the WHO published a statement on their website with respect to ***“Radiation: 5G mobile networks and health”***. Below are extracts from the Q&A section of that statement:

“5G, or fifth Generation, is the latest wireless mobile phone technology, first widely deployed in 2019. 5G is expected to increase performance and a wide range of new applications, including strengthening e-Health (telemedicine, remote surveillance, telesurgery).

5G represents an evolution in telecommunication standards. To enable increased performance, 5G will extend into higher frequencies around 3.5 GHz and up to a few tens of GHz. The higher frequencies are new to mobile phone networks, but are commonly used in other applications, such as point-to-point radio links and body-scanners for security checks.

To date, and after much research performed, no adverse health effect has been causally linked with exposure to wireless technologies. Health-related conclusions are drawn from studies performed across the entire radio spectrum but, so far, only a few studies have been carried out at the frequencies to be used by 5G.

Tissue heating is the main mechanism of interaction between radiofrequency fields and the human body. Radiofrequency exposure levels from current technologies result in negligible temperature rise in the human body.

As the frequency increases, there is less penetration into the body tissues and absorption of the energy becomes more confined to the surface of the body (skin and eye). Provided that the overall exposure remains below international guidelines, no consequences for public health are anticipated.

WHO is conducting a health risk assessment from exposure to radiofrequencies, covering the entire radiofrequency range, including 5G, to be published by 2022.”

The numerous measurement surveys, which have been conducted around the world and in South Africa, have shown that the actual levels of public exposure as a result of base station emissions invariably are only a fraction of the ICNIRP guidelines, even in instances where members of the public have been really concerned about their exposure to these emissions. At present there is **no** confirmed scientific evidence that points to any health hazard associated with the very low levels of exposure that the general public would typically experience in the vicinity of a cellular base station. The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc.

The Directorate Radiation Control is not able to make any pronouncements about the specific levels of EMF that a member of the public would experience at any particular base station site when it is in operation. However, generally speaking unless a person would climb to the top of a mast (or other structure supporting an antenna) and position him/herself not more than a few meters away right in front of the active antenna, such a person would have no real possibility of being exposed to even anywhere near the afore-mentioned ICNIRP guideline limits. Since these base stations are typically cordoned off by means of barbed wire fencing and locked gates/doors in order to protect the sensitive and expensive technology, getting to a mast and actually climbing it despite the afore-mentioned security measures would certainly not be considered responsible behaviour. Even then the only real threat to the health of the person would be falling at any height from the structure in question. Based on the results of numerous global and local surveys, the experience has been that the exposure to base station EMF at ground level is typically well below the afore-mentioned ICNIRP guideline limits. Against this background of available data, there would be no scientific grounds to support any allegation that adverse health effects might be suffered by a responsible member of the public due to the EMF emitted by a base station.

Although the Directorate Radiation Control currently neither prescribes nor enforces any compulsory exposure limits for electromagnetic fields, the Directorate does advise all concerned (whether they be a government department, the industry or the public) that voluntary compliance with the afore-mentioned ICNIRP exposure guidelines is the recommended and science-based way to deal with any situation involving human exposure to the non-ionising electromagnetic fields emitted by cellular base stations and handsets.

Yours sincerely,

Digitally Signed by:
Kgomotso Tlhapi
ab391f76-cd14-45bb-86e9-198e81fa22a2

KGOMOTSO TLHAPI
MANAGER: RADIATION CONTROL



Verslag ♦ Ingxelo ♦ Report

Directorate: Development Services
Department: Development Management

28 February 2025

15/3/10-6/Erf_799

WYK: 7

ITEM 6.3 VAN DIE AGENDA VAN 'N MUNISIPALE BEPLANNINGSTRIBUNAAL WAT GEHOU SAL WORD OP WOENSDAG 12 MARCH 2025

LAND USE PLANNING REPORT					
APPLICATION FOR A CONSENT USE ON ERF 799, KALBASKRAAL					
<i>Reference number</i>	15/3/10-6/Erf_799	<i>Application submission date</i>	12 November 2024	<i>Date report finalised</i>	28 February 2025

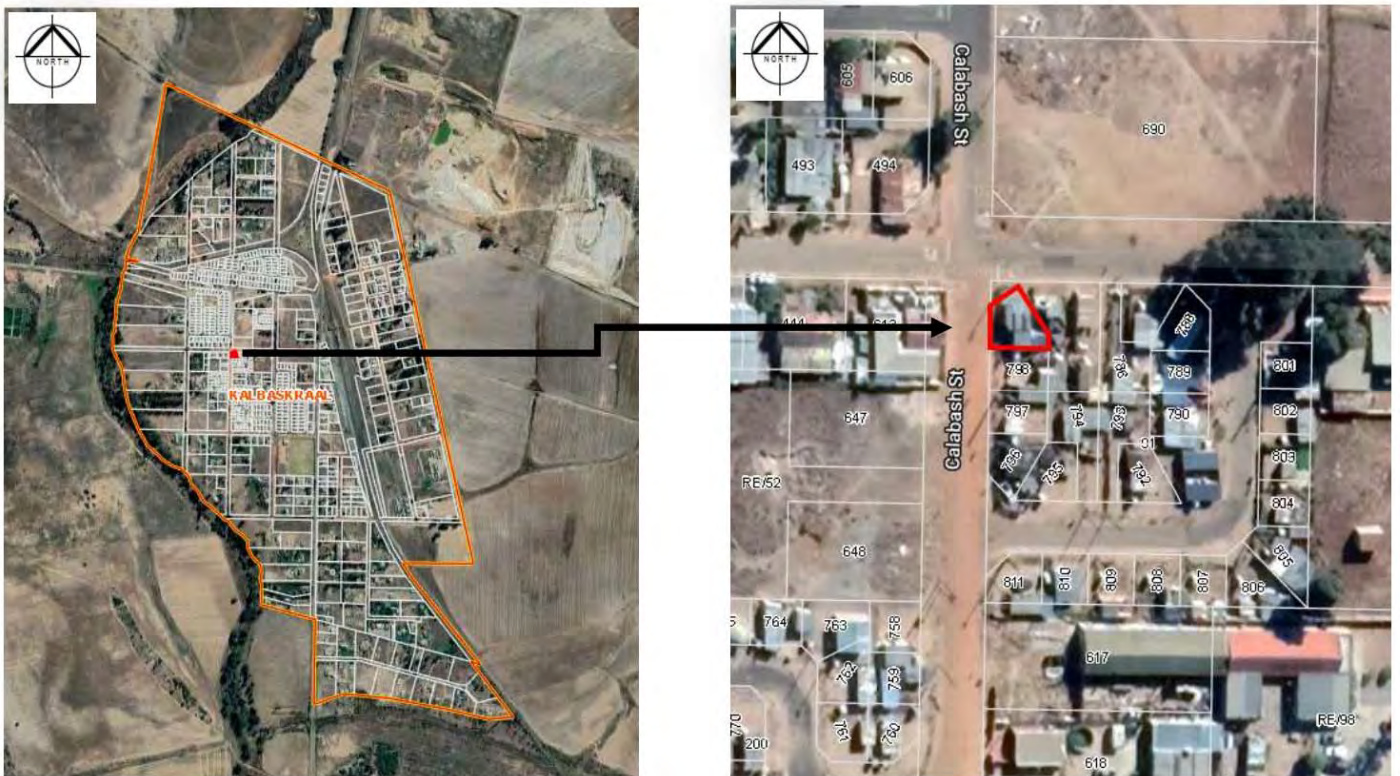
PART A: APPLICATION DESCRIPTION					
An application for a consent use for a house shop on Erf 799, Kalbaskraal in terms of section 25(2)(o) of Swartland Municipality : Municipal Land Use Planning By-law (PG 8226 of 25 March 2020) has been received. It is proposed that a house shop be operated from a portion of proposed buildings (±17m ² in extent).					
The applicant is CK Rumboll & Partners and the property owner is Jason Shaun Saaiman.					
PART B: PROPERTY DETAILS					
Property description (in accordance with Title Deed)	Erf 799, Kalbaskraal (Note, the property is a serviced plot handed over to Mr Saaiman on the 24 th of July 2020. A copy of the handover letter is attached as Annexure D).				
Physical address	C/O Sand and Calabash Street	Town	Kalbaskraal		
Current zoning	Residential Zone 4	Extent (m ² /ha)	100m ²	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020)				
Current land use	Dwelling & shop		Title Deed number & date	Not yet registered	
Any restrictive title conditions applicable	Y	N	If Yes, list conditions	There are no conditions prohibiting the proposed application registered against the remainder of the property from which erf 799 was subdivided and it is not anticipated that any conditions will be imposed with the registration of the property.	
Any third party conditions applicable?	Y	N	If Yes, specify		
Any unauthorised land use/building work	Y	N	If Yes, explain	The shop is unauthorised. It should be noted that the conditions of the hand-over letter / agreement strictly prohibits any form of trading / business on the property without the necessary approval from the Municipality.	

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning		Permanent departure		Temporary departure		Subdivision	
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 plan	
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

The town of Kalbaskraal is the southernmost settlement within the Swartland Municipal jurisdiction area. The town has a rural appearance with a small population of local residents. Kalbaskraal can be accessed from the N7 corridor route that connects Malmesbury with Cape Town or via the Old Malmesbury Road. Erf 799, is located situated within the central part of Kalbaskraal, within a high density residential development of serviced plots. The property is a corner plot, bordered by Sand and Calabash Street.



The owner of Erf 799 started to operate a house shop from the front of his dwelling as a means of generating an income. The necessary and applicable land use rights were not obtained from the municipality, and therefore the owner was served with a notice of illegal land use by the Swartland Municipality on 27 January 2022. Subsequently, an additional illegal land use notice was served on 8 April 2022, due to the owner continuing to operate the house shop without the necessary approval. Thereafter, due to the continued non-cooperation, a court order was served on the 17 June 2022 (Case 663/2022).

CK Rumboll and Partners was thereafter appointed by the property owner (Mr. Jason Saaiman) to perform the necessary and applicable land use actions, i.e. a consent use in order to legally operate a house shop on the property. Subsequently, Swartland Municipality issued the relevant land use approval on 23 of November 2022. Upon receiving the approval, the municipality provided the property owner 60 days to comply with all the relevant conditions of approval. The property owner did not comply with all the relevant conditions of approval and therefore the land use approval lapsed.

The owner of Erf 799, Kalbaskraal wishes to rectify his previous lack of cooperation, and is therefore, once again, applying for the consent use in order to permit the legal operation of a house shop on Erf 799, Kalbaskraal.

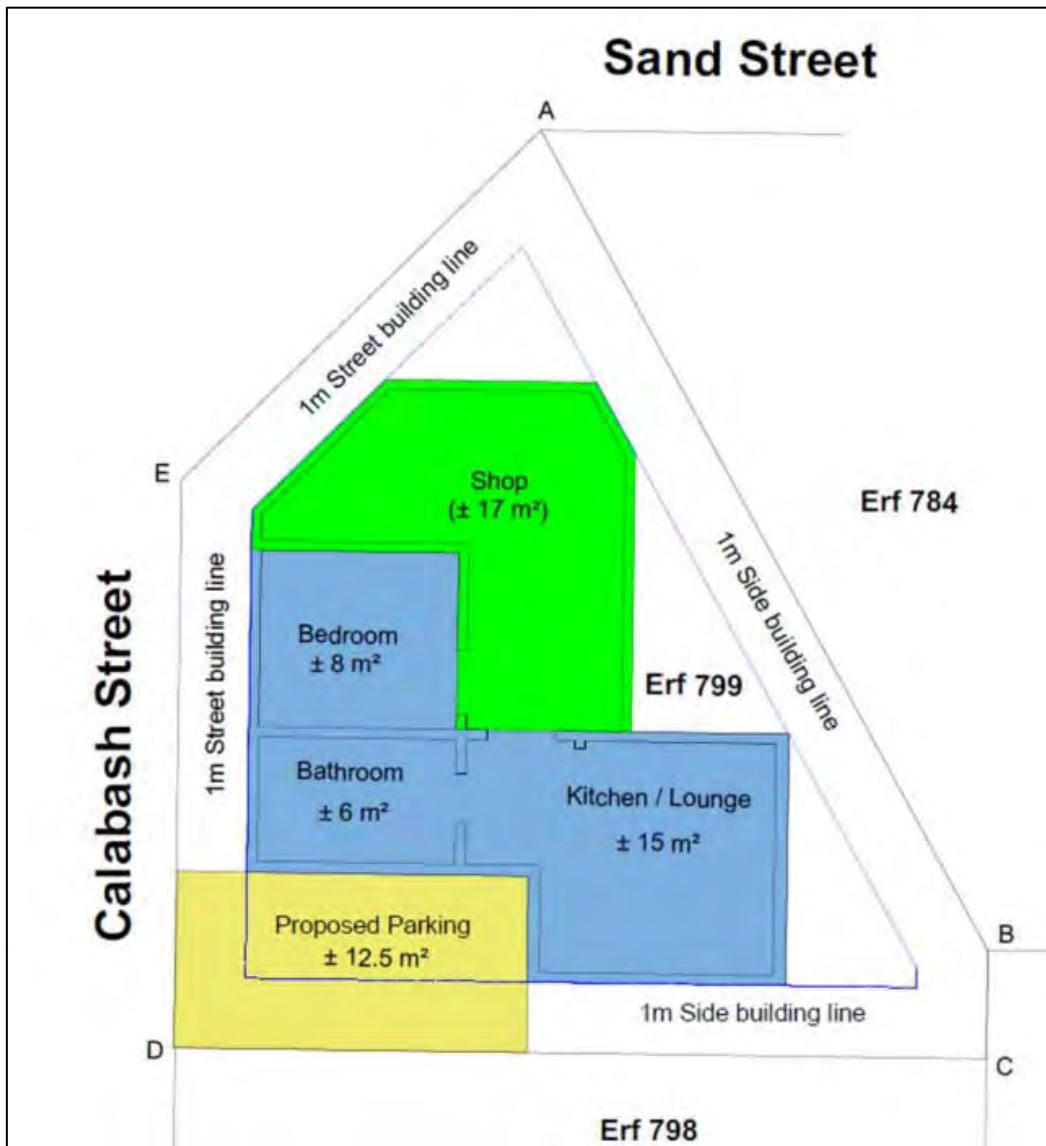
A house shop is defined as: "a premises for the conducting of retail trade from a dwelling or outbuilding by one or more occupants of the dwelling concerned, provided that the dominant use of the dwelling concerned shall remain for the living accommodation of a single family.

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 APPLICANTS MOTIVATION

The Swartland Municipal By-Law on Land Use Planning (PG 8226 of 25 March 2020) makes provision for a dwelling as a primary use under Residential Zone 4 zoning, whilst also making the provision for a house shop as a consent use under Residential Zone 4 zoning. Therefore, considering that the house shop has been in operation until recently, along with being a vital means of income for the property owner, the application is made for the consent use in order to legally operate the existing house shop on Erf 799, Kalbaskraal.



The main use of the subject property will remain to be residential, whilst the house shop will be operated by the occupants of the dwelling. The house shop, which is currently operated from a portion of the existing dwelling on Erf 799, Kalbaskraal, is constructed out of corrugated iron and therefore regarded as an informal structure. The property owner wishes to remove the informal structure and replace it with a formal brick structure, containing the dwelling and house shop.

Formal building plans for Erf 799, Kalbaskraal will be submitted to the Swartland Municipality, which will reflect the proposed Site Development Plan (refer to Annexure B). The development proposal includes a house shop of 17m² in extent, along with a bedroom, bathroom and living area, which will occupy 29m², equalling a dwelling of 46 m² in extent. The house shop will be smaller than 25m² and less than 50% of the total floor area of the proposed dwelling. The subject property will also comprise of a designated parking bay, which will occupy 12,5 m². The bay will be uncovered, permitting its location within the subject properties building lines.

Note: in order to for the subject property to adhere to the relevant municipal requirements and the proposed site development plan, the illegal structures on the subject property will need to be removed.

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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With reference to Section 56(2) of the By-Law, a total of 19 notices were sent via registered post to the owners affected by the application and where available, e-mail addresses were also used.

Total valid comments	1	Total comments and petitions refused	0
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Valid petition(s)	Y	N	If yes, number of signatures
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Community organisation(s) response	Y	N	N/A	Ward councillor response	Y	N	Ward Councillor was informed, but no comments were forthcoming.
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Total letters of support	None						
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PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recommendation	
			Positive	Negative
Division : Building Control	28 July 2022	Building plans to be submitted to Building Control for consideration and approval	X	
Department: Protection Services	22 August 2022	No comment	X	
Department Civil Engineering Services	24 August 2022	<p>Water</p> <p>The existing connection be used and that no additional connections be provided;</p> <p>Sewerage</p> <p>The existing connection be used and that no additional connections be provided;</p> <p>Streets and storm water</p> <p>Deliveries may only be done by delivery vehicles with a gross vehicle mass of 16000kg;</p>	X	

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS	
<p>Anonymous objector</p>	<p>I must in all good conscience object in the strongest terms possible to the granting of this consent.</p> <p>This property is one of the very reasons that the residents around Erf 799 live in fear and are under constant harassment as it has housed a recently removed house/mobile shop that is still been used as a hangout of local a local gang who use this shop and erf as their place of business and regularly rob kids and elderly of their moneys and also the sale of illegal substances and contraband. The police and law enforcement and neighbourhood watch have on many occasions been called to this property. IT HAS RECENTLY BEEN REMOVED AND.... we do not need or want it back.</p> <p>The property is used 24 hours a day 7 days a week and the noise pollution and constant gang turf stabbings and fights are unbearable at times. This all stems from the erf housing a mobile shop/house shop and it is directly opposite a church on Erf 547 that often has to cancel or stop services due to fighting and excessive noise pollution from Erf 799 and a community crèche on Erf 613. Furthermore there is absolutely no need for another house shop in the area, as we already have a Chinese shop on Erf 44, the cheap cheap shop on Erf 618, the mobile on Erf 786, all within 20 meters of this erf and another house shop on Erf 586 and another illegal shop on Erf 786 - this is just over crowding as it is a residential area and not in any way needed or wanted.</p> <p>So I strongly request that his be denied in the strongest terms possible.</p>	<p>The applicant states that, although the sentiment is shared regarding the nuisance caused by individuals on the streets, who use foul language, the social issue of noise and nuisance is likely to continue regardless of whether or not the proposed consent use for a house shop is approved or not.</p> <p>The house shop operates as a small business which sells products to the local community. What happens outside the shop is unfortunately nothing to do with the house shop and is not the responsibility of the house shop owner.</p> <p>The application to legalise the bouse shop is now being made and it has now gone through its public participation process which gives interested and affected parties opportunity to comment on the proposal so that the municipality can make an informed decision.</p> <p>The issue of noise and nuisance is thus not the fault of the house shop, but rather simply because of the location of the subject property. Security and nuisance issues, are the responsibility of the South African Police Department (SAPD), who should be contacted and crimes reported to.</p>	<p>House shops have become part of the character of residential areas, especially the lower income areas, but due to recent national events and the spotlight it directed on house shops, local authorities have been forced to reassess house shops in its areas and to ensure that compliance with legislation is enforced.</p> <p>It is agreed that the owner of Erf 799 does not have control over what happens in the street, however, he does have a responsibility to manage his business in such a manner as to not cause any disturbance to the neighbouring properties. House shops are by default located in residential areas and are subject to the social contract between residents. The function of a residential neighbourhood is first and foremost to provide a safe and secure place for families and households to live.</p> <p>The conditions of approval, such as strict operating hours for the house shop, are intended to manage the potential nuisance caused by a business in a residential area. The approval conditions can also ensure that, if incidents occur in and around the house shop continuously, the consent use approval may be withdrawn.</p> <p>Additionally, if the presence of a business notably disrupts the health and safety of the surrounding residents, both Law Enforcement and the SAPD may be contacted in terms of nuisance By-Laws.</p> <p>It is, however, very important to be able to prove that the offence is caused on the premises of the shop itself or is directly related to the house shop activities.</p> <p>Non-compliance with the requirements set by any of the sectors concerned, will cause administrative actions to be taken against the owner immediately.</p>

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 11 November 2024. The public participation process commenced on 18 November 2024 and ended on 24 January 2025 (affected parties and internal departments). The objection was received and referred to the applicant for comments on 30 January 2025. The municipality received the comments on the objections on 3 February 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

- a) Spatial Justice: According to the SDF, Erf 799 is situated in Area I, with a residential character consisting of densification opportunities and supportive community services. Although primary business uses are not supported in the area, secondary businesses, such as house shops, are. Calabash as well as Sand Streets are identified activity streets. Mixed uses are supported along activity streets. The application is therefore deemed consistent with the spatial planning for Kalbaskraal. The application therefore complies with the principle of spatial justice.
- b) Spatial Sustainability: Existing services are sufficient to accommodate the proposed house shop, which is seen as the optimal use of existing infrastructure. The application therefore complies with the principle of spatial sustainability.
- c) Efficiency: Surrounding land uses include single residential, incremental and vacant properties. The proposed land use change along an identified activity route contributes to achieving the desired mix of land uses. The application also complies with the principle of efficiency.
- d) Good Administration: The application is being processed and finalised timeously. Furthermore, a public participation process, as required by the relevant legislation, was followed and all valid comments and objections are being considered to contribute to the principle of good administration.
- e) Spatial Resilience: The house shop, as local business, supports the local economy and promotes entrepreneurship. House shops play an important role in communities as it is situated within walking distance for customers, who normally need to travel to shops in business areas. Therefore, the application complies with the principle of spatial resilience. Should the house shop not be successful, the proposed structure can easily be converted back into a second dwelling as previously approved.

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

The SDF indicates that erf 799 is situated in land use proposal Area I.

The area has a residential character and includes densification opportunities and supportive community services. Although business uses are not supported in the area, secondary business uses such as house shops are. Calabash as well as Sand Streets are identified activity streets. Mixed uses are supported along activity streets. The application is therefore consistent with the spatial planning of Kalbaskraal.

The SDF forms an integral part of the IDP. Applications are measure according to the principles of the SDF to determine its compliance. Secondly, it could be argued that the proposal supports strategic goal 3, by ensuring quality and sustainable living environments, bringing opportunity closer to the people.

2.3 Schedule 2 of the By-Law (Zoning Scheme Provisions)

The house shop is currently closed, but the infrastructure for the shop still exists. The dwelling and proposed shop adhere to all the parameters set by the By-Law and no departures are deemed necessary.

3. The desirability of the proposed development

Erf 799, Kalbaskraal is zoned Residential zone 4 and is currently developed with a shelter and house shop being operated from an informal structure. The proposal includes the removal of the informal structures with the construction of a formal dwelling with a portion thereof being used as a house shop.

The only physical restriction of Erf 799 is the extent. However, the argument that the property is too small to accommodate the proposal is unjustified, as the property has minimal building line and coverage restrictions and can accommodate a double storey. There is therefore no physical restrictions that affect the proposal negatively.

House shops play an important role in communities as it is situated within walking distance for customers, who normally need to travel to visit shops in business areas. Given the important role house shops play, the Spatial Development Framework makes provision that house shops can be accommodated in all residential areas. The Planning By-Law also makes provision for house shops in the Residential Zone 1, Residential Zone 2 as well as Residential zone 4 zonings as consent uses.

The proposed house shop will not impact negatively on the character of the area, as long as the conditions of approval are adhered to.

The social problems in the community cannot be considered as being created by the operation of the house shop, but should a direct caused correlation be proven, the approval for consent may be withdrawn in future.

The application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP.

The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood.

The willingness of the owner to re-apply for the process and to properly finalise the administrative actions related to the approval, speaks of an understanding and acceptance of the legal burden on and obligations of a house shop owner. It is foreseen that, following the legal process against the previously unauthorised venture, the current house shop will be operated consistent with the development parameters and conditions of the approval.

4. **Impact on municipal engineering services**

The existing services connections are used and are regarded as sufficient.

5. **Public interest**

Public interest must be taken into account with reference to Section 42 of SPLUMA as well as Section 65 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and can be summarised as follows:

The degree to which the development principles, as well as the norms and standards, of relevant legislation and policy will be promoted or prejudiced

From the above information, the proposed consent use is promoted in terms of the development principles and norms and standards of the planning legislation and policy. The proposal is consistent with the spatial planning proposals, is situated in a residential area and the subject property can accommodate the proposed use without it having a negative impact on the neighbouring properties or the character of the area.

The degree of risk or potential risk

There is no risk or potential risk to affected property owners with the imposition of conditions as mentioned above.

The house shop as proposed is in accordance with the parameters of the development management scheme and will also be registered and monitored by the WCDM Department: Environmental Health, with the issuing of a certificate of acceptability.

Impact on existing and surrounding land uses

The application, as proposed, will not have a negative impact on the surrounding land uses.

Whether the proposed development is prejudicial to the interests of the community

There is a definite need for house shops in Kalbaskraal. Accommodating the house shop within the incremental housing area as well as along the identified activity streets brings a socio-economic opportunity closer to the community it is serving. The increase in accessibility as well as the additional job creation for Kalbaskraal is in the interest of the community.

The long term benefit of the proposed development, which at times may be in conflict with short terms gains

The long term benefit of the proposal includes a facility, however small, provides an income for the owners of the property as well as a convenient and easily accessible shop to the community it is serving.

The proposed house shop, if it is operated consistent with the development parameters and approval conditions, will not have an adverse impact on the character of the area and also does not pose any risk to the health and safety of those affected in the immediate area. The facility will promote economic opportunities for the owner and possible assistants, therefore the positive impact on the community of Kalbaskraal outweighs any possible negative impacts.

6. Response by applicant

Refer to Annexure F.

7. Comments from other organs of state/departments

See the comments of internal and external departments at Part H.

The comments from the WCDM are noted.

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 the consent use on Erf 799, Kalbaskraal, be 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 $\pm 17m^2$, as presented in the application;
- b) The operating hours of the house shop be restricted between 7:00 and 21:00 daily;
- c) Building plans, clearly indicating the house shop in relation to the house, be submitted to the Senior Manager: Development Management, for consideration and approval;
- d) The operation of the house shop may not result in congestion / obstruction along Sand or Calabash Streets, therefore at least one on-site parking bay be provided from Calabash Streets;
- e) Application for construction or attaching an advertising sign to the building be submitted to the Senior Manager: Built Environment, for consideration and approval. Only one sign, not exceeding $1m^2$ in area and not exceeding the land unit boundaries with any part of it, be permitted and it indicate only the name of the owner, name of the business and nature of the retail trade;
- f) No more than three persons, including the occupant of the property, are permitted to be engaged in retail activities on the land unit;
- g) Only pre-packaged food products may be sold;
- h) No food preparation be allowed in the house shop;
- i) 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;

- j) Application for a trade licence be submitted to the Director: Development Services for consideration and approval;
- k) Application for a Certificate of Compliance be submitted to the West Coast District Municipality for consideration and approval;
- l) The letter of authorization from Swartland Municipality be displayed inside the house shop;

2. WATER

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

3. SEWERAGE

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

4. STREETS AND STORMWATER

- a) Deliveries may only be done by delivery vehicles of with a gross vehicle mass of 16000kg;

5. GENERAL

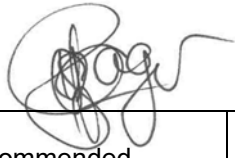
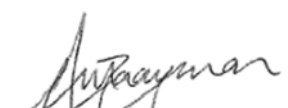
- a) Cognisance be taken of the letter and requirements from the West Coast Districts Municipality, with reference number 13/2/12/1/4, dated 3 December 2024;
- b) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;
- c) The approval 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 for or against the appeal. All conditions of approval be implemented before the new land use comes into operation 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, Yzerfontein, 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.

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 Kalbaskraal, as determined by the SDF.
3. The application supports the local economy and promotes entrepreneurship and local businesses, as a goal of the IDP.
4. The proposed house shop complies with the development parameters and requirements of the By-Law.
5. The development is envisioned to promote economic opportunities, shorter travel distances and amenities in the residential neighbourhood.
6. The proposed consent use will not negatively affect the character of the neighbourhood.
7. Recent events resulted in stricter policing of approval conditions by Law Enforcement, the Department of Health and the SAPD, creating fewer disruptions within residential neighbourhoods by house shops.
8. The owner demonstrated dedication and commitment to correcting the unauthorised land use on the property, as well as any negative behaviour of patrons, in order to be an asset, rather than a nuisance in the neighbourhood.

PART N: ANNEXURES

Annexure A	Locality plan
Annexure B	Site plan
Annexure C	Plan indicating the public participation process
Annexure D	Handover of Serviced Site Confirmation
Annexure E	Objection from Anonymous
Annexure F	Response to Comments
Annexure G	Comments by WCDM

PART O: APPLICANT DETAILS				
Name	CK Rumboll & Partners			
Registered owner(s)	Jason Shaun Saaiman	Is the applicant authorised to submit the application:	Yes	N
PART P: SIGNATURES				
Author details: Annelie de Jager Town Planner SACPLAN: A/2203/2015			Date: 28 February 2025	
Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN: B/8001/2001	Recommended	<input checked="" type="checkbox"/>	Not recommended	<input type="checkbox"/>
			Date: 4 March 2025	

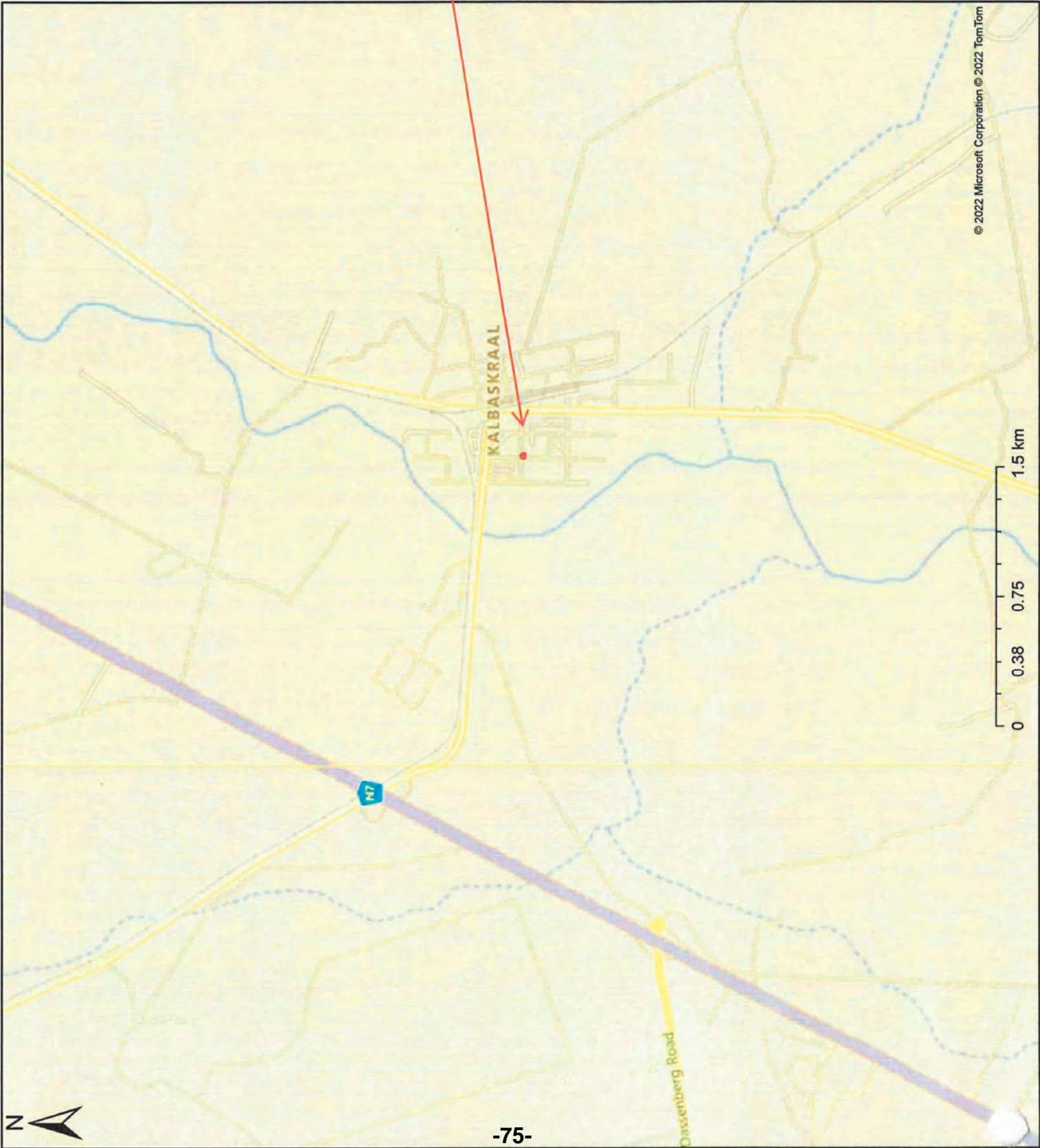
Locality Map of Erf 799, Kalbaskraal



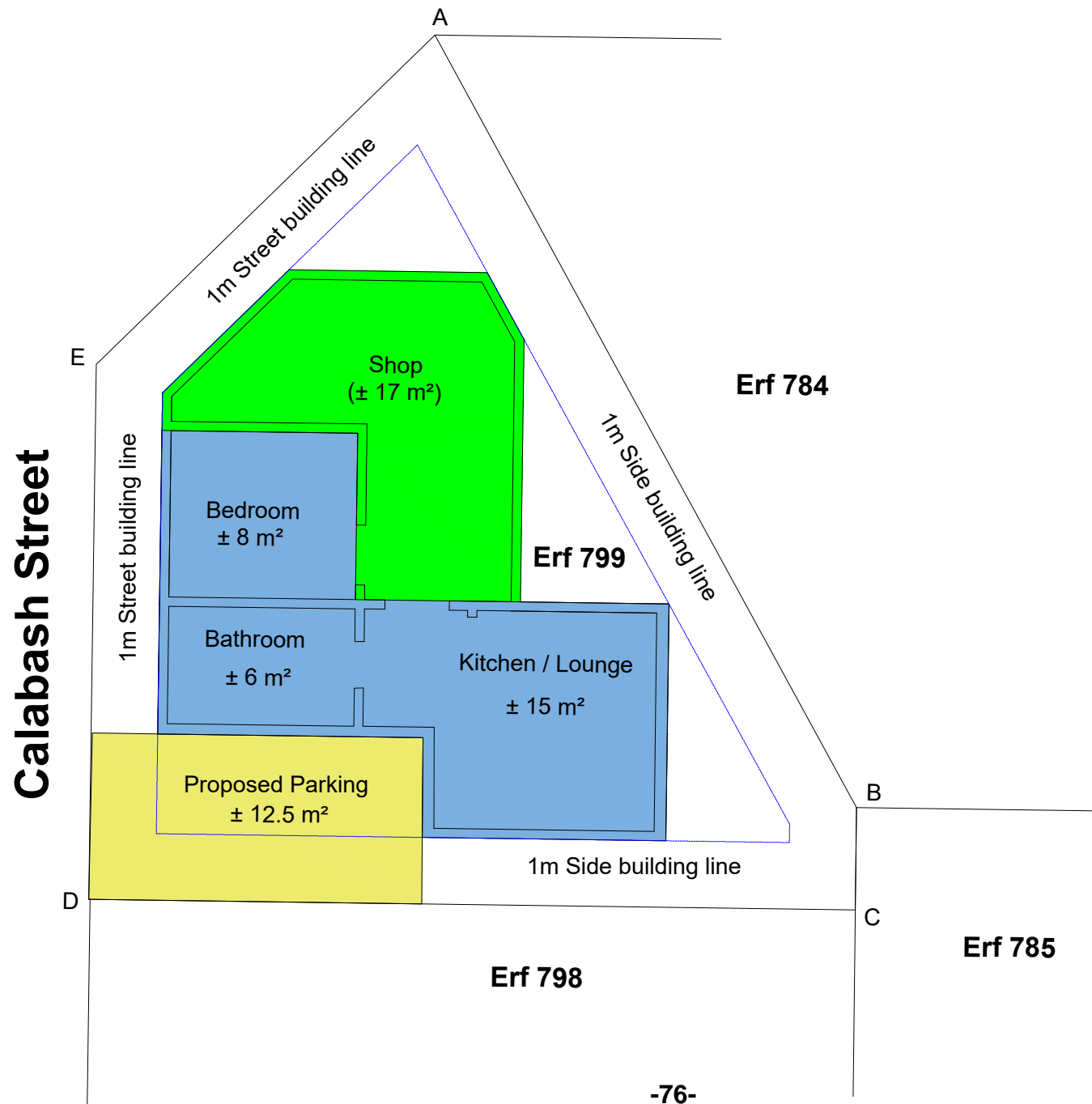
ANNEXURE A

Map Center: Lon: 18°38'12"
Lat: 33°34'21"

Scale: 1:36 112
Date created: July 20, 2022



Sand Street




SITE PLAN

ERF 799 KALBASKRAAL

NOTES:

Figure **ABCDE** represents Erf 799, Kalbaskraal with an extent of 100 m²

LEGEND:

 Erf Boundary

Total Floor Space: ± 46 m ²	
House Shop	± 17 m ²
Dwelling	± 29 m ²

Erf 799

Residential Zone 4

All areas and distances subject to final survey

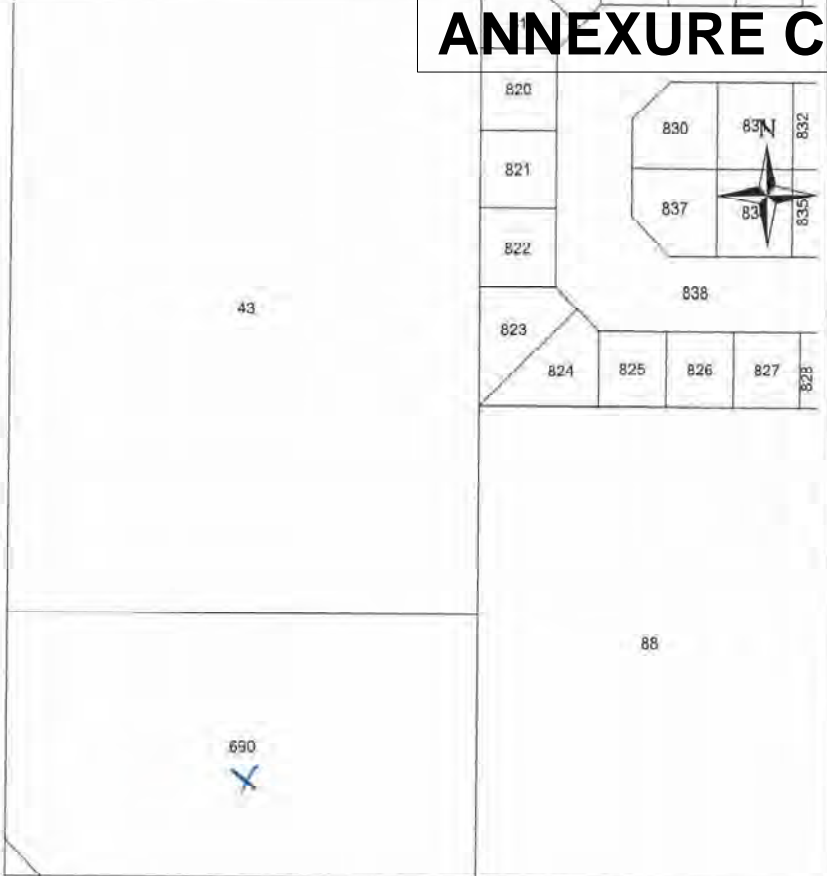
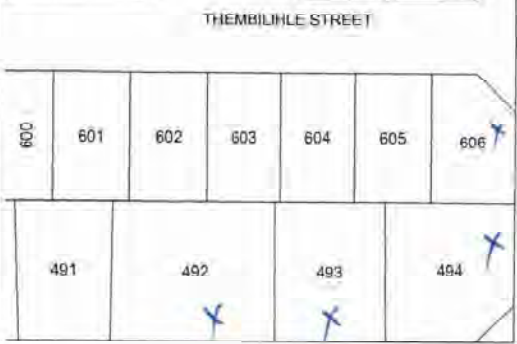
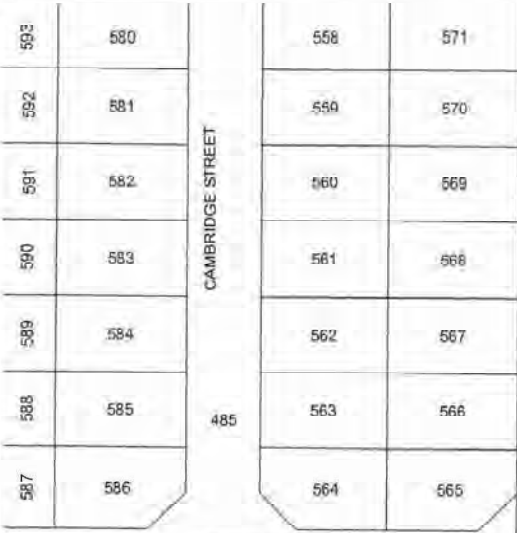


REF: KAL/12603/JL/GE
DATE: OCTOBER 2024

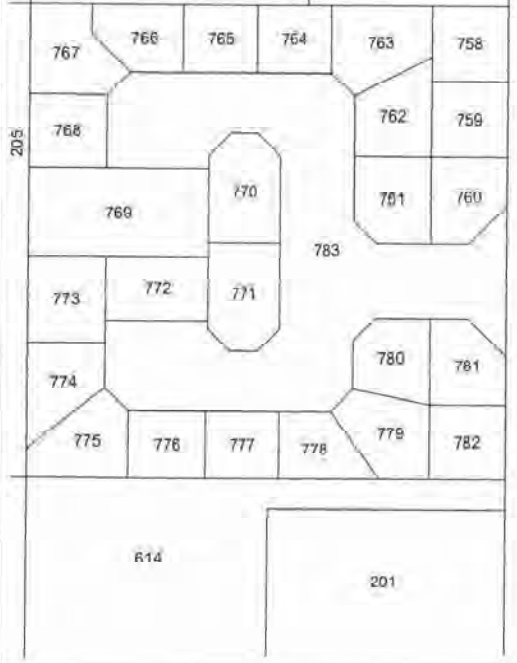
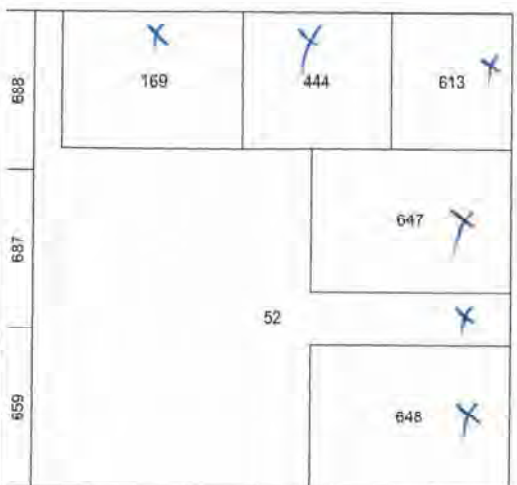


ANNEXURE B

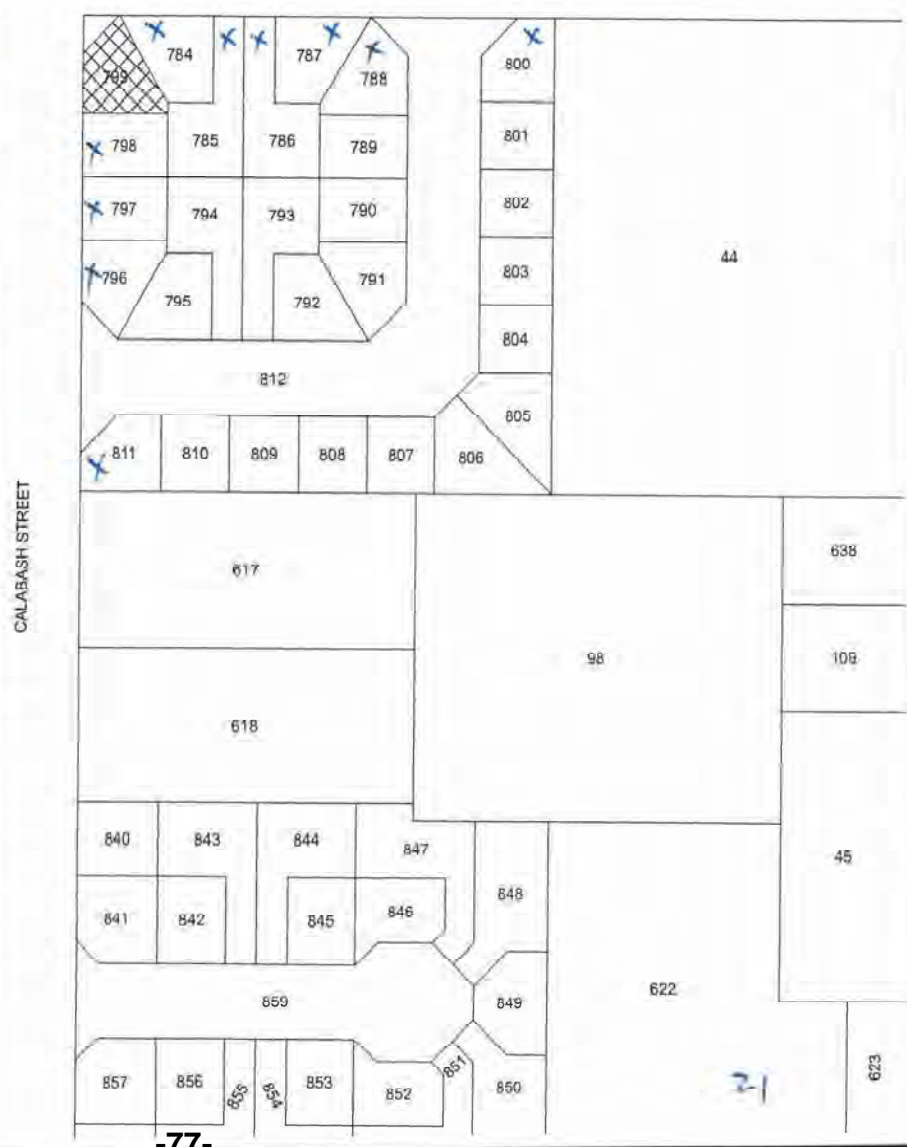
ANNEXURE C



SAND STREET



CALABASH STREET



**SWARTLAND MUNICIPALITY / KALBASKRAAL SERVICED SITES****BENEFICIARY**

Name Jason Saaiman
Id no
Adress Spes Bona, Kalbaskraal

KALBASKRAAL: HANDOVER OF SERVICED SITE

You are invited to take occupation of a serviced site and conclude a Lease Agreement with Swartland Municipality. The property allocated to you is erf 799

The services have now been completed and the site will be handed over to you on the following day:

Date: 24 July 2020

PLEASE REPORT TO THE SITE AT 10h00

Please bring along this letter and your Identity document.

