

# MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

Munisipale Kantoor/Municipal Office  
Pleinstraat/Plein Street  
Posbus/P.O Box 24  
CALEDON  
7230



Tel. no.: 028 214 3300  
Faks/Fax no.: 028 214 1289  
E-pos/E-mail: [twkmun@twk.org.za](mailto:twkmun@twk.org.za)

Our Reference Number: FA 317/97  
Your Reference Number:  
Enquiries: Sunet Du Toit, 028 214 3300 / [sunetdu@twk.org.za](mailto:sunetdu@twk.org.za)

Date: 2 May 2019

## REGISTERED MAIL

I Van Wyk  
Blaauwberg City Developers Incorporated  
P O Box 11333  
BLOUBERGSTRAND  
7443

(Per E-mail: [bcd@iafrica.com](mailto:bcd@iafrica.com))

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## DECISION LETTER TO APPLICANT

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Dear Sir / Madam

### APPLICATION FOR CONSENT USE: PORTION 97 OF THE FARM KROM RIVIER NO. 317, CALEDON DISTRICT

1. This Municipality's letter dated 01 November 2018, refers.
2. The Authorised Official, on 30 April 2019 **approved**, the application for **Consent Use** on Portion 97 of Farm No. 317, Caledon District, for the following, as depicted on Site Development Plan No. 3, drawn by BCD Town and Regional Planners, dated 2 November 2018, in terms of Section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
  - 2.1. A second dwelling;
  - 2.2. Two additional dwelling units; and
  - 2.3. Tourist facility to allow the art gallery.
4. **Reasons** for the above decision are as follows:
  - 4.1. The property is readily accessible from existing road infrastructure.
  - 4.2. The proposed development is regarded as compatible with the character of the surrounding area.
  - 4.3. The structures exists, therefore no adverse impact on existing surrounding land use rights is foreseen with the approval of this application.
  - 4.4. No negative impact on the natural environment is foreseen with the approval of this application.
  - 4.5. There will be minimal impact on municipal services.

5. **The abovementioned approval is subject to the following conditions in terms of Section 66 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning:**
- 5.1. The approval for the abovementioned application shall lapse if not exercised within years after the expiry of the period contemplated in Section 79(2), subject to Section 19(5) of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015.
  - 5.2. The consent use approval generally be in accordance with Site Development Plan No. 3, drawn by BCD Town and Regional Planners, dated 2 November 2018.
  - 5.3. The approval of this application does not exempt the applicant from compliance with any other legislation.
  - 5.4. A service level agreement must concluded with the municipality to ensure that the Conservancy tank be installed on municipal standards.
  - 5.5. As-built plans be submitted to the Department: Building Control and Town Planning for approval in terms of the National Building Regulations, for all existing structures.
  - 5.6. The applicant to obtain the necessary water use authorisation before activities commence.
6. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) and 80 of the said legislation.
- 6.1. The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Theewaterskloof Municipality, 6 Plein Street, Caledon, 7230 telephone: 028 214 3300, within 21 days of notification of this decision together with proof of payment of the appeal fee.
  - 6.2. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
  - 6.3. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
7. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Yours faithfully



**J JANSEN VAN RENSBURG**  
**ACTING MANAGER: TOWN PLANNING AND BUILDING CONTROL**

02/11/18



SCALE 1:1500

OUKROUERS VAN OORBEHOUDERS VAN 'N  
Landse plan of Regulerende Oorbehouers  
Plan No. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

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FARMING

GARDEN

ACCESS ROAD



Imagery © 2013 DigitalGlobe

Imagery Date: 5/31/2017 3491

1 EXISTING DWELLING

2 PROPOSED POOL  
(±88m²)

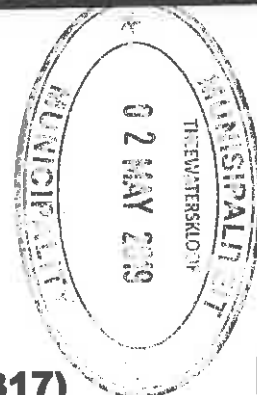
3 PROPOSED POOL HOUSE  
(POOL ROOM + LOUNGE)  
(±108m²)

