



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP1022/2024

Our File Reference Number: Farm 65/50, Stellenbosch Division

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-M

Sir / Madam

APPLICATION FOR A TEMPORARY DEPARTURE: FARM 65/50, KOELENHOF, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the application in terms of Section 15(2)(c) in terms of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, for a **temporary departure** for mining purposes (the making of bricks and related clay products) on Farm No. 65/50, Stellenbosch Division;

BE APPROVED in terms of Section 60 of the said Bylaw.

4. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
 - 4.1 The approval only applies to the proposal under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
 - 4.2 The development of the factory, including its associated infrastructure and operational activities, with a total extent of 40 000 m² to 80 000 m², be implemented substantially in accordance with the endorsed site development plan **SITE DEVELOPMENT PLAN_DRAWING NR201, REV N, DATED 26 OCTOBER 2025, DRAWN BY FRANCOIS DU TOIT ARCHITECTS (FDA)**, and attached as **ANNEXURE B**.
 - 4.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

- 4.4 The conditions imposed by the **Department: Community Services** as contained in their memo dated 12 May 2025, attached as **ANNEXURE E**, be complied with.
- 4.5 The conditions imposed by **Cape Wineland District Health Department** as contained in their letter dated 12 June 2025, attached as **ANNEXURE F**, be complied with.
- 4.6 The conditions imposed by the **Directorate: Infrastructure Services** as contained in their memo dated 14 April 2026, attached as **ANNEXURE G**, be complied with.
- 4.7 The conditions imposed by the **Department: Transport Infrastructure Branch** as contained in their letter dated 26 June 2025, attached as **ANNEXURE L**, be complied with.
- 4.8 The temporary departure hereby approved be valid for the period which the related mining right was issued by the Department of Mineral Resources and Energy, and lapses on the day the mining right expires.
- 4.9 The land use to not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken to avoid environmental noise pollution in terms of the Western Cape Noise Control Regulations, 2013, PN. 200/2013 made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No. 73 of 1989).
- 4.10 Building plans for all new structures and uses be submitted to and approved by the Municipality prior to the commencement of any building works, including any initial land preparation.
- 4.11 Building plans be generally in accordance with the endorsed Site Development Plan and to address the following matters to the satisfaction of the **Spatial Planning Department**:
- 4.11.1 *to include a landscaping plan detailing the landscaping and screening by indicating proposed planting, vegetation buffers and other measures to soften the visual impact of the development to reinforce the rural character of the area.*
 - 4.11.2 *the retaining and incorporation of existing mature trees on the property where reasonably practical, and where the removal of any mature tree is unavoidable, detailing the appropriate replacement planting to mitigate the loss of existing vegetation.*
 - 4.11.3 *the positioning and design of external lighting installations and measures, such as by being downward facing, to minimise light spill and visual intrusion into the surrounding landscape; and*

4.11.4 *building materials, finishes and colours be appropriate to the rural context and advertising and directional signage be appropriately scaled and located so as not to detract from the scenic quality of the surrounding landscape.*

4.12 Disturbed areas not required for operational purposes be rehabilitated and maintained in accordance with the approved Environmental Management Programme (EMPr) and any applicable mining rehabilitation requirements.

4.13 If the site is decommissioned the landowner/operator to remove all site infrastructure and the site to be rehabilitated to its former state or to a condition that is in line with the land use and character of the area at the time of decommissioning to the satisfaction of the Municipality.

4.14 Access, as well as water and sewer services servitudes in favour of the subject property be registered in the title deeds of Farm No. 65/20 and Farm No. 65/9, Stellenbosch Division, to provide legally secured access and services to the subject property. Proof of registration of the servitudes be submitted to the Municipality prior to the approval of any building plans relating to the approved development.

4.15 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

4.16 The approval of any building plan is subject to full compliance with all relevant and qualified conditions of land use rights to be indicated on the Town Planning Compliance Checklist for Building Plans to be submitted with an application for the approval of the building plan.

5. The reasons for the above decision are as follows:

5.1 The proposed development is directly associated with an existing authorised clay mining operation and does not constitute the establishment of a new extractive industry within the rural area.

5.2 The proposal entails the relocation and consolidation of an established brick manufacturing operation to the site of clay extraction, thereby facilitating a more efficient and integrated production process.