It is important that you be present on this day and time to receive your site, to ensure that the handover process of the sites is completed successfully.

VERY IMPORTANT

- 40. Building of any additional structure on the site as well as any form of trading/ business is subject to the Municipal regulations and must therefore be approved by the Municipality of Swartland.**
- 41. Any unauthorized exchange of erf number with another beneficiary will not be tolerated and will not be accommodated by Exeo/Swartland Municipality.**
- 42. Please note that should you not have taken delivery of the site within 7 days from the handover date above or have made prior arrangements to take delivery on an alternative date, the site will be allocated another person.**

ANNEXURE E

Mr.

Erf 796 Calabash Street

Kalbaskraal

7302

Ref: Response to file 15/3/10-6/Erf 799

Date: 25 November 2024

Att: Municipal Manager

CELL: 0715112415

CC: Mr. Alwyn Burger

I must in all good conscience object in the strongest terms possible. to the granting of this consent

This property is one of the very reasons that residents around Erf 799 live in fear and are under constant harassment as it has housed a recently removed house/ mobile shop that is still been used as a hang out for a local gang who use this shop and Erf as their place of business and regularly rob kids and elderly of their moneys and also for the sale of illegal substances and contraband. The police and law enforcement and neighbor hood watch have on many occasions been called to this property. IT HAS RECENTLY BEEN REMOVED AND.... **we do not need or want it back.**

The property is used 24 hours a day 7 days a week and the noise pollution and constant gang turf stabbings and fights are unbearable at times. This all stems from this Erf housing a mobile shop/house shop and it is directly opposite a church on Erf 547 that often has to cancel or stop services due to fighting and excessive noise pollution from Erf 799 and a community crèche on Erf 613 Further more there is absolutely no need for another house shop in this area as we already have the Chinese shop on Erf 44 the cheap cheap shop on Erf 618 the mobile on Erf 786 all within 20 meters of this Erf and another house shop on Erf 586 and another illegal shop on Erf 786 this is just over crowding it's a residential area and not in any way needed or wanted.

So I strongly request that this request be denied in the strongest terms possible.

Please not that I wish to remain anonymous as I have already been attacked by 10 of these gangsters for objecting to noise pollution and fighting right through the night more often or not on this very Erf 799

Please confirm this correspondence and its content

Thanking you in advance

Paul Gerber

Owner

Erf 796

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 03 February 2025

OUR REF: KAL/12603/JL/GB

ATTENTION: Mr Alwyn Zaayman

Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7300

RESPONSE TO OBJECTIONS RECEIVED FROM THE PUBLIC **PROPOSED CONSENT USE ON ERF 799, KALBASKRAAL**

1. Introduction

The land use application for the proposed consent use, in order to accommodate a house shop, on Erf 799, Kalbaskraal, submitted 29 October 2024, refers. The relevant public participation period for the proposed land use application on Erf 799, Kalbaskraal, concluded on the 24th of January 2025. On the 31st of January 2025, our office (CK Rumboll and Partners) received formal email correspondence from the Swartland Municipality, notifying us of, as well as also providing us with the objections received from the public during the public participation period.

Subsequent to the commencement of the public participation period, formal objection was received by:

1.) Mr. Paul D. Gerber (Owner of Erf 796, Kalbaskraal).

The following document addresses the objections received by Mr. Paul D. Gerber, during the public participation period.

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP SteylPrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: planning6@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

1. Comments on Objections

Please see CK Rumboll and Partners response to the objections received below in tabular form.

Table 1: Comments on Objections

Objector	Objections	Comments from CK Rumboll & Partners
Paul D. Gerber	<p>I must in all good conscience object in the strongest terms possible to the granting of this consent.</p> <p>This property is one of the very reasons that the residents around Erf 799 live in fear and are under constant harassment as it has housed a recently removed house / mobile shop that is still been used as a hangout of local a local gang who use this shop and Erf as their place of business and regularly rob kids and elderly of their moneys and also the sale of illegal substances and contraband. The police and law enforcement and neighbourhood watch have on many occasions been called to this property. IT HAS RECENTLY BEEN REVOBED AND.... <u>we do not need or want it back.</u></p> <p>The property is used 24 hours a day 7 days w week and the noise pollution and constant gang turf stabbings and flights are unbearable at times. This all stems from this Erf housing a mobile shop / house shop and it is directly opposite a church on Erf 547 that often has to cancel or stop services due to fighting and excessive noise pollution from Erf 799</p>	<p>In response to Mr. Paul D. Gerber’s objections, we would like to formally address the concerns raised and provide a clear perspective on why the relevant land use application for a consent use, in order to accommodate a house shop on Erf 799, Kalbaskraal, should be supported and approved by the Swartland Municipality.</p> <p>It is important to clarify that the current closure of the shop is a direct result of the property owner’s commitment to complying with both municipal regulations and law enforcement. The house shop was temporarily closed in order to ensure full adherence to the relevant regulations while the land use application is being processed. Once the land use approval is obtained and all conditions of approval are met, the house shop will be eligible to be reopened. The property owner has shown commitment to ensuring that the proposed house shop will comply with all the conditions set forth by the Swartland Municipality, which will be strictly adhered to during and after the approval process. It is essential to differentiate between past issues, which have been, and are in the process of being addressed, and the new land use application, which will be conducted in full compliance with the law and within the constraints of all applicable conditions, as set out by the Swartland Municipality.</p> <p>Regarding the allegations of gang activity, theft, and illegal activities</p>

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP SteylPrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: planning6@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661

	<p>and a community crèche on Erf 613. Furthermore there is absolutely no need for another house shop in this area as we already have a Chinese shop on Erf 44, the cheap cheap shop on Erf 618, the mobile on Erf 786, all within 20 meters of this Erf and another house shop on Erf 586 and another illegal shop on Erf 786 this is just over crowding it's a residential area and not in any way needed or wanted.</p> <p>So I strongly request that his be denied in the strongest terms possible.</p>	<p>associated with the previously operated house shop on Erf 799, Kalbaskraal, it is important to note that the property owner is dedicated to ensuring that the proposed house shop on Erf 799, Kalbaskraal, will not attract or facilitate any unlawful behaviour. The property owner understands the importance of maintaining the safety and well being of the local community within Kalbaskraal, and will therefore be open to working and collaborating with both law enforcement and local security services to prevent any potential disturbances. The existence of an individual business with the area does not automatically equate to a rise in crime, and it is therefore crucial that the focus is instead placed on effective law enforcement and business / community monitoring and cooperation, in order to ensure a safe environment for all.</p> <p>Furthermore, the proposed land use application aligns with the existing and applicable zoning regulations, and it is not unusual for residential areas to have localized commercial activities, such as house shops, provided that the relevant land use approvals have been obtained. Therefore, with regard to the specific objection regarding the number of existing legal and illegal house shops in the area, the proposed house shop on Erf 799, Kalbaskraal, subject to municipal approval, is intended to offer a service that complements the existing businesses rather than compete with them. The inclusion of an additional house shop will help meet the demand for accessible services in the area, thereby providing residents with more options and convenience. The fact that multiple businesses are already operating within the vicinity of Erf 799, Kalbaskraal, reflects the need for such services, and therefore a regulated, well managed house shop will not contribute to overcrowding, but will instead support the vitality of the surrounding area.</p> <p>In addition, the relevant property owner is committed to maintaining a</p>
--	--	--

		<p>respectful relationship with the neighbouring properties, including the church and community crèche. Measures will be put in place to minimize noise pollution, thereby maintaining a clean and orderly environment, as well as ensure that the proposed house shop does not interfere with community activities, such as church services or day care operations. Clear guidelines on operating hours and acceptable conduct will be established to ensure the proposed house shop remains a positive, contributing factor to the surrounding community. The property owner will be held accountable to ensure that all operations align with the surrounding community's best interests.</p> <p>Whilst, the concerns raised by Mr. Paul D. Gerber are recognised and understood, it is important to acknowledge that the proposed house shop will be managed in strict compliance with all conditions set forth by the Swartland Municipality. The proposed house shop will be operated in a way that positively contributes to the local community within Kalbaskraal, thereby offering much needed services, while ensuring the safety and well being of the area's residents. Therefore, we respectfully request that the Swartland Municipality consider these points when further evaluating the land use application.</p>
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2. Conclusion

The objections raised by Mr. Paul D. Gerber, while understandable in light of past challenges, do not fully consider the proactive steps the property owner is taking to address the concerns and comply with all the relevant municipal regulations. The temporary closure of the house shop is a demonstration of the property owner's commitment to adhering to both the Swartland Municipality and law enforcement's requirements. The proposed house shop will operate within the boundaries of the law, ensuring a safe and supportive environment for the surrounding community. The property owner's dedication to working with law enforcement, maintaining good relationships with neighbours, and minimizing any negative impact on surrounding properties and businesses, underscores their commitment to responsible development. The existence of the proposed house shop will serve the local community by providing essential services, complementing existing businesses, and contributing to the overall well being of the surrounding area.

This office is of the opinion that the approval of the land use application for a consent use, in order to accommodate a house shop on Erf 799, Kalbaskraal, once compliant with all relevant conditions, will be a valuable addition to the area, as it will enhance accessibility, convenience, and economic opportunities for local residents. We respectfully urge the Swartland Municipality to take into account the broader community benefits and the property owner's unwavering commitment to full compliance, when reviewing this land use application. Approving this land use will not only meet the immediate needs of the community but will also encourage entrepreneurship, drive sustainable growth, and contribute to the development of a responsible and thriving neighbourhood.

We trust you will find the above in order when further considering the relevant land use application.

Kind regards



Jolandie Linnemann / Grant Baartman

For CK RUMBOLL AND PARTNERS

**WESKUS
DISTRIKSMUNISIPALITEIT
WEST COAST DISTRICT
MUNICIPALITY**

ANNEXURE G

Rig alle korrespondensie aan:
Address all correspondence to:

**MUNISIPALE BESTUURDER/
MUNICIPAL MANAGER**

Navrae/Enquiries : L Howburg
Verw.Nr./Ref. No.: 13/2/12/1/4



Posbus / P O Box 242
MOORREESBURG 7310

Telefoon/Phone (022)
4338400
Faks/Fax Nr. 0866926113

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

03 December 2024

MEMORANDUM

TO

FROM

**D STALLENBERG
Division: Town Planning**

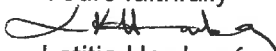
**L HOWBURG
Division: Environmental Health**

Dear Madam

COMMENTS: PROPOSED CONSENT USE ON ERF 799, KALBASKRAAL

1. The premises must comply with requirements of Regulation 638, Regulations Governing General Hygiene Requirements for Food Premises, the Transport of Food and Related Matters.
2. Subject to subregulation (11) and regulation 14(4) and (5), a person may not handle food or permit food to be handled on food premises in respect of which a valid certificate of acceptability, has not been issued.
3. A person in charge of the food premises wishing to obtain a certificate of acceptability must apply in writing, on a form that will be provided to him/her by this department.
4. If an inspector, after carried out an inspection, is satisfied that the food premises comply with the provisions of the regulation, a Certificate of Acceptability will be issued.

Yours faithfully


Letitia Howburg



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Development Services
Department: Development management

28 February 2025

15/3/10-8/Erf 10728

WYK: 10

ITEM 6.4 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 12 MARCH 2025

LAND USE PLANNING REPORT

PROPOSED CONSENT USE ON ERF 10728, MALMESBURY

Reference number	15/3/10-8/Erf 10728	Submission date	17 October 2024	Date finalised	28 February 2025
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PART A: APPLICATION DESCRIPTION

Application is made for a consent use on Erf 10728, Malmesbury, in terms of Section 25(2) (o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), to accommodate a double dwelling house on the property.

The applicant is Alternplan and the property owners is Muhammad Rayhanul Abedin.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	ERF 10728 MALMESBURY, IN THE SWARTLAND MUNICIPALITY, MALMESBURY DIVISION, PROVINCE OF WESTERN CAPE				
Physical address	37 Love Street, Glen Lily	Town	Malmesbury		
Current zoning	Residential Zone 1	Extent (m ² /ha)	376m 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	Vacant property	Title number & date	T55160/2023		
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		

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning		Permanent departure		Temporary departure		Subdivision	
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 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

Application is made for a consent use on Erf 10728, Malmesbury in terms of section 25(2)(o) of Swartland Municipality: Municipal Land Use Planning By-law (PG 8226 of 25 March 2020) to accommodate a double dwelling house on the subject property.

Erf 10728, Malmesbury is currently zoned Residential Zone 1, and is located within the Glen Lily development.

A second dwelling smaller than 60m² is an additional use right in terms of the development management scheme. A building plan application was consequently approved on the 19th of October 2023 to accommodate a double dwelling with the second dwelling being 51,26m² in extent. The owner has opted not to build the separate garage and to rather include the area as part of the second dwelling. The proposal therefore entails to accommodate a double dwelling house being 74m² in extent.

A double dwelling is permitted as a consent use under the Residential Zone 1 zoning.

It should be noted that, with a previous application for a double dwelling within the Glen Lily development a copy of the resolution was provided from the Glen Lilly Owners association where it was confirmed that the owner's association does not object to the proposal to accommodate two units on one erf, it was however acknowledged by the members present at the meeting, that the financial implications require further investigation and agreement among all members. This is seen as an internal issue for the Owners Association to determine and enforce and does not impact on the proposed application.

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 proposed consent use for a double dwelling house can be motivated based on the following:

1. The building plan proposal is located within a built-up residential area, within the Glen Lily Estate and is therefore construed to be consistent with the Malmesbury Spatial Development Plan.
2. No restrictive title conditions. The consent of the Glen Lily South Homeowners' Association has been obtained as reflected by the approval stamp dated 09 April 2024, applied to the enclosed building plan, as required in terms of Title Condition D of Deed of Transfer No. T55160/2023.
3. A second dwelling is permitted as a consent use on the subject property, as provided for in terms of S.25(2) of the Swartland Planning Bylaw.
4. No change of land use is proposed – The Second Dwelling can be accommodated as a consent use, in terms of S.25(2) the Swartland Planning By-Law.
5. The building plan proposal has no impact on the neighbours as second dwellings are now commonplace within residential areas.
6. The proposed building plan application is consistent with developments in the area, which has medium-density residential character.
7. Constitutes a simple building plan application to improve the living conditions of the landowner and his/her family.
8. The building plan application is compatible with the medium-density residential character of the area.

9. No additional impact on existing engineering services. Constitutes a second dwelling application in an area where there is sufficient services capacity to accommodate the future occupants of the new second dwelling.
10. No safety or health concerns. Constitutes a second dwelling application to improve the living conditions of the landowner and his/her family.
11. No environmental implications. Constitutes a second dwelling application to improve the living conditions of the landowner and his/her family.
12. Onsite parking requirements have been met as per town planning requirements.
13. The proposal addresses the principle of Spatial Sustainability with respect to proposing a spatial compact development, in a location that is sustainable and limits urban sprawl.
14. The proposal addresses efficiency as it promotes the optimization of resources and discouraging urban sprawl.
15. No party's constitutional property rights will be infringed upon by virtue of the application submitted herewith.

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
A total of 11 registered notices were issued to affected parties and although 10 of the 11 notices were returned unclaimed the author of this report would like to emphasize that the same notices were also sent via e-mail to 8 of the affected parties where the municipality had record of an email address. Please refer to Annexure D for public participation map.			
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
Total letters of support	0		
	Y	N	The application was forwarded to councillor Van Essen, 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	10 October 2024	Building plans be submitted to Building Control for consideration of approval	Comments only													
Protection Services	7 October 2024	No comments	No comment													
Department: Civil Engineering Services	14 October 2024	<p>1. <u>Water</u></p> <p>The existing water connection be used and that no additional connections be provided;</p> <p>2. <u>Sewerage</u></p> <p>The existing sewer connection be used and that no additional connections be provided;</p> <p>3. <u>Other</u></p> <p>Fixed cost development charges be made as follows:</p> <table border="1" data-bbox="622 869 1328 1129"> <thead> <tr> <th></th> <th>Bulk Contribution</th> </tr> </thead> <tbody> <tr> <td>Bulk Water Distribution</td> <td>R5 181,82</td> </tr> <tr> <td>Bulk Water Supply</td> <td>R2 910,83</td> </tr> <tr> <td>Sewer</td> <td>R1 810,13</td> </tr> <tr> <td>WWTW</td> <td>R1 962,32</td> </tr> <tr> <td>Roads</td> <td>R5 694,50</td> </tr> </tbody> </table>		Bulk Contribution	Bulk Water Distribution	R5 181,82	Bulk Water Supply	R2 910,83	Sewer	R1 810,13	WWTW	R1 962,32	Roads	R5 694,50	Comments only	
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WWTW	R1 962,32															
Roads	R5 694,50															
Department Electrical Engineering Services	2 October 2024	No comment	Comments only													

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL ASSESSMENT OF COMMENTS	
<p>Mr C Swart as neighbouring property owner of erf 10732, Malmesbury</p>	<p>Me Swart objected to the application for the following reasons:</p> <ol style="list-style-type: none"> 1. Mr Swart is firstly questioning the process as on both erven 10733 and 10728 the dwellings have already been built with no consent use approval. 2. Mr Swart secondly questions the compliance of the proposal with the fenestration regulations specifically relating to the bathrooms. 3. He objects to the increase in the number of vehicles parking in the road as insufficient space is provided for parking. 4. The plan provided with the application departs from the maximum wall height as required in terms of the Guidelines and is not accurate in terms that which is already built on the property. The objector also questions the position of the existing building which is possibly encroaching the building line affecting their property. 5. Lastly the objector questions the functioning of the water and electrical bill with two families living on the property. 	<ol style="list-style-type: none"> 1. The applicant did not respond to this comment. 2. The applicant motivates that they have provided for mechanical extraction and artificial lighting in accordance with SANS 10400 xa Part "O". 3. The applicant motivates that on this specific property onsite parking is provided for a total of 6 vehicles. 4. The applicant states that there was no drawing attached indicating the alleged high wall exceeding the 1,8m restriction. The applicant also states that they are not aware of any building work departing from the proposed plan. The applicant responds to the alleged departure by stating that they are also not aware of the building being built over the boundary line and surely the building inspector would have corrected it during the foundation inspection. 5. Regarding the water and electricity bill the applicant respond that it is of no concern to the objector. 	<ol style="list-style-type: none"> 1. A mentioned above, a building plan was approved in 2023, within the legal rights of the property owner. Deviations from the approved plan would need to be rectified. The process followed as well as the public participation process are consistent with the applicable legislation. 2. Compliance with the relevant regulations will be enforced before an occupancy certificate is issued. 3. Sufficient on-site parking is proposed with the subject application. The cars parking in the road potentially blocking traffic or causing frustration to neighbouring property owners should be dealt with by the Owners Association. The application complies with the required on-site parking. 4. The objector is referring to building lines and the applicant is referring to boundary lines in their comments. It should be noted that Glen Lily specifically has zero (0m) building lines except for where windows and doors are proposed. In that case a set back of 1m must be observed. The building control officer will ensure that the property is inspected, and that building work does not depart from the approved plans before an occupancy certificate is issued. 5. It is agreed that this has nothing to do with the objector.

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 17th of October 2024. The public participation process commenced on the 14th of October 2024 and ended on the 15th of November 2024. The objection was received and referred to the applicant for comment on the 20th of November 2024. The municipality received the comments on the objections from the applicant on the 4th of December 2024.

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

- a) Spatial Justice: The proposed double dwelling supports higher density and enhances the availability of alternative residential opportunities, making the area more accessible to a wider range of society;
- b) Spatial Sustainability: The proposed development promotes the intensive utilisation of engineering services, without additional impact on the natural environment. Urban sprawl is contained through densification;
- c) Efficiency: The development proposal promotes the optimal utilisation of services on the property and enhance the tax base of the Municipality;
- d) Good Administration: The application and public participation were administrated by Swartland Municipality and public and departmental comments obtained;
- e) Spatial Resilience: The proposed double dwelling creates more affordable housing typologies in Malmesbury.

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)

According to the PSDF (2014), 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) 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

And to secure a more sustainable future for the Province the PSDF propose that settlement planning and infrastructure investment achieves:

- (a) Higher densities
- (b) A shift from a suburban to an urban development model
- (c) More compact settlement footprints to minimise environmental impacts, reduce the costs, time impacts of travel, and enhance provincial and municipal financial sustainability in relation to the provision and maintenance of infrastructure, facilities, and services.
- (d) Address apartheid spatial legacies by targeting investment in areas of high population concentration and socio-economic exclusion.

The development proposal is therefore deemed consistent with the PSDF.

2.3 West Coast District SDF (WCDSDF, 2020)

In the WCDSDF, 2020 it is stated that the functional classification for Malmesbury is a regional centre and according to the growth potential study, only Malmesbury and Vredenburg has been classified as towns with an extremely high growth potential index.

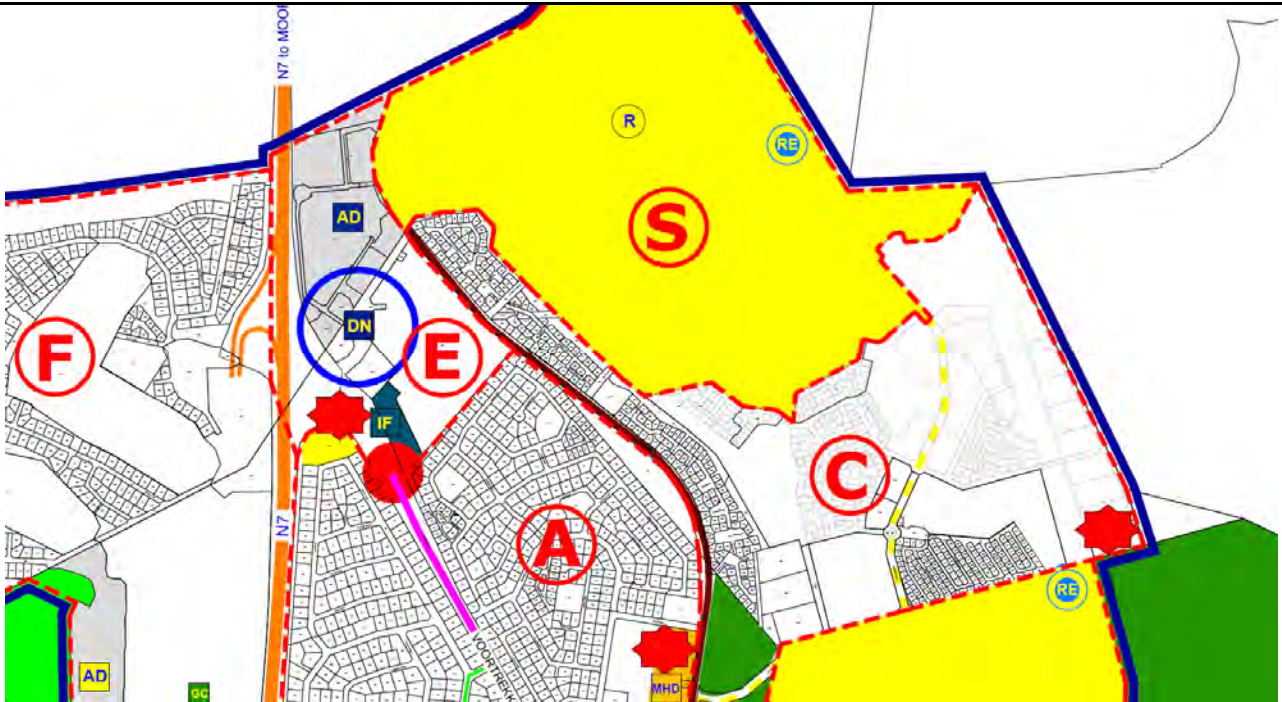
In terms of the built environment policy of the WCDSDF, local municipalities should plan sustainable human settlements that comply with the objectives of integration, spatial restructuring, residential densification, and basic service provision. Priority should also be given to settlement development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

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, to inform planning decisions (as required in terms of SPLUMA and recommended in the PSDF, 2014), to improve quality of life and access to amenities and opportunities to all residents in the WCDM.

A second dwelling promotes the principle, optimising the use of resources and limiting urban sprawl. It could therefore be argued that the proposal is consistent with the spatial planning policies of the WCDSDF, 2020.

2.4 Municipal Spatial Development Framework (SDF), 2023

The subject property is situated in land use proposal zone C as indicated on the land use proposal map of Malmesbury. Please refer to the extract below. Zone C is an integrated residential area with supporting social and commercial uses and according to the MSDF, 2023, Low and medium density residential uses are supported within this zone.



Medium density Residential uses are defined as: *Residential densities of up to 20 to 50 units per hectare within the Residential Zones 2 and 3, General Residential Zones 1 and 2* can be accommodated within these zones.*

The proposal is deemed consistent with the MSDF, 2023 as it will result in an increase in density of units per Ha, which is supported. The proposal also provides different housing types to allow for integration and spatial justice. It is also recognised that the proposal supports Objective 1 and 4 of the MSDF.

*Objective 1: Grow economic prosperity and facilitate economic sector growth and
Objective 4: Protect and grow place identity and cultural integrity*

The proposal is therefore deemed consistent with the land use proposals of the MSDF, 2023.

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

The proposal complies with the parameters of the development management scheme.

3. Desirability of the proposed utilisation

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

The proposed application is consistent and not in contradiction with the Spatial Development Frameworks adopted on Provincial, District and Municipal levels.

The proposal is spatially resilient, as it proposes housing options that are more affordable.

The Glen Lilly Estate can be medium density, however, through the design guidelines permitting 0m building lines as well as 75% coverage. The character created by these relaxed parameters is that of a higher density. The proposal does not detract from the character of the area, and it may be argued that it will contribute to the overall sense of place.

The proposed second dwelling (double dwelling house) will have a positive economic impact, as it generates income for both the landowner, municipality (through rates and taxes) and tourism, through the spending of the new residents / visitors to 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 assets.

From the proposal access to the property is obtained directly from Love Street. The impact of the proposal on traffic in the area will be minimal and sufficient on-site parking is provided.

The development proposal is considered desirable.

4. Impact on municipal engineering services

The proposed application is intended to optimise the use of existing infrastructure and municipal engineering services. Development charges will be levied in accordance with the applicable tariffs.

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 rights

N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for consent use on Erf 10728, Malmesbury, in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2021), be approved, subject to the conditions:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a double dwelling house, as presented in the application;
- (b) The double dwelling adheres to the applicable development parameters;
- (c) Building plans be submitted to the Senior Manager: Development management for consideration and approval;

2. WATER

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

3. SEWERAGE

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

4. DEVELOPMENT CHARGES

- (a) The development charge towards the supply of regional bulk water amounts to R 11 514,95 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 2024/2025 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The development charge towards bulk water reticulation amounts to R6 468, 75 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/249-174-9210);
- (c) The development charge towards sewerage amounts to R 4 022,70 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-184-9210);
- (d) The development charge towards wastewater treatment amounts to R 4 360,80 and is for the account of the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/240-183-9210);
- (e) The development charge towards streets amounts to R 12 654,60 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter. (mSCOA 9/249-188-9210);
- (f) The development charge towards electricity amounts to R 5 658,36 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2024/2025 and may be revised thereafter (mSCOA 9/253-164-9210);
- (g) The Council resolution of May 2024 makes provision for a 55% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2024/2025 and may be revised thereafter.

5. GENERAL

- (a) 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.
- (b) Should it be determined necessary to expand or relocate any of the engineering services to provide the development with connections, said expansion and/or relocation will be for the cost 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 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.
- (d) All conditions of approval be implemented before the new land uses come into operation/or occupancy certificate be issued 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.
- (e) 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 second dwelling is a residential use and is therefore consistent with the proposals of the MSDF.
- 2) A double dwelling is accommodated as a consent use under Residential Zone 1 of the Development management scheme and there are no restrictions registered against the title deed of the property or contained in the design guideline of the Estate prohibiting the proposal.
- 3) The development proposal supports the optimal utilisation of the property.
- 4) The second dwelling provides in a need for a larger variety of housing opportunities to the wider population.
- 5) The development proposal will not negatively impact on the character of the Glen Lily Estate or the larger Malmesbury.



PART N: ANNEXURES

- Annexure A Locality plan
- Annexure B Approved building plan
- Annexure C Proposed building plan
- Annexure D Public participation plan
- Annexure E Owners Association's Consent
- Annexure F Objection from C Swart
- Annexure G Applicants comments on the objections
- Annexure H Photos

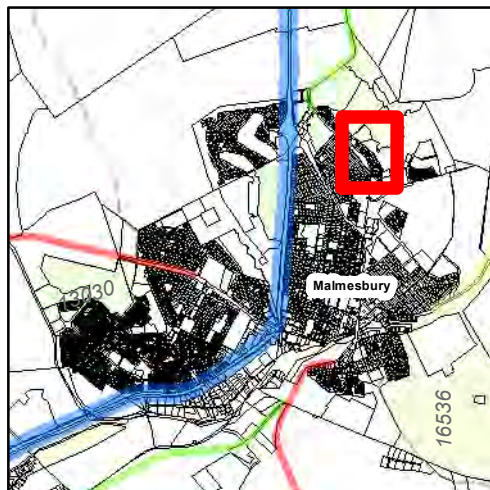
PART O: APPLICANT DETAILS

First name(s)	Kevin Sampson			
Registered owner(s)	Muhammad Rayhanul Abedin	Is the applicant authorised to submit this application:	Y	N

PART P: SIGNATURES

Author details: Herman Olivier Town Planner SACPLAN: A/204/2010			Date: 28 February 2025	
Recommendation: Alwyn Zaayman Senior Manager: Development management SACPLAN: B/8001/2001	Recommended	<input checked="" type="checkbox"/>	Not recommended	
			Date: 4 March 2025	

LOCATION PLAN PORTIONS OF ERF 10728, MALMESBURY



ANNEXURE B

NOTE:
Building inspector to evaluate boundary pegs before commencement of building work. No building work to encroach any erf boundaries.

Use written dimensions in preference to scaling. Any discrepancies found on this drawing are to be reported to the architect.
All work to be done in accordance with local authority by-laws, DMS, NBR and SANS 10400 XA / 2014 Specifications and Glen Lily estate architectural guidelines.

Please note this drawing is intended as a local authority submission drawing only, and as such does not reflect or constitute a comprehensive specification for the works.
As such the architect's responsibility and liability will terminate on local authority approval of this drawing.

SPECIFICATIONS:
FOUNDATIONS: 700x200mm mass concrete strip footings to external & load bearing walls & 600x200mm m/c slab thickening to int. walls. Foundations to boundary walls as shown on sections. No footings to project over boundary line.
FLOORS: 25mm Thick cement screed on 75mm thick mesh reinforced concrete slab on 250mm DPM on clean well compacted sand fill. Dpc min. 150mm above egl. Provide "soft" expansion joints as specified by engineer. R.C slab to Eng. Spec.
WALLS: External walls: All brickwork to be 90-90mm cement bricks 230mm thick, internal skin, 50mm clean cavity with 5x butterfly ties per sqm. 250 micron stepped DPC to min. 10mm wide weep holes at max. 600mm c/c. FFL min. 150mm above N.G.L. Window sills to be finished with 250mm plastic P.C.L. pre stressed lintels laid to manufacturers spec. over brickwork openings, with min. 4 courses galv. brick-force over. All walls to be plastered and painted to clients spec. In accordance with SANS 10400 part "K".
WINDOWS & GLAZING: Aluminium windows & doors. Timber doors as shown. Natural light to each habitable room to be min. 10% of floor area, and natural ventilation min 5% of same floor area. Windows Min. 6mm thick throughout, except for Bathroom windows with obscure glass & Doors & Windows larger than 1sqm, or less than 500mm above F.F.L. to be safety glass. In accordance with SANS 10400 part "N".
DWELLING ROOF: Klip-Lok Charcoal Colorbond® sheeting at 5° pitch on 50x76mm purlins at max. 1200mm c/c on a layer of reflective foil laminate (RFL) between the purlins and rafters. Mono pitch roof trusses (by specialist) at max. 1200mm c/c. Rafters ends built into walls to be wrapped in dpc. Flashing to headwall and sidewalls by specialist. Provide adequate wind bracing. In accordance with SANS 10400 part "L".
GARAGE ROOF: Klip-Lok Charcoal Colorbond® sheeting at 3° pitch on 50x76mm purlins at max. 1200mm c/c on 76x228mm rafters (g 5) at max. 1000mm c/c as per Table 11 Part L of SANS 10400. Rafters ends built into walls to be wrapped in dpc. Flashing to headwall and sidewalls by specialist.

CEILING: 6.4mm Skimmed and painted Gypsum Rhino board on 38x38mm bracing @ 450mm c/c with standard covered corners, fixed to manufacturer's spec. all painted. Ceiling cavity to have 135mm thick Aerolite or similar insulation.
RAINWATER GOODS: 100mm dia. Aluminium Gutters. 75mm down pipes, fixed to Nutec 12x225mm fascia boards. All stormwater to discharge in to stormwater channels to street boundary.

INTERIOR: All internal doors to owners choice fixed to hardwood 90x55mm doorframes / no cill - 75mm brass butt hinges with 3 lever locksets and furniture to owners choice.
OTHER: All essential trades i.e. Electrical / plumbing / gas / solar etc. are to be carried out by relevant registered installers who are to provide certificates of compliance on completion of the works. All materials used are to be SABS approved, no inferior materials are to be used.
Engineers drawings for all structural work including retaining walls to be submitted prior to commencement of such work.