4 PROPOSED ART STUDIO:  
CONSENT APPLICATION FOR  
TOURIST FACILITY  
(±65m²)

5 PROPOSED ADDITIONAL DWELLING  
(ACCOMMODATION ON 1ST FLOOR  
+ GARAGE & STORAGE ON GROUND FLOOR)  
(±120m² x 2 floors)

6 PROPOSED SECOND DWELLING  
(ACCOMMODATION)  
(±81m²)

7 PROPOSED ADDITIONAL DWELLING)  
(VISITORS UNIT, CAN BE CONVERTED  
INTO LAUNDRY + STAFF AREA)  
(±57m²)



SITE PLAN (PORTION 97 OF FARM NO. 317)

PLAN NO.3

267946



Directorate: Development Management  
(Region 1)

REF-LANDELIC

**REFERENCE:** 16/3/3/6/E4/5/1437/18  
**ENQUIRIES:** Ms. Saa-rah Adams  
**DATE:** 11.02.2019

The Municipal Manager  
Theewaterskloof Municipality  
P.O. Box 24  
CALEDON  
7230

**Attention: Mr. J. C. Pienaar/ Ms. S. du Toit**

Tel: (028) 214 3300

Fax: (028) 214 1289

Dear Sir/Madam

**RE: APPLICATION FOR CONSENT USE ON PORTION 97 OF FARM KROM RIVIER NO. 317, CALEDON**

1. The abovementioned document, dated 20 November 2018, received by this Department on 26 November 2018 and the Department's correspondence dated 3 December 2018, refers.
2. Further to review of the information submitted to this Department, the following is noted:
  - 2.1. The application is for consent use to allow for the construction of a secondary dwelling on top of a garage/storage area, and two additional dwellings for staff. Other proposed structures include a pool, pool house with a lounge and pool room and an art studio.
  - 2.2. The application is for consent use to allow for use of the art studio as a tourist facility.
  - 2.3. The property is located south of the N2 between Grabouw and Botrivier.
  - 2.4. The area to be covered by the structures is 550m<sup>2</sup> of which 333m<sup>2</sup> is on the existing hardened/bare patch of land and lawn area.
  - 2.5. In terms of section 52 of the National Environmental Management: Biodiversity Act (NEMBA), 2004, the site may comprise of Elgin Shale Fynbos (critically endangered) vegetation. The area to be developed has a lawn area and existing buildings.
3. On 7 April 2017 the Minister of Environmental Affairs promulgated amendments to the regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz, the Environmental Impact Assessment ("EIA") Regulations 2014 and Listing Notices 1, 2 and 3 in Government Gazette No. 40772. These regulations came into effect on 7 April 2017.
4. Based on desktop review of the proposed application, the Department notes the "proposed structures" have already been constructed. In light of this, your attention is drawn to the NEMA EIA

Regulations, 2014 (as amended) as defined in Listing Notices 1,2 and 3. Please note it is an offence to commence with listed activities before receiving environmental authorisation. The Department strongly recommends that advice be sought prior to the commencement of a development in order to determine whether listed activities are triggered.

5. However, based on our review, the development on Portion 97 of Farm No. 317, Caledon, did not constitute any listed activities in terms of the NEMA EIA Regulations, 2014 (as amended), as the additional dwellings are intended for staff accommodation purposes only and no clearance of vegetation was undertaken as the development was constructed in a disturbed area. Environmental authorisation is therefore not required from this Department prior to the development thereof.
6. Please note that should any revision of the development or future developments constitute a listed activity(ies) in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices 1, 2 and 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
7. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*
8. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
9. Your interest in the future of our environment is greatly appreciated.
10. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**



## SCIENTIFIC SERVICES

**postal** Private Bag X5014 Stellenbosch 7599  
**physical** Assegaaibosch Nature Reserve Jonkershoek  
**website** www.capenature.co.za  
**enquiries** Chanel Rampartab  
**telephone** +27 21 866 8017 **fax** +27 21 866 1523  
**email** crampartab@capenature.co.za  
**reference** SSD14/2/5/17/4/317-97\_cons\_dwellingetc\_Grabouw  
**date** 7 January 2019

Theewaterskloof Municipality  
P.O. Box 24  
Caledon  
7230

Attention: Sunet du Toit

Dear Ms du Toit

**Application for consent use for tourist facility (art gallery), second dwelling and two additional dwellings on FA 317/97, Krom Rivier, Grabouw**  
(Theewaterskloof Municipality ref: FA 317/97)

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity-related impacts and not to the overall desirability of the application.