REVISIONS

Date	Revision No	Issued by	Case No
23.06.2023	A/06/23	Swartland	2160/102
12.10.2023	B/10/23	Swartland	2160/102

Checked by: *[Signature]*
K. Sampson - SACAP Reg. No: D0736

Owner: _____

Copyright of this plan is in terms of the copyright act, 1978 (act no.98 of 1978 as amended up to copyright amendment act 2002)

Drawn by: Johannes Smit
SACAP Reg. No: CAD68913525
Phone: 063 658 0575
alterplana@gmail.com

Checked by: Kevin Sampson
Cell: 083 590 7676
SACAP Reg. No: D0736

Project: Proposed New Dwelling

Client: I. Abrahams
Address: Love Street, Glen Lily Estate, Malmesbury 10728

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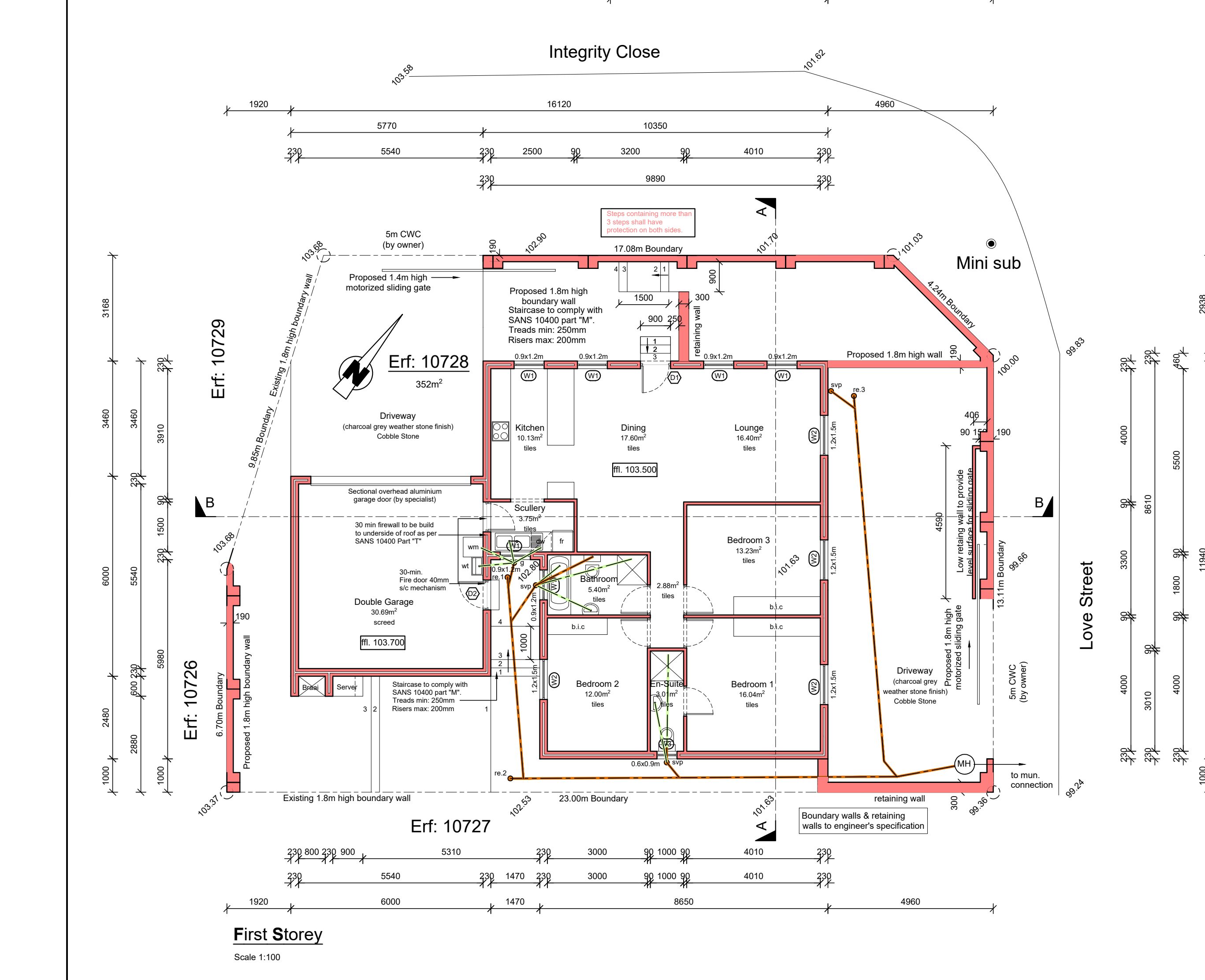
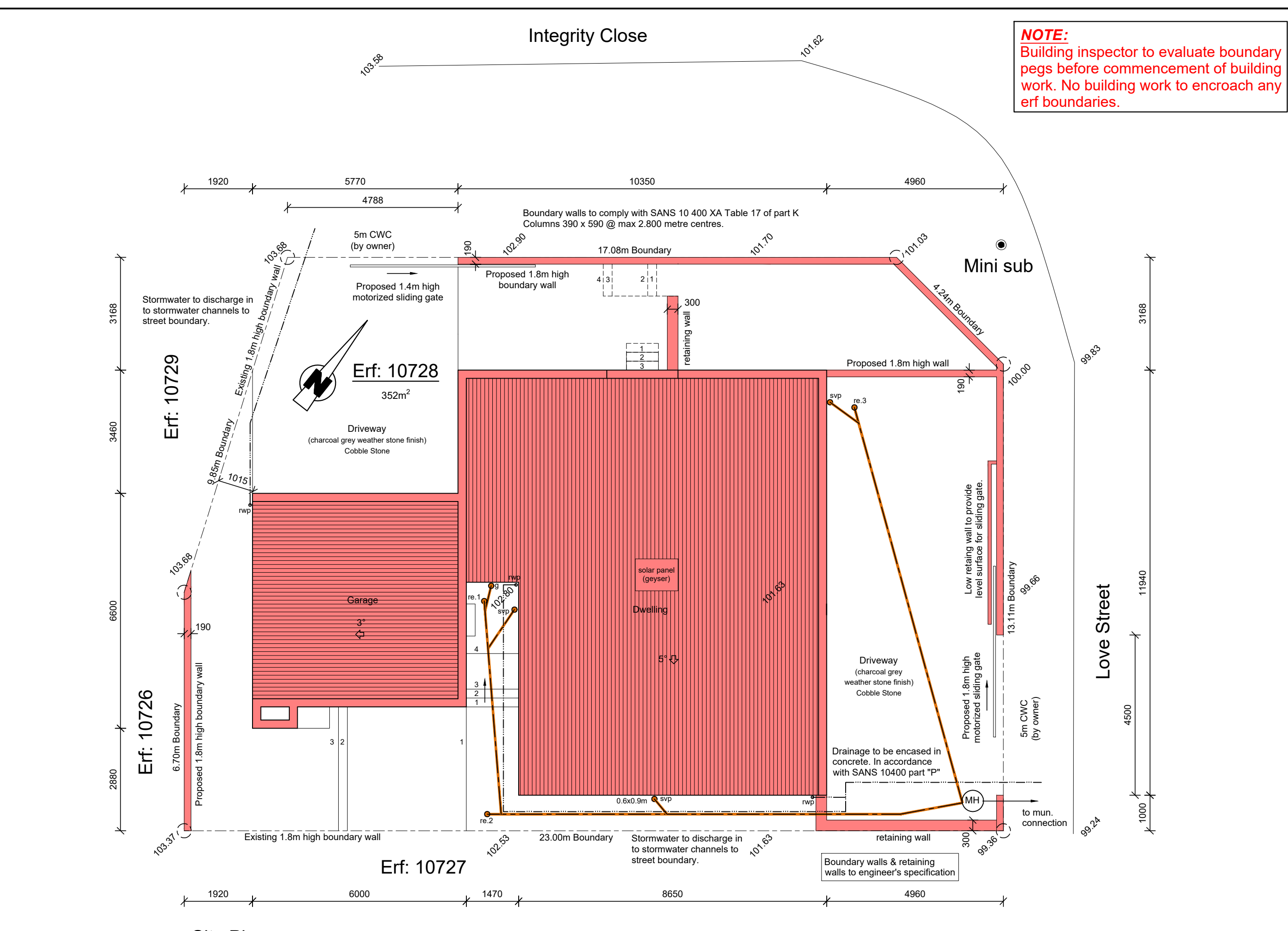
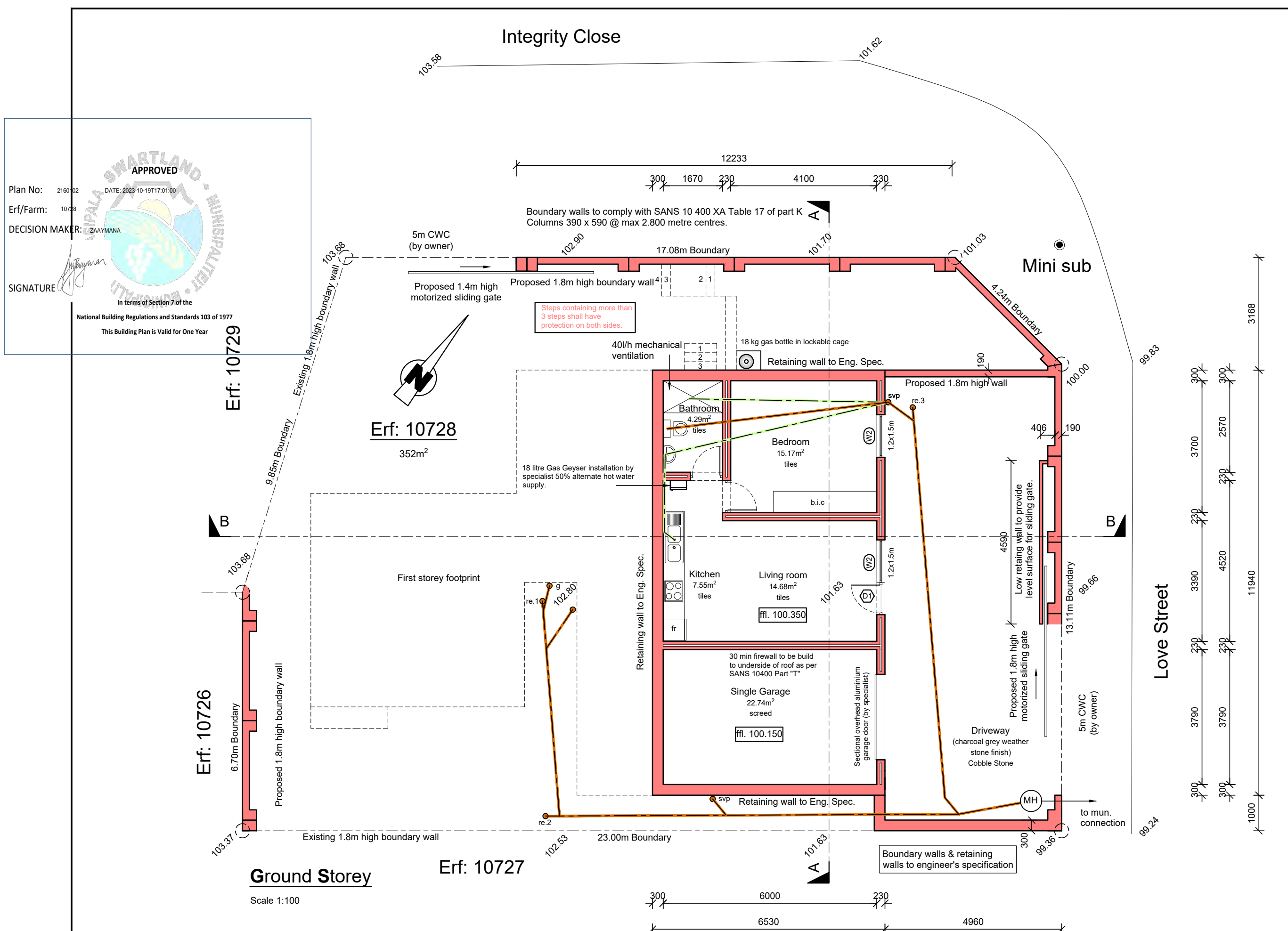
Client: I. Abrahams
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Address: Love Street, Glen Lily Estate, Malmesbury 10728



Site Plan
Scale 1:100

NOTES (CDHA rev 1)
If not specifically referred to in drawings, the following shall apply in terms of the applicable clauses as stipulated in the Design Guidelines:
Items in bold and in italics require confirmation, detail calculations or drawings to satisfy the Glen Lily Guidelines:

A. MUNICIPAL RESTRICTIONS
2.1.2 Verandah columns in cast metal, timber or steel painted.
2.1.3 No "breezies" face decoration, canvas, plastic or aluminium awnings installed.
2.1.4 All corners to be plastered walls with 20mm radius corners.
2.1.5 Exposed driveways from the street finished in charcoal grey washed natural cobbles, square slate or sepiers.
2.1.6 No ornate or quarry tiles.
2.1.7 All light fittings shall be black. No arched aluminium or stainless steel fittings installed.
2.1.8 Security lights will not cast direct light outside the erf. Outside fittings will not impact on the area in general.

2.1. All burglar bars, security gates and security screens, including expensive and sliding products and roller shutter systems shall be mounted internally.
2.1.2. No freestanding post boxes. Boxes must be built in flush with the wall painted the same colour.
2.1.3. Television aerials and satellite dishes shall be installed below the main building eaves line and approved.
2.1.4. Cables to all services installed under ground.
2.1.5. AC condenser unit are not to be visible from the street facade. Window mounted AC unit not allowed.
2.1.6. Maximum size of house identification number shall be 75mm high and 60mm wide.
2.1.7. Solar heated hot water system panels, gas cylinders, ridge fins, vent pipes and chimneys lines shall be shielded from any street building boundary.
2.1.8. ENERGY SAVING SANS 204 PART XA CALCULATIONS

2.1.9. Prior to any construction on site, the Swartland Municipality must be requested to indicate all services on the site, which thereafter must be protected by the Owner.
2.1.10. If any Owner causes damage to any services of Swartland Municipality or the Association, such member shall be liable to rectify such damage to the Swartland Municipality.
2.1.11. Should Swartland Municipality develop a policy regarding increase costs resulting from spatial constraints, due to the granting of zero building lines to repair its services within the jurisdiction area of the Association, the Association shall be liable to pay such costs, for repairs to such services according to the said policy. The said policy will exclude normal operations and maintenance of such services.

1. PARKING
All parking must be accommodated on the erf and a minimum of 2 motor vehicles (including motorbikes) per erf accommodated.
The registered owner of this erf hereby indemnify the Glen Lily Home Owners Association and the Swartland Municipality against any responsibility, legal or other claims, cost or whatsoever resulting from the zero building lines as approved by the Swartland municipality for the Glen Lily Development.

Window & Door Schedule Ground Storey (Flat)
1:100

1.2 x 1.5 W2 - 2No. Reqd Timber Area : Openers 0.72m² Fixed panel 1.08m² Total area 1.80m²	0.9 x 2.1 D1 - 1No. Reqd Aluminium Area : Openers 1.89m² Fixed panel 0.0m² Total area 1.89m²
0.9 x 1.2 W1 - 6No. Reqd Aluminium Area : Openers 0.53m² Fixed panel 0.55m² Total area 1.08m²	1.2 x 1.5 W2 - 4No. Reqd Aluminium Area : Openers 0.72m² Fixed panel 1.08m² Total area 1.80m²
0.6 x 0.9 W3 - 1No. Reqd Aluminium Area : Openers 0.30m² Fixed panel 0.0m² Total area 0.54m²	0.9 x 2.1 D1 - 1No. Reqd Timber Area : Openers 1.89m² Fixed panel 0.0m² Total area 1.89m²

Window & Door Schedule First Storey
1:100

0.9 x 1.2 W1 - 6No. Reqd Aluminium Area : Openers 0.53m² Fixed panel 0.55m² Total area 1.08m²	1.2 x 1.5 W2 - 4No. Reqd Aluminium Area : Openers 0.72m² Fixed panel 1.08m² Total area 1.80m²
0.6 x 0.9 W3 - 1No. Reqd Aluminium Area : Openers 0.30m² Fixed panel 0.0m² Total area 0.54m²	0.9 x 2.1 D1 - 1No. Reqd Timber Area : Openers 1.89m² Fixed panel 0.0m² Total area 1.89m²

SANS 10400 XA Calculations (Zone 1)
GENERALIZATION:
FRACTIONATION:
Net floor area (Excludes Garage) = 41.69m²
Total area of glazed element = 5.49m² (13.17%)
Glazed type windows: Aluminium thermal break framing Single - Clear
Doors: Timber / Aluminium thermal break framing Single - Clear
Total Fractionation does not exceed maximum deemed to satisfy value of 20% of net floor area.

FIRST STOREY (MAIN DWELLING):
Net floor area (Excludes Garage) = 100.44m²
Total area of glazed element = 16.11m² (16.04%)
Glazed type windows: Aluminium thermal break framing Single - Clear
Doors: Timber / Aluminium thermal break framing Single - Clear
Total Fractionation does not exceed maximum deemed to satisfy value of 20% of net floor area.

ROOF INSULATION:
Typical data & deemed-to-satisfy thicknesses of generic insulation as per Table 10 SANS 204:2011.
Minimum required total R-Value: Target Value: 3.7
Estimated total R-Value of roof & ceiling materials (Roof coverings & plaster board) R-Value 0.35
Minimum added R-Value of insulation: R-Value = 3.35
Therefore a 135mm of Cellulose fibre Loose-fill insulation to be installed into the ceiling space. (Deemed-to-satisfy)
A layer of reflective foil laminate (RFL) between the purlins & rafters.

HOT WATER REQUIREMENTS:
The 150L solar power hot water cylinder is to be wrapped with a 80mm thick suitable insulation blanket. Hot water demand as per SANS 10252-1. All specifications & installations will be done in accordance with SANS 10252-1 & SANS 10106. 50% hot water from alternate source (Solar Geyser).

HOT WATER DEMAND, STORAGE & HEATER POWER ACCORDING TO SANS 10252-1
For dwelling houses with medium to high rental and population of 8 (2 persons per room)
Total hot water demand = 115 x 8 = 920 L/d.
Storage volume required 40 litre x 8 = 320 Lit.
Heater power to be 2 - 5 kW/unit.

PIPE INSULATION:
All hot water piping to be INSULATED with 40mm Neoprene or equal and approved as per SANS 204. Min. R-Values: 1.0 for internal diameter pipes < or = to 80mm & 1.5 for internal diameter pipes > 80mm. Insulated hot water piping to conform to SANS 204.

LIGHTING:
Energy Saving CFL's to be used.
Lighting to be max 5W per sqm per SANS 204.

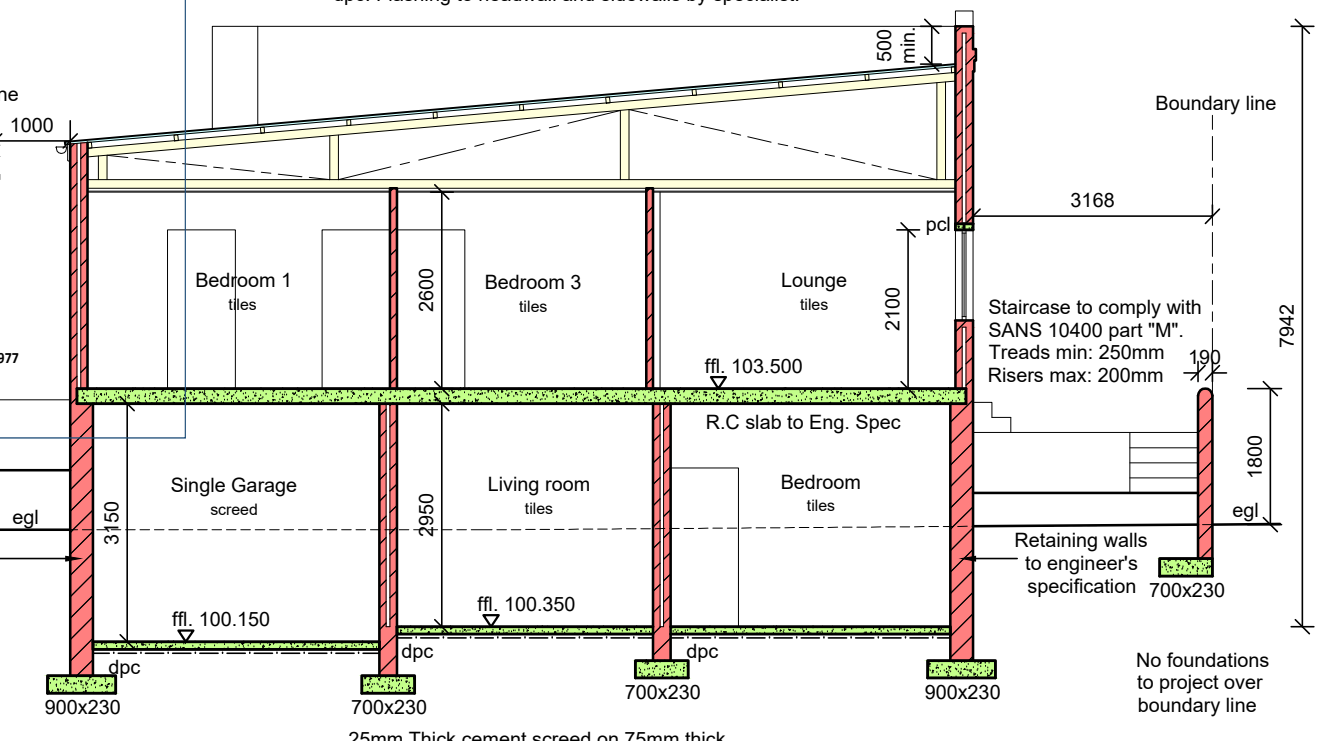
SANS 10400 XA Requirements
No doors & window specs can be altered in any way without a recalculation.
All insulation to roof, pipework etc. to be strictly adhered to.

Coverage Calculations

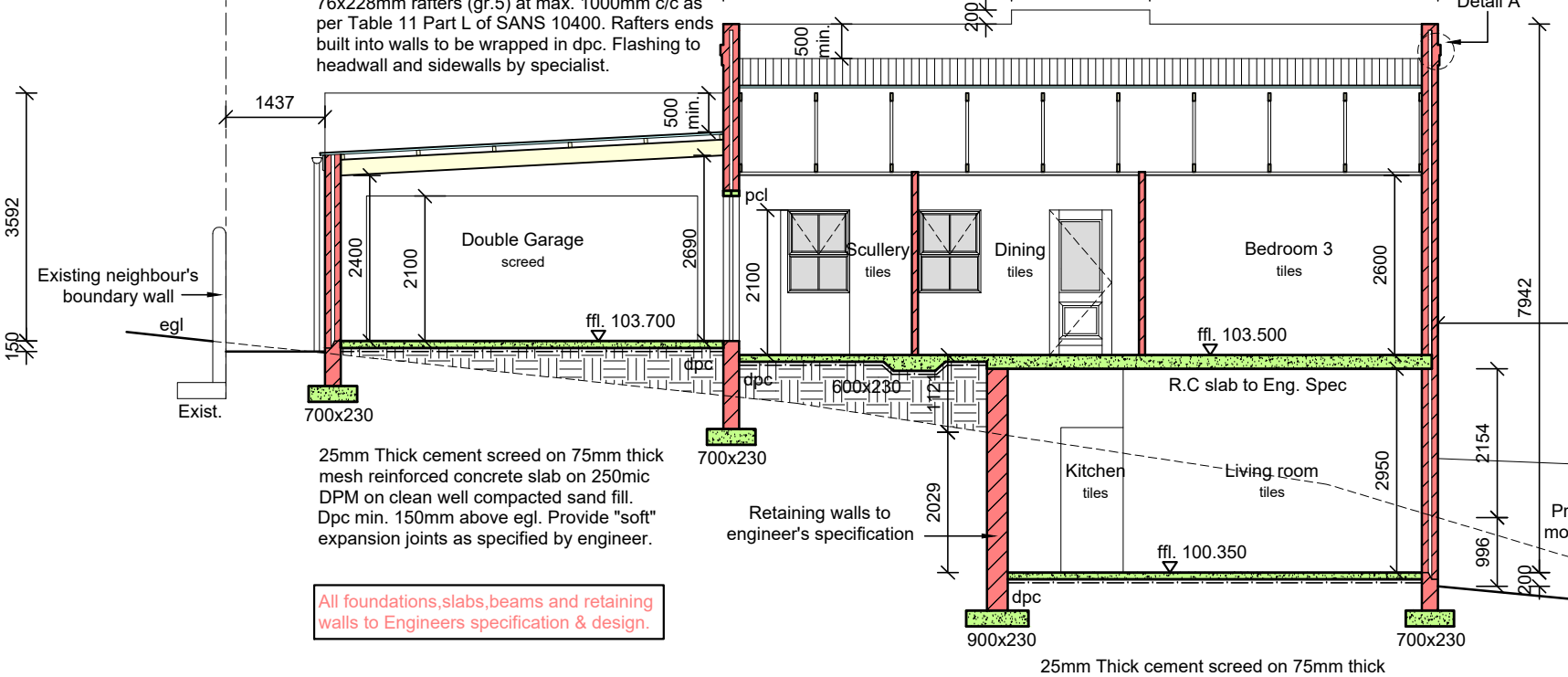
Erf:	352m²
Ground Storey:	77.97m²
First Storey:	148.84m²
Boundary wall length:	31.86m
Total floor area:	226.81m²
Site and Coverage	148.84m² = 42.28%

ALTERPLAN

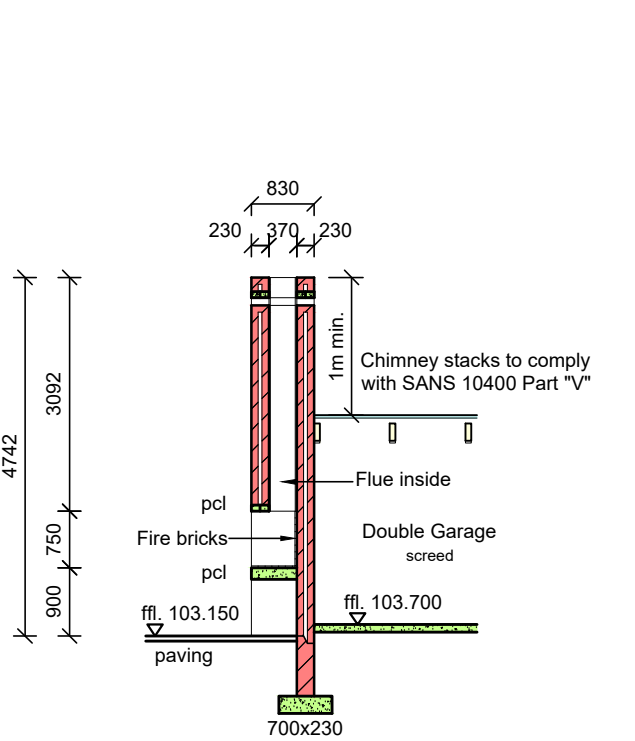
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 Erf/Farm: 1519
 DECISION MAKER: ZAVANANA
 SIGNATURE: [Signature]



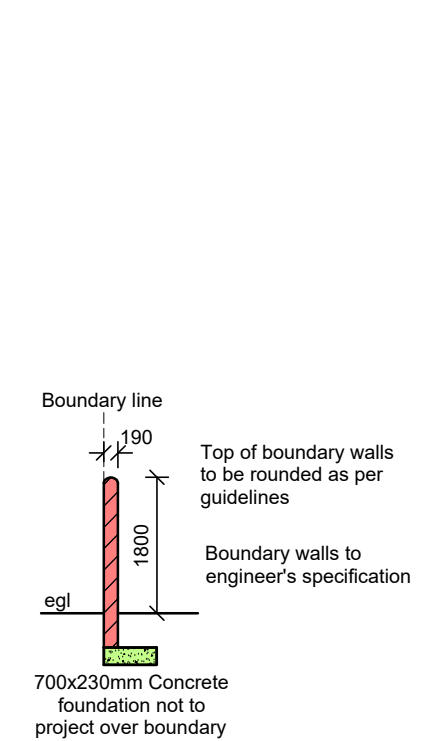
Section A-A
 Scale 1:100



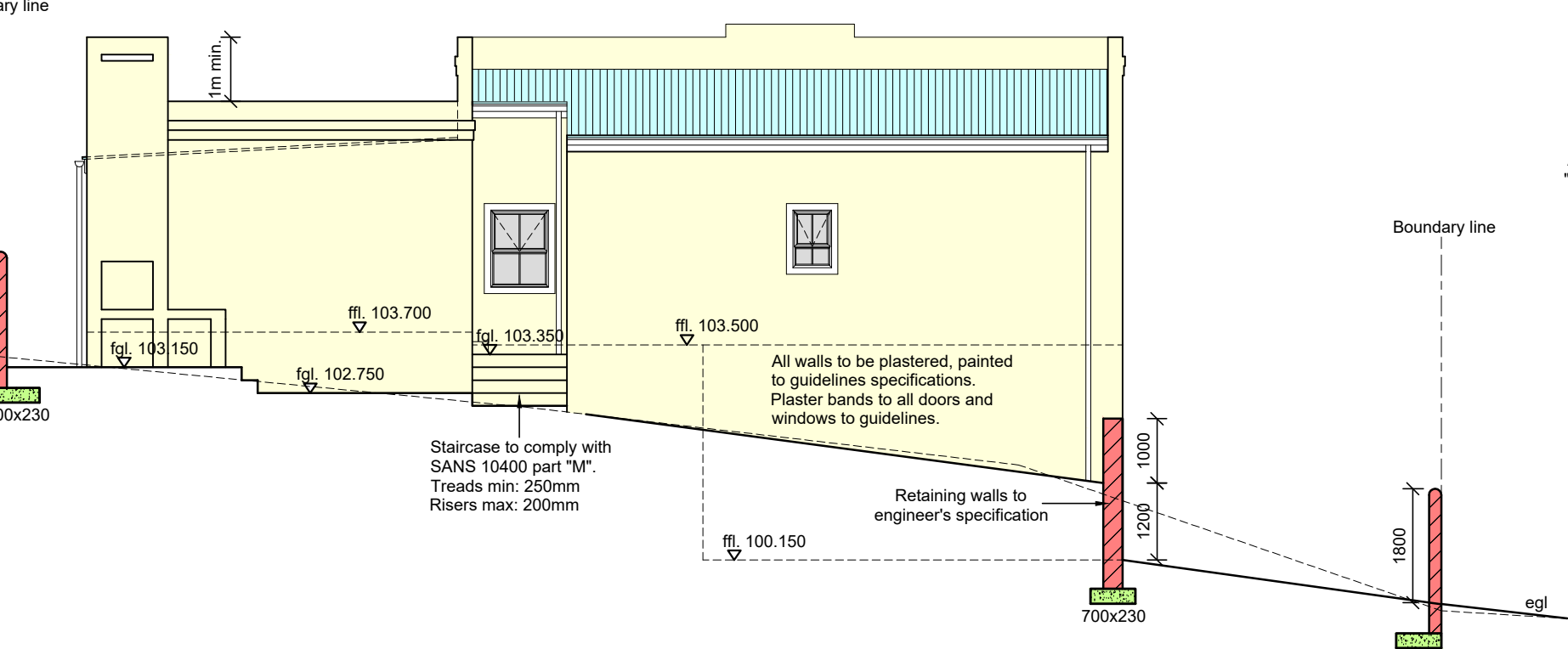
Section B-B
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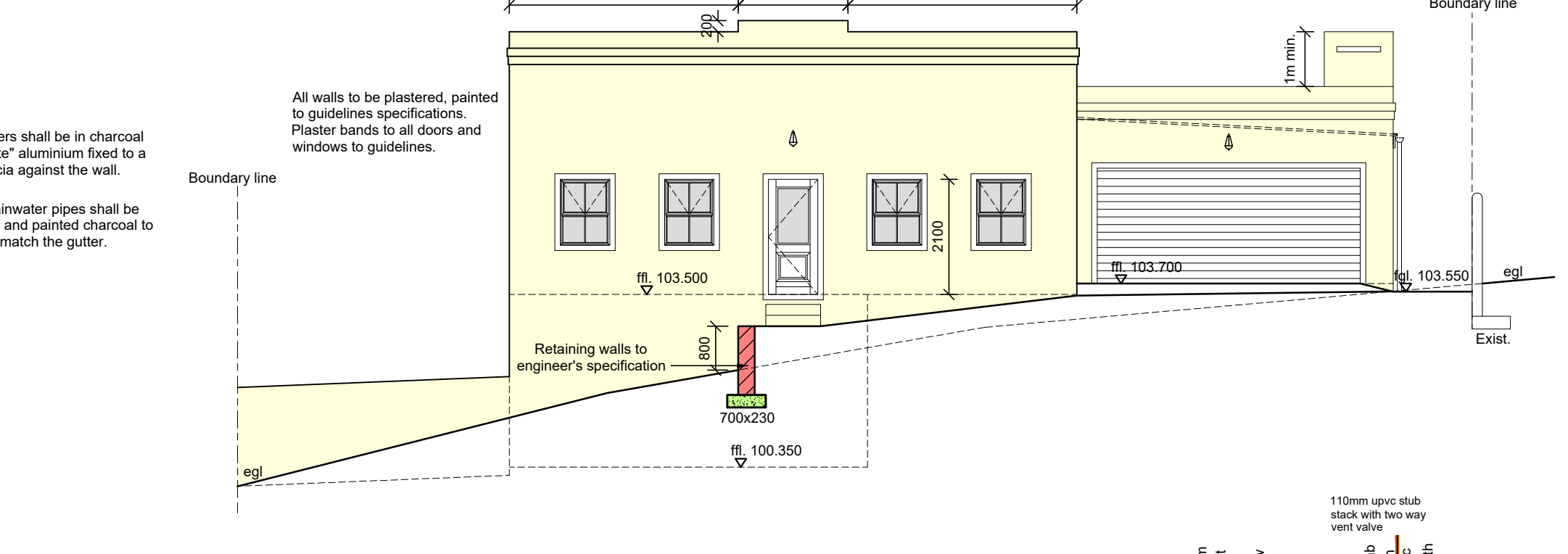
Braai Section
 Scale 1:100



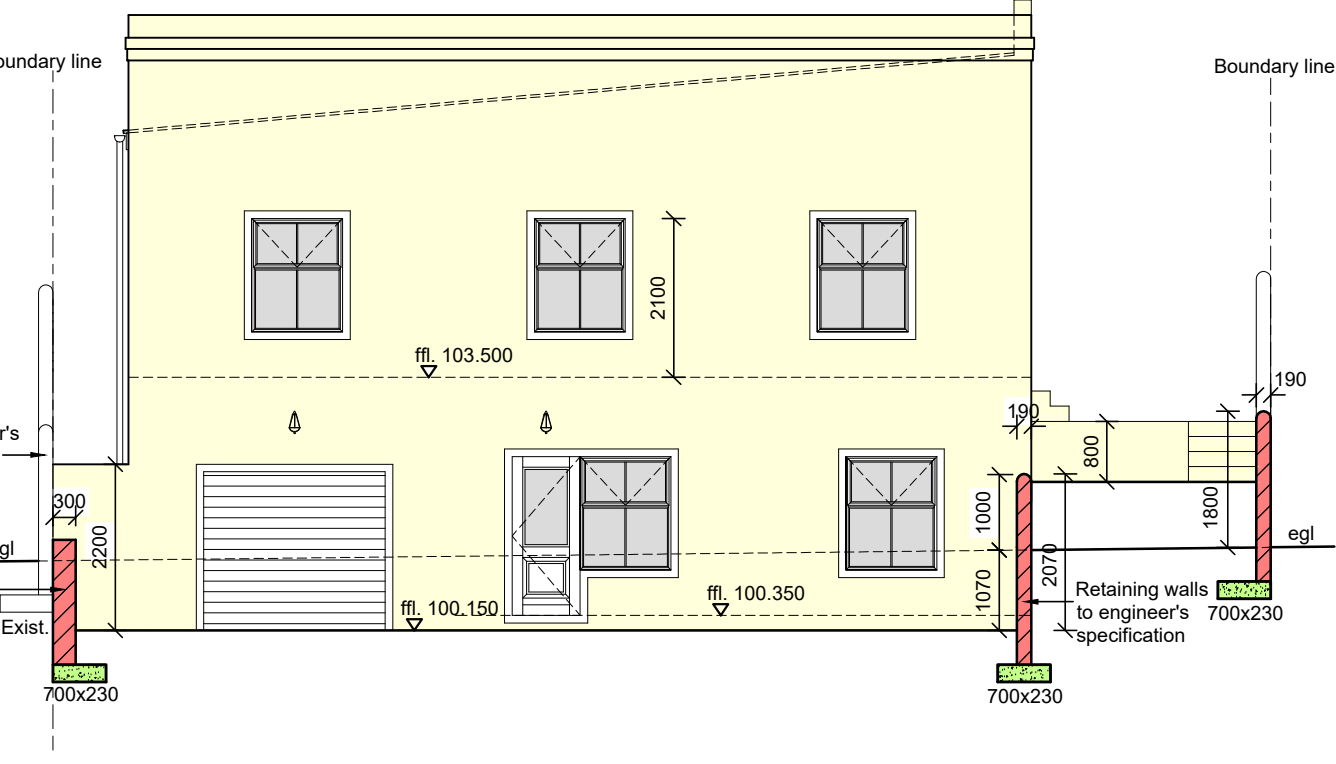
Section Through Boundary Wall
 1:100



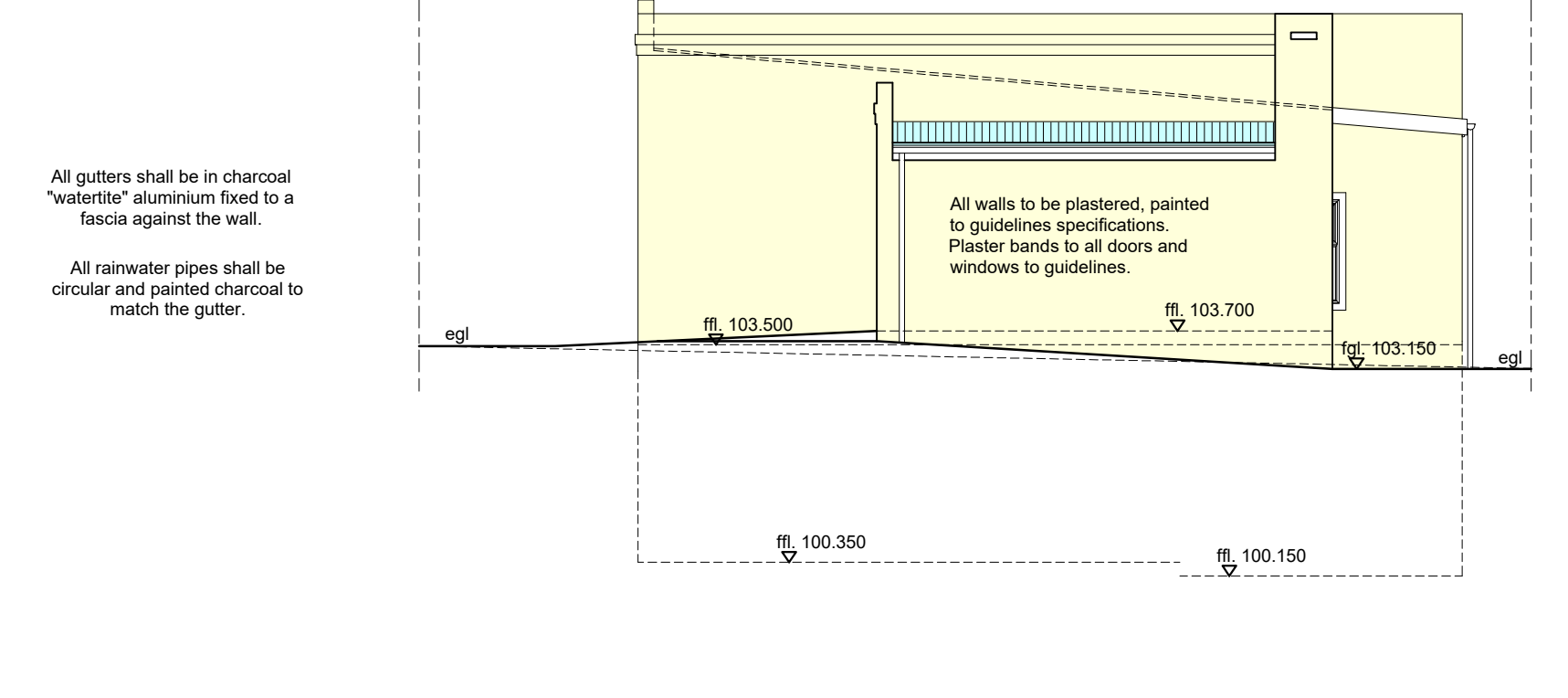
South East Elevation
 Scale 1:100



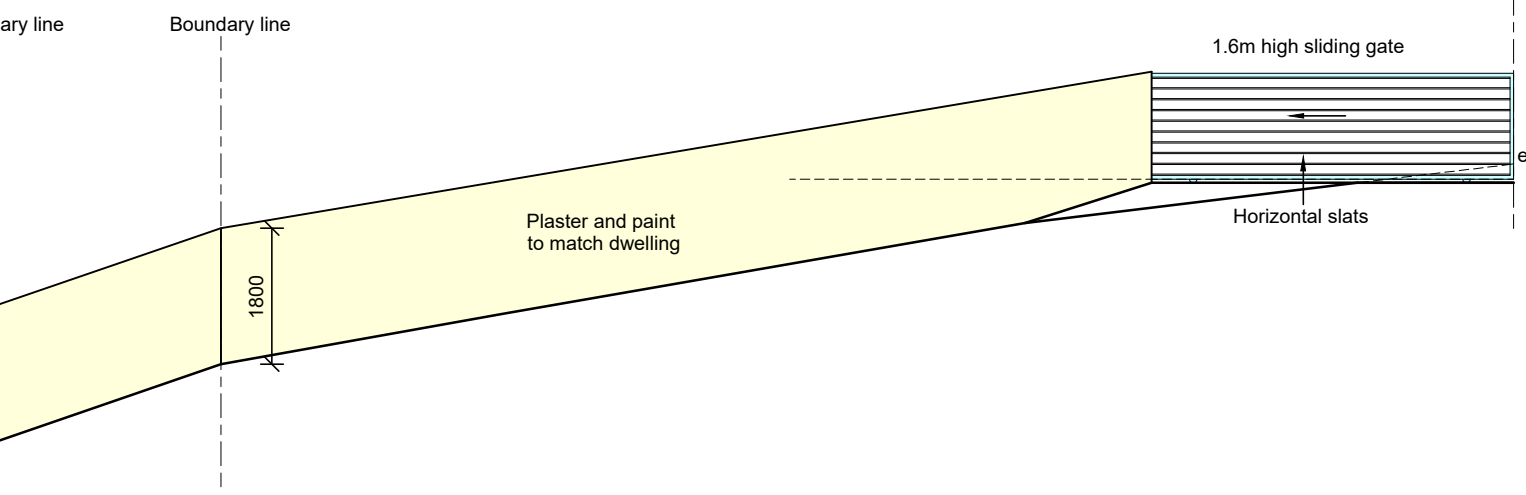
North West Elevation
 Scale 1:100



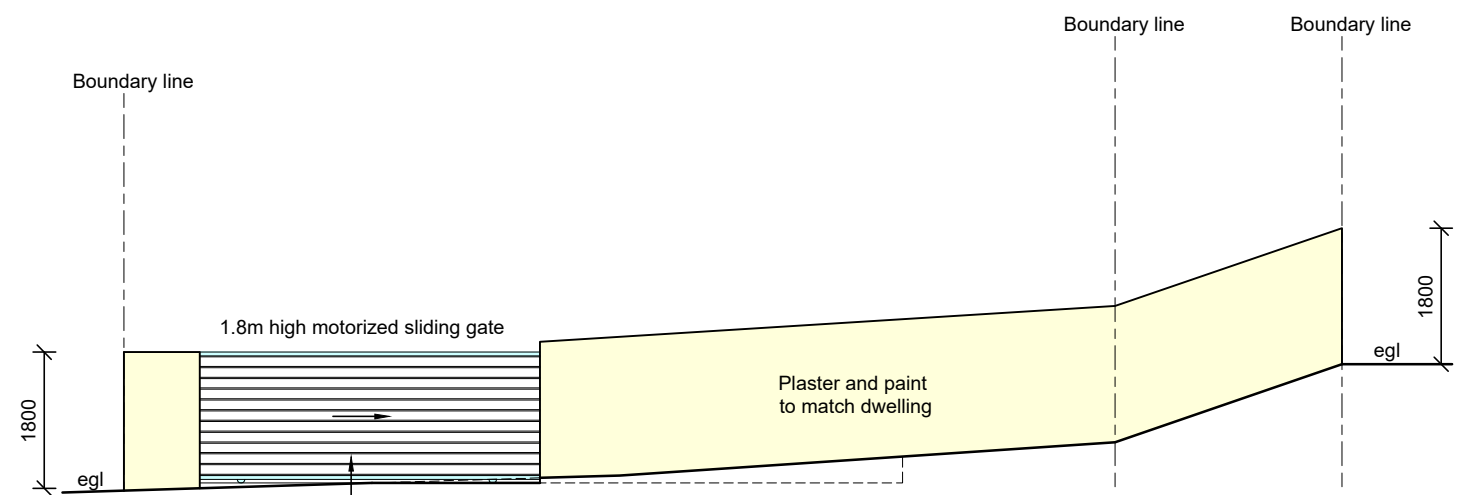
North East Elevation
 Scale 1:100



South West Elevation
 Scale 1:100



Boundary Wall North West Elevation
 Scale 1:100



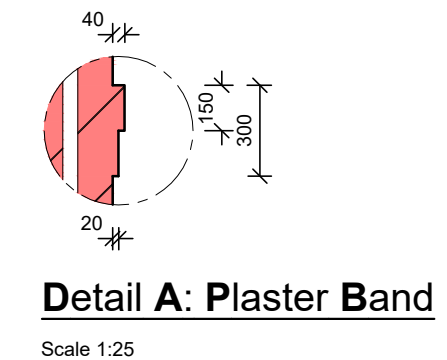
Boundary Wall North East Elevation
 Scale 1:100

Drainage Section 1
 Not to scale

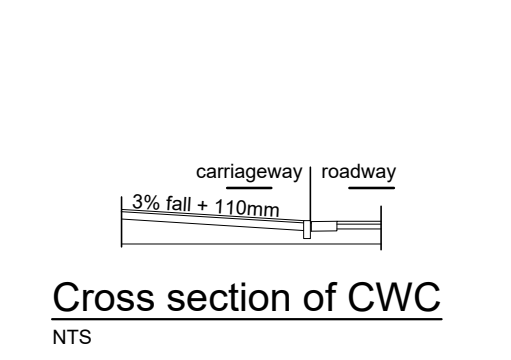
COVER	103 350	103 350	102 530	102 000	99 360
INVERT	102 900	102 882	101 939	101 418	98 644
DEPTH	450	468	591	582	716
DISTANCE	1062	4717	4688	8322	
FALL	1:60	1:5	1:9	1:3	

Drainage Section 2
 Not to scale

COVER	99 360	100 150
INVERT	98 848	99 700
DEPTH	512	450
DISTANCE	11 071	
FALL	1:13	



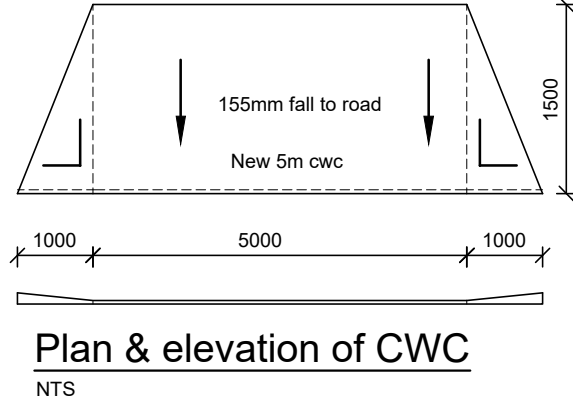
Detail A: Plaster Band
 Scale 1:25



Cross section of CWC
 NTS

Alterplan Architectural Designers
 P.O. Box 50656, West Beach, 7441
 Cell: 083 590 7676
 Cell: 079 334 2467
 Cell: 063 658 0575

GLEN LILY SOUTH HOME OWNERS ASSOCIATION
 17 October 2023
 Tel: 083 590 7676
 KEVIN SAMPSON



Plan & elevation of CWC
 NTS

NOTE:
 Building inspector to evaluate boundary pegs before commencement of building work. No building work to encroach any erf boundaries.

GENERAL NOTE:
 All levels, dimensions and property beacons as shown on these drawings are to be verified on site by the contractor prior to commencement of any work.
 Use written dimensions in preference to scaling.
 Any discrepancies found on this drawing are to be reported to the architect.
 All work to be done in accordance with local authority by-laws, DMS, NBR and SANS 10400 XA / 2014 Specifications and Glen Lily estate architectural guidelines.

Please note this drawing is intended as a local authority submission drawing only, and as such does not reflect or constitute a comprehensive specification for the works.
 As such the architect's responsibility and liability will terminate on local authority approval of this drawing.

SPECIFICATIONS:

FOUNDATIONS:
 700x230mm mass concrete strip footings to external & load bearing walls & 600x200mm m/c slab thickening to int. walls. Foundations to boundary walls as shown on sections. No footings to project over boundary line.

FLOORS:
 25mm Thick cement screed on 75mm thick mesh reinforced concrete slab on 250mic DPM on clean well compacted sand fill. Dpc min. 150mm above egl. Provide "soft" expansion joints as specified by engineer. R.C slab to Eng. Spec.

WALLS:
 External walls: All brickwork to be 90-90mm cement bricks 230mm thick, internal skin, 50mm clean cavity with 5x butterfly ties per sqm, 250 micron stepped DPC to min. 10mm wide weep holes at max. 600mm c/c. FFL min. 150mm above N.G.L. Windowsills to be benched with 250mic. plastic. P.C.I. pre stressed lintels laid to manufacturer's spec. over brickwork openings, with min. 4 courses galv. brick-fora over. All walls to be plastered and painted to clients spec. in accordance with SANS 10400 part "K".

WINDOWS & GLAZING:
 Aluminium windows & doors. Timber doors as shown. Natural light to each habitable room to be min. 10% of floor area, and natural ventilation min 5% of same floor area. Windows Min. 6mm thick throughout, except for: Bathroom windows with obscure glass & Doors & windows larger than 1sqm, or less than 500mm above F.F.L. to be safety glass. In accordance with SANS 10400 part "N".

DWELLING ROOF:
 Klip-Lok 'Charcoal Colorbond' sheeting at 5° pitch on 50x76mm purlins at max. 1200mm c/c on a layer of reflective foil laminate (RFL) between the purlins and rafters. Mono pitch roof trusses (by specialist) at max. 1200mm c/c. Rafters ends built into walls to be wrapped in dpc. Flashing to headwall and sidewalls by specialist. Provide adequate wind bracing. In accordance with SANS 10400 part "L".

GARAGE ROOF:
 Klip-Lok 'Charcoal Colorbond' sheeting at 3° pitch on 50x76mm purlins at max. 1200mm c/c on a layer of reflective foil laminate (RFL) between the purlins and rafters. Mono pitch roof trusses (by specialist) at max. 1200mm c/c. Rafters ends built into walls to be wrapped in dpc. Flashing to headwall and sidewalls by specialist.

CEILINGS:
 6.4mm Stummed and painted Gypsum Rhino board on 38x38mm brandering @ 450mm c/c with standard coved cornice, fixed to manufacturer's spec. all painted. Ceiling cavity to have 135mm thick Aerolite or similar insulation.

RAINWATER GOODS:
 100mm dia. Aluminium Gutters. 75mm down pipes, fixed to Nutec 12x225mm fascia boards. All stormwater to discharge in to stormwater channels to street boundary.

INTERIOR:
 All internal doors to owners choice fixed to hardwood 90x55mm doorframes / no oil - 75mm brass butt hinges with 3 lever locksets and furniture to owners choice.

OTHER:
 All essential trades i.e. Electrical / plumbing / gas / solar etc. are to be carried out by relevant registered installers who are to provide certificates of compliance on completion of the works. All materials used are to be SABS approved, no inferior materials are to be used.

Engineers drawings for all structural work including retaining walls are to be submitted prior to commencement of such work.

REVISIONS

Date:	Revision No:	Issued to:	Case No:
23.06.2023	A/06/23	Swartland	2160102
12.10.2023	B/10/23	Swartland	2160102

Checked by: [Signature]
K.Sampson - SACAP Reg. No: D0736

Owner: [Signature]
 Copyright of this plan is in terms of the copyright act, 1978(act no.98 of 1978 as amended up to copyright amendment act 2002)

Drawn by: Johannes Smit
 SACAP Reg. No: CAD68913525
 Phone: 063 658 0575
 alterplansa@gmail.com

Checked by: Kevin Sampson
 Cell: 083 590 7676
 SACAP Reg. No: D0736

Project: **Proposed New Dwelling**

Client: **I. Abrahams**
 Address: **Love Street, Glen Lily Estate, Malmesbury 10728**
 Erf:

Drg. No: **AP 2023 - 1245** Scale: **1:100 @ A1**

Date: **23.06.2023** Page: **2 of 2** Rev: **B/10/23**



ANNEXURE C

NOTE:
Building inspector to evaluate boundary pegs before commencement of building work. No building work to encroach any erf boundaries.

Use written dimensions in preference to scaling.
Any discrepancies found on this drawing are to be reported to the architect.
All work to be done in accordance with local authority by-laws, DMS, NBR and SANS 10400 XA / 2014 Specifications and Glen Lily estate architectural guidelines.

Please note this drawing is intended as a local authority submission drawing only, and as such does not reflect or constitute a comprehensive specification for the works.
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SPECIFICATIONS:

FOUNDATIONS:
700x230mm mass concrete strip footings to external & load bearing walls & 600x200mm m/c slab thickening to int. walls. Foundations to freestanding wall as shown on section. No footings to project over boundary line.

WALLS:
External walls: All brickwork to be 90-90mm cement bricks 230mm thick, internal skin, 50mm clean cavity with 5x butterfly ties per sqm. 250 micron stepped DPC to min. 10mm wide weep holes at max. 600mm c/c. FFL min. 150mm above N.G.L. Windowsills to be benched with 250mic. plastic. PCL pre stressed lintels laid to manufacturer's spec. over brickwork openings, with min. 4 courses galv. brick-force over. All walls to be plastered and painted to clients spec. In accordance with SANS 10400 part "K".

WINDOWS & GLAZING:
Aluminum windows: Natural light to each habitable room to be min. 10% of floor area, and natural ventilation min 5% of same floor area. Windows Min. 6mm thick throughout, except for: Bathroom windows with obscure glass & Doors & windows larger than 1sqm, or less than 500mm above F.F.L to be safety glass. In accordance with SANS 10400 part "N".

INTERIOR:
All internal doors to owners choice fixed to hardwood 90x55mm doorframes / no sill - 75mm brass butt hinges with 3 lever locksets and furniture to owners choice.

OTHER:
All essential trades are to be carried out by relevant registered installers who are to provide certificates of compliance on completion of the works. All materials used are to be SABS approved, no inferior materials are to be used.

GLEN LILY SOUTH HOME OWNERS ASSOCIATION
09 April 2024
Tel: 083 590 7676
KEVIN SAMPSON

Coverage Calculations

Erf:	352m ²
Existing ground storey:	77.97m ²
Existing first storey:	148.84m ²
Total floor area:	226.81m²
Site and Coverage	148.84m² = 42.28%

REVISIONS

Date:	Revision No:	Issued to:	Case No:

Checked by: *[Signature]*
K.Sampson - SACAP Reg. No: D0736

Owner: *[Signature]*
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Drawn by: Johannes Smit
SACAP Reg. No: CAD68913525
Phone: 063 658 0575
alterplansa@gmail.com

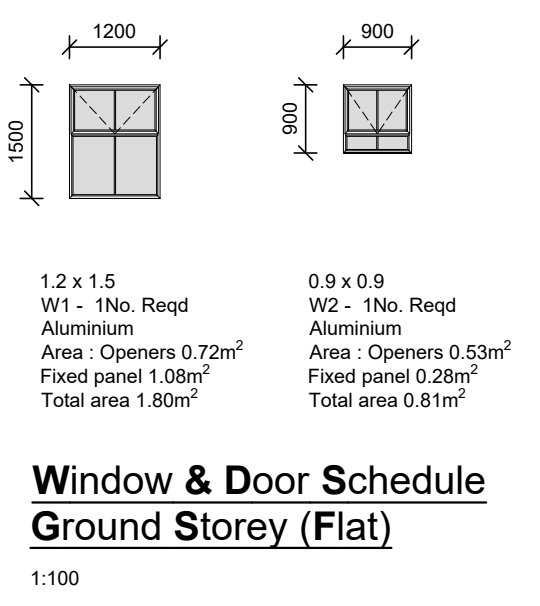
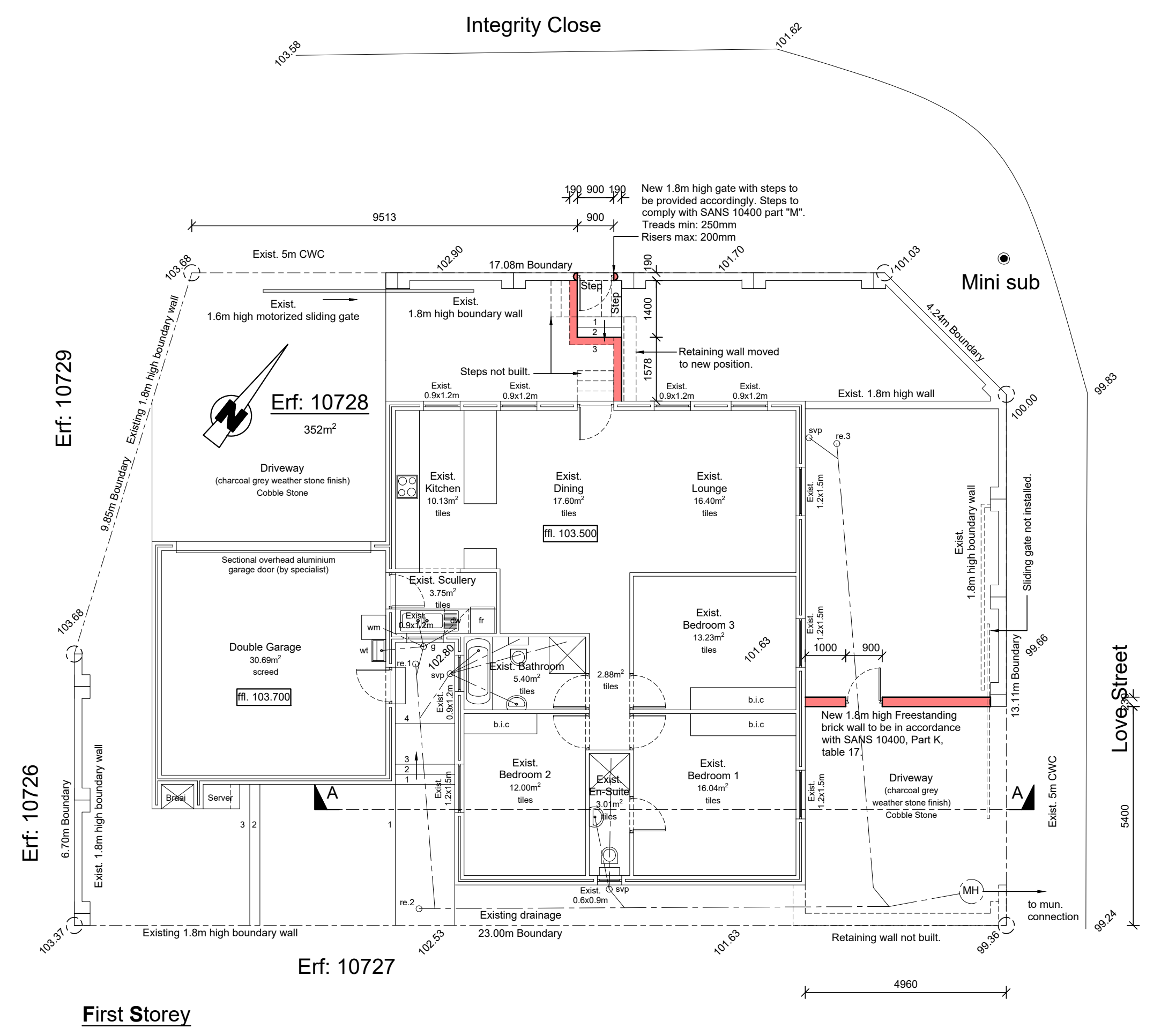
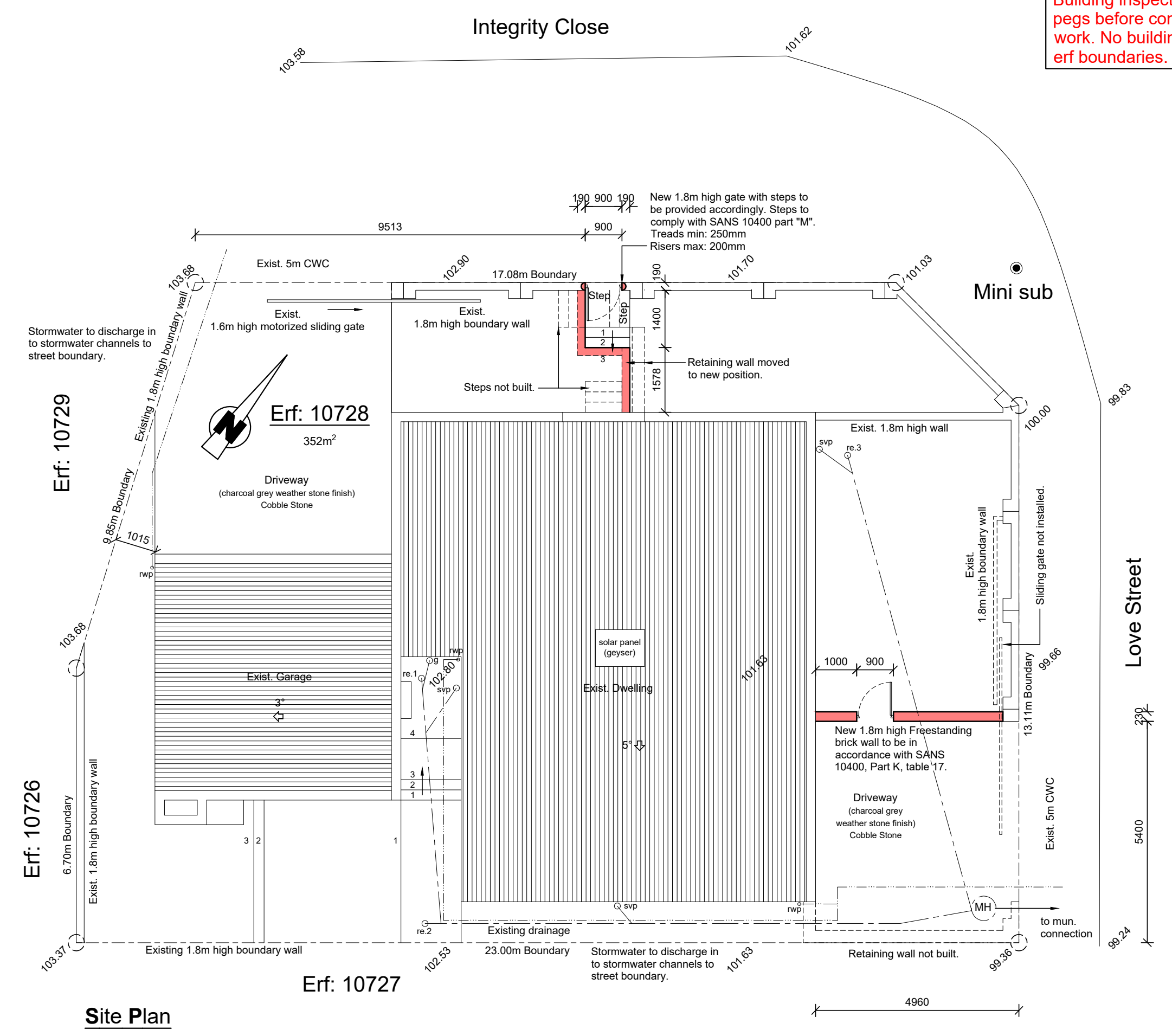
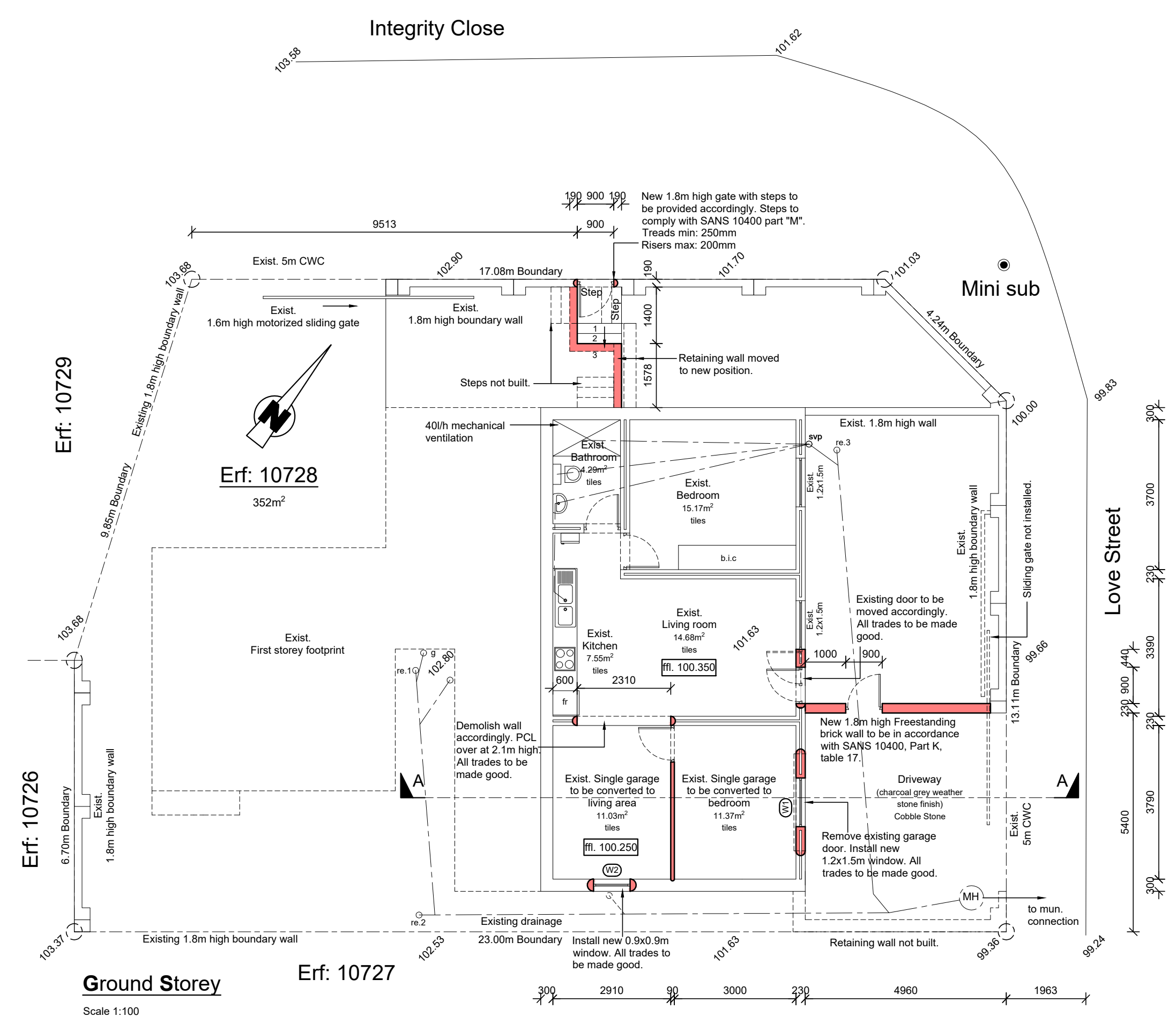
Checked by: Kevin Sampson
Cell: 083 590 7676
SACAP Reg. No: D0736

Project: **Rider plan: Proposed alterations**

Client: **Muhammad Rayhanul Abedin**
Address: **Love Street, Glen Lily Estate, Malmesbury 10728**
Erf:

Drg. No: **AP 2023 - 1245** Scale: **1:100 @ A1**

Date: **28.03.2024** Page: **1 of 2** Rev:



SANS 10400 XA Calculations (Zone 1)

FENESTRATION:

GROUND STOREY (FLAT):
Nett floor area= 64.09m².
Total area of glazed element = 8.10m² (12.64%).
Glazed type windows: Aluminum thermal break framing Single - Clear.
Doors: Timber Single - Clear.

Total Fenestration does not exceed maximum deemed to satisfy value of 20% of nett floor area.

LIGHTING:
Energy Saving CFL's to be used.
Lighting to be max SW per sq/m per SANS 204.

SANS 10400 XA Requirements
No doors & window specs can be altered in any way without a recalculation.
All insulation to roof, pipework etc. to be strictly adhered to.

Alterplan Architectural Designers
P.O. Box 50656, West Beach, 7441.
Cell: 083 590 7676
Cell: 079 334 2467
Cell: 063 658 0575

NOTE:
 Building inspector to evaluate boundary
 pegs before commencement of building
 work. No building work to encroach any
 erf boundaries.

GENERAL NOTE:
 All levels, dimensions and property beacons as shown on these drawings are to be verified on site by the contractor prior to commencement of any work.
 Use written dimensions in preference to scaling.
 Any discrepancies found on this drawing are to be reported to the architect.
 All work to be done in accordance with local authority by-laws, DMS, NBR and SANS 10400 XA / 2014 Specifications and Glen Lily estate architectural guidelines.

Please note this drawing is intended as a local authority submission drawing only, and as such does not reflect or constitute a comprehensive specification for the works.
 As such the architect's responsibility and liability will terminate on local authority approval of this drawing.

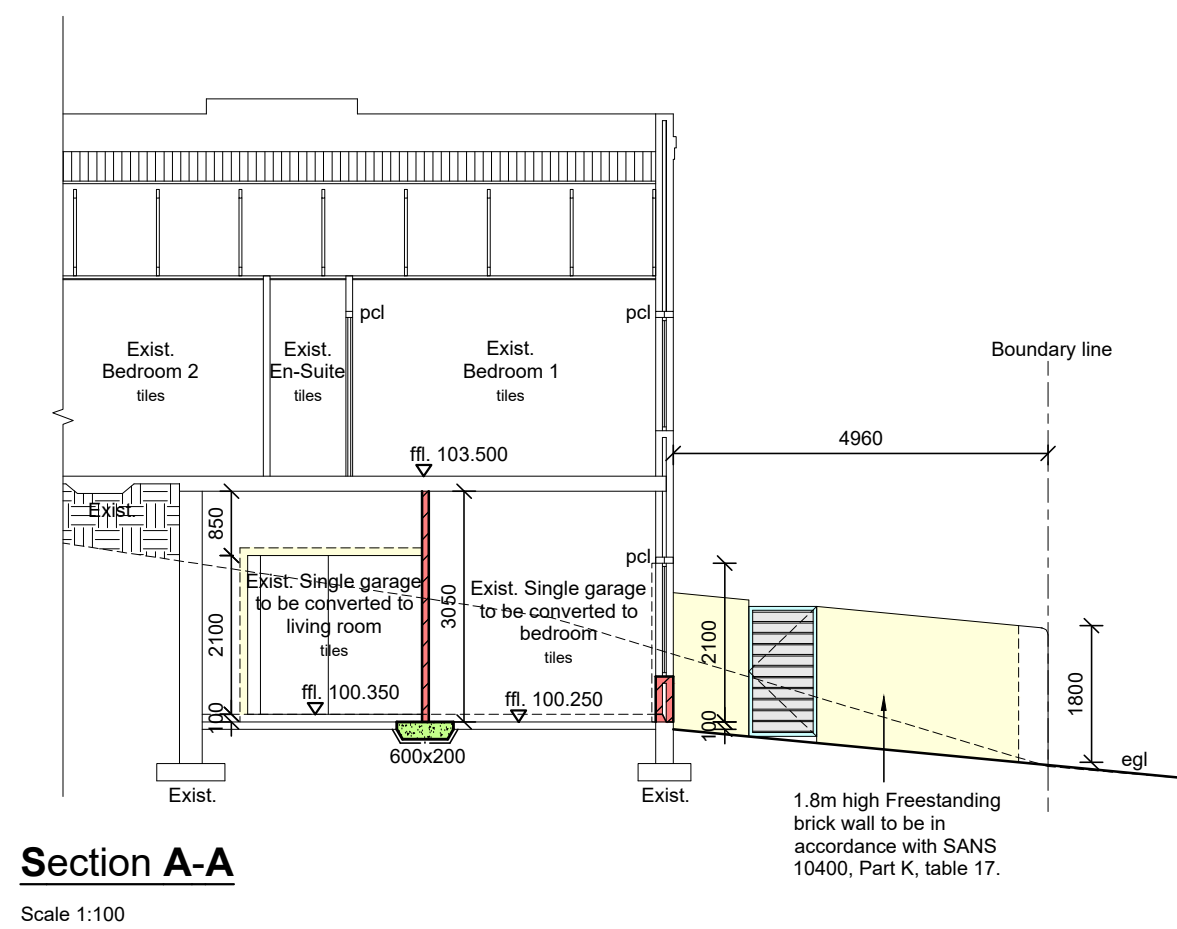
SPECIFICATIONS:
FOUNDATIONS:
 700x230mm mass concrete strip footings to external & load bearing walls 600x200mm m/c slab thickening to int. walls. Foundations to freestanding wall as shown on section. No footings to project over boundary line.

WALLS:
 External walls: All brickwork to be 90-90mm cement bricks 230mm thick, internal skin, 50mm clean cavity with 5x butterfly ties per sqm. 250 micron stepped DPC to min. 10mm wide weep holes at max. 600mm c/c. F.F.L. min. 150mm above N.G.L. Windowsills to be benched with 250mic. plastic. PCL pre stressed lintels laid to manufacturer's spec. over brickwork openings, with min. 4 courses galv. brick-force over. All walls to be plastered and painted to clients spec. In accordance with SANS 10400 part "K".

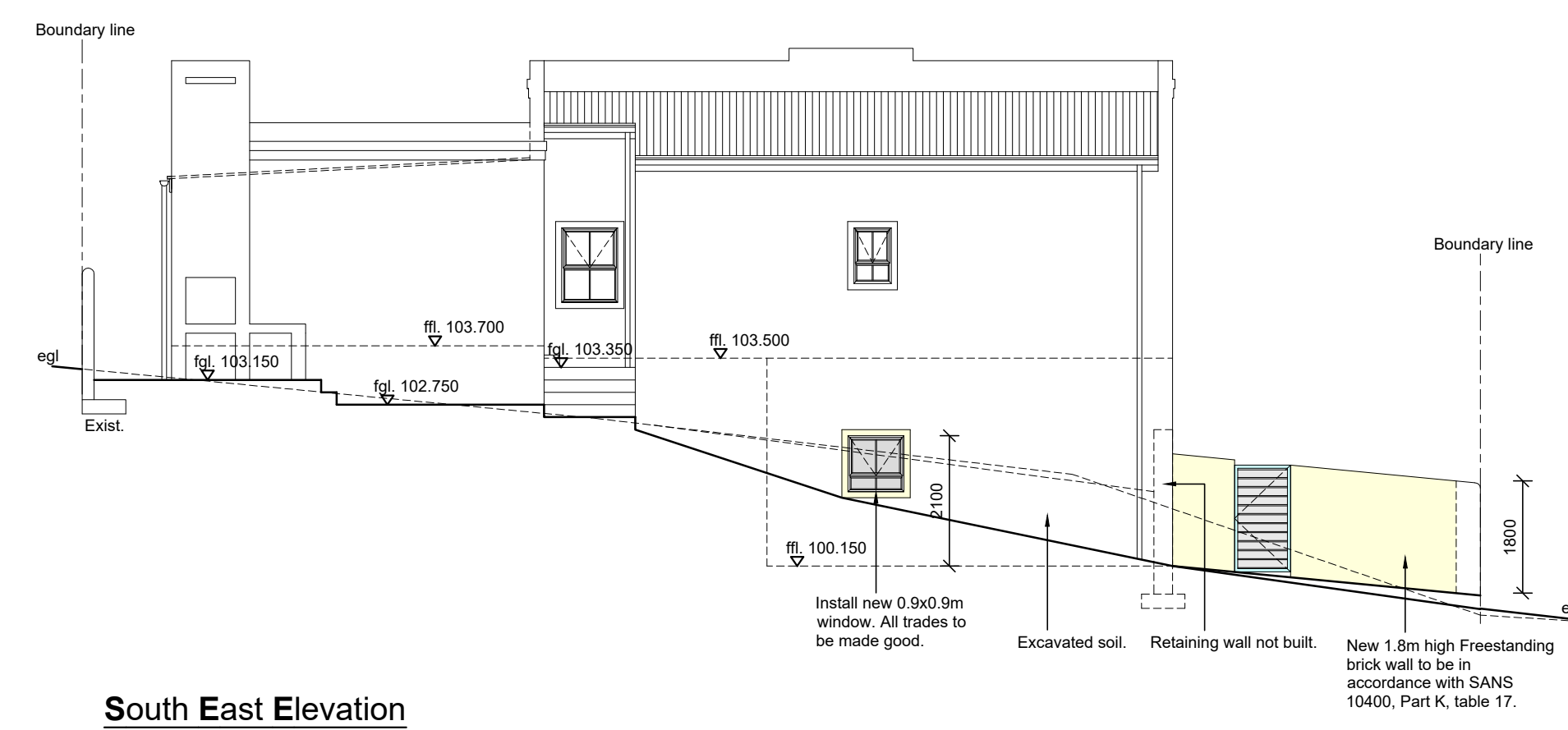
WINDOWS & GLAZING:
 Aluminum windows: Natural light to each habitable room to be min. 10% of floor area, and natural ventilation min 5% of same floor area. Windows Min. 6mm thick throughout, except for: Bathroom windows with obscure glass & Doors & windows larger than 1sqm; or less than 500mm above F.F.L. to be safety glass. In accordance with SANS 10400 part "N".

INTERIOR:
 All internal doors to owners choice fixed to hardwood 90x55mm doorframes / no oil - 75mm brass butt hinges with 3 lever locksets and furniture to owners choice.

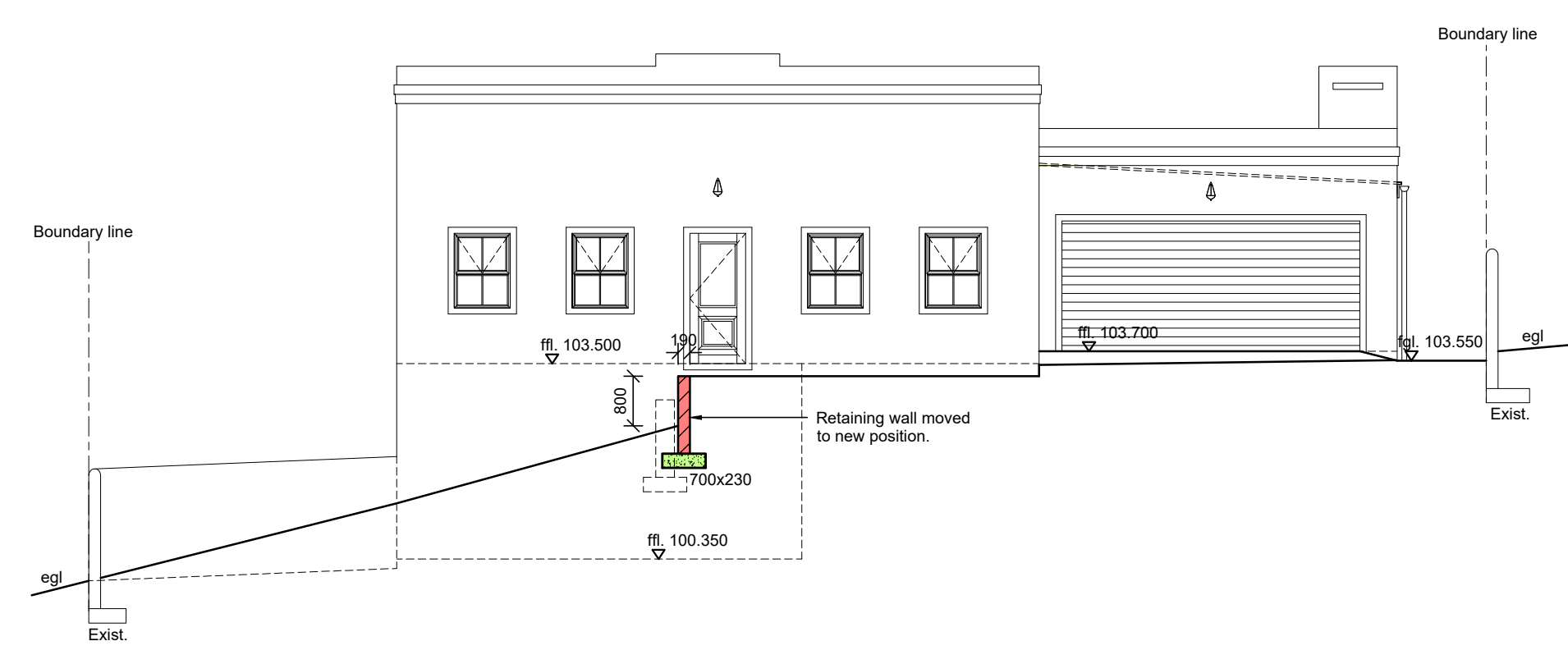
OTHER:
 All essential trades are to be carried out by relevant registered installers who are to provide certificates of compliance on completion of the works.
 All materials used are to be SABS approved, no inferior materials are to be used.