A main dwelling exists on the property (structure 1). A pool (structure 2) and pool house (structure 3) are proposed, but do not require consent from the Municipality. This application is for the consent use for a tourist facility: art gallery (structure 4), a second dwelling (structure 6) and two additional dwellings (structures 5 and 7) on FA 317/97 (i.e. FA 317/72).

From historical satellite imagery (Figures 1, 2 and 3 below), it can be seen that all structures related to this application were constructed somewhere between 21 July 2017 and 14 November 2018. Note that only structures 4-7 are applicable for this consent use application.

The property is within the transition zone of the Kogelberg Biosphere Reserve, a UNESCO World Heritage Site. According to the Western Cape Biodiversity Spatial Plan (CapeNature 2017), the structures 4-7 sit on the immediate border of a Critical Biodiversity Area with restoration potential (CBA2). Recommendations would have been made to ensure that the construction phase of the development minimised the negative impacts on the surrounding natural vegetation, which is critically endangered Elgin Shale Fynbos. However, all construction has been completed.

CapeNature requests that the Municipality consult with the applicant regarding the construction of the above structures prior to the outcome of the consent use application. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

**Chanel Rampartab**  
**For: Manager (Scientific Services)**

cc. Johan Pienaar, Theewaterskloof Municipality  
Iwan van Wyk, BCD Town and Regional Planners

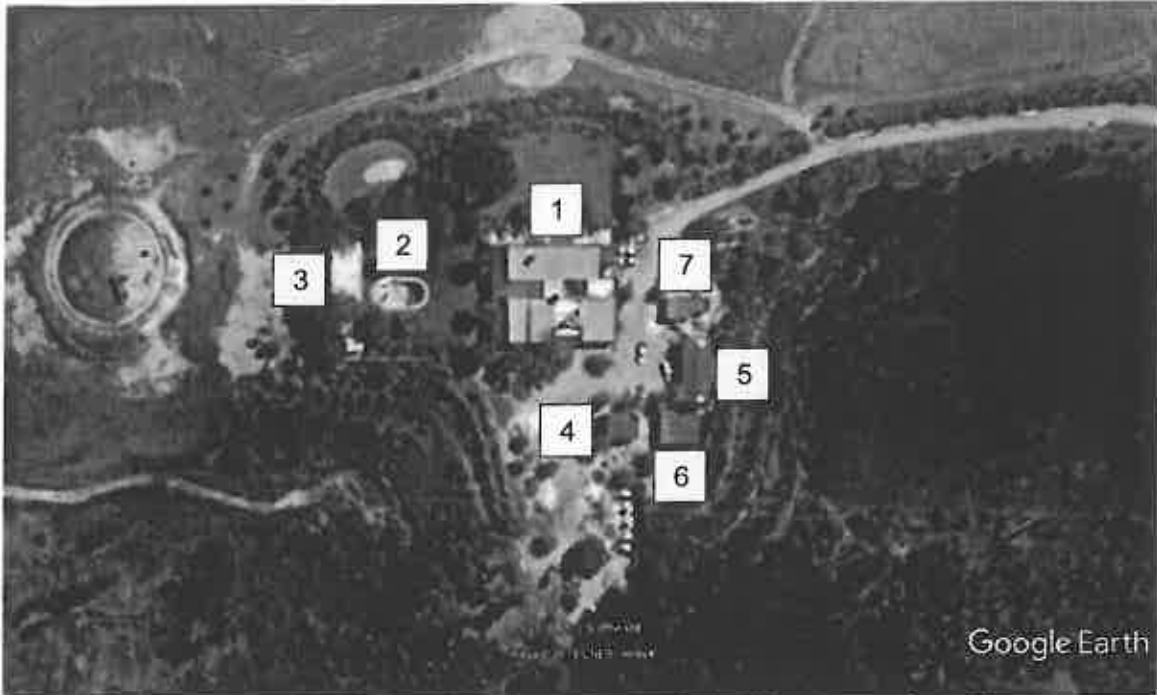


Figure 1: Google Earth imagery dated 14 November 2018. All structures have been constructed.

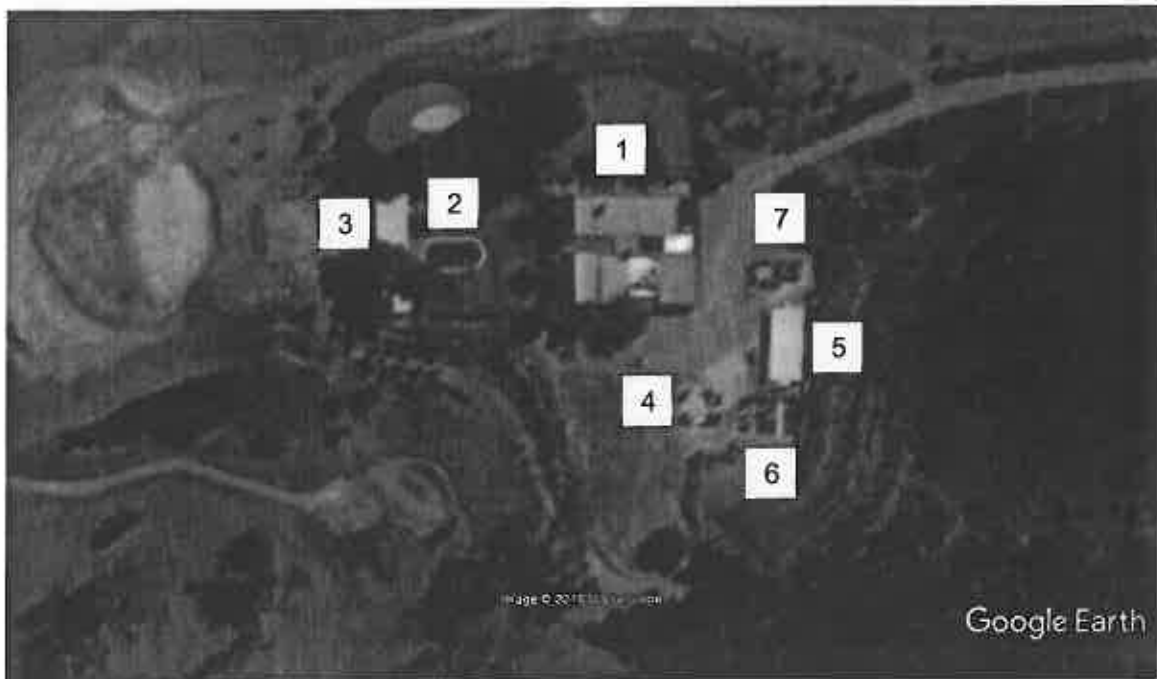


Figure 2: Google Earth imagery dated 25 December 2017. Structures 2, 3 and 5 have already been built, with structures 4, 6 and 7 already in progress.



Figure 3: Google Earth imagery dated 21 July 2017, prior to any construction. Only the main dwelling exists.



267161.



# BREED-GOURITZ MUNICIPALITY

CATCHMENT MANAGEMENT AGENCY

51 Raring Street Worcester 6850, Private Bag X2055 Worcester 6850

Enquiries: Rafeeq Le Roux Tel: 023 346 8000

Fax: 023 347 2012

E-mail: rleroux@bgcma.co.za

Reference No: 4/10/1/G40D/FARM KROM RIVIER 319/97  
Date: 19<sup>th</sup> December 2018

Theewaterskloof Municipality  
P.O. Box 24  
Caledon  
7230  
[sunetdu@twk.org.za](mailto:sunetdu@twk.org.za)

DEPT.	ONTWIKKELING
BEAMPTTE	B. SWARTLAND
TER INLIGTING	VIR KOMMENTAAR/ AANBEVELING
VIR AANDAG/DIREKTE AFHANDELING	
VERWYS NR.	ERP - LANDELIK
VERDERE OPDRAG	

Attention: Sunet du Toit

### COMMENT ON THE APPLICATION FOR PROPOSED CONSENT USE: PORTION 97 OF THE FARM KROM RIVIER NO 317, CALEDON.

With reference to the above application received on 23/11/2018.

This office has assessed the available information and have the following comments:

1. The proposed activities occur within th extent of a watercourse and regulated area as defined in the National Water Act, 1998 (Act 36 of 1998) and Government Notice 509 of 2016.
2. The activities are regarded as water uses in terms of Section 21 (c) & (i) of the National Water Act, 1998 (Act 36 of 1998) and as such require water use authorization.
3. In terms of GN509 of 2016 the Risk Matrix must be completed by a suitably qualified SACNASP registered professional. The results of the Risk Matric will indicate what authorization is required i.e. General Authorisation or Water Use License.
4. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
5. No use of surface water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998) and/or formal authorisation in terms of General Authorisations issued under Section 39 (Government Notice 399 dated 26 March 2004), and/or if it is authorised under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998) and/or if it is an Existing Lawful Water Use in terms of the National Water Act, 1998 (Act 36 of 1998).
6. No pollution of surface water or ground water resources may occur due to any activity.