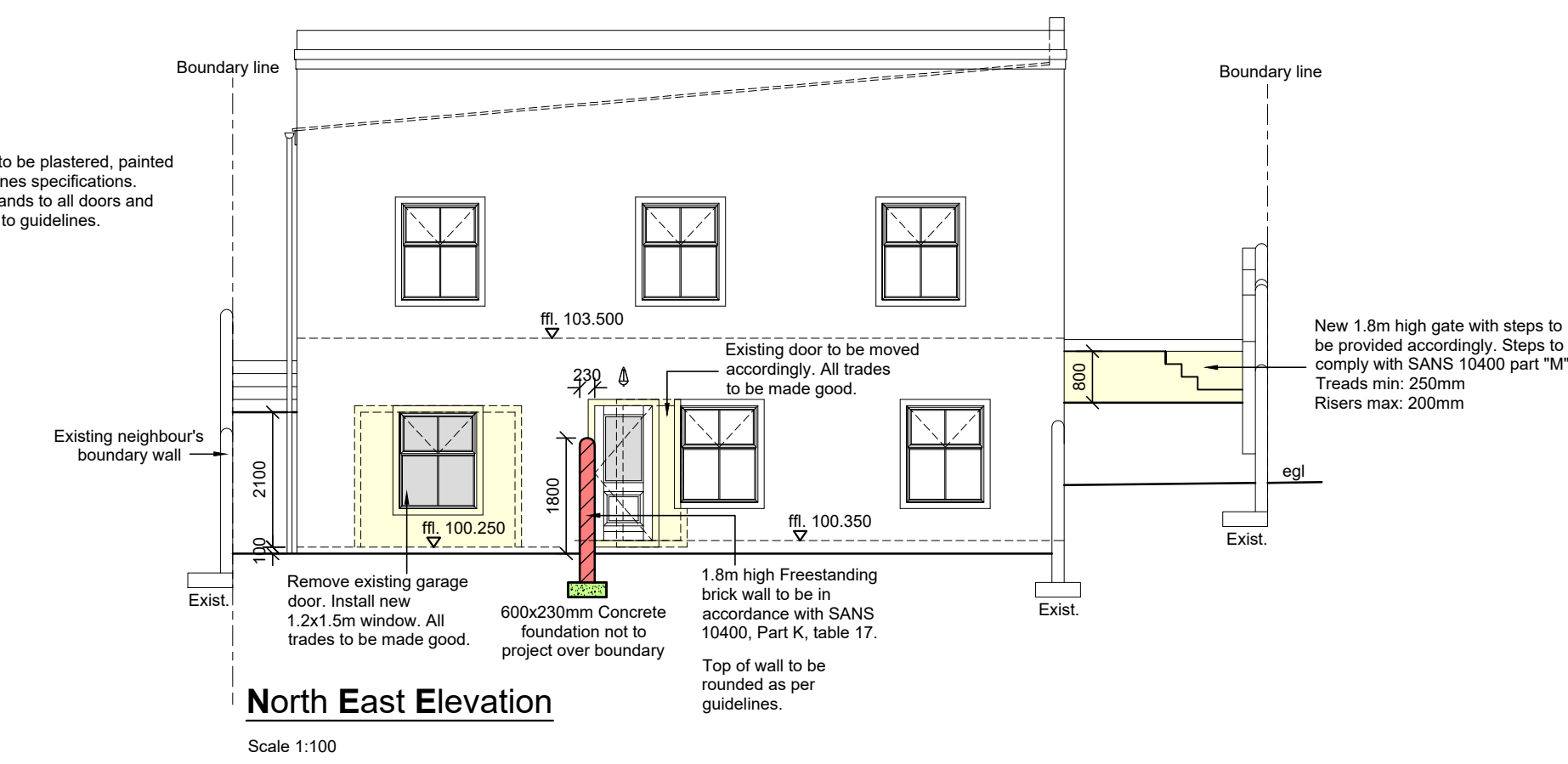
Section A-A
 Scale 1:100



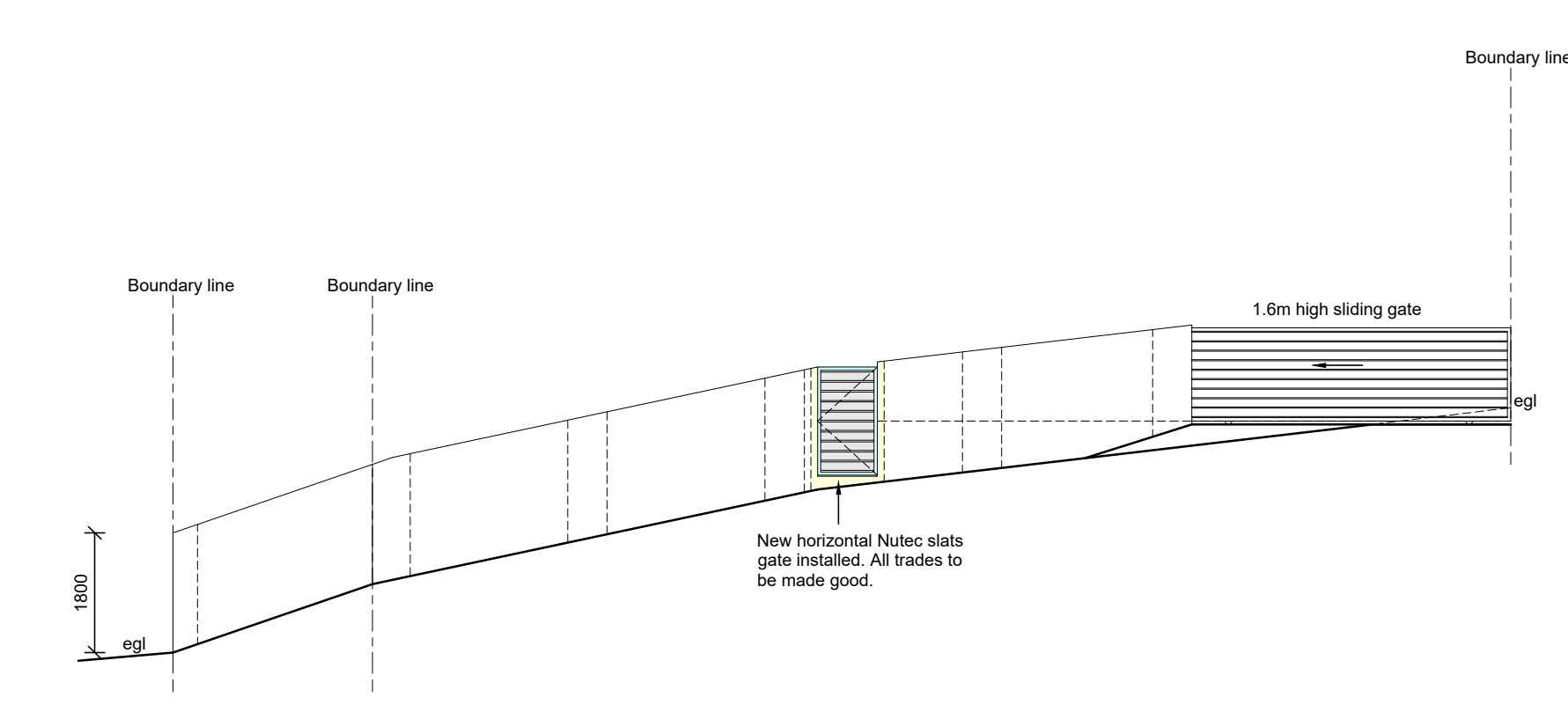
South East Elevation
 Scale 1:100



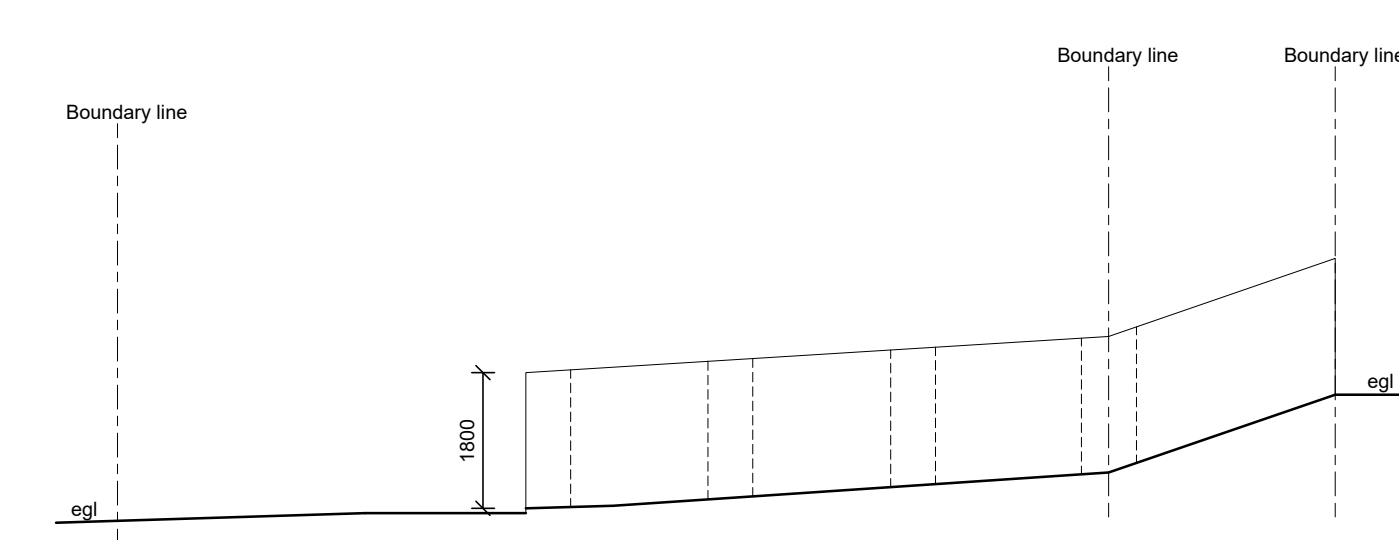
North West Elevation
 Scale 1:100



North East Elevation
 Scale 1:100



Boundary Wall North West Elevation
 Scale 1:100



Boundary Wall North East Elevation
 Scale 1:100

GLEN LILY SOUTH
 HOME OWNERS ASSOCIATION
 09 April 2024
 Tel: 083 590 7676
 KEVIN SAMPSON

Kevin Sampson
 Alterplan Architectural Designers
 P.O. Box 50656, West Beach, 7441
 Cell: 083 590 7676
 Cell: 079 334 2467
 Cell: 063 658 0575
Kevin Sampson

REVISIONS			
Date:	Revision No:	Issued to:	Case No:

Checked by: *Kevin Sampson*
 K. Sampson - SACAP Reg. No: D0736
 Owner: *Kevin Sampson*

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Project: **Rider plan: Proposed alterations**

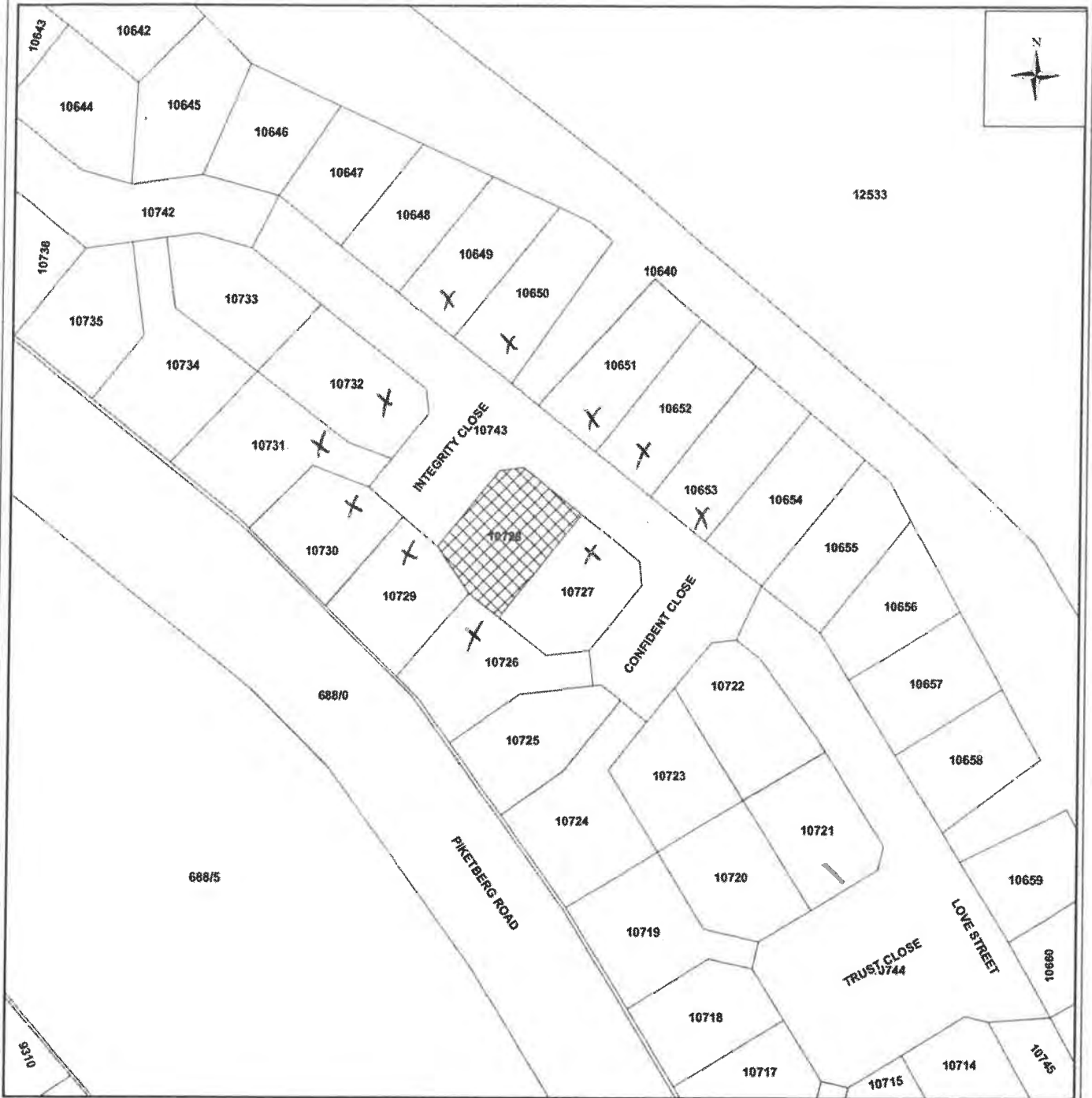
Client: **Muhammad Rayhanul Abedin**
 Address: **Love Street, Glen Lily Estate, Malmesbury**
 Erf: **10728**

Drg. No: **AP 2023 - 1245** Scale: **1:100 @ A1**

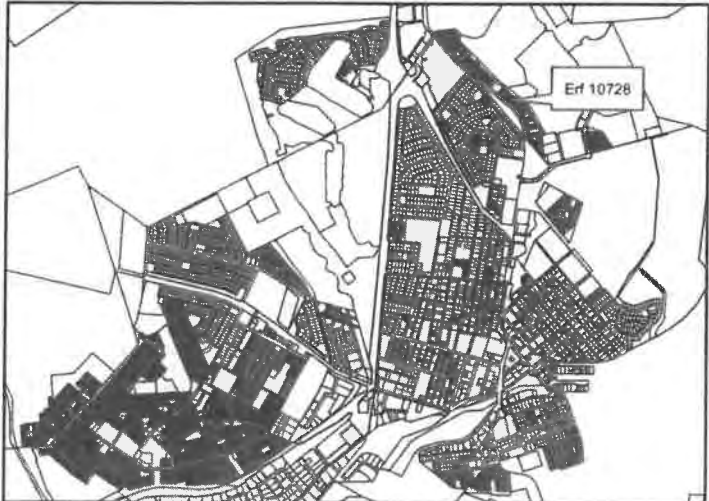
Date: **28.03.2024** Page: **2 of 2** Rev:



Liggingsplan



Voorgestelde vergunningsgebruik
Erf 10728, Malmesbury
Publieke deelname
Skaal: NVT





RESOLUTION

As per the Sectional Titles Act of 2011 No.8

IT WAS RESOLVED AS FOLLOWS AT THE FOLLOWING MEETING

Resolution on Development of Two Units on One Erf as Sectional Title

WHEREAS, the homeowners' association (HOA) owners convened at a Special General Meeting (SGM) held on 13 September 2023, where the matter of developing two units on one erf as a sectional title was discussed; and

WHEREAS, the owners present at the SGM recognized the potential benefits of this development, including maximizing the use of available space, increasing property values, and contributing to the overall well-being of the community; and

WHEREAS, the financial implications of this development, including the determination of how each member will contribute to the levies associated with the additional units, require further clarification and agreement among all members; and

WHEREAS, the HOA owners acknowledge the need to amend the constitution to accommodate the proposed development and ensure that it aligns with the association's governance framework;

This resolution is hereby passed by a majority vote at the SGM, and it represents the collective agreement of the HOA owners. The association's board of trustees and relevant committees are authorized to take all necessary actions to implement this resolution in accordance with the agreed-upon conditions.

SIGNED ON THIS 04 DAY OF October 2023.

[Signature]
Trustee Name

[Signature]
Signature

10709
Unit No

DR. Abraham
Trustee Name

[Signature]
Signature

10661
Unit No

Zelda Jordan
Trustee Name

[Signature]
Signature

10715
Unit No

From: Christie Swart <christie@koelenhof.co.za>
Sent: Thursday, 17 October 2024 16:26
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: 15/3/10-8/ERF 10733/10728

Aan wie dit mag aangaan.

Christie Swart 39 Love Street

0845883691

Erf 10732/10728

Kommunikasie kan per epos geskied.

Ek stem teen dat n tweede wooneenheid aangebring word aan erf 10733/10728

Beide die erwe se bou van die woning is reeds voltooi dus verstaan ek nie dat daar nou eers gevra word vir vergunning nie.

Redes hiervoor:

1. Daar is geen venster of ventilasie in badkamer gedeelte op die onderste eenheede. Swartland munisipaliteit dring aan dat ek op my huidige badkamer en kamer n “skyroof” aanbring aangesien daar nie voldoende lig en lug is nie en ek het reeds vensters in beide van die kamers. Op die eenheede is daar geen natuurlike lig of lug nie.
2. Dit verdubbel die hoeveelheid voertuie wat in die hoofstraat van Glen Lilly uit die eiendom moet trek en daar is geen parkering vir gaste nie. Glen Lilly se hoofstraat is reeds beperk met die hoeveelheid voertuie wat snags in die pad staan aangesien daar nie genoegsame voorsiening gemaak is vir parkering nie.
3. By erf nommer 10728 is die parkering vir gaste gebou in die lyn van n ander erf se “driveway” na sy motorhuis. Dus kan die erf se mense nie uit hulle motorhuis as daar iemand parkeer het nie.
4. Aangeheg is n tekening van die eindom waar n muur aangebring is wat hoër is as die 1.8meter toegelate muur hoogte volgens Glen Lilly reels
5. Die plan is nie korrek volgens die geboude eiendom nie.
6. Volgens ek vertaan is daar oor die boulyn gebou na mykant toe maar ek mag verkeerd wees.
7. Hoe gaan die water en kragrekening werk met twee gesinne wat dit moet deel.

Ek sal graag wil anoniem bly aangaande my redes vir die toelating van twee wonings op een erf aangesien ek voel ek sal geteiken word deur sekere lede van die Trustees van Glen Lilly.

Groete

Christie Swart
Logistics Manager
Tel: +27 21 865 2020/1
Cell: +27 84 588 3691

Website: www.koelenhof.co.za

Email: christie@koelenhof.co.za

ALTERPLAN (Pty)Ltd

BUILDING PLANS – LAND USE APPLICATIONS – SUB DIVISIONS
ARCHITECTURAL DESIGNS – RE ZONINGS

1 BICCARD ROAD MALMESBURY 7299 / 3 HARBOUR CLOSE WEST BEACH

Cell : 083 5907676 – Office Cell : 063 658 0575

email:kevin@alterplan.co.za alterplansa@gmail.com website www.alterplan.co.za

Neighbours Christie Swart Erf 10732 and Erf 10735 Riaan Crafford

DATE : 04/12/2024

Swartland Municipality
Kerk Street
Malmesbury
7299

Attention : Case Officer – H.Olivier

RE : Objectors Neighbours : Christie Swart Erf 10732 and Erf 10735 Riaan Crafford

Objections to double storey units on Erf 10728 and Erf 10733 respectively.

Erf 10733

Item 1 : Mr Christie Swart comments

No window or ventilation provided to the bathroom on the ground floor.

We have provided for Mechanical extraction and artificial lighting in accordance with SANS 10400 xa Part “O”.

Item 2 :

Alleged lack of parking.

The property allows for parking 3 vehicles to the main parking area ,there is also a full park bay to the driveway plus a double garage under the 1st storey.

This equates to parking for a total of 6 vehicles which we doubt will ever be utilised to the full.

This address’s the concerns relating to Erf 10733.

Erf 10728

Item 3 :

Parking : There is a park bay for 2 x vehicles on Love street, Integrity close has parking for 2 vehicles in front of the garage as well as a full double garage,this equates to 6 bays.

Item 4 :

No drawing attached of the alleged high wall which exceeds 1.8 m.

Item 5 :

Alleges the plan is incorrect as it is not in accordance with the existing building ,we are not aware of this.

Item 6:

Alleges the build is over the boundary line ,not aware of this,surely the building inspector would have corrected this during the foundation inspection.

Item 7 :

Water and Electricity – this is of no concern to the complainant.

We reject his allegations that he will be targeted by the Trustees and wishes to remain anonymous is absurd.

Erf 10728 & 10733

Mr Riaan Craford – His main objection appears to be against a 2nd dwelling.

He refers to Article 60 and the normal building regulations as per Municipal land usage and planning (PK8226 25March 2020. Council to deal with this.

Parking complaint we have dealt with this as mentioned previously.

We cannot verify the conversation between Dr Abrahams and the tenant at Erf 10734.

The views will be compromised ,due to the fact that double storey units are allowed as per the guidelines. There cannot be any guarantee to any proposed home Owner that there someone may opt to construct such a unit as long as it is within the guidelines and municipal regulations.

We object and strongly reject his allegations, that we as Alterplan , namely myself have conspired with Dr Abrahams and the Trustees to adjust the guidelines to allow for this type of construction.

We would in this case request that Mr Crawford retracts his statement with an apology failing which we will seek a legal action against him for slandering and malicious gossip.

Please do not hesitate contacting this office should you require any further information or assistance.

Yours faithfully

K. O. Sampson

KEVIN SAMPSON

DIRECTOR & FOUNDER

Reg no.D0736 member S.A.C.A.P./ Reg no. 32588 SAIAT

Member South African Council of Architectural Professionals.

Member South African Institute of Architectural Technology.

ANNEXURE H





ITEM 6.5 VAN DIE AGENDA VAN 'N MUNISIPALE BEPLANNINGSTRIBUNAAL WAT GEHOU SAL WORD OP WOENSDAG, 12 MAART 2025

LAND USE PLANNING REPORT PROPOSED TEMPORARY DEPARTURE ON PORTION 13 OF FARM WOODLANDS NO 874, DIVISION MALMESBURY					
Reference number	15/3/4-15/Farm_874/13	Application submission date	10 September 2024	Date report finalised	28 February 2025

PART A: APPLICATION DESCRIPTION

An application for a temporary departure on portion 13 of Farm Woodlands no 874, Division Malmesbury in terms of section 25(2)(c) of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), has been received. Temporary land use rights is requested to host a music festival for ±8000 to 10 000 people.

The festival will take place as follows:

- Set-up of the festival grounds – 1 November 2025 to 27 November 2025
- Hosting of festival – 28 to 30 November 2025
- Striking of festival structures – 1 December 2025 to 12 December 2025

The applicant is CK Rumboll & Partners and owner is CPT Randz Pty Ltd.

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Portion 13 (a portion of portion 3) of the farm Woodlands no 874, in the Swartland Municipality, Malmesbury Division, Western Cape				
Physical address	Direct south of the Paardeberg on the Vryguns Road	Town	N/A		
Current zoning	Agricultural zone 1	Extent (m ² /ha)	131,1 907ha	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	Agriculture		Title Deed number & date	T22914/2024	
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 type="checkbox"/> Y <input checked="" type="checkbox"/> N	If Yes, explain			

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

Rezoning	<input type="checkbox"/> Permanent departure	<input checked="" type="checkbox"/> Temporary departure	<input checked="" type="checkbox"/> Subdivision
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
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 non-conforming use		

PART D: BACKGROUND

The owner wishes to host a music festival (Rands Holiday festival) on the farm.

The event was originally planned to take place from 29 November 2024 to 1 December 2024. The event was postponed to its current date after it became clear that a decision on the land use application could not be made by the time the event was to take place. Ticket holders were refunded.

The new date for the event is from 28 to 30 November 2025.

The event will entail the selling of food, drinks, overnight glamping tents and playing of live music. There will also be several VIP areas. The organizers expect between 8 000 to 10 000 visitors on the farm over the weekend. The gates of the music festival will open at 10:00 on the Friday morning, allowing guests to arrive. The first show will however only start at 17:00 in the afternoon.

As mentioned above, the event will also consist of a glamping tent area where guests can stay the weekend in order to prevent people from driving under the influence of alcohol. The glamping area and parking area are separated to ensure quick and safe access to and from the property. SHEQ Consulting is appointed to control the flow of traffic as well as to ensure the health and safety of each of the guests at the event.

The event will consist of the following infrastructure:

- Stage and show area:
The proposed event will consist of three entertainment areas, each with its own stage. Two of the stage areas will be open door, while the third stage will be located within an existing shed located on the property.
- Bar and food stalls:
The event will feature two 50m x 15m food court tents, offering a variety of food and drinks, with seating areas available for guests. These tents will be centrally located for convenient access. Additionally, a mobile bar and food area will be positioned near Stage Three. Each of the four VIP decks will also include a private food and drink area exclusively for their guests.
- Toilets:
An amount of 21 double deluxe mobile toilets will be supplied throughout the event area, each positioned to be easily accessible. Hired employees will be responsible for cleaning and monitoring of the toilets during the event.

All above structures will be temporary and will be removed once the event has ended.

- Medical assistance vehicles:
The event will include a total of 20 ambulances, each staffed by 3 medical personnel. These vehicles will be strategically positioned within the event area for easy access to guests. Since the medical assistance is provided by ambulances, guests can be quickly transported to hospitals if necessary. The medical staff will also utilize the staff access point on Drie Susters Road to ensure there are no obstructions in the event of an emergency.
- Glamping tents:
The glamping tents will be situated on the western side of the farm, separate from the event area. They will be arranged in blocks of 12, with each block within walking distance of a mobile ablution facility. A total of 10

temporary ablution blocks will be installed, providing 40 male and female facilities. The glamping area will be able to accommodate 636 glamping tents.

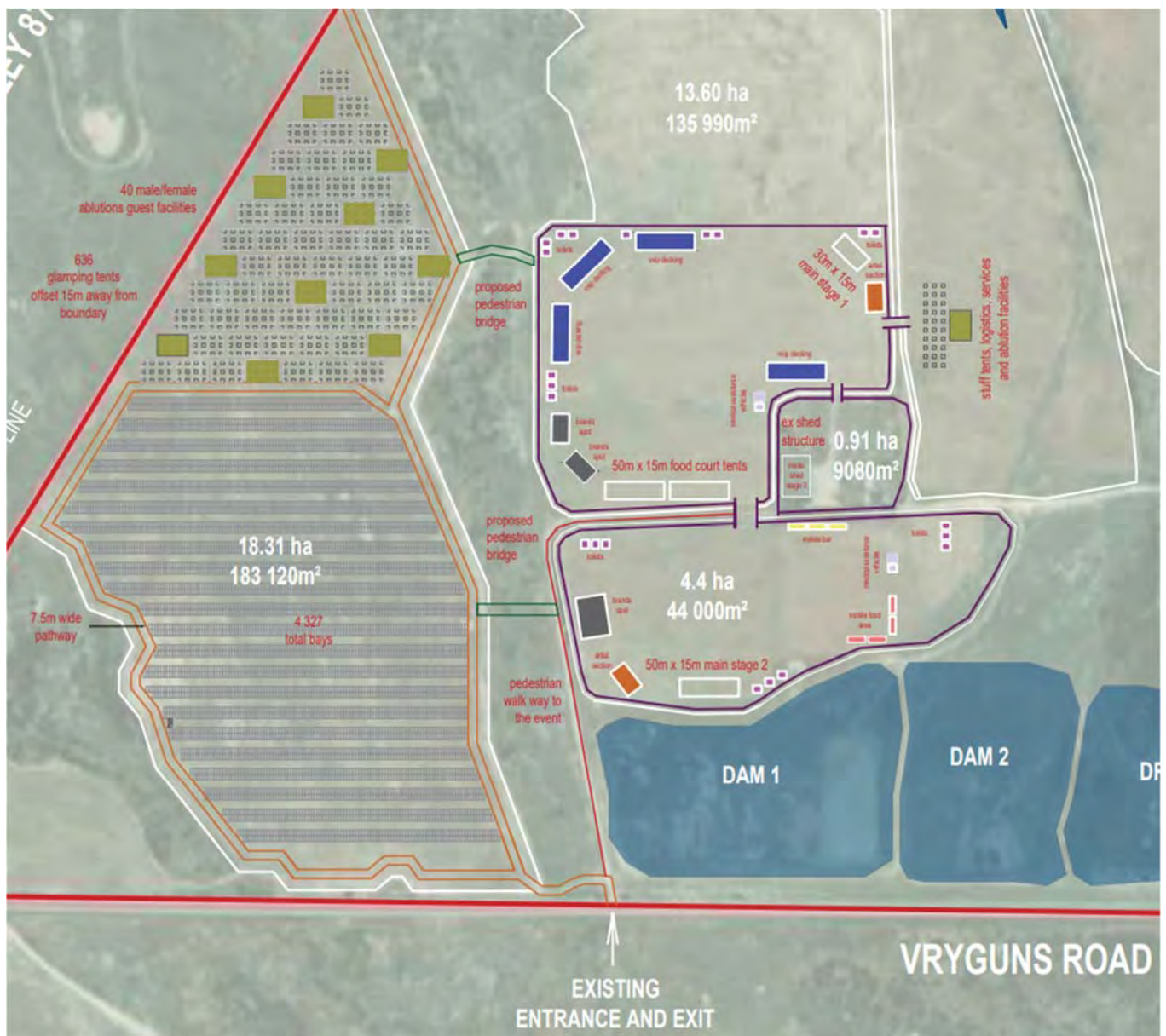
- **Parking area:**

Guests will enter the festival via Vryguns Road, providing convenient access to the parking area, which will be located west of the event grounds and south of the glamping site. To ensure safety, no parking will be permitted within the glamping area. A substantial number of traffic regulators will be appointed to facilitate safe travel to, from, and within the property. This arrangement prioritizes the safety and well-being of all guests. A ring road around the parking area is also proposed to ensure smooth traffic flow throughout the event. Parking Marshals will direct traffic approaching the event into the earmarked parking area. A total of 4327 parking bays will be available for the proposed event.

- **Staff area:**

The staff will be located on the eastern side of the event area with their own staff tents and ablution facility. The staff will also make use of the Drie Susters Road on the northern side to ensure that no traffic disruptions occur.

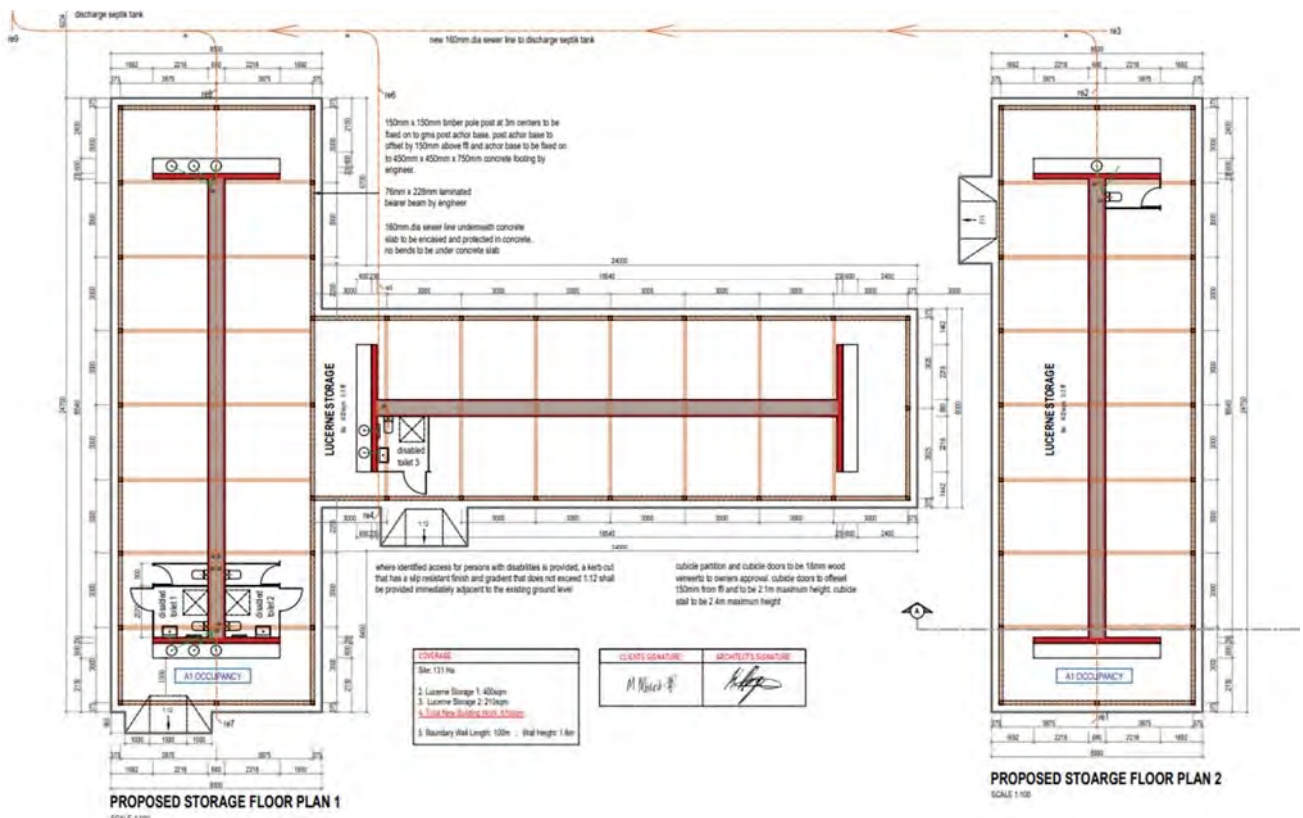
See the site development plan below.



Construction of some of the ablation facilities commenced in November 2024. The building work did not consist of building plan approval. Building work was requested to stop by the Division: Building Control. See photo's below.



Since a building plan application has been submitted for consideration and approval for lucerne storage units. See the plans below.



The building plan has not been approved yet.

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?	Y	N
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PART F: SUMMARY OF APPLICANT'S MOTIVATION

The proposed temporary departure is considered desirable by means of the following:

1. The proposed application for a temporary departure is supported by the Swartland Spatial Development Framework (SDF) that guides sustainable future development in the Swartland region that includes the rural areas;
2. The proposed development will not adversely affect any natural conservation areas, agricultural land or surrounding properties;
3. With the proposed temporary departure, existing access, parking and infrastructure will be utilized with no additional pressure on services;
4. The proposed event will attract individuals from near and far to the Swartland region – this will create a temporary boost in the economic and tourism status of the area;
5. Since the proposed festival is temporary, it will not aim to create any permanent land use changes on the property;
6. The temporary music festival creates economic, social, tourism, cultural and recreational opportunities and opens a gateway in the Swartland region for similar uses in the future;

This applicant is of the opinion that the temporary departure will not adversely impact any existing land uses on the relevant property or surrounding properties. The area proposed for the music festival is not used for agricultural uses on a permanent basis and is not in a sensitive natural environment indicating that the proposed temporary departure will also not impact on the natural environment. These temporary land use rights allow for events that

contribute in promoting the tourism industry of the Swartland region which also simultaneously promotes economic and social opportunities.

It has become a trend in the Swartland region to diversity potential land to accommodate tourists and expose them to the unique setting and cultural landscapes of the Swartland region, whilst also protecting valuable agricultural land which can be established with this proposed temporary departure.

PART G: SUMMARY OF PUBLIC PARTICIPATION

Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: **Y** N
By-law on Municipal Land Use Planning?

A total of 9 registered notices which were send to affected parties by means of registered mail as well as 8 of the letters also send by email. A total of 6 registered notices were uncollected of which 1 letter was not send by email.

The public participation process started on 3 October 2024 and ended on 4 November 2024. External departments were also requested for comments which public participation process started on 3 October 2024 and ended on 3 December 2024.

The objections were sent to the applicant for comments on 7 November 2024. The comments from the applicant on the objection was received on 3 December 2024.

Total valid comments	8		Total comments and petitions refused	0	
Valid petition(s)	Y	N	If yes, number of signatures	N/A	
Community organisation(s) response	Y	N	Ward councillor response	Y	N Comment was requested but no comment received.
Total letters of support	0				

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Letter from the Department of Infrastructure with reference DOI/CFS/RN/LU/REZ/SUB-26/391 (Application number 2024-09-0048), dated 31 October 2024.

Letter from Drakenstein Municipality with reference 15/1/1 dated 10 October 2024

PART I: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION	SUMMARY OF APPLICANT'S REPLY TO COMMENTS	MUNICIPAL COMMENTS ON THE OBJECTIONS	
Please note that concerns/objections are grouped together from different objectors.			
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p>	<p>1. Procedural Concerns and timing:</p> <p>The festival setup proposed for the 1 of November and the public has time until 4 of November to comment. The applicant also began advertising the event, thus proceeding with the assumption that it will be approved at the municipality.</p>	<p>Given the limited time remaining before the proposed festival date, the event has been rescheduled to the 28th, 29th, and 30th of November 2025. This postponement will ensure adequate time to secure all necessary rights and permits for the festival.</p>	<p>The festival did not take place as planned in November 2024 due to outstanding approvals from Swartland Municipality. Ticket holders were refunded.</p> <p>The festival has been postponed to the end of November 2025.</p> <p>The detail/extent of the festival has not change. It is therefore not deemed necessary to conduct a new public participation process.</p> <p>This comment/concern is no longer relevant.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>Kathi and Glen Kotzen</p>	<p>2. Misrepresentation of the areas land use:</p> <p>The applicant claims that the farms are primary involved in growing crops such as oathay and Lucerne, but is home to a wide range of agricultural activities such as livestock farming and horses which require peace and stability. The festival will disrupt this peace and stability and could result in the horses running into poles or through fences, causing significant injury and potential millions in losses to the businesses.</p>	<p>While the objector highlights the need for peace and stability for agricultural activities, including livestock and horses, it is essential to recognize that the festival is a temporary event with a three day duration. The newly proposed event dates provide an opportunity to implement effective mitigation measures to minimize disturbances to the animals.</p> <p>Additionally, many agricultural properties coexist with occasional events, demonstrating that temporary disruptions can be managed effectively without lasting harm.</p> <p>The claim of "millions in losses" is speculative and assumes a worst-case scenario that does not consider the potential for proactive mitigation. A collaborative approach with local stakeholders can address these concerns while supporting economic benefits brought by the festival</p>	<p>The character of the surrounding agricultural area to farm 874/13 is noted.</p> <p>The impacts posed by the music festival on the surrounding area will be temporary and can be mitigated.</p> <p>Please note that several large music festivals take place in the Swartland on a yearly basis, like Rocking the Daisies and Afrikaans Oppi Platteland. These festivals have to comply with health and safety aspects and are required to provide the municipality with the relevant information and plans which may include, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Security plan • Medical and safety plan for the event as prescribed by the Regulations relating to Emergency Services at Mass Gathering Events promulgated under the National Health Act, 2003. • Noise control plans • Dust control plans • Parking and traffic plans • Food safety control for the event • Public liability insurance • Waste management plans • Spectator and access control measures.

			<p>For this festival only a safety plan and traffic management plan was requested by the municipality. These plans were submitted and are supported by the municipality.</p> <p>Any concerns can be addressed by laying down conditions of approval which may include the provision the plans as mentioned above.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>M Voigt</p> <p>Kathi and Glen Kotzen</p> <p>Pieter Loubser</p>	<p>3. Impact on Animal welfare and farm operations: The noise, traffic and activity generated by an event of this magnitude will inevitably cause undue stress on livestock and horses and disrupt farming operations. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.</p> <p>Points to consider on the animals are: stress response, impact on feeding and production, reproductive issues, species-specific reactions.</p>	<p>Mitigation Measures to Reduce Stress on Animals: Modern event planning includes a wide range of measures to minimize the impact on nearby farms and livestock. Soundproofing techniques, such as installing noise barriers and directing amplified sound away from livestock areas, can significantly reduce noise levels. Ensuring proper distance between festival zones and animal enclosures further mitigate potential disruptions.</p> <p><u>Short Duration of the Event:</u> The festival is a temporary, short-term event and not a sustained activity. Temporary disruptions are unlikely to cause long-term issues such as reproductive problems or production declines, especially when appropriate mitigation strategies are employed. Any potential stress responses in livestock can be managed.</p> <p><u>Evidence from Similar Rural Festivals:</u> Festivals of similar scale have been successfully hosted in rural areas without causing significant disruptions to livestock or farming operations. Other events/festivals on farm land have shown that animals adapt quickly to temporary disturbances, especially when proactive planning minimizes exposure to stressors. Such events demonstrate that it is possible to balance rural</p>	<p>The comments from the applicant is supported.</p> <p>Any concerns can be addressed by laying down conditions of approval which may include the provision the plans as mentioned at point 2.</p>

		community interests with short-term activities. <u>Traffic and Accessibility Management:</u> Traffic management plans will be implemented to ensure minimal disruption to farming operations. The Department of Infrastructure: Road Planning already gave their comment and is of support of this application.	
Ferelni Investments (Pty) Ltd De Kopje Investments Pty Lucia van Dyk Subelia Trust Pieter Loubser	4. Traffic, Safety and security: The applicant has provided inadequate details of how they will manage traffic, Safety and security. The area surrounding the proposed site is service by narrow rural roads that are ill-equipped to handle this volume size. Furthermore, there may be potential for trespassing, damage to property and other security risks as the applicants plan in this regard remain vague and insufficient. What will stop people that aren't willing to pay the entrance fee to camp on the neighbouring farms?	The South African Police Service has classified the event as a medium-risk event, indicating that its impact on the area will be limited. To ensure the safety and security of guests, the owners have appointed SHEQ Consulting. The event will be staffed as follows: •Event managers: 8 •Security personnel: 300 •Traffic regulators: 300 •Event assistance staff: 600 •Medical staff: 20 ambulances with three staff members per ambulance. This comprehensive staffing plan is adequate to manage the proposed event, ensuring smooth traffic flow, guest safety, and the protection of surrounding farms from any potential damage. The property is well-served by a network of roads, including two provincial roads, one divisional road, and one minor road. These routes have been confirmed by the Department of Infrastructure: Road Planning as sufficient to accommodate the anticipated traffic flow.	The comments from the applicant is supported. The safety and traffic management plans are supported by the municipality.
Ferelni Investments (Pty) Ltd John P J Sauls Inc on behalf of Paardeberg Stud	5. Fire Risk: The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are	The Chief Fire Officer from Protection Services reviewed the proposed application and outlined measures to minimize fire risk at the event: •Tents will be spaced at least 3 meters apart. •Accredited fire personnel will be present on-site throughout the event.	The comments from the applicant is supported.

<p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>M Voigt</p>	<p>alarmed that no concrete measures have been outlined to ensure the safety of the area. Wildfires pose an existential threat to the entire farming community, and the lack of fire prevention protocols is unacceptable.</p>	<ul style="list-style-type: none"> •A comprehensive gas management plan will be implemented to mitigate the risk of explosions. •Grass will be cut to reduce the likelihood of field fires. •Clear access routes will be established between all structures to facilitate fire department movement. •Adequate lighting will be installed to enhance visibility across the site. <p>These measures are deemed sufficient to significantly reduce the risk of fire during the festival.</p>	
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>Subelia Trust</p> <p>M Voigt</p> <p>Kathi and Glen Kotzen</p> <p>Pieter Loubser</p>	<p>6. Community disruption: Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Residents depend on the tranquillity of the region for their livelihoods and the presence of a large scale event like this is incompatible with the existing farming operations and lifestyle. Should this be allowed once, this will be a continuous event which will disrupt our peace.</p>	<p>The Swartland Spatial Development Framework (2023) provides the planning guidelines for future planning and development within the region. The diverse combination of land uses on the property supports the initiatives of the Swartland Spatial Development Framework. The growth of tourism is slowing down gradually and needs to be supported and expanded through the adoption of a Swartland tourism development strategy as envisaged in the Swartland SDF.</p> <p>Farm No 874/13 is located in ward 7 of the Swartland municipal area. The following are extracts from this ward:</p> <ul style="list-style-type: none"> •Allow for more tourism related facilities to develop around these routes (accommodation, recreation facilities, agri-processing and selling of products venues, etc.). •Support function and exhibition venues on farms i.e. Outdoor Exhibition Centre on Farm Leliefontein along N7. Promote Outdoor Exhibitions Centre as part of Intensive Rural Development Corridor. <p>As evident from the above, Ward 7 actively supports tourism-</p>	<p>The comments from the applicant are supported.</p> <p>Any concerns can be addressed by laying down conditions of approval which may include the provision the plans as mentioned at point 2.</p>

		<p>related opportunities on farm land. The proposed festival will significantly boost local tourism by attracting visitors from various parts of the Western Cape to the Swartland area.</p> <p>Furthermore, the following are extracts from the Swartland SDF:</p> <ul style="list-style-type: none"> •Continue effective management and maintenance of existing tourist attractions and investigate new tourism opportunities. •Strengthen and expand tourism routes, festivals (e.g. Rocking the Daisies) and events (e.g. Berg River Canoe Marathon). <p>The proposed temporary departure supports tourism in Swartland and contributes to the region's economic growth. The use is accommodated without endangering the natural environment or critical plant species and does not prevent the surrounding properties to function properly, as this will only be a temporary event.</p> <p>While the proposed event may temporarily impact the surrounding area, it is expected to attract a significant number of tourists, providing a substantial boost to the local economy. Furthermore, the event aligns with the objectives of the Spatial Development Framework, promoting economic growth and providing new tourism opportunities. Given these benefits, the application warrants favourable consideration.</p>	
<p>Ferelni Investments (Pty) Ltd</p> <p>M Voigt</p>	<p>7. Not all affected parties have been notified and invited for comment, only the surrounding land owners. Sound travels at least 5-10km during evening.</p>	<p>Noted. The public participation was done in accordance with the Swartland Municipal Land Use Planning By-Law—2020. The public participation process is therefore sufficient.</p>	<p>Surrounding affected land owners within a 2,5km radius from the festival site were consulted during the public participation process. The public participation process is deemed sufficient.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>M Voigt</p>	<p>8. The noise will have an impact on wildlife, including leopards, impacting their behaviour and habitat and will likely be driven out of the area.</p>	<p>Noted. This is only a temporary departure and should not have a long term effects on the wildlife of the area.</p>	<p>The comment from the applicant is supported.</p> <p>Any concerns can be addressed by laying down conditions of</p>

			approval which may include the provision the plans as mentioned at point 2.
Ferelni Investments (Pty) Ltd	9. Where will cars be parked during check in, as it may take up to several minutes?	A total of 300 traffic regulators will be appointed to ensure that effective traffic flow occurs. As mentioned earlier, the Department of Infrastructure also supported the proposed development and can therefore be encouraged.	The comment from the applicant is supported. A traffic management plan has been submitted for the festival which is supported by the municipality.
Ferelni Investments (Pty) Ltd John P J Sauls Inc on behalf of Paardeberg Stud M Voigt	10. Staff deliveries will be problematic from Drie Susters Road as the road is in a very bad state and cannot handle heavy traffic. Who will be responsible to maintain the road after and infrastructure after the event?	Noted. Refer to point 4 and 9 above. The maintenance of the road is the responsibility of the Department of Infrastructure: Road Planning.	The comment from the applicant is supported.
Ferelni Investments (Pty) Ltd	11. What will be the operating times? Is there a cut-off time for music or is it 24hr?	The festival will consist of three stages, the main stage, second stage and the stage within the barn. The second stage will be operational until 21:00 at night, while the main stage will be open until 12:00. The barn stage (small stage), which will be mitigated by the barn, will be operational until 02:00 in the morning.	Noted.
Ferelni Investments (Pty) Ltd Subelia Trust M Voigt	12. Is there any dust control at the venue? Who will be responsible for dust control on Drie Susters Road? This will have an adverse impact on the area.	Water trucks will be deployed to regularly water the festival area before, during, and after the event, ensuring effective and consistent dust control.	The comment from the applicant is supported.
Ferelni Investments (Pty) Ltd De Kopje Investments Pty Subelia Trust Pieter Loubser	13. There may be drug and alcohol abuse at the festival.	A liquor license will be secured for the duration of the event. While attendees will be responsible for their own actions, the owners are committed to ensuring a safe environment. To this end, a professional security and medical team will be appointed to provide comprehensive support and care for all attendees.	Noted.
Ferelni Investments (Pty) Ltd	14. Who will be responsible for litter or strewn blown into the neighbouring farms.	A total of 600 event staff members will be appointed to ensure the festival runs	The comment from the applicant is supported.

		smoothly, including maintaining cleanliness throughout the event.	
Ferelni Investments (Pty) Ltd	15. Are the ablution facilities temporary or permanent. It is also advertised that showers will be available, what will happen to the waste water?	This event will make use of temporary ablution facilities which include both showers and bathrooms.	The comment from the applicant is supported.
John P J Sauls Inc on behalf of Paardeberg Stud	16. No consultation with the neighbouring farms took place, despite the applicant claiming to have open lines of communication with the landowners.	The owners have successfully communicated with some of the surrounding landowners but were unable to reach all of them due to time constraints. They encourage any landowners who have not yet been contacted to reach out to discuss how the farms can work together to accommodate one another.	It is the prerogative of the farmers and applicant to consult with each other.
Subelia Trust	17. The value of our land will be reduced. Who would want to live in a farm environment where regular festivals are held?	As mentioned earlier, this is only a temporary departure and not a permanent use. It is very unlikely that the surrounding property value will be impacted by this proposal. Furthermore, the Spatial Planning Land Use Management Act (SPLUMA) prescribes the principles for guiding land use planning. Among other principles, Section 59 (1), which divulges principles of spatial justice, specifies in subsection (f) that: "A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome." The proposal can therefore be encouraged.	The festival is temporary and application has only been made for temporary land use rights. At this stage there is no indication that more festivals are planned on the property. It is highly unlikely that surrounding property values will be impacted on.

PART J: MUNICIPAL PLANNING EVALUATION

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

An application for a temporary departure on portion 13 of Farm Woodlands no 874, Division Malmesbury in terms of section 25(2)(c) of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), has been received.

A total of 9 registered notices which were sent to affected parties by means of registered mail as well as 8 of the letters also sent by email. A total of 6 registered notices were uncollected of which 1 letter was not sent by email.

The public participation process started on 3 October 2024 and ended on 4 November 2024. External departments were also requested for comments which public participation process started on 3 October 2024 and ended on 3 December 2024.

The objections were sent to the applicant for comments on 7 November 2024. The comments from the applicant on the objection was received on 3 December 2024.

The Division: Land Use & Town 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

- a) Spatial Justice: This principle has not been considered due to the temporary nature of the festival.
- b) Spatial Sustainability: This principle has not been considered due to the temporary nature of the festival.
- c) Efficiency: This principle has not been considered due to the temporary nature of the festival.
- d) Good Administration: The application was communicated to the affected landowners through registered mail. The application was also circulated to the relevant municipal departments for comment. 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.
- e) Spatial Resilience: This principle has not been considered due to the temporary nature of the festival.

2.3 Spatial Development Framework(SDF)

The festival aligns with the objectives of the Spatial Development Framework, promoting economic growth and providing new tourism opportunities.

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

The festival complies with all zoning parameters. All structures are to comply with the 30m building line from the farm boundary.

2.5 Desirability of the proposed utilisation

Farm 874/13, Division Malmesbury is zoned Agricultural zone 1. Currently there are no farming activities taking place on the farm. Farm 874/13 consist of no physical restrictions which will impact negatively on the application.

The character of the surrounding area is agriculture with uses like farming of crops and other plants, livestock, intensive feed farming (chicken houses) and horse studs (race horses). Due to the temporary nature of the festival the impact on the character of the surrounding area will also be temporary. No long terms effects on the area are expected.

The hosting of music festivals/events in a rural context is deemed consistent with the objectives of the Spatial Development Framework of Swartland Municipality

No municipal services are required for the festival.

As road authority the Department of Infrastructure has no objection to the applicant.

The safety plan and traffic management plan are supported by the municipality.

The festival/event has to comply with any other applicable legislation which relates to the safety and health, the conduct of persons attending the festival/event, the activities undertaken or carried out at the festival/event and do not have a negative impact on affected communities or persons during the festival/event.

The impacts posed by the music festival on the surrounding area will be temporary and can be mitigated through conditions if the application is approved.

3. Impact on municipal engineering services

No municipal services can be provided for the festival.

4. Comments of organs of state

Comments were received from the Department of Infrastructure which had no objection to the applicant.

5. Response by applicant

See Annexure M.

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 rights

N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for a temporary departure in order to host a music event on portion 13 of Farm Woodlands no 874, Division Malmesbury be approved in terms of Section 70 of the By-law, subject to the following conditions:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The temporary land use right permits the hosting of a music festival/event (Rands Holidaye) at Woodlands farm for a maximum of 10 000 patrons as presented in the application;

- (b) The land uses at the event include concerts, camping and ablution, retail (vendors), parking, first aid services, security detail, ect.;
- (c) The Set-up of the festival grounds from 1 November 2025 to 27 November 2025;
- (d) The event be held from 28 to 30 November 2025;
- (e) The strike down of the structures and site clean-up be completed from 1 December 2025 to 12 December 2025;
- (f) All temporary structures to be used for the event be constructed by or under the supervision of a suitably qualified professional(s) to avoid any injuries that may occur during the event and setting up/breaking down of the tents;
- (g) A certificate of compliance in terms of electrical and structures / stages be signed off by an engineer registered in terms of the relevant legislation and handed over to the event organiser for safe guarding before the event starts;
- (h) The event organizer at all times ensures that the safety and security measures are accessible and ready to be employed in a case of emergency, as submitted with the application;
- (i) The municipality be provided with copies of the following documents for record purposes prior to the event taking place:
 - i. security and crowd management plan;
 - ii. emergency and medical services plan;
 - iii. waste management plan;
 - iv. proof of insurance;
 - v. noise control plan;

2. PROTECTION SERVICES

- (a) All relevant sections and regulations of the “*Safety at Sports and Recreational Events Act*”, (Act 2 of 2010) as well as the *Health and Safety Act (SANS code 10366)* must be adhered to. Proof of this must be made available if required;
- (b) Each food stall must be in possession of certificate of acceptability;
- (c) The appointed safety officer ensure the implementation of the safety and traffic management plan;

3. WATER

- (a) No municipal drinking water can be supplied to the proposed entertainment activity;
- (b) Water to be used for domestic purposes must be clean water that complies with the requirements of SANS 241. “Clean water” is defined as clean and clear water that is free of any *Escherichia coli* organisms per 100 millilitres and free from any particles in concentrations that could be harmful to human health;
- (c) The owner of Farm 874/13, Malmesbury be responsible to provide clean water to the festival and Swartland Municipality or the Department of Water Affairs accept no responsibility regarding the quality and quantity of the water that is used during the festival;

4. SEWERAGE

- (a) No municipal sewer services can be provided to the proposed festival;
- (b) Sufficient ablution facilities be provided by the owner/event coordinator for the festival;
- (c) Any sewerage be removed from the farm by a contractor and be disposed of in an acceptable manner;

5. REFUSE REMOVAL

- (a) A written application must be submitted to Swartland Municipality for the use of the Highlands dumpsite. Payments made must be by means of coupons;

6. GENERAL

- (a) 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;
- (b) All conditions of approval be implemented before the festival/event takes place and failing to do so the approval will lapse;
- (c) 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. Farm 874/13 does not consist of any physical restrictions which may impact negatively on the application.
2. Due to the temporary nature of the festival/event the impact thereof on the surrounding area will also be temporary. No long term effects on the area are expected.
3. The application is in compliance with the SDF.
4. The concerns of the objectors will be addressed through all the plans
5. The festival/event has to comply with any other applicable legislation which relates to the safety and health, the conduct of persons attending the festival/event, the activities undertaken or carried out at the festival/event and do not have a negative impact on affected communities or persons during the festival/event.



PART N: ANNEXURES

Annexure A	Locality Plan
Annexure B	Site development plan
Annexure C	Plan indicating the public participation process
Annexure D	Plan indicating the position of the objectors
Annexure E	Objection from Fereini Investments Pty Ltd
Annexure F	Objection from John P J Sauls Inc. on behalf of Paardeberg Stud
Annexure G	Objection from De Kopje Investments Pty Ltd (LE Mentz)
Annexure H	Objection from Lucia van Dyk
Annexure I	Objection from Subelia Trust (Pieter Eksteen)
Annexure J	Objection from M Voigt – Rosenberg/Woodlands/Hoornbosch Farms
Annexure K	Objection from Kathi & Glen Kotzen
Annexure L	Objection from Pieter Loubser
Annexure M	Comment from the applicant on the objections
Annexure N	Security plan
Annexure O	Traffic management plan

PART O: APPLICANT DETAILS

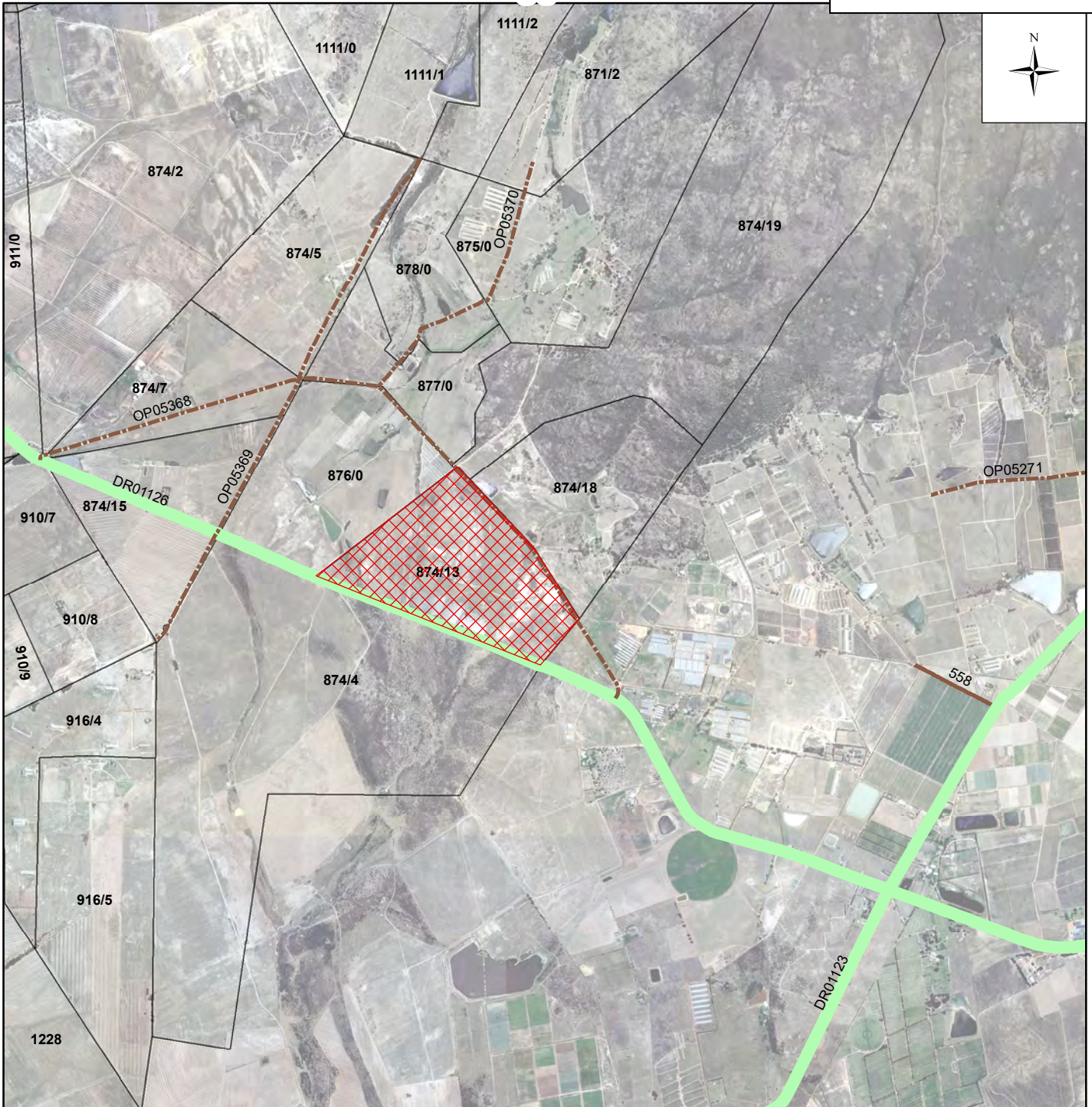
First name(s)	CK Rumboll & Partners – NJ de Kock			
Registered owner(s)	CPT Randz Pty Ltd	Is the applicant authorised to submit this application:	Y	N

PART P: SIGNATURES

Author details: AJ Burger Chief Town & Regional Planner SACPLAN: B/8429/2020		Date: 28 February 2025	
Recommendation: Alwyn Zaayman Senior Manager: Development Management SACPLAN: B/8001/2001	Recommended	<input checked="" type="checkbox"/>	Not recommended
		Date: 4 March 2025	

Locality plan

ANNEXURE A



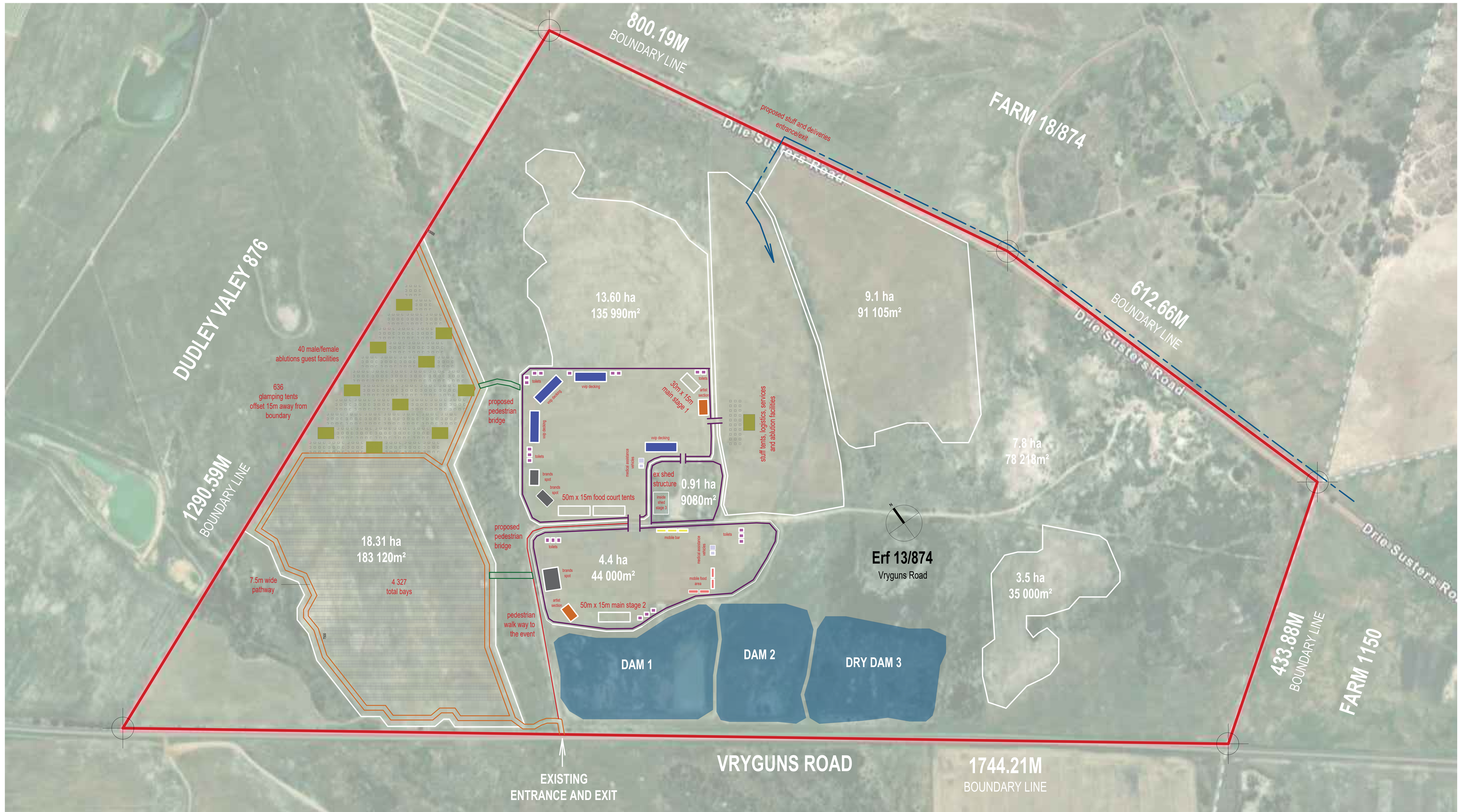
Proposed temporary departure

**Portion 13 of farm Woodlands no 874,
Division Malmesbury**

Locality plan

Scale: N/A





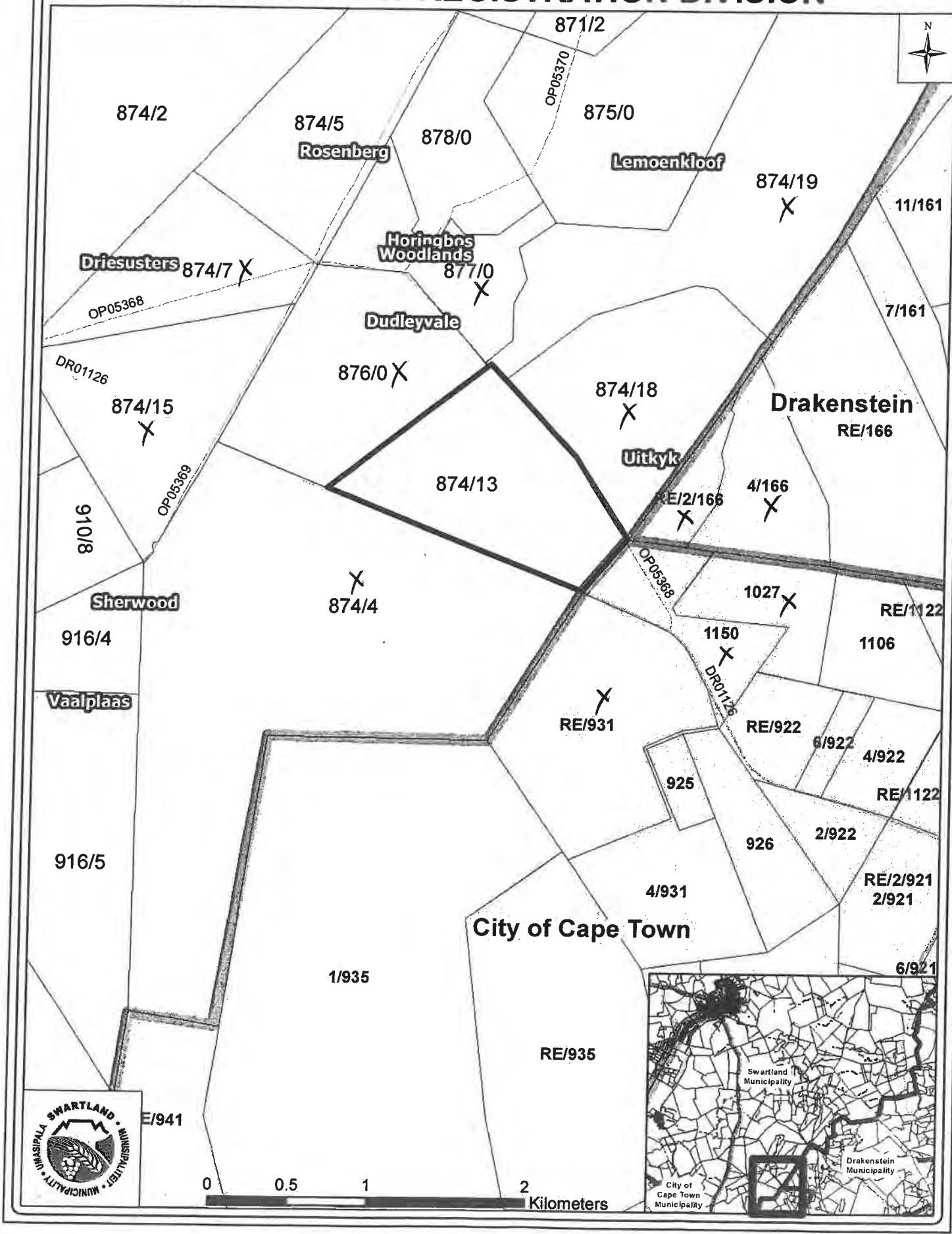
SITE PLAN - A0 PAPER

SCALE 1:2000

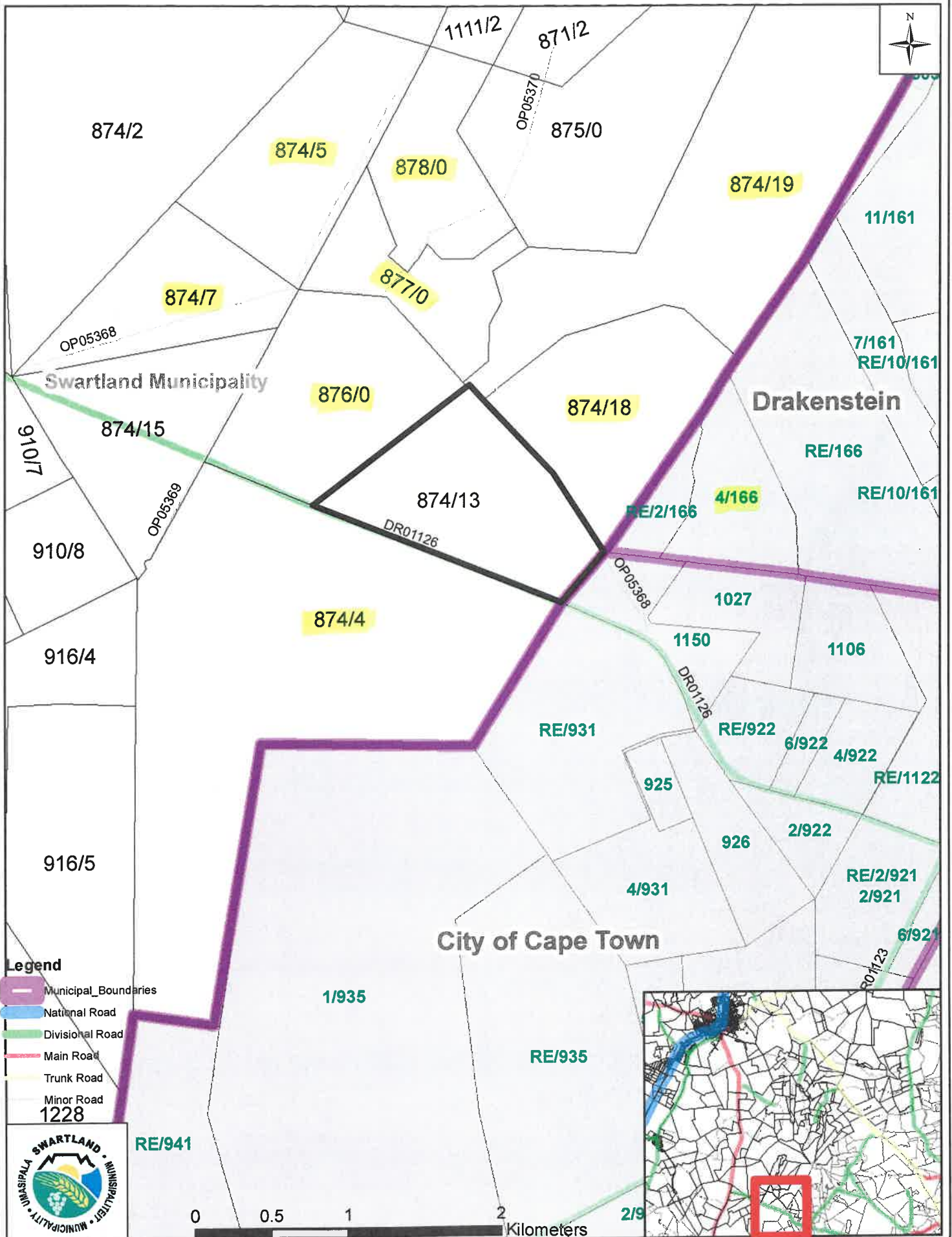
PROPOSED TEMPORARY DEPAR

ANNEXURE C

PORTION 13 OF THE FARM WOODLANDS NO. 874, MALMESBURY REGISTRATION DIVISION



PROPOSED TEMPORARY DEPARTMENT ANNEXURE D PORTION 13 OF THE FARM WOODLANDS NO. 874, MALMESBURY REGISTRATION DIVISION



FERELNI INVESTMENTS (PTY) LTD

32 Thom Street, Paarl, 7646
 PO BOX 6109, Paarl, 7620
 Tel: 0219813361 | 0833999534
 VAT nr. 4060293877

16 October 2024

Ref: 15/3/4-15/Farm_874/13

TO: The Municipal Manager
 Private Bag X52
 Malmesbury
 7299
 Fax: 022-487-9440
 Email: swartlandmun@swartland.org.za

Objection of the proposed temporary departure on portion 13 of Farm Woodlands NR 874, Division Malmesbury.

- 1) To start off with, I don't believe all affected parties have been invited for comment, only the immediate neighbouring farms. Sound travels at least 5-10km during the evening, so I believe there will be a lot more affected parties than indicated on your diagram.
- 2) Livestock farming: Cattle, Sheep, Pigs, Poultry in the immediate area. Loud music and noise can have various effects on livestock, impacting their behaviour, health, and productivity. Key points to consider:
 - a) Stress Response
 - b) Impact on Feeding and Production
 - c) Reproductive Issues
 - d) Species-Specific Reactions
 - e) Different livestock species may respond uniquely to loud music. Cattle: Generally sensitive to loud sounds; may exhibit signs of stress. Sheep: Can become agitated; may flee from the source of the noise. Pigs: Sensitive to noise; loud sounds can cause panic and chaos in a herd.
- 3) Wildlife on Perdeberg Mountain, including leopard. Loud music and noise pollution can have significant effects on wildlife, impacting their behaviour, physiology and habitat and will likely be driven out of the area
- 4) There will be a severe impact on the calm, serene, tranquil nature of the area. Most people that live in the area, enjoy the quiet, calm, relaxing atmosphere that the area provides.
- 5) Security concerns. Who will oversee security at the festival and surrounding areas? With an estimated 10 000 festivalgoers, there might be an opportunity for criminal elements entering the area under the guise of the festival. Most of the surrounding farms could become high risk areas in the future. Livestock theft, burglaries and other violent offences might occur in future, caused by the huge influx of people into the area.
- 6) Crowd Control? Who is responsible for crowd control outside the venue?

FERELNI INVESTMENTS (PTY) LTD

32 Thom Street, Paarl, 7646
PO BOX 6109, Paarl, 7620
Tel: 0219813361 | 0833999534
VAT nr. 4060293877

- 7) Trespassing. Who will prevent festivalgoers from trespassing on neighbouring farms? What's stopping people that aren't willing to pay the entrance fee, from camping on neighbouring farms?
- 8) Congestion. What is the plan to alleviate congestion at the main entrance? Where will the cars be parked while waiting to enter the venue? It may take a few minutes for each vehicle's occupants to check their tickets for the festival, including their accommodation. Searching vehicles for contraband etc and giving directions once inside the venue.
- 9) Access for deliveries and staff. The proposed route on Drie Susters Road for deliveries and staff will be problematic. The road currently is already in a very bad state and hasn't been maintained for some time. It is not in a condition to handle heavy traffic at all. The proposed road is also quite narrow, where two vehicles find it very difficult to pass each other, let alone trucks. Passing trucks will also damage infrastructure near the road. Who will be responsible to re-instate and maintain the road and infrastructure after the festival?
- 10) Noise pollution. What are their operating times? Is there a cut-off time to stop playing music or is it 24hr? Farmers do not have weekends off and are mostly required to work weekends.
- 11) Dust Control. Are there any strategies for dust control at the venue? Who will be responsible for dust control on Drie Susters Road outside the venue, that their delivery trucks and staff will use?
- 12) Alcohol and Drug abuse. I see no need to elaborate on that! That's what happens at festivals.
- 13) Has a temporary liquor licence been applied for?
- 14) Who will be responsible for cleaning litter blown or strewn onto neighbouring farms?
- 15) Will there be 24hr traffic control the whole weekend?
- 16) Emergency Evacuation and Emergency Response Plans? Could you please share that?
- 17) Will the Fire Department be on standby at the venue? Festivals are well known for making bonfires, braaiing etc. Are they allowed to have open fires, use fireworks? Another stressor for animals too!
- 18) Are the ablution facilities temporary or permanent? It is also advertised to have shower facilities available. What will happen to the effluent water/wastewater?

For any further information, please feel free to contact me via email or telephone.

Yours truly,



Danie du Preez
Fernelni Investments
083 399 9534
danie@dceac.co.za

**JOHN PJ SAULS INC.
PROKUREURS / ATTORNEYS**

NOTARIES – CONVEYANCERS – ESTATE ADMINISTRATORS

Murchisonstraat 4 Murchison Street
CERES, 6535
Posbus/PO Box 452
CERES, 6835

TEL: 023 312 3666
CELL / SEL: 082 855 6057 (R RICKERTS)
062 635 8471 (C PRINS)
066 312 0667 (A DANIELS)

Ons verw./Our ref:
AD/P17/24

U verw/Your ref:

Datum/Date
22 October 2024

SWARTLAND MUNICIPALITY

Municipal Manager - Joggie Scholtz

Via Email: swartlandmun@swartland.org.za

“WITHOUT PREJUDICE”

Dear Sir,

**RE: OBJECTION TO TEMPORARY DEPARTURE ON PORTION 13 OF FARM NO. 874,
MALMESBURY DISTRICT**

1. We represent Paardeberg Stud, a neighbouring farm bordering the site proposed for a music festival scheduled for **29 November - 1 December 2024**. We hereby lodge our formal objection to the temporary rezoning application submitted by the Applicant dated, 19 September 2024.
2. Our objection is based on the following key points, which we submit in terms of the Municipal Bylaws, as well as further procedural and substantive concerns regarding the application:

Firm No: 62013 Registration No: 2021/560521/21

DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)

Lack of Prior Consultation

3. It is highly concerning that no prior consultation with neighbours took place, despite the Applicant claiming in their application that there have been "open lines of communication" with landowners. Neighbours, including our client, only became aware of the proposed rezoning when the Municipality issued the notice for comments. This lack of communication is both misleading and unacceptable and directly contradicts the Applicant's assertions. Should this application be successful, we have no confidence that this supposed "open communication" will occur in the future.

Procedural Irregularities and Timing Concerns

4. In terms of Section 65(1) and (2), the Municipality is required to give the Applicant all comments within 14 days, and the Applicant must respond to all objections within 30 days. However, the deadline for objections is 4 November, while the festival setup is scheduled to begin as early as 1 November. This timing is deeply problematic, as it appears that the Applicant is preempting approval. Additionally, they have already started booking artists and announcing the lineup on social media, operating on the presumption that the rezoning will be granted. Should the Municipality approve this application despite the evident procedural shortcomings, we will hold the Municipality equally liable for any resulting harm.

Incorrect Representations in the Application

5. In paragraph 5 of the application, titled "Zoning and Surrounding Uses," the Applicant claims that neighbouring farms are primarily engaged in growing oathay and lucerne, which is factually incorrect. Our client, Paardeberg Stud, operates a thoroughbred horse stud with pregnant mares and young foals. Horses, particularly young thoroughbreds, are extremely sensitive to loud, abrupt noises, and a festival with three stages, lasting until the early hours, will likely frighten them. Such disturbances could result in the horses running into poles or through fences, causing significant injury and potentially millions in losses to the business.
6. Moreover, the surrounding farms do not exclusively produce oathay and lucerne. Other neighbouring farms have livestock, including sheep, pigs, chickens, and cows (for both dairy and meat). These farms will also be negatively impacted by the prolonged noise, disruption, and potential trespassing from festival-goers.

Firm No: 62013 Registration No: 2021/560521/21

DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)

Animal Welfare Concerns

7. We must highlight the welfare of the valuable bloodstock on Paardeberg Stud. There are pregnant mares that must not be subjected to stress, and young horses that could be severely injured by sudden loud noises from the festival. The continuous noise and disruption over the weekend will also severely impact the daily operations of the farms in the area, where farming is a 24/7 business. The Applicant, and the Municipality should they approve this rezoning, will be held liable for any injuries or losses sustained by these animals.

Lack of Detail on Safety, Traffic, and Security Measures

8. In their application, the Applicant vaguely references "open lines of communication" and adequate security measures to maintain safety and prevent trespassing. However, there has been no prior communication with landowners, and the security measures are described in such vague terms that they do little to alleviate our clients' concerns. Additionally, the traffic management plan is grossly inadequate. The proposed site entrance and exit involve a single gate onto a narrow tar road, which is already busy and unsuitable for handling the kind of traffic this festival will generate.
9. The state of the roads is also a concern, as the proposed road for deliveries and staff is in poor condition and not equipped to handle heavy trucks. The lack of planning around the road usage poses a real threat to traffic safety.

Risk of Fires

10. Given that the area is extremely dry and windy, the risk of wildfires is high. The application makes no mention of how the Applicant will prevent open fires or what fire safety protocols will be in place. The area experienced wildfires less than a year ago, and the possibility of attendees starting fires for camping or cooking is a major concern. Any uncontrolled fire could have devastating consequences for neighbouring farms, their properties, and livestock.

Community Impact

11. Finally, it is important to note that this festival will have a severe impact on the peace and tranquility of the local community. The proposed event will disrupt the lives of permanent residents who depend on the quiet rural environment. The combination of loud music, increased traffic, potential security risks, and trespassing is an unacceptable imposition on the community, and it is our view that the scale and nature of this event are entirely incompatible with the character of the area.

Firm No: 62013 Registration No: 2021/560521/21

DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)

Conclusion

12. In light of the above, we urge the Municipality to seriously reconsider this application and to refuse the proposed rezoning. Should the Municipality proceed with granting this rezoning, we will hold both the Applicant and the Municipality fully liable for any damage, harm, or loss caused as a result of this event.

13. We trust that the Municipality will take these concerns into account and respond accordingly.

Yours sincerely,

JOHN PJ SAULS INC.

Per:



Handwritten signature of Ronald Rickerts, consisting of a stylized 'R' and 'R' with a horizontal line through the middle. The initials 'R.P.' are written above the signature.

RONALD RICKERTS

Firm No: 62013 Registration No: 2021/560521/21

DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)



De Kopje

Investments (Pty) Ltd
Reg No 1988/000128/07

Posbus 2011
Windmeul
7630

Tel: 083-2645998
E-mail: dekopje@iafrica.com

The Municipal Manager
Private Bag X52
Malmesbury
7299

21 October 2024

Dear Sir/Madam

Re: Proposed Temporary Departure on Portion 13 of Farm Woodlands Nr 874, Division Malmesbury

We are in receipt of your letter dated 3 October 2024, which outlines the plans of CPT Randz Pty Ltd for a festival to be held end November – beginning December 2024.

Thank you for the opportunity to give our input in this matter. We are adjacent neighbors to this property (Portion 18 of Woodlands 874) and will most certainly be impacted directly should the proposed festival go ahead.

It is with great concern that we see this festival already being advertised and ticket sales “open” and we urge the decision-making individuals to consider the impact that a festival of this nature will have on our area and the farming community.

Our concerns are such that we have had communication with neighbors and the attached document (Concerns of Neighbors) is a summary of our shared ideas on the festival.

I cannot see any benefit to our area or the community – in fact the festival will result in many potential problems:

- Noise – the noise associated with festivals of this nature will be totally disruptive to people living in the area. Many farmers of horses, sheep, cattle, chickens, and other livestock will be impacted.
- Security – 10,000 people that visit the festival where alcohol and drugs will be consumed will almost certainly result in security problems in the area and the police and farm watch are already “stretched” to deal with day-to-day issues.
- Access – there is just no way that the current two roads will be able to deal with the proposed traffic issues. The gravel road is in a shocking state and farmers are even trying to fix this themselves. It can certainly not carry “festival” transport in addition to our day-to-day traffic.
- Fire – the risk of fire in the area and specifically the mountain is very big – especially during the time of the year that the festival is proposed. This is a huge risk to people, houses, property and livestock in the area.
- Farming community – this festival is so out of tune with life in our area – it simply does not belong here, and I have no idea how this can even be considered.



De Kopje

Investments (Pty) Ltd
Reg No 1988/000128/07

Posbus 2011
Windmeul
7630

Tel: 083-2645998
E-mail: dekopje@iafrica.com

Please can I ask that our objection to this festival be acknowledged by return email to dekopje@iafrica.com and also that further information or correspondence in this matter be directed to this email address.

Myself, Lida Elize Mentz and my husband Hendrik Andreas Mentz are directors of De Kopje Investments Pty Ltd and we own the property Farm 874 (Portion 18) – neighboring Portion 13.

I trust that our objection and concerns will be considered and just want to put on record that we wish all the best to all neighbors in our area – we will be supportive in most instances where neighbors wish to implement new ideas/business opportunities, but this Festival goes against all logic (as listed in this letter) and we strongly object.

Please let us know the outcome of this matter.

Kind Regards

L E Mentz
Tel: 083 2645998
dekopje@iafrica.com

H A Mentz
Tel: 083 2645999



De Kopje

Investments (Pty) Ltd
Reg No 1988/000128/07

Posbus 2011
Windmeul
7630

Tel: 083-2645998
E-mail: dekopje@iafrica.com

Concerns of Neighbours to Portion 13 of Farm Woodlands Nr 874

Procedural Concerns and Timing

The objection deadline is set for 4 November 2024, while the festival setup is scheduled to commence on 1 November. This indicates that the Applicant is proceeding on the assumption that the application will be approved, without due regard for the legal process or the concerns of neighbouring landowners. Furthermore, the Applicant has already begun promoting the festival and selling tickets, reinforcing the impression that they view the rezoning approval as a mere formality.

Misrepresentation of the Area's Land Use

The Applicant's claim that surrounding farms are primarily involved in growing crops such as oathay and lucerne is a gross misrepresentation of the area. The region is home to a wide range of agricultural activities, including livestock farming, which plays a central role in the local economy. Farming in this area involves sensitive operations that require peace and stability, and a festival of this scale will severely disrupt the working environment, particularly over a weekend when farm activities continue uninterrupted.

Impact on Animal Welfare and Farm Operations

The noise, traffic, and activity generated by an event of this magnitude will inevitably cause undue stress to livestock and disrupt farming operations across the board. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.

Inadequate Planning for Traffic, Safety, and Security

The Applicant has provided inadequate details regarding how they intend to manage traffic, security, and safety. The area surrounding the proposed site is serviced by narrow, rural roads that are ill-equipped to handle the volume of traffic expected from an event of this size. Moreover, there is a real concern about the potential for trespassing, damage to property, and other security risks, as the Applicant's plans in this regard remain vague and insufficient.