7. No stormwater runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted storm water must be contained.
8. All relevant sections and regulations of the National Environmental Management: Waste Act 2008 (Act 59 of 2008) regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorized solid waste facility in terms of abovementioned legislation.
9. No permanent structures maybe constructed within the 100 year flood line or within 100 meters of any watercourse (seasonal or permanent river, stream etc.), whichever is furthest without firstly obtaining authorization in terms of Section 21 (c) and (i) of the National Water Act, 1998 (Act 36 of 1998). Please be advised that based on the available information no Section 21 (c) & (i) authorization is required in terms of the National Water Act, 1998 (Act 36 of 1998) for the activities as contained in the application.
10. The water provided for domestic use must comply with the SANS 241: 2011 guidelines for drinking water (edition 1). Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it is a threat to human health, then this office and the Provincial Department of Health must be informed of the procedures to rectify the problem.

#### **Disposal of sewage**

11. The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act 36, Act 36 of 1998.
12. The construction site for a conventional sewerage disposal system (french drain system) and/or conservancy tank must be placed above the 100 year flood line, or alternatively, more than 100 metres from the edge of a water resource, whichever is further.
13. Conventional sewerage disposal systems can only be considered where the residential structures are more than a 75m radius apart and are limited only to single residential units, if and where the geology supports such system and must be supported by District Municipal Health.  
  
(Conference facilities, lodges, schools, restaurants, tasting facilities and hotels will require alternative methods of sewage treatment for disposal and/or treatment.)
14. The construction of a conservancy tank must be of such a nature that no water will enter the system or leave it by means of seepage. Special care must be taken with the placing of the damp proof coarse during the construction phase. The tank needs to be inspected on a regular basis for seepage as a precautionary approach against any sewage leaving the system and causing pollution.
15. When a conservancy tank is used for the disposal of sewage, this office must be furnished with a signed copy of the contract between the contractor or the *Theewaterskloof Municipality* which is appointed to pump the conservancy tank and the applicant. A contingency plan must be developed and furnished to this office.
16. The volume of sewage needs to be metered on a monthly basis and a removal programme needs to be scheduled to ensure that the conservancy tank is pumped well within time before overflowing. Alternatively, floating devices should be installed within the tanks that initiate an alarm at 75% full capacity to arrange for collection and disposal

Please be advised that all relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to. The use of water without the required authorization in terms of the National Water Act, 1998 (Act 36 of 1998) may be regarded as unlawful and a criminal offence.

The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorization for

Please do not hesitate to contact this office if you have any further queries.

Please ensure to quote the above reference in doing so.

Yours Faithfully



**MR. JAN VAN STADEN**

**CHIEF EXECUTIVE OFFICER (ACTING)**



THE MUNICIPAL MANAGER  
THEEWATERSKLOOF MUNICIPALITY  
P.O.BOX 24  
CALEDON  
7230

**Attention: Ms S. du Toit**

**Date:**  
18 December 2018

**Enquiries:**  
Shaun Swanepoel  
Tel 021 980-3913  
Fax 086 660 0941

Dear Madame

**APPLICATION FOR CONSENT USE: PORTION 97 OF THE FARM KROMRIVIER NO. 317,  
CALEDON DISTRICT**

**OUR REF: 04586/18**

I refer to your application dated 20 November 2018.

This application affects Eskom power lines or services.

- **KROMCO FARMERS 1 11kV OVERHEAD POWERLINE**
- **NABO FARMERS 4 11kV OVERHEAD POWERLINE**
- **GALA / HOUHOEK 132kV OVERHEAD POWERLINE**
- **ELGIN / KROMCO 66kV OVERHEAD POWERLINE**

I hereby inform you that Eskom approves the proposed work indicated on your drawing in principle subject to the following. This approval is valid for **12 months** only, after which reapplication must be made if the work has not yet commenced.

- a) Eskom's rights over this property remains in force.
- b) Any proposed servitude crossing Eskom servitude will be subservient to the Eskom servitude that is being crossed and is subject to Eskom's co-use conditions.
- c) The following building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11kV & 22 kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- d) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.