Fire Risk

The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are alarmed that no concrete measures have been outlined to ensure the safety of the area.

Community Disruption

Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Our clients and other residents depend on the tranquillity of the region for their livelihoods, and the presence of a large-scale event like this is incompatible with the existing farming operations and lifestyle.

Conclusion

In light of these substantial concerns, we urge the Municipality to reject the temporary departure application.

Procedural Concerns and Timing

1. The objection deadline is set for 4 November 2024, while the festival setup is scheduled to commence on 1 November. This indicates that the Applicant is proceeding on the assumption that the application will be approved, without due regard for the legal process or the concerns of neighbouring landowners. Furthermore, the Applicant has already begun promoting the festival and selling tickets, reinforcing the impression that they view the rezoning approval as a mere formality.

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Impact on Animal Welfare and Farm Operations

3. The noise, traffic, and activity generated by an event of this magnitude will inevitably cause undue stress to livestock and disrupt farming operations across the board. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.

Inadequate Planning for Traffic, Safety, and Security

4. The Applicant has provided inadequate details regarding how they intend to manage traffic, security, and safety. The area surrounding the proposed site is serviced by narrow, rural roads that are ill-equipped to handle the volume of traffic expected from an event of this size. Moreover, there is a real concern about the potential for trespassing, damage to property, and other security risks, as the Applicant's plans in this regard remain vague and insufficient.

Fire Risk

5. The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are alarmed that no concrete measures have been outlined to ensure the safety of the area.

Wildfires pose an existential threat to the entire farming community, and the lack of fire prevention protocols is unacceptable.

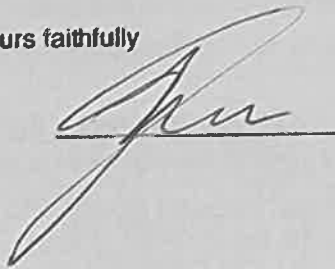
Community Disruption

6. Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Residents depend on the tranquillity of the region for their livelihoods, and the presence of a large-scale event like this is incompatible with the existing farming operations and lifestyle.

Conclusion

7. In light of these substantial concerns, we urge the Municipality to reject the temporary departure application.

Yours faithfully



T. Ellis Blijdschap Farm
Syrilla Stud Farm
0720464694
t.aan.ellis@yahoo.com

SUBELIA TRUST

MEMO

**REM ESTATE FARM GRAAFWATER 931
 AGTER PAARDEBERG ROAD
 MALMESBURY
 7300**

TEL: 021-9763003/3053

PO BOX 158

FAX: 0866139993

DURBANVILLE

E-Pos : peks@mweb.co.za

7551

CEL: 083 626 1601

I.TRUST : 5137/02

DATE : 15 OKTOBER 2024

TO : AAN WIE DIT MAG AANGAAN

Pages : 2

LEER VERW 15/3/4-15/FARM 874/13 : VOORGESTELDE TYDELIKE AFWYKING GEDEELTE 13 VAN PLAAS WOODLANDS NO 874

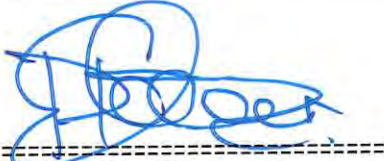
Ek , Pieter Rossouw Eksteen trustee van Subelia Trust and Eienaar van Rem Estate Farm Graafwater 931 (**SUBELIA TRUST**), maak hiermee **ernstige beswaar** teen beoogde "Musiekfees" soos uiteengesit in doc 15/3/4Farm_874/13. My Plaas grens aan die hoek van Woodlands nr 874

Redes:

1. Die geraas wat gaan plaasvind oor 3 dae periode versteur die rustige omgewing waarin ons almal bly. Die musiek sal kilometers vêr gehoor kan word
2. Vir 10 000 mense teen sê gemid van 4 persone (as dit so baie is)/ voertuig = 2500 minimum voertuie wat moet in en uitbeweeg na/van die terrein
3. Die musiekfeeste word 100% gekenmerk met baie hoe alkohol en dwelm misbruik wat sy eie negatiewe gevolge op ons omgewing tot gevolg gaan hê
4. Woodlands word omring deur intensiewe boerderye. Vark en Hoender en Bees plase. Stof en geraas gaan baie nadelig op diere se produksie wees.
5. Indien julle dit een keer gaan toelaat, gaan dit 'n instelling word wat ons almal se rustige Boerdery/ Plattelandse omgewing baie gaan benadeel.
6. Waarde van ons grond /eiendom gaan wesenlik verlaag. Wie wil in 'n plattelandse / plaas omgewing bly waar daar gereeld musiekfeeste gehou word vir 10 000 mense ?

7. Ek is ooruiig daarvan dat daar ander AFGESONDERDE plekke is waar dit gehou kan word

Erken hiermee asb ontvangs van my besware teen die beplande Musiekfees en hou my op hoogte van julle besluit

A handwritten signature in blue ink, appearing to read 'Pieter Eksteen', written over a dashed horizontal line.

Pieter Eksteen
Trustee/Eienaar
0836261601

VOIGT – Rosenberg/Woodlands/Hoornbosch
Posbus 551 Malmesbury 7299

22 October 2024

martin@bolandtrees.com

REF: 15/3/4-15Farm_874/13

The Municipal Manager

Private Bag X52

Malmesbury

7299

Email: swartlandmun@swartland.org.za

OBJECTION of the proposed temporary departure of portion 13 of Farm Woodlands Nr 874, Division Malmesbury

1. Not all affected parties have been invited for comment.
2. Loud music and noise will have a negative effect on Cattle, Sheep, Pigs, Horses and Poultry.
3. Loud music will also have a effect on wildlife in Paardeberg Mountain.
4. Access to venue is limited and the private road from Drie Susters is a dirt road and can't handle all the traffic, who will be responsible for dust control.
5. Noise till late at night is a disturbance to all.
6. Our area is prone to wildfires, particularly during dry and windy conditions.
7. No person in our area or Swartland area will benefit from this music festival. There is enough dedicated places far away for these types of events.

We want to urge the Municipality to reject the temporary application.

For any further information, please contact me via email or telephone.

Regards

Martin Voigt

ROSENBERG FARM
HOORNBOSCH FARM
WOODLANDS FARM

082 5664 038

From: Kathi Kotzen <kotzen@iafrica.com>
Sent: Tuesday, 15 October 2024 16:45
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: 'Glen Kotzen' <glenkotzen@woodhillracing.co.za>; 'Kuyan Kotzen' <stables@woodhillracing.co.za>
Subject: Objection : Festival on property Woodlands Farm no 874 Malmesbury 29 November - 1 December 2024

The Municipal Manager

Dear Sir/Madam

Woodhill Racing Estate on the Vryguns Road would like to object to the holding of the Woodlands festival in our farming community on the following basis:

The area is predominantly farming either vineyards, chickens, pigs and large scale thoroughbred racehorse breeders and racehorse training facilities. The area due to its natural and peaceful environment has led to very many racehorse breeders and trainers in building their businesses here in the Paardeberg. The industry has grown tremendously over the last two decades with the following farms developing magnificent stud farms within a 10km radius. The Festival would be in the middle of the various stud farms.

Varsfontein Stud (approx. 200 + horses including 4 extremely valuable stallions – one being South Africa's leading stallion)

Woodhill Racing and Breeding Stud (120 – racehorses and brood mares)

Sorrento Stud (80 horses – including imported Sport horse stallions)

Paardeberg Stud (80 plus and growing daily – including a top young International Stallion)

Drakenstein Vet Stud – Dr Andrew Grey (The farm might be registered differently) (guessing 30 horses – it might be very many more)

Roland Bouwer's Stud – (60 + thoroughbred horses)

Flesch Stud – Mr Pierre Veldhoorn (15+ horses)

There are other stables in the area as well but from a thoroughbred perspective you are looking at 500 horses – with stallion's worth in excess of 100 million rand. The mares account for many more millions and the racehorses in training approx. – 30 million rand. It is an enormous industry who has just received permission from the EU to export horses into Europe which increases the value of the stock even further.

By nature, the thoroughbred is a very highly strung animal, and any loud noises can cause these flight and fright animals to bolt through structures and or fencing causing themselves immense harm.

Loud noises will stress the horses terribly and the mares who have just conceived could lose their foetuses.

With regards to our racehorses the loud noise which likely will be heard will interfere with their rest for racing and during their work program should cars come roaring by while being ridden the horses could bolt and drop the jockey/work rider who could get badly injured. This has happened in the past when the farm Savannah held a festival illegally in the area. The cars racing up and down Vryguns road was unbearable day and night.

I appeal to you Sir/Madam to find a suitable alternative venue for the Festival as the Paardeberg is a serene and quiet area ideally suited to the safe running of our businesses. Granting a license to festivals will damage the integrity of our area and businesses and will affect our livelihoods and safety of our staff and horses.

Thank you for your time and consideration.

Regards

Kathi and Glen Kotzen and the Woodhill Racing Team (70 staff members)



From: pieter@loubserhill.co.za <pieter@loubserhill.co.za>
Sent: Tuesday, 15 October 2024 18:41
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: leërverw: 15/3/4-15/Farm 874/13 Beswaar

Goeie dag

Ek is die eienaar van Propect Hill Restant van gedeelte 4 Woodlands no. 874 Malmesbury.

Ek maak beswaar teen die tydelike vergunning om n fees te hou op plaas Gedeelte 13 Woodlands van 874 Malmesbury.

Dit is on aanvaarbaar dat tussen die verskriklike harde musiek, drank en dwelems die hele naweek dat daar mense buite die perseel ook gaan wees wat nie toegang het tot die perseel nie. Daar gaan moeilik gebeur op die pad sowel as die buur plase.

Ons loop deur deur geweldige **misdad** soos u weet elke dag met die diefstal van vee, krag drade, Eskom transformers, pompe, pluimvee, pluimvee kos wat geteel word net om n paar op te noem. Die gevaar van kriminele wat gaan "spy" is 100% daar.

Ons area se mense doen al wat moontlik is per 24 uur om ons almal, plaas werkers, eiendom, bestuurders, alle persone **veilig** te hou en verdagte voertuie uit ons area te hou. Hier gaan moeilikheid kom.

Die volgende aspek is die brand gevaar met al die geremoer. My bees veld weiding sowel as Kanola lande grens teen die perseel vir n paar kilometers. Die fees gaan in die hardjie van oestyd in die Swartland wees en Dit is onaanvaarbaar gevaarlik.

Ek verneem graag terugvoering asb.

Baie dankie dat ek my beswaar kan maak.

Korrespondeer asb per e-pos.

Groete
Pieter Loubser
082 4111 420

Loubser Hill BK
Prospect Hill (farm)
Slent road
Klipheuwel
7303

CK RUMBOLL & VENNOTE / PARTNERS

PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 3 December 2024

Your Ref: 15/3/4-15/Farm_874/13

PER HAND AND EMAIL

Attention: Mr A Zaayman

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

Sir

COMMENTS ON OBJECTIONS

PROPOSED TEMPORARY DEPARTURE ON PORTION 13 OF FARM NO 874, MALMESBURY

Your letter dated 7 November 2024 refers (see annexure A attached). Please find attached our comments to objections.

This office has been instructed by the owners of Farm No 874/13 to handle all town planning actions regarding the application for the proposed temporary departure on the property.

During the public participation period, comments were received from the following objectors:

1. Ferelni Investments (Pty) Ltd
2. John P J Sauls Inc on behalf of Paardeberg Stud
3. De Kopje Investments Pty Ltd (L E Mentz)
4. Lucia van Dyk
5. Subelia Trust (Pieter Eksteen)
6. M Voigt – Resenberg / Woodlands / Hoornbosch Farms
7. Kathi and Glen Kotzen
8. Pieter Loubser

VENNOTE / PARTNERS:

IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: admin@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299

MALMESBURY (T) 022 482 1845

Objector	Objection	Comment from CK Rumboll & Partners
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p>	<p>1. Procedural Concerns and timing:</p> <p>The festival setup proposed for the 1 of November and the public has time until 4 of November to comment. The applicant also began advertising the event, thus proceeding with the assumption that it will be approved at the municipality.</p>	<p>1. Given the limited time remaining before the proposed festival date, the event has been rescheduled to the 28th, 29th, and 30th of November 2025. This postponement will ensure adequate time to secure all necessary rights and permits for the festival.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>Kathi and Glen Kotzen</p>	<p>2. Misrepresentation of the areas land use: The applicant claims that the farms are primary involved in growing crops such as oathay and Lucerne, but is home to a wide range of agricultural activities such as livestock farming and horses which require peace and stability. The festival will disrupt this peace and stability and could result in the horses running into poles or through fences, causing significant injury and potential millions in losses to the businesses.</p>	<p>2. While the objector highlights the need for peace and stability for agricultural activities, including livestock and horses, it is essential to recognize that the festival is a temporary event with a three day duration. The newly proposed event dates provide an opportunity to implement effective mitigation measures to minimize disturbances to the animals.</p> <p>Additionally, many agricultural properties coexist with occasional events, demonstrating that temporary disruptions can be managed effectively without lasting harm.</p> <p>The claim of "millions in losses" is speculative and assumes a worst-case scenario that does not consider the potential for proactive mitigation. A collaborative approach with local stakeholders can address these concerns while supporting economic benefits brought by the festival</p>

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<p>Fereini Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>M Voigt</p> <p>Kathi and Glen Kotzen</p> <p>Pieter Loubser</p>	<p>3. Impact on Animal welfare and farm operations:</p> <p>The noise, traffic and activity generated by an event of this magnitude will inevitably cause undue stress on livestock and horses and disrupt farming operations. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.</p> <p>Points to consider on the animals are: stress response, impact on feeding and production, reproductive issues, species-specific reactions.</p>	<p>3. Mitigation Measures to Reduce Stress on Animals: Modern event planning includes a wide range of measures to minimize the impact on nearby farms and livestock. Soundproofing techniques, such as installing noise barriers and directing amplified sound away from livestock areas, can significantly reduce noise levels. Ensuring proper distance between festival zones and animal enclosures further mitigate potential disruptions.</p> <p>Short Duration of the Event: The festival is a temporary, short-term event and not a sustained activity. Temporary disruptions are unlikely to cause long-term issues such as reproductive problems or production declines, especially when appropriate mitigation strategies are employed. Any potential stress responses in livestock can be managed.</p> <p>Evidence from Similar Rural Festivals: Festivals of similar scale have been successfully hosted in rural areas without causing significant disruptions to livestock or farming operations. Other events/festivals on farm land have shown that animals adapt quickly to temporary disturbances, especially when proactive planning minimizes exposure to stressors. Such events demonstrate that it is possible to balance rural community interests with short-term activities.</p> <p>Traffic and Accessibility Management: Traffic management plans will be implemented to ensure minimal disruption to farming operations. The Department of Infrastructure: Road Planning already gave their comment and is of support of this application. The comment is attached.</p>
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<p>Ferelni Investments (Pty) Ltd</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>Subelia Trust</p> <p>Pieter Loubser</p>	<p>4. Traffic, Safety and security:</p> <p>The applicant has provided inadequate details of how they will manage traffic, Safety and security. The area surrounding the proposed site is service by narrow rural roads that are ill-equipped to handle this volume size.</p> <p>Furthermore, there may be potential for trespassing, damage to property and other security risks as the applicants plan in this regard remain vague and insufficient. What will stop people that aren't willing to pay the entrance fee to camp on the neighbouring farms?</p>	<p>4. The South African Police Service has classified the event as a medium-risk event, indicating that its impact on the area will be limited. To ensure the safety and security of guests, the owners have appointed SHEQ Consulting. The event will be staffed as follows:</p> <ul style="list-style-type: none"> • Event managers: 8 • Security personnel: 300 • Traffic regulators: 300 • Event assistance staff: 600 • Medical staff: 20 ambulances with three staff members per ambulance. <p>This comprehensive staffing plan is adequate to manage the proposed event, ensuring smooth traffic flow, guest safety, and the protection of surrounding farms from any potential damage.</p> <p>The property is well-served by a network of roads, including two provincial roads, one divisional road, and one minor road. These routes have been confirmed by the Department of Infrastructure: Road Planning as sufficient to accommodate the anticipated traffic flow.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>M Voigt</p>	<p>5. Fire Risk:</p> <p>The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are alarmed that no concrete measures have been outlined to ensure the safety of the area. Wildfires pose an existential threat to the entire farming community, and the lack of fire prevention protocols is unacceptable.</p>	<p>5. The Chief Fire Officer from Protection Services reviewed the proposed application and outlined measures to minimize fire risk at the event:</p> <ul style="list-style-type: none"> • Tents will be spaced at least 3 meters apart. • Accredited fire personnel will be present on-site throughout the event. • A comprehensive gas management plan will be implemented to mitigate the risk of explosions. • Grass will be cut to reduce the likelihood of field fires. • Clear access routes will be established between all structures to facilitate fire department movement. • Adequate lighting will be installed to

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		<p>enhance visibility across the site.</p> <p>These measures are deemed sufficient to significantly reduce the risk of fire during the festival.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>De Kopje Investments Pty</p> <p>Lucia van Dyk</p> <p>Subelia Trust</p> <p>M Voigt</p> <p>Kathi and Glen Kotzen</p> <p>Pieter Loubser</p>	<p>6. Community disruption</p> <p>Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Residents depend on the tranquillity of the region for their livelihoods and the presence of a large scale event like this is incompatible with the existing farming operations and lifestyle. Should this be allowed once, this will be a continuous event which will disrupt our peace.</p>	<p>6. The Swartland Spatial Development Framework (2023) provides the planning guidelines for future planning and development within the region. The diverse combination of land uses on the property supports the initiatives of the Swartland Spatial Development Framework. The growth of tourism is slowing down gradually and needs to be supported and expanded through the adoption of a Swartland tourism development strategy as envisaged in the Swartland SDF.</p> <p>Farm No 874/13 is located in ward 7 of the Swartland municipal area. The following are extracts from this ward:</p> <ul style="list-style-type: none"> • <i>Allow for more tourism related facilities to develop around these routes (accommodation, recreation facilities, agri-processing and selling of products venues, etc.).</i> • <i>Support function and exhibition venues on farms i.e. Outdoor Exhibition Centre on Farm Leliefontein along N7. Promote Outdoor Exhibitions Centre as part of Intensive Rural Development Corridor.</i> <p>As evident from the above, Ward 7 actively supports tourism-related opportunities on farm land. The proposed festival will significantly boost local tourism by attracting visitors from various parts of the Western Cape to the Swartland area.</p> <p>Furthermore, the following are extracts from the Swartland SDF:</p> <ul style="list-style-type: none"> • <i>Continue effective management and maintenance of existing tourist attractions and</i>

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		<p><u>investigate new tourism opportunities.</u></p> <ul style="list-style-type: none"> • <i>Strengthen and expand tourism routes, <u>festivals</u> (e.g. Rocking the Daisies) and events (e.g. Berg River Canoe Marathon)</i> <p>The proposed temporary departure supports tourism in Swartland and contributes to the region's economic growth. The use is accommodated without endangering the natural environment or critical plant species and does not prevent the surrounding properties to function properly, as this will only be a temporary event.</p> <p>While the proposed event may temporarily impact the surrounding area, it is expected to attract a significant number of tourists, providing a substantial boost to the local economy. Furthermore, the event aligns with the objectives of the Spatial Development Framework, promoting economic growth and providing new tourism opportunities. Given these benefits, the application warrants favourable consideration.</p>
Ferelni Investments (Pty) Ltd M Voigt	7. Not all affected parties have been notified and invited for comment, only the surrounding land owners. Sound travels at least 5-10km during evening.	7. Noted. The public participation was done in accordance with the Swartland Municipal Land Use Planning By-Law—2020. The public participation process is therefore sufficient.
Ferelni Investments (Pty) Ltd M Voigt	8. The noise will have an impact on wildlife, including leopards, impacting their behaviour and habitat and will likely be driven out of the area.	8. Noted. This is only a temporary departure and should not have a long term affects on the wildlife of the area.
Ferelni Investments (Pty) Ltd	9. Where will cars be parked during check in, as it may take up to several minutes?	9. A total of 300 traffic regulators will be appointed to ensure that effective traffic flow occurs. As mentioned earlier, the Department of Infrastructure also supported the proposed development and can therefore be encouraged.

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<p>Ferelni Investments (Pty) Ltd</p> <p>John P J Sauls Inc on behalf of Paardeberg Stud</p> <p>M Voigt</p>	<p>10. Staff deliveries will be problematic from Dire Susters Road as the road is in a very bad state and cannot handle heavy traffic. Who will be responsible to maintain the road after and infrastructure after the event?</p>	<p>10. Noted. Refer to point 4 and 9 above. The maintenance of the road is the responsibility of the Department of Infrastructure: Road Planning.</p>
<p>Ferelni Investments (Pty) Ltd</p>	<p>11. What will be the operating times? Is there a cut-off time for music or is it 24hr?</p>	<p>11. The festival will consist of three stages, the main stage, second stage and the stage within the barn. The second stage will be operational until 21:00 at night, while the main stage will be open until 12:00.</p> <p>The barn stage (small stage), which will be mitigated by the barn, will be operational until 02:00 in the morning.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>Subelia Trust</p> <p>M Voigt</p>	<p>12. Is there any dust control at the venue? Who will be responsible for dust control on Drie Susters Road? This will have an adverse impact on the area.</p>	<p>12. Water trucks will be deployed to regularly water the festival area before, during, and after the event, ensuring effective and consistent dust control.</p>
<p>Ferelni Investments (Pty) Ltd</p> <p>De Kopje Investments Pty</p> <p>Subelia Trust</p> <p>Pieter Loubser</p>	<p>13. There may be drug and alcohol abuse at the festival.</p>	<p>13. A liquor license will be secured for the duration of the event. While attendees will be responsible for their own actions, the owners are committed to ensuring a safe environment. To this end, a professional security and medical team will be appointed to provide comprehensive support and care for all attendees.</p>

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Fereini Investments (Pty) Ltd	14. Who will be responsible for litter or strewn blown into the neighbouring farms.	14. A total of 600 event staff members will be appointed to ensure the festival runs smoothly, including maintaining cleanliness throughout the event.
Fereini Investments (Pty) Ltd	15. Are the ablution facilities temporary or permanent. It is also advertised that showers will be available, what will happen to the waste water?	15. This event will make use of temporary ablution facilities which include both showers and bathrooms.
John P J Sauls Inc on behalf of Paardeberg Stud John P J Sauls Inc on behalf of Paardeberg Stud	16. No consultation with the neighbouring farms took place, despite the applicant claiming to have open lines of communication with the landowners.	16. The owners have successfully communicated with some of the surrounding landowners but were unable to reach all of them due to time constraints. They encourage any landowners who have not yet been contacted to reach out to discuss how the farms can work together to accommodate one another.
Subelia Trust	17. The value of our land will be reduced. Who would want to live in a farm environment where regular festivals are held?	17. As mentioned earlier, this is only a temporary departure and not a permanent use. It is very unlikely that the surrounding property value will be impacted by this proposal. Furthermore, the Spatial Planning Land Use Management Act (SPLUMA) prescribes the principles for guiding land use planning. Among other principles, Section 59 (1), which divulges principles of spatial justice, specifies in subsection (f) that: “A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome.” The proposal can therefore be encouraged.

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With appropriate mitigation measures—such as detailed traffic and safety plans, security measures, dust control, noise mitigation and collaboration with local stakeholders—these concerns can be addressed effectively. The festival’s potential to attract tourists, boost the local economy, and align with the area’s Spatial Development Framework offers compelling benefits. Balancing these considerations suggests that this temporary event, with proper planning and consultation, can proceed responsibly.

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

Kind regards



.....

NJ de Kock
For *CK RUMBOLL AND PARTNERS*

VENNOTE / PARTNERS:

IHJ RumbollPrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

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Annexure A

Objections

Annexure B

Comments from The Department of Infrastructure



File ref: 15/3/4-15/Farm_874/13

Enquiries:
Ms D N Stallenberg

7 November 2024

C K Rumboll & Partners
P O Box 211
MALMESBURY
7299

Dear Sir/Madam

PROPOSED DEPARTURE ON PORTION 13 OF FARM 874, DIVISION MALMESBURY

Your application with reference MAL/14027/NJdK dated 10 September 2024 refers.

Kindly find attached the objections received by the Ferelni Investments (Pty) Ltd., John P J Sauls Inc on behalf of Paardeberg Stud, De Kopje Investments Pty. Ltd (L E Mentz), Lucia van Dyk, Subelia Trust (Pieter Eksteen), M Voigt – Rosenberg/Woodlands/Hoornbosch Farms, Kathi and Glen Kotzen, Pieter Loubser, Christie Swart and Mr & Mrs Isreal 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

- Swartland vooruitdenkend 2040 - waar mense hul drome uitleef!
- Swartland forward thinking 2040 - where people can live their dreams!
- !Swartland ijonge phambili ku2040 -apho abantu beza kufezekisa amaphupho abo!

FERELNI INVESTMENTS (PTY) LTD

32 Thom Street, Paarl, 7646
PO BOX 6109, Paarl, 7620
Tel: 0219813361 \ 0833999534
VAT nr. 4060293877

23 October 2024

Ref: 15/3/4-15/Farm_874/13

TO: The Municipal Manager
Private Bag X52
Malmesbury
7299
Fax: 022-487-9440
Email: swartlandmun@swartland.org.za

Objection of the proposed temporary departure on portion 13 of Farm Woodlands NR 874, Division Malmesbury.

Procedural Concerns and Timing

1. The objection deadline is set for 4 November 2024, while the festival setup is scheduled to commence on 1 November. This indicates that the Applicant is proceeding on the assumption that the application will be approved, without due regard for the legal process or the concerns of neighbouring landowners. Furthermore, the Applicant has already begun promoting the festival and selling tickets, reinforcing the impression that they view the rezoning approval as a mere formality.

Misrepresentation of the Area's Land Use

2. The Applicant's claim that surrounding farms are primarily involved in growing crops such as oathay and lucerne is a gross misrepresentation of the area. The region is home to a wide range of agricultural activities, including livestock farming, which plays a central role in the local economy. Farming in this area involves sensitive operations that require peace and stability, and a festival of this scale will severely disrupt the working environment, particularly over a weekend when farm activities continue uninterrupted.

Impact on Animal Welfare and Farm Operations

3. The noise, traffic, and activity generated by an event of this magnitude will inevitably cause undue stress to livestock and disrupt farming operations across the board. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.

Inadequate Planning for Traffic, Safety, and Security

4. The Applicant has provided inadequate details regarding how they intend to manage traffic, security, and safety. The area surrounding the proposed site is serviced by narrow, rural roads that are ill-equipped to handle the volume of traffic expected from an event of this size. Moreover, there is a real concern about the potential for trespassing, damage to property, and other security risks, as the Applicant's plans in this regard remain vague and insufficient.

Ferelni Investments (Pty) Ltd | Reg No: 2020/896972/07

Director: DJ du Preez

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Fire Risk

5. The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are alarmed that no concrete measures have been outlined to ensure the safety of the area. Wildfires pose an existential threat to the entire farming community, and the lack of fire prevention protocols is unacceptable.

Community Disruption

6. Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Residents depend on the tranquillity of the region for their livelihoods, and the presence of a large-scale event like this is incompatible with the existing farming operations and lifestyle.

Conclusion

7. In light of these substantial concerns, we urge the Municipality to reject the temporary departure application.

For any further information, please feel free to contact me via email or telephone.

Yours truly,



Danie du Preez
Ferelni Investments
083 399 9534
danie@dceac.co.za

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16 October 2024

Ref: 15/3/4-15/Farm_874/13

TO: The Municipal Manager
Private Bag X52
Malmesbury
7299
Fax: 022-487-9440
Email: swartlandmun@swartland.org.za

Objection of the proposed temporary departure on portion 13 of Farm Woodlands NR 874, Division Malmesbury.

- 1) To start off with, I don't believe all affected parties have been invited for comment, only the immediate neighbouring farms. Sound travels at least 5-10km during the evening, so I believe there will be a lot more affected parties than indicated on your diagram.
- 2) Livestock farming: Cattle, Sheep, Pigs, Poultry in the immediate area. Loud music and noise can have various effects on livestock, impacting their behaviour, health, and productivity. Key points to consider:
 - a) Stress Response
 - b) Impact on Feeding and Production
 - c) Reproductive Issues
 - d) Species-Specific Reactions
 - e) Different livestock species may respond uniquely to loud music. Cattle: Generally sensitive to loud sounds; may exhibit signs of stress. Sheep: Can become agitated; may flee from the source of the noise. Pigs: Sensitive to noise; loud sounds can cause panic and chaos in a herd.
- 3) Wildlife on Perdeberg Mountain, including leopard. Loud music and noise pollution can have significant effects on wildlife, impacting their behaviour, physiology and habitat and will likely be driven out of the area
- 4) There will be a severe impact on the calm, serene, tranquil nature of the area. Most people that live in the area, enjoy the quiet, calm, relaxing atmosphere that the area provides.
- 5) Security concerns. Who will oversee security at the festival and surrounding areas? With an estimated 10 000 festivalgoers, there might be an opportunity for criminal elements entering the area under the guise of the festival. Most of the surrounding farms could become high risk areas in the future. Livestock theft, burglaries and other violent offences might occur in future, caused by the huge influx of people into the area.
- 6) Crowd Control? Who is responsible for crowd control outside the venue?

Ferelni Investments (Fty) Ltd | Reg No: 2020/896972/07

Director: DJ du Preez

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- 7) Trespassing. Who will prevent festivalgoers from trespassing on neighbouring farms? What's stopping people that aren't willing to pay the entrance fee, from camping on neighbouring farms?
- 8) Congestion. What is the plan to alleviate congestion at the main entrance? Where will the cars be parked while waiting to enter the venue? It may take a few minutes for each vehicle's occupants to check their tickets for the festival, including their accommodation. Searching vehicles for contraband etc and giving directions once inside the venue.
- 9) Access for deliveries and staff. The proposed route on Drie Susters Road for deliveries and staff will be problematic. The road currently is already in a very bad state and hasn't been maintained for some time. It is not in a condition to handle heavy traffic at all. The proposed road is also quite narrow, where two vehicles find it very difficult to pass each other, let alone trucks. Passing trucks will also damage infrastructure near the road. Who will be responsible to re-instate and maintain the road and infrastructure after the festival?
- 10) Noise pollution. What are their operating times? Is there a cut-off time to stop playing music or is it 24hr? Farmers do not have weekends off and are mostly required to work weekends.
- 11) Dust Control. Are there any strategies for dust control at the venue? Who will be responsible for dust control on Drie Susters Road outside the venue, that their delivery trucks and staff will use?
- 12) Alcohol and Drug abuse. I see no need to elaborate on that! That's what happens at festivals.
- 13) Has a temporary liquor licence been applied for?
- 14) Who will be responsible for cleaning litter blown or strewn onto neighbouring farms?
- 15) Will there be 24hr traffic control the whole weekend?
- 16) Emergency Evacuation and Emergency Response Plans? Could you please share that?
- 17) Will the Fire Department be on standby at the venue? Festivals are well known for making bonfires, braaiing etc. Are they allowed to have open fires, use fireworks? Another stressor for animals too!
- 18) Are the ablution facilities temporary or permanent? It is also advertised to have shower facilities available. What will happen to the effluent water/wastewater?

For any further information, please feel free to contact me via email or telephone.

Yours truly,



Danie du Preez
Ferelni Investments
083 399 9534
danie@dceac.co.za

Ferelni Investments (Fty) Ltd | Reg No: 2020/896972/07

Director: DJ du Preez



**JOHN PJ SAULS INC.
PROKUREURS / ATTORNEYS**

NOTARIES – CONVEYANCERS – ESTATE ADMINISTRATORS

Murchisonstraat 4 Murchison Street
CERES, 6535
Posbus/PO Box 452
CERES, 6835

TEL: 023 312 3666
CELL / SEL: 082 855 6057 (R RICKERTS)
062 635 8471 (C PRINS)
066 312 0667 (A DANIELS)

Ons verw./Our ref:
AD/P17/24

U verw/Your ref:

Datum/Date
22 October 2024

SWARTLAND MUNICIPALITY

Municipal Manager - Joggie Scholtz

Via Email: swartlandmun@swartland.org.za

“WITHOUT PREJUDICE”

Dear Sir,

**RE: OBJECTION TO TEMPORARY DEPARTURE ON PORTION 13 OF FARM NO. 874,
MALMESBURY DISTRICT**

1. We represent Paardeberg Stud, a neighbouring farm bordering the site proposed for a music festival scheduled for **29 November - 1 December 2024**. We hereby lodge our formal objection to the temporary rezoning application submitted by the Applicant dated, 19 September 2024.
2. Our objection is based on the following key points, which we submit in terms of the Municipal Bylaws, as well as further procedural and substantive concerns regarding the application:

Firm No: 62013 Registration No: 2021/560521/21
DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)

Lack of Prior Consultation

3. It is highly concerning that no prior consultation with neighbours took place, despite the Applicant claiming in their application that there have been "open lines of communication" with landowners. Neighbours, including our client, only became aware of the proposed rezoning when the Municipality issued the notice for comments. This lack of communication is both misleading and unacceptable and directly contradicts the Applicant's assertions. Should this application be successful, we have no confidence that this supposed "open communication" will occur in the future.

Procedural Irregularities and Timing Concerns

4. In terms of Section 65(1) and (2), the Municipality is required to give the Applicant all comments within 14 days, and the Applicant must respond to all objections within 30 days. However, the deadline for objections is 4 November, while the festival setup is scheduled to begin as early as 1 November. This timing is deeply problematic, as it appears that the Applicant is preempting approval. Additionally, they have already started booking artists and announcing the lineup on social media, operating on the presumption that the rezoning will be granted. Should the Municipality approve this application despite the evident procedural shortcomings, we will hold the Municipality equally liable for any resulting harm.

Incorrect Representations in the Application

5. In paragraph 5 of the application, titled "Zoning and Surrounding Uses," the Applicant claims that neighbouring farms are primarily engaged in growing oathay and lucerne, which is factually incorrect. Our client, Paardeberg Stud, operates a thoroughbred horse stud with pregnant mares and young foals. Horses, particularly young thoroughbreds, are extremely sensitive to loud, abrupt noises, and a festival with three stages, lasting until the early hours, will likely frighten them. Such disturbances could result in the horses running into poles or through fences, causing significant injury and potentially millions in losses to the business.
6. Moreover, the surrounding farms do not exclusively produce oathay and lucerne. Other neighbouring farms have livestock, including sheep, pigs, chickens, and cows (for both dairy and meat). These farms will also be negatively impacted by the prolonged noise, disruption, and potential trespassing from festival-goers.

Firm No: 62013 Registration No: 2021/560521/21

DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)

Animal Welfare Concerns

7. We must highlight the welfare of the valuable bloodstock on Paardeberg Stud. There are pregnant mares that must not be subjected to stress, and young horses that could be severely injured by sudden loud noises from the festival. The continuous noise and disruption over the weekend will also severely impact the daily operations of the farms in the area, where farming is a 24/7 business. The Applicant, and the Municipality should they approve this rezoning, will be held liable for any injuries or losses sustained by these animals.

Lack of Detail on Safety, Traffic, and Security Measures

8. In their application, the Applicant vaguely references "open lines of communication" and adequate security measures to maintain safety and prevent trespassing. However, there has been no prior communication with landowners, and the security measures are described in such vague terms that they do little to alleviate our clients' concerns. Additionally, the traffic management plan is grossly inadequate. The proposed site entrance and exit involve a single gate onto a narrow tar road, which is already busy and unsuitable for handling the kind of traffic this festival will generate.
9. The state of the roads is also a concern, as the proposed road for deliveries and staff is in poor condition and not equipped to handle heavy trucks. The lack of planning around the road usage poses a real threat to traffic safety.

Risk of Fires

10. Given that the area is extremely dry and windy, the risk of wildfires is high. The application makes no mention of how the Applicant will prevent open fires or what fire safety protocols will be in place. The area experienced wildfires less than a year ago, and the possibility of attendees starting fires for camping or cooking is a major concern. Any uncontrolled fire could have devastating consequences for neighbouring farms, their properties, and livestock.

Community Impact

11. Finally, it is important to note that this festival will have a severe impact on the peace and tranquility of the local community. The proposed event will disrupt the lives of permanent residents who depend on the quiet rural environment. The combination of loud music, increased traffic, potential security risks, and trespassing is an unacceptable imposition on the community, and it is our view that the scale and nature of this event are entirely incompatible with the character of the area.

Firm No: 62013 Registration No: 2021/560521/21

DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)

Conclusion

- 12. In light of the above, we urge the Municipality to seriously reconsider this application and to refuse the proposed rezoning. Should the Municipality proceed with granting this rezoning, we will hold both the Applicant and the Municipality fully liable for any damage, harm, or loss caused as a result of this event.

- 13. We trust that the Municipality will take these concerns into account and respond accordingly.

Yours sincerely,
JOHN PJ SAULS INC.

Per:



RONALD RICKERTS

Firm No: 62013 Registration No: 2021/560521/21
DIRECTORS: R Rickerts (LLB)
L van Reenen (LLB, BTECH HR)

ASSOCIATE: A Janse van Rensburg (B Comm LLB)
CANDIDATES: Carleon Prins (LLB)
Angelo Daniels (LLB)



De Kopje

Investments (Pty) Ltd
Reg No 1988/000128/07

Posbus 2011
Windmeul
7630

Tel: 083-2645998
E-mail: dekopje@iafrica.com

Please can I ask that our objection to this festival be acknowledged by return email to dekopje@iafrica.com and also that further information or correspondence in this matter be directed to this email address.

Myself, Lida Elize Mentz and my husband Hendrik Andreas Mentz are directors of De Kopje Investments Pty Ltd and we own the property Farm874 (Portion 18) – neighboring Portion 13.

I trust that our objection and concerns will be considered and just want to put on record that we wish all the best to all neighbors in our area – we will be supportive in most instances where neighbors wish to implement new ideas/business opportunities, but this Festival goes against all logic (as listed in this letter) and we strongly object.

Please let us know the outcome of this matter.

Kind Regards

L E Mentz
Tel: 083 2645998
dekopje@iafrica.com

H A Mentz
Tel: 083 2645999

Directors: H A Mentz & L E Mentz



De Kopje
Investments (Pty) Ltd
Reg No 1988/000128/07

Posbus 2011
Windmeul
7630

Tel: 083-2645998
E-mail: dekopje@iafrica.com

The Municipal Manager
Private Bag X52
Malmesbury
7299

21 October 2024

Dear Sir/Madam

Re: Proposed Temporary Departure on Portion 13 of Farm Woodlands Nr 874, Division Malmesbury

We are in receipt of your letter dated 3 October 2024, which outlines the plans of CPT Randz Pty Ltd for a festival to be held end November – beginning December 2024.

Thank you for the opportunity to give our input in this matter. We are adjacent neighbors to this property (Portion 18 of Woodlands 874) and will most certainly be impacted directly should the proposed festival go ahead.

It is with great concern that we see this festival already being advertised and ticket sales “open” and we urge the decision-making individuals to consider the impact that a festival of this nature will have on our area and the farming community.

Our concerns are such that we have had communication with neighbors and the attached document (Concerns of Neighbors) is a summary of our shared ideas on the festival.

I cannot see any benefit to our area or the community – in fact the festival will result in many potential problems:

- Noise – the noise associated with festivals of this nature will be totally disruptive to people living in the area. Many farmers of horses, sheep, cattle, chickens, and other livestock will be impacted.
- Security – 10,000 people that visit the festival where alcohol and drugs will be consumed will almost certainly result in security problems in the area and the police and farm watch are already “stretched” to deal with day-to-day issues.
- Access – there is just no way that the current two roads will be able to deal with the proposed traffic issues. The gravel road is in a shocking state and farmers are even trying to fix this themselves. It can certainly not carry “festival” transport in addition to our day-to-day traffic.
- Fire – the risk of fire in the area and specifically the mountain is very big – especially during the time of the year that the festival is proposed. This is a huge risk to people, houses, property and livestock in the area.
- Farming community – this festival is so out of tune with life in our area – it simply does not belong here, and I have no idea how this can even be considered.

Directors: H A Mentz & L E Mentz



De Kopje
Investments (Pty) Ltd
Reg No 1988/000128/07

Posbus 2011
Windmeul
7630

Tel: 083-2645998
E-mail: dekopje@iafrica.com

Concerns of Neighbours to Portion 13 of Farm Woodlands Nr 874

Procedural Concerns and Timing

The objection deadline is set for 4 November 2024, while the festival setup is scheduled to commence on 1 November. This indicates that the Applicant is proceeding on the assumption that the application will be approved, without due regard for the legal process or the concerns of neighbouring landowners. Furthermore, the Applicant has already begun promoting the festival and selling tickets, reinforcing the impression that they view the rezoning approval as a mere formality.

Misrepresentation of the Area's Land Use

The Applicant's claim that surrounding farms are primarily involved in growing crops such as oathay and lucerne is a gross misrepresentation of the area. The region is home to a wide range of agricultural activities, including livestock farming, which plays a central role in the local economy. Farming in this area involves sensitive operations that require peace and stability, and a festival of this scale will severely disrupt the working environment, particularly over a weekend when farm activities continue uninterrupted.

Impact on Animal Welfare and Farm Operations

The noise, traffic, and activity generated by an event of this magnitude will inevitably cause undue stress to livestock and disrupt farming operations across the board. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.

Inadequate Planning for Traffic, Safety, and Security

The Applicant has provided inadequate details regarding how they intend to manage traffic, security, and safety. The area surrounding the proposed site is serviced by narrow, rural roads that are ill-equipped to handle the volume of traffic expected from an event of this size. Moreover, there is a real concern about the potential for trespassing, damage to property, and other security risks, as the Applicant's plans in this regard remain vague and insufficient.

Fire Risk

The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are alarmed that no concrete measures have been outlined to ensure the safety of the area.