Distribution Division - Western Region [Land Development]  
Western Region  
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA  
Tel +27 86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30



- e) No work or no machinery nearer than the following **distances from the conductors:**

Voltage	Not closer than:
11kV & 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- f) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- g) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11kV & 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- h) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and **any rerouting or relocation would be for the cost of the applicant/developer.**
- i) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
  - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
  - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
  - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- j) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- k) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- l) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- m) Eskom shall at all times have unobstructed access to and egress from its services.
- n) **Any development which necessitates the relocation of Eskom's services will be to the account of the developer.**
- o) **SYDNEY MULLINS, GRABOUW CNC** must be contacted on **+27 21 859 8020** before working in close proximity to the overhead power lines.

Kindly contact **Shaun Swanepoel** at Tel: 021 980 3913, should you require any further information.

Yours sincerely

**Shaun Swanepoel**  
**LAND DEVELOPMENT (BRACKENFELL)**  
(Transmitted electronically and thus not signed)

# MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

Munisipale Kantoor/Municipal Office  
 Pleinstraat/Plein Street  
 Posbus/P.O Box 24  
**CALEDON**  
 7230



Tel. no.: 028 214 3300  
 Faks/Fax no.: 028 214 1289  
 E-pos/E-mail: twkmun@twk.org.za

## APPEAL FORM

(Section 79 of the Proposed Standard Draft By-law on Municipal Land Use Planning)

**KINDLY NOTE:** Please complete this form using BLOCK capitals and ticking the appropriate boxes. Append this form to your letter of appeal which must comply with section 80 of the Theewaterskloof Standard By-law on Municipal Land Use Planning.

### PART A: APPEAL

Are you appealing against the decision made by the authorised employee or Tribunal?	Y	N	If Yes, indicate in Part E if the appeal is lodged against the whole decision or part thereof. If the latter applies provide a description of the part.
Are you appealing in respect of the failure of the authorised employee or Tribunal to make a decision within the period contemplated in section 57(1) or (2)?	Y	N	If Yes, provide facts that prove the failure in Part E.
Are you appealing against the condition(s) of approval imposed by the authorised employee or Tribunal?	Y	N	If Yes, list relevant condition(s) and provide a description in Part E.
Is your appeal based on and primarily concerned with the process followed prior to the authorised employee or Tribunal decision?	Y	N	If Yes, specify in Part E.
Is your appeal based on and primarily concerned with the merits of the land development or land use application on which it is believed that the authorised employee or Tribunal erred in coming to the conclusion?	Y	N	If Yes, specify in Part E.
Date of decision		Date receiving notice of decision	
Who took the original decision?	<input checked="" type="checkbox"/>	Authorised employee	<input checked="" type="checkbox"/> Tribunal

### PART B: APPELLANT'S DETAILS

First name(s)	
Surname	

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 7230



Tel. no.: 028 214 3300  
 Faks/Fax no.: 028 214 1289  
 E-pos/E-mail: twkmun@twk.org.za

Company or legal person's name <i>(if applicable)</i>					
Postal address					Postal Code
Email					
Tel		Fax		Cell	

**PART C: APPELLANT'S PROPERTY DESCRIPTION** *(Property that is affected by proposed development)*

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.					
Physical Address					
GPS Coordinates			Town/City		

**PART D: PROPERTY DESCRIPTION OF PROPOSED LAND DEVELOPMENT**

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.					
Physical Address					
GPS Coordinates			Town/City		

**PART E: APPEAL MOTIVATION AND REASONS\***

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information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.

Appellant's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name: \_\_\_\_\_

## FOR OFFICE USE ONLY

Date received: \_\_\_\_\_

Received by: \_\_\_\_\_

Municipal Stamp

# MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

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\* Appeal motivation, information and reasons may be attached.

## PART F: APPEAL FEE (for completion and use by official)

<b>Appeal</b>	R
<b>TOTAL APPEAL FEES*</b>	<b>R</b>

\* Appeal fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.

## BANKING DETAILS

Name:

Bank:

Branch no.:

Account no.:

**Payment reference:** .....  
 (If applicable)

## PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION

Complete the following checklist and attach all the information and documentation relevant to the appeal.

Y	N	Proof of payment of appeal fees (applicant)	Y	N	Proof of serving notice of appeal (applicant)
Y	N	Copy of decision and proof of notification	Y	N	Copy of conditions of approval
Y	N	Motivation and reasons for appeal	Y	N	Other (specify)

## SECTION H: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this appeal form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 85(1)(e) of the said legislation to supply particulars.