Community Disruption

Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Our clients and other residents depend on the tranquillity of the region for their livelihoods, and the presence of a large-scale event like this is incompatible with the existing farming operations and lifestyle.

Conclusion

In light of these substantial concerns, we urge the Municipality to reject the temporary departure application.

Directors: H A Mentz & L E Mentz

From: lucia van dyk <lvandyk11@gmail.com>
Sent: Thursday, 24 October 2024 17:07
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: tiaan.ellis@yahoo.com
Subject: Proposed festival at woodlands farm

Good day

To whom it may concern with regards to the proposed festival at Woolands farm.

Kind Regards

Lucia van Dyk

Syrilla stud

Procedural Concerns and Timing

1. The objection deadline is set for 4 November 2024, while the festival setup is scheduled to commence on 1 November. This indicates that the Applicant is proceeding on the assumption that the application will be approved, without due regard for the legal process or the concerns of neighbouring landowners. Furthermore, the Applicant has already begun promoting the festival and selling tickets, reinforcing the impression that they view the rezoning approval as a mere formality.

Misrepresentation of the Area's Land Use

2. The Applicant's claim that surrounding farms are primarily involved in growing crops such as oathay and lucerne is a gross misrepresentation of the area. The region is home to a wide range of agricultural activities, including livestock farming, which plays a central role in the local economy. Farming in this area involves sensitive operations that require peace and stability, and a festival of this scale will severely disrupt the working environment, particularly over a weekend when farm activities continue uninterrupted.

Impact on Animal Welfare and Farm Operations

3. The noise, traffic, and activity generated by an event of this magnitude will inevitably cause undue stress to livestock and disrupt farming operations across the board. Livestock, including young and breeding animals, are particularly vulnerable to loud, unpredictable noises and the disturbances associated with a large festival. Our clients' farms depend on the calm and quiet of the rural environment to maintain their day-to-day operations. The risk of accidents or injuries due to the stress on animals is a major concern, and the Applicant and the Municipality will be held accountable for any harm or losses incurred.

Inadequate Planning for Traffic, Safety, and Security

4. The Applicant has provided inadequate details regarding how they intend to manage traffic, security, and safety. The area surrounding the proposed site is serviced by narrow, rural roads that are ill-equipped to handle the volume of traffic expected from an event of this size. Moreover, there is a real concern about the potential for trespassing, damage to property, and other security risks, as the Applicant's plans in this regard remain vague and insufficient.

Fire Risk

5. The region is prone to wildfires, particularly during dry and windy conditions, and the application fails to address how the Applicant intends to mitigate the risk of fires that may be caused by festival-goers. Open fires, camping, and other such activities increase the likelihood of fire hazards, and our clients are alarmed that no concrete measures have been outlined to ensure the safety of the area.

Wildfires pose an existential threat to the entire farming community, and the lack of fire prevention protocols is unacceptable.

Community Disruption

6. Finally, it is essential to emphasize the disruption this event will cause to the local community. The festival will result in significant noise, increased traffic, and potential disturbances for the entire duration of the event, which is contrary to the peaceful, rural character of the area. Residents depend on the tranquility of the region for their livelihoods, and the presence of a large-scale event like this is incompatible with the existing farming operations and lifestyle.

Conclusion

7. In light of these substantial concerns, we urge the Municipality to reject the temporary departure application.

Yours faithfully

T. Ellis Blijdschap Farm
Syrilla Stud Farm
0720464694
t.aaan.ellis@yahoo.com

SUBELIA TRUST

MEMO

REM ESTATE FARM GRAAFWATER 931
AGTER PAARDEBERG ROAD
MALMESBURY
7300

TEL: 021-9763003/3053

PO BOX 158

FAX: 0866139993

DURBANVILLE

E-Pos : peks@mweb.co.za

7551

CEL: 083 626 1601

I.TRUST : 5137/02

DATE : 15 OKTOBER 2024
TO : AAN WIE DIT MAG AANGAAN
Pages : 2

LEER VERW 15/3/4-15/FARM 874/13 : VOORGESTELDE TYDELIKE AFWYKING GEDEELTE 13 VAN PLAAS WOODLANDS NO 874

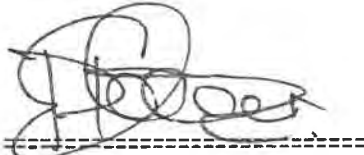
Ek , Pieter Rossouw Eksteen trustee van Subelia Trust and Eienaar van Rem Estate Farm Graafwater 931 (**SUBELIA TRUST**), maak hiermee ernstige beswaar teen beoogde "Musiekfees" soos uiteengesit in doc 15/3/4Farm_874/13. My Plaas grens aan die hoek van Woodlands nr 874

Redes:

1. Die geraas wat gaan plaasvind oor 3 dae periode versteur die rustige omgewing waarin ons almal bly. Die musiek sal kilometers vër gehoor kan word
2. Vir 10 000 mense teen sê gemid van 4 persone (as dit so baie is)/ voertuig = 2500 minimum voertuie wat moet in en uitbeweeg na/van die terrein
3. Die musiekfeeste word 100% gekenmerk met baie hoe alkohol en dwelm misbruik wat sy eie negatiewe gevolge op ons omgewing tot gevolg gaan hê
4. Woodlands word omring deur intensiewe boerderye. Vark en Hoender en Bees plase. Stof en geraas gaan baie nadelig op diere se produksie wees.
5. Indien julle dit een keer gaan toelaat, gaan dit 'n instelling word wat ons almal se rustige Boerdery/ Plattelandse omgewing baie gaan benadeel.
6. Waarde van ons grond /eiendom gaan weselik verlaag. Wie wil in 'n plattelandse / plaas omgewing bly waar daar gereeld musiekfeeste gehou word vir 10 000 mense ?

7. Ek is ooruig daarvan dat daar ander AFGESONDERDE plekke is waar dit gehou kan word

Erken hiermee asb ontvangs van my besware teen die beplande Musiekfees en hou my op hoogte van julle besluit



Pieter Eksteen
Trustee/Eienaar
0836261601

VOIGT – Rosenberg/Woodlands/Hoornbosch
Posbus 551 Malmesbury 7299

22 October 2024

martin@bolandtrees.com

REF: 15/3/4-15Farm_874/13

The Municipal Manager

Private Bag X52

Malmesbury

7299

Email: swartlandnup@swartland.org.za

OBJECTION of the proposed temporary departure of portion 13 of Farm Woodlands Nr 874, Division Malmesbury

1. Not all affected parties have been invited for comment.
2. Loud music and noise will have a negative effect on Cattle, Sheep, Pigs, Horses and Poultry.
3. Loud music will also have a effect on wildlife in Paardeberg Mountain.
4. Access to venue is limited and the private road from Drie Susters is a dirt road and can't handle all the traffic, who will be responsible for dust control.
5. Noise till late at night is a disturbance to all.
6. Our area is prone to wildfires, particularly during dry and windy conditions.
7. No person in our area or Swartland area will benefit from this music festival. There is enough dedicated places far away for these types of events.

We want to urge the Municipality to reject the temporary application.

For any further information, please contact me via email or telephone.

Regards

Martin Voigt

ROSENBERG FARM
HOORNBOSCH FARM
WOODLANDS FARM

082 5664 038

From: Kathi Kotzen <kotzen@iafrica.com>
Sent: Tuesday, 15 October 2024 16:45
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Cc: 'Glen Kotzen' <glenkotzen@woodhillracing.co.za>; 'Kuyan Kotzen' <stables@woodhillracing.co.za>
Subject: Objection : Festival on property Woodlands Farm no 874 Malmesbury 29 November - 1 December 2024

The Municipal Manager

Dear Sir/Madam

Woodhill Racing Estate on the Vryguns Road would like to object to the holding of the Woodlands festival in our farming community on the following basis:

The area is predominantly farming either vineyards, chickens, pigs and large scale thoroughbred racehorse breeders and racehorse training facilities. The area due to its natural and peaceful environment has led to very many racehorse breeders and trainers in building their businesses here in the Paardeberg. The industry has grown tremendously over the last two decades with the following farms developing magnificent stud farms within a 10km radius. The Festival would be in the middle of the various stud farms.

Varsfontein Stud (approx. 200 + horses including 4 extremely valuable stallions – one being South Africa's leading stallion)

Woodhill Racing and Breeding Stud (120 – racehorses and brood mares)

Sorrento Stud (80 horses – including imported Sport horse stallions)

Paardeberg Stud (80 plus and growing daily – including a top young International Stallion)

Drakenstein Vet Stud – Dr Andrew Grey (The farm might be registered differently) (guessing 30 horses – it might be very many more)

Roland Bouwer's Stud – (60 + thoroughbred horses)

Flesch Stud – Mr Pierre Veldhoorn (15+ horses)

There are other stables in the area as well but from a thoroughbred perspective you are looking at 500 horses – with stallion's worth in excess of 100 million rand. The mares account for many more millions and the racehorses in training approx. – 30 million rand. It is an enormous industry who has just received permission from the EU to export horses into Europe which increases the value of the stock even further.

By nature, the thoroughbred is a very highly strung animal, and any loud noises can cause these flight and fright animals to bolt through structures and or fencing causing themselves immense harm.

Loud noises will stress the horses terribly and the mares who have just conceived could lose their foetuses.

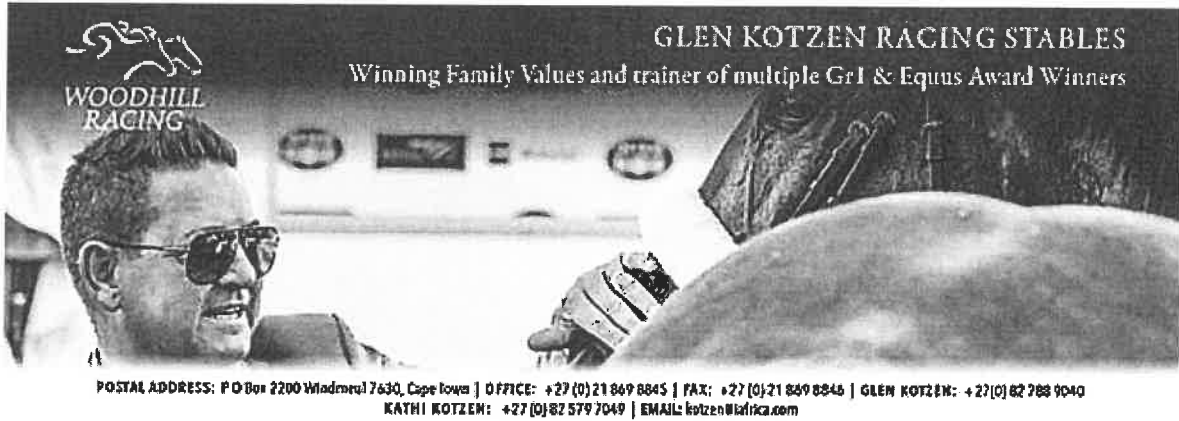
With regards to our racehorses the loud noise which likely will be heard will interfere with their rest for racing and during their work program should cars come roaring by while being ridden the horses could bolt and drop the jockey/work rider who could get badly injured. This has happened in the past when the farm Savannah held a festival illegally in the area. The cars racing up and down Vryguns road was unbearable day and night.

I appeal to you Sir/Madam to find a suitable alternative venue for the Festival as the Paardeberg is a serene and quiet area ideally suited to the safe running of our businesses. Granting a license to festivals will damage the integrity of our area and businesses and will affect our livelihoods and safety of our staff and horses.

Thank you for your time and consideration.

Regards

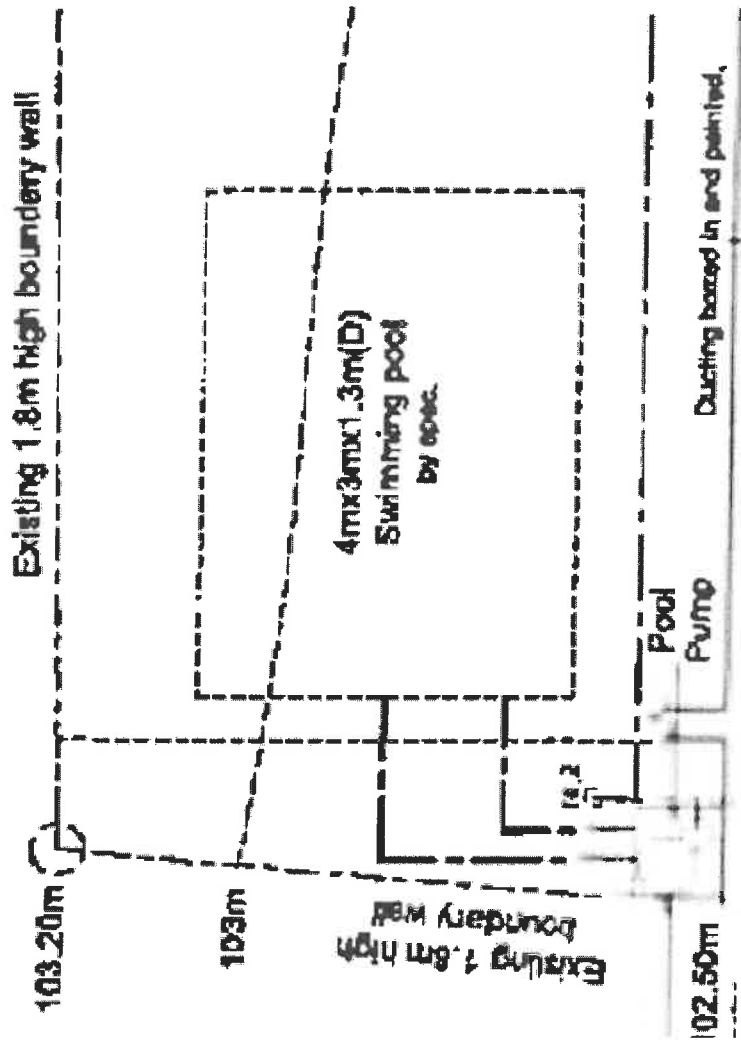
Kathi and Glen Kotzen and the Woodhill Racing Team (70 staff members)



THE WOODHILL TEAM

“Keeping you ahead of the rest with Woodhill Racing”

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Woodhill Racing immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Woodhill Racing.



From: pieter@loubserhill.co.za <pieter@loubserhill.co.za>
Sent: Tuesday, 15 October 2024 18:41
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: leêrverw: 15/3/4-15/Farm 874/13 Beswaar

Goeie dag

Ek is die eienaar van Propect Hill Restant van gedeelte 4 Woodlands no. 874 Malmesbury.

Ek maak beswaar teen die tydelike vergunning om n fees te hou op plaas Gedeelte 13 Woodlands van 874 Malmesbury.

Dit is on aanvaarbaar dat tussen die verskriklike harde musiek, drank en dwelems die hele naweek dat daar mense buite die perseel ook gaan wees wat nie toegang het tot die perseel nie. Daar gaan moeilik gebeur op die pad sowel as die buur plase.

Ons loop deur deur geweldige **misdad** soos u weet elke dag met die diefstal van vee, krag drade, Eskom transformers, pompe, pluimvee, pluimvee kos wat geteel word net om n paar op te noem. Die gevaar van kriminele wat gaan "spy" is 100% daar.

Ons area se mense doen al wat moontlik is per 24 uur om ons almal, plaas werkers, eiendom, bestuurders, alle persone **veilig** te hou en verdagte voertuie uit ons area te hou. Hier gaan moeilikheid kom.

Die volgende aspek is die brand gevaar met al die geremoer. My bees veld weiding sowel as Kanola lande grens teen die perseel vir n paar kilometers. Die fees gaan in die hardjie van oestyd in die Swartland wees en Dit is onaanvaarbaar gevaarlik.

Ek verneem graag terugvoering asb.

Baie dankie dat ek my beswaar kan maak.

Korrespondeer asb per e-pos.

Groete

Pieter Loubser

082 4111 420

Loubser Hill BK

Prospect Hill (farm)

Slent road

Klipheuwel

7303

From: Christie Swart <christie@koelenhof.co.za>
Sent: Thursday, 17 October 2024 16:26
To: Registrasie Email <RegistrasieEmail@swartland.org.za>
Subject: 15/3/10-8/ERF 10733/10728

Aan wie dit mag aangaan.

Christie Swart 39 Love Street

0845883691

Erf 10732/10728

Kommunikasie kan per epos geskied.

Ek stem teen dat n tweede wooneenheid aangebring word aan erf 10733/10728

Beide die erwe se bou van die woning is reeds voltooi dus verstaan ek nie dat daar nou eers gevra word vir vergunning nie.

Redes hiervoor:

1. Daar is geen venster of ventilasie in badkamer gedeelte op die onderste eenheede. Swartland munisipaliteit dring aan dat ek op my huidige badkamer en kamer n "skyroof" aanbring aangesien daar nie voldoende lig en lug is nie en ek het reeds vensters in beide van die kamers. Op die eenheede is daar geen natuurlike lig of lug nie.
2. Dit verdubbel die hoeveelheid voertuie wat in die hoofstraat van Glen Lilly uit die eiendom moet trek en daar is geen parkering vir gaste nie. Glen Lilly se hoofstraat is reeds beperk met die hoeveelheid voertuie wat snags in die pad staan aangesien daar nie genoegsame voorsiening gemaak is vir parkering nie.
3. By erf nommer 10728 is die parkering vir gaste gebou in die lyn van n ander erf se "driveway" na sy motorhuis. Dus kan die erf se mense nie uit hulle motorhuis as daar iemand parkeer het nie.
4. Aangeheg is n tekening van die eindom waar n muur aangebring is wat hoër is as die 1.8meter toegelate muur hoogte volgens Glen Lilly reels
5. Die plan is nie korrek volgens die geboude eiendom nie.
6. Volgens ek vertaan is daar oor die boulyn gebou na mykant toe maar ek mag verkeerd wees.
7. Hoe gaan die water en kragrekening werk met twee gesinne wat dit moet deel.

Ek sal graag wil anoniem bly aangaande my redes vir die toelating van twee wonings op een erf aangesien ek voel ek sal geteiken word deur sekere lede van die Trustees van Glen Lilly.

Groete

Christie Swart
LOGISTICS MANAGER

Tel: +27 21 865 2020/1

Cell: +27 84 588 3691

Website: www.koelenhof.co.za

Email: christie@koelenhof.co.za

So Im totally against the erf being rezoned for a shop cause with that so many other things is possible..drive around Chatsworth and see the elements already hanging out around the current shops ...I would not like that on my door step...

I'm within my right to Wana feel safe and free

Regards

Mr and Mrs Isreal



Ref: DOI/CFS/RN/LU/REZ/SUB-26/391 (Application No: 2024-09-0048)

City of Cape Town
Northern District
PO Box 25
KRAAIFONTEIN
7569

Attention: Ms N Nodikida

Dear Madam

PORTION 13 OF FARM WOODLANDS 874, MALMESBURY: PROPOSED TEMPORARY DEPARTURE

1. CK Rumboll & Partners email to this Branch dated 9 September 2024 refers.
2. The application affects Divisional Road 1126 and Minor Road 5368 for which this Branch is the Road Authority.
3. The proposal is for Temporary Departure to host a music festival.
4. This Branch offers no objection to the proposal in terms of the Land Use Planning Act 3 of 2014, subject to the Traffic Management Plan for the event being reviewed and approved by this Branch's Chief Engineer Traffic.

Yours Sincerely

SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 31 OCTOBER 2024

ENDORSEMENTS

1. City of Cape Town
Attention: Ms N Nodikida (e-mail: Noxolo.Nodikida@capetown.gov.za)
2. CK Rumboll & Partners
Attention: Mr NJ de Kock (e-mail: planning2@rumboll.co.za)
3. District Roads Engineer
Paarl
4. Mr C Cronje (e-mail)
5. Mr D Fortuin (e-mail)
6. Mr S Carstens (e-mail)



Strictly Confidential
Date: 27-01-2025

FOREFRONT SECURITY
SAFETY AND SECURITY PLAN

EVENT ORGANIZER:	Mfundo Mbeki
EVENT NAME:	Rands Holiday The Promised Land Festival
EVENT TYPE:	Music event
DATE:	28NOV, 29NOV, 30NOV 2025
EVENT TIME:	Friday 6pm-2am Saturday 10am – 2am Sunday 10am – 11pm
SECURITY TIME:	09h00 – 09h00
VENUE:	Rands Cape Town
EXPECTED CONSUMERS:	4,000
LOCATION:	Makabeni Road, Khayelitsha
BUILD-UP	
DATE:	24NOV 2025 – 28NOV 2025
TIME:	06h00 – 12h00
SECURITY DEPLOYMENT:	10 x Security Officers
STRIKE	
DATE:	01DEC 2024 – 02DEC 2024
TIME:	11h00 – 11h00
SECURITY DEPLOYMENT:	10 x Security Officers



Responsibilities, Functions and Chain of Command Security Services will coordinate:

- The protection of consumers, Rands Cape Town property and private property
- Securing and controlling the access MAIN ENTRANCE/EXIT points of Rands Cape Town
- Forefront Security Solutions will facilitate cash management plan with venue Owner should there be cash ticket sales on site
- Securing cash drops
- Securing All Day time Entertainment areas
- Securing All Stage areas
- Securing All Entrances to backstages
- Securing All Bar area
- Securing All Emergency exits
- Securing VIP & VVIP Camp site area (entrance & exit)
- Securing VIP toilets
- Securing VIP bar
- Securing Main event area
- Securing medical station
- Securing general toilets for Males and Females
- Securing parking area
- Crowd control and Traffic control
- The checking and reporting of threats, occupational and health hazards
- Securing vehicle parking
- Access control within the venue
- Preventing prohibited items entering the venue
- Visibility on inner perimeter of venue
- Communication channels

Access control

- Strict control will be exercised at the access points ENTRANCE/EXIT.
- Searching will be conducted at the entrance to the venue.
- All prohibited items and substances will be confiscated on entry and exit.
- Any patrons with licensed firearms will be directed to the nearest police station for safe keep of firearms while attending the event.



SECURITY DEPLOYMENT
Main Event Security Deployment

AREA OF RESPONSIBILITY	SECURITY PERSONNEL	RESPONSIBILITY
Entrance/Exit event area	Security officers (50) (30 Male + 20Females)	Controlling access on main entrance
All Bar Areas	Security officers (40)	Securing of all bar areas
All Stages & backstage areas	Security officers (40)	Securing the all stage areas
Day time Entertainment areas	Security officers (40)	Securing the entertainment areas
Emergency Exits	Security officers (10)	Securing the emergency exits
Medical stations	Security officers (10)	Securing the medical stations
General &VIP Toilets	Security officers (20)	Securing and Monitoring general &vip toilets
Roaming event perimeter	Quick Reaction officers (QRT) (20)	Roaming the event area
Outer parameter of the Farm	Tactical Response Unit (20)	Patrolling outer parameter and responding to emergencies
All security matters	Supervisor (20)	Overlooking all security related matters
TOTAL: 270 Security Officers		

PARKING MARSHALS DEPLOYMENT

AREA OF RESPONSIBILITY	SECURITY PERSONNEL	RESPONSIBILITY
Entrance/Exit Parking area	Marshals (5)	Controlling access on main entrance parking area
Parking Area 1	Marshals (10)	Parking cars &Controlling traffic flow on Parking Area 1
Parking Area 2 &3	Marshals (20)	Monitoring & parking cars that overflow to P2&P3
Parking Related matters	Supervisor (5)	Overlooking all parking related matters
TOTAL: 40 Parking Marshals		



Communication channels

AREA OF RESPONSIBILITY	PERSONNEL	RESPONSIBILITY
Event supervisory	Event Coordinator	Ensuring all logistics are in place when needed
Security supervisory	Supervisor	Supervising & handling security related matters
Parking Supervisory	Supervisor	Reporting all parking related matters to Head of Security
SAPS	Captain	Line of reporting for criminal incidents related to the event

Emergency Role players

SAPS, Traffic, Metro Police and emergency services will be notified by event organizer of the event in order to assist where needed.

Medical/Emergency Services will coordinate:

- Deployment of an emergency vehicle
- The installation of a temporary first-aid or medical station
- The deployment of one fully equipped and qualified first-aider or medical personnel for the event

Medical Facility

A medical station will be allocated to attend to any medical emergencies which may occur. All security officers will be briefed on the location of the medical station in order to effectively direct the public when asked for the facility.

Evacuation Plan

- Security personnel to identify all emergency exit points of the venue
- Identify possible assembling areas in case of an emergency of an evacuation
- Make sure all emergency doors and gates are unlocked
- In the event of an emergency which requires immediate evacuation, all entrances and exit points will be opened by security and the public will be directed to them in an orderly fashion.
- Security will assist during an evacuation in order to get the public safe guided to areas of safety



Fire

- Security personnel to familiarise themselves with positions of all fire hydrants and extinguishers in the venue.
- To make use of the correct fire hydrants in case of a fire.
- In case of a fire, security officers will assist in redirecting the crowd to the assembly points

SAPS

The SAPS will be responsible for the following possibilities

- Crime against the public
- Public disorder
- Criminal activities

CONTACT NUMBERS OF MAIN ROLE PLAYERS

CAPACITY	NAME	SURNAME	TELEPHONE NO.
Event organiser	Mfundo	Mbeki	071 742 4322
Site manager	Raymond	Pani	083 993 0191
Venue Owner	Mfundo	Mbeki	071 742 4322
Security services	Mandisi	Kibito	071 880 0203

Contact details:

Mandisi Kibito

ForeFront Security Services

Office: 021 006 5807

Fax: 086 670 3980

Cell: 071 88 00 203

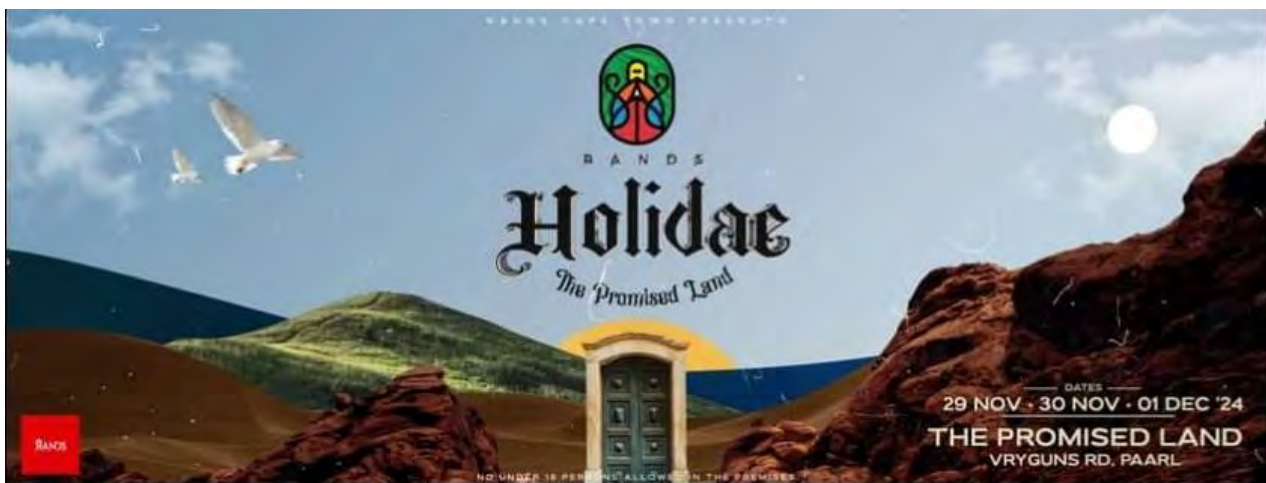
e-mail: info@forefrontsecurity.co.za

Web: www.forefrontsecurity.co.za



RANDS HOLIDAE THE PROMISED LAND

Traffic Management Plan



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1 ABBREVIATIONS AND DEFFINITIONS:

- TMP – Traffic Management Plan
- TrMP- Transport Management Plan
- TOP – Transport Operations Plan
- ETD- Expected time of departure
- ETA – Expected Time of Arrival
- ETT – Expected Travel Time
- HOV – High Occupancy Vehicles
- TMS – Transport management Systems
- TOFC – Trailer on Flatcar
- WLP – Wayleave Permit
- LIFO – Last In First Out
- POE – Point Of Entry
- POD – Point of Departure
- EMS – Emergency Medical Service
- QRV – Quick Response Vehicles
- DAC – Department of Arts and Culture

2 EVENT DETAILS

2.1 Event Summary

Event Name: RANDS HOLIDAE

Event Location: The Promised Land, Vryguns Rd, Paarl

Event Date: 28 -30 November 2025

A Celebration of Music, Culture and Adventure

Rands Holidae Festival is set to take place from the 28th of November to the 30th of November 2025 at the Promised Land farm in the Swartland Winelands, just 40 minutes away from the Cape Town CBD . Nestled in the picturesque Swartland mountain range, this three-day camping festival promises an unforgettable experience for all attendees.

Music lovers can look forward to an eclectic mix of genres including House Music, Hip Hop , Gqom, AmaPiano, Deep House, Afro Soul, and Gospel as part of our Soulful Sunday segment, and a special throwback edition for the "Waar Was Jy" generation, featuring 90's R&B, and Kwaito.

3 DECLARATIONS

Trans Two Logistic Solutions team of professionals has conducted the following assessment after a site inspection and traffic projection for the date and event mentioned within this assessment. A Traffic Management Plan will be prepared using the assessment, subject to the variations approved, is in accordance with the National Road Traffic Act 93 of 1996, City of Cape Town: Events By-law, 2009, Gatherings Act, Act 205 of 1993 and South African Traffic Signs Manuel (SATSM) Vol 3

4 TRANSPORT MANAGEMENT PLAN OVERVIEW

Traffic flow within the city and city borders won't be much impeded. The event transport management plan will allow for a constant traffic flow and allow motorists that are not coming to the event alternative routes to their destination via detours.

According to the Gatherings Act, Act 205 of 1993, events that impact on traffic directly or indirectly, the application for an events permit requires a traffic management plan. In conjunction with the gatherings act, the TMP complies with the South African Road Traffic Signs Manuel (SARTSM) Vol 3 as well as the National Road Traffic act of 1996.

4.1 Temporary Road Restrictions

There is no hard road closures are in place for vehicles, Only No Stopping restrictions along Vryguns Rd. Major arterials that will possibly be affected by event are listed below.

- Vryguns Rd: Between R302 and Slent Rd
- R302: Between Slent Rd and (Doornkraal MC Smith farm)
- R44: Between 5km from Vryguns Rd towards Klapmuts and 5km from Vryguns Rd towards Wellington

Refer to Figures attached below

4.1.2 Advisory Signage

Signage will be placed along all major routes mentioned above to guide all vehicles coming to the event on where to go and where to park or drop of. The tables that follow will detail the locations of signage.

Friday 28 November 2025 – Sunday 30th November 2025

STREET	SIGN	QTY	SEE FIGURE
R302	ADVANCE WARING 6KM	2	3
R302	ADVANCE WARNING 500M RIGHT TURN	1	3
R302	ADVANCE WARNING 500M LEFT TURN	1	3
VRYGUNS RD	GENERAL WARING	1	3
VRYGUNS RD	SPEED 40	1	3
VRYGUNS RD	NO OVERTAKING	1	3
VRYGUNS RD	ADVANCE WARING 4KM	1	3
VRYGUNS RD	PARKING/UBER TURN LEFT	1	2
VRYGUNS RD	PARKING/UBER TURN RIGHT	1	2

STREET	SIGN	QTY	SEE FIGURE
R44	ADVANCE WARING 15KM	2	4
R44	ADVANCE WARNING 500M RIGHT TURN	1	4
R44	ADVANCE WARNING 500M LEFT TURN	1	4
VRYGUNS RD	GENERAL WARING	1	4
VRYGUNS RD	SPEED 40	2	4
VRYGUNS RD	NO OVERTAKING	2	4
VRYGUNS RD	ADVANCE WARING 6KM	1	4
VRYGUNS RD	ADVANCE WARING 4KM	1	4

4.1.3 No Stopping

No Stopping (TR217) is important to keep parking areas clear that directly impacts on the event footprint.

The tables that follow details when the restriction will be activated and where it will be activated.

Thursday 27 November 2025 – Sunday 30 November 2025

Street	Between	
Vryguns Rd	2km from entrance	Both sides

See example of sign below:



Refer to figure 1

5 E-HAILING/SHUTTLES

A drop and go zone will be allocated for those coming in via transport systems such as metered taxis and uber. This zone is located on the inside of the Farm before the parking. Vehicles will not be allowed to park in this area with a TR216 restriction that will be enforced there. There will be TGS for vehicles wanting to make use of this zone.

See example of sign below:



Refer to figure 2

6 SIGNAGE PLAN

6.1 Overview

Signage will be required on temporary bases to accommodate the traffic deviations that will be in place.

According to the Gatherings Act, Act 205 of 1993, events that impact on traffic directly or indirectly, the application for an events permit requires a traffic management plan. In conjunction with the gatherings act, the TMP complies with the South African Road Traffic Signs Manual (SARTSM) Vol 3 as well as the National Road Traffic act of 1996.

6.2 General Warning (Caution Signage)

General Warning signage will be used to caution vehicle to slow down in the area so that all vehicles that's coming to the event can turn into the remote search safely

An example of the General Warning sign below (TW339)



6.3 NO OVERTAKING SIGN (TR214)

Road signage will be placed on Vryguns Rd to prevent people from over taking and driving high speeds causing a danger at the entrance of the venue.

See Example of sign below.



6.4 SPEED LIMIT SIGN 40 (TR201)

Keep all vehicles driving a save speed on Vryguns Rd and preventing possible stop at high speeds towards entrance of venue.



RANDS HOLIDAE EVENT

FIGURE 1 NO STOPPING LAYOUT VRYGUNS RD (OUTSIDE EVENT VENUE)



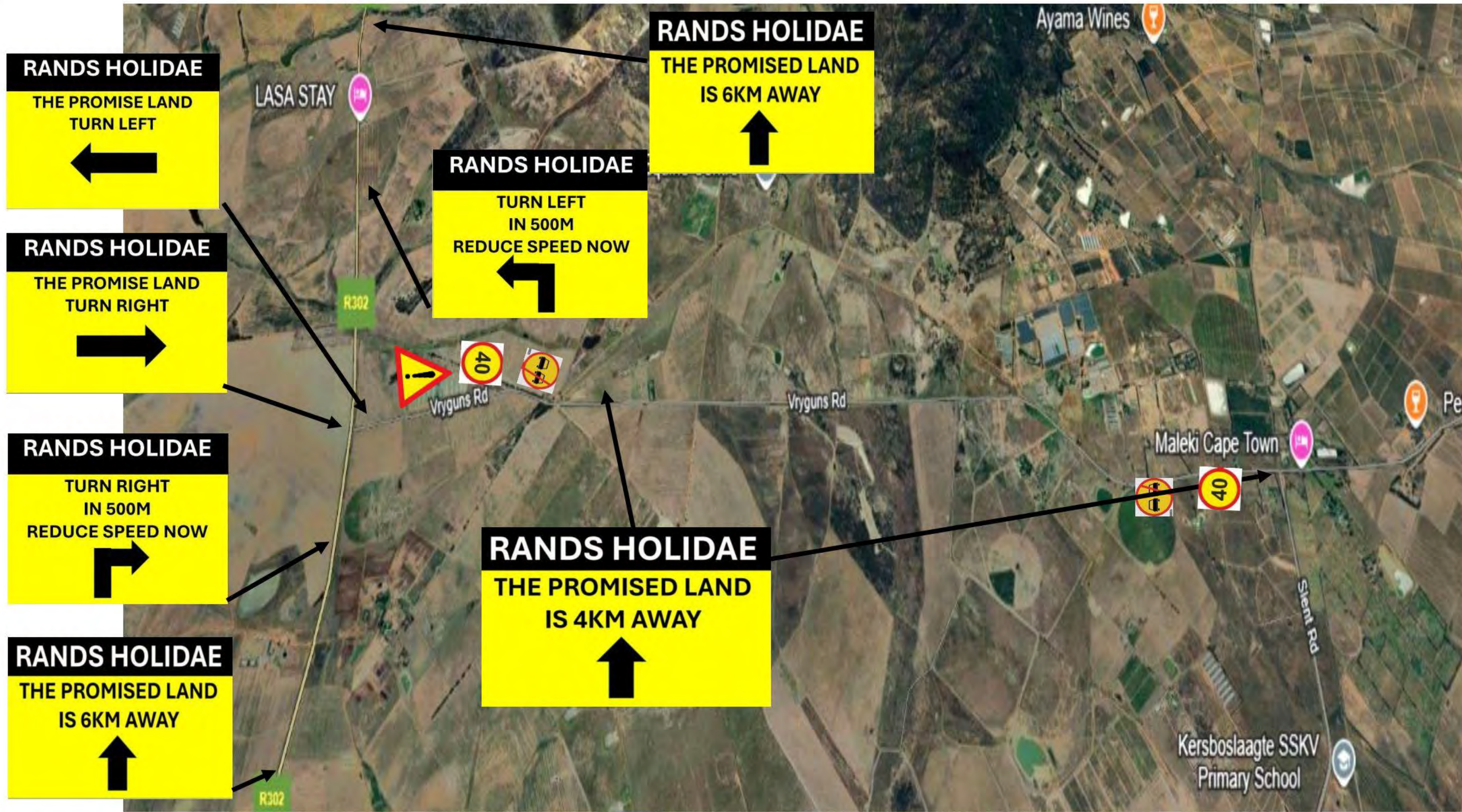
LEGEND / Road Furniture

CONES	BARRIERS	TR214	TR201 (40)		TR210				
.....	————								



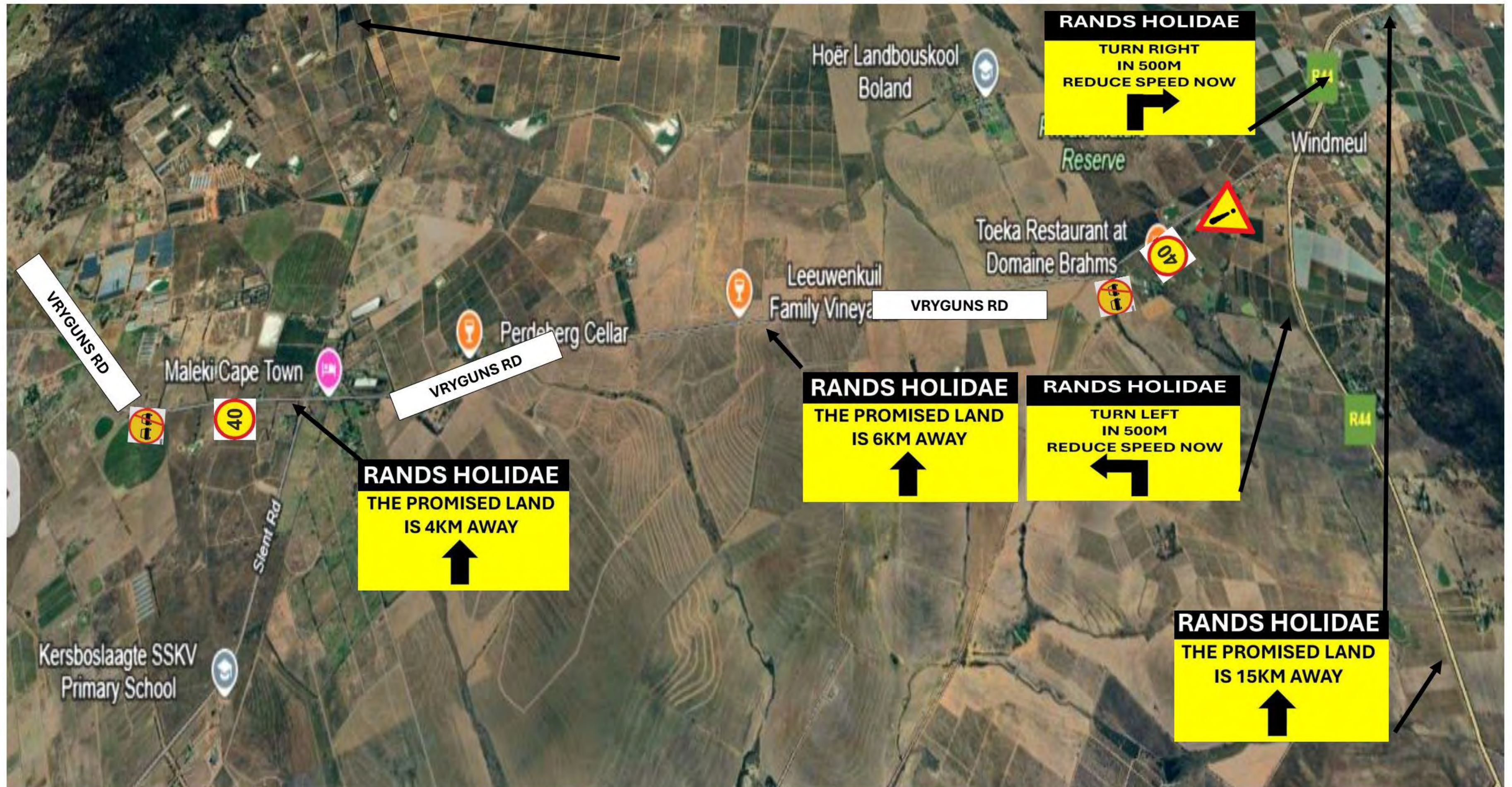
LEGEND / Road Furniture

CONES	BARRIERS	TR214	TR201 (40)		TR210	RANDS HOLIDAE THE PROMISED LAND PARKING E-HAILING DROP/GO	RANDS HOLIDAE THE PROMISED LAND PARKING E-HAILING DROP/GO
.....	————						



LEGEND / Road Furniture

CONES	BARRIERS	TR214	TR201 (40)		TR210				
.....	————								



LEGEND / Road Furniture

CONES	BARRIERS	TR214	TR201 (40)		TR210				
.....	————								