5.3 The site has been extensively transformed by historical and ongoing mining activities and no longer serves as productive agricultural land. Consequently, the proposed development is not expected to result in the loss of viable agricultural resources.

5.4 The development utilizes previously disturbed land rather than facilitating the conversion of undeveloped agricultural or environmentally sensitive land for industrial purposes.

5.5 The proposal supports the continued operation and long-term viability of an established rural industry that contributes to the local and regional economy, employment opportunities and the construction material supply chain.

6. Matters to be noted:

6.1 All electrical requirements be directed to Eskom.

6.2 The conditions imposed by the **Breede-Olifants Catchment Management Agency (Department: Water Affairs)** in their letter referenced 4/10/1/G22G/Nooitgedacht No. 65/50 Stellenbosch, dated 14 July 2026, and attached as **ANNEXURE M**, BE NOTED.

6.3 The applicant is hereby advised that a request for an Exemption Certificate in terms of Section 24 of the Stellenbosch Municipality Land Use Planning By-law, 2023, be submitted to the Municipality in respect of the proposed registration of the access, water and sewer servitudes where applicable.

7. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

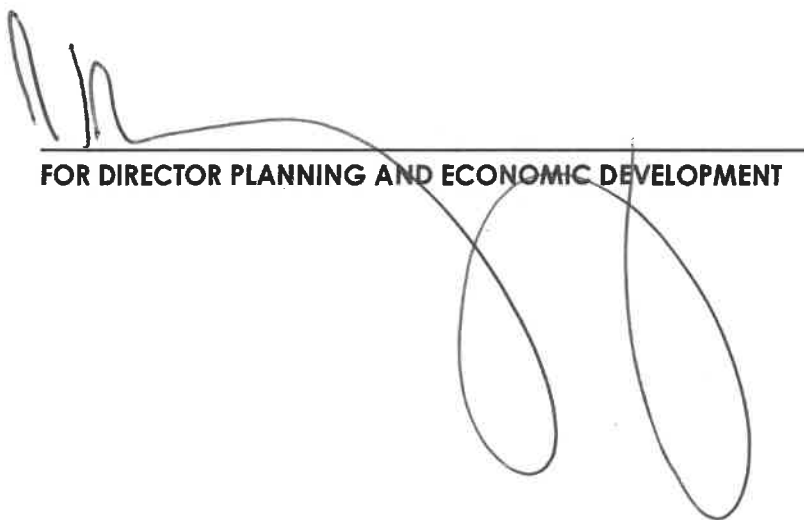
8. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

9. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**

10. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

11. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za or 021 – 808 8684.
12. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
14. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised, and you've been advised accordingly.

Yours faithfully



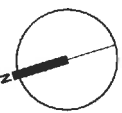
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

14/10/2026
DATE

ANNEXURE B

**APPLICATION FOR A TEMPORARY DEPARTURE: FARM NO. 65/50, KOELENHOF,
STELLENBOSCH**

SITE DEVELOPMENT PLAN



Site Development Plan
Scale 1:750

STELLENBOSCH MUNICIPALITY

THE SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF
SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE
PLANNING BY-LAW, SUBJECT TO THE CONDITIONS OF
APPROVAL.

MUNICIPAL MANAGER

DATE

14/10/2026

PORTION 50 OF
FARM NOOTGEDACHT
NO:55

PORTION 50 OF
FARM NOOTGEDACHT
NO:55

PORTION 50 OF
FARM NOOTGEDACHT
NO:55

PORTION 52 OF
FARM NOOTGEDACHT
NO:55

REM. PORTION 9 of
FARM NOOTGEDACHT
NO:55

NR 52000
NOTES & SPECIFICATIONS:

STRUCTURAL DESIGN:
ALL WORK TO BE DESIGNED BY ENGINEER
AND CONSTRUCTED IN ACCORDANCE WITH
PART B OF SANS 10400.
MECHANICAL:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART C OF SANS 10400.
ELECTRICAL:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART D OF SANS 10400.
PLUMBING:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART E OF SANS 10400.
PAINTING:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART F OF SANS 10400.
FLOORING:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART G OF SANS 10400.
GLAZING:
ALL WORK TO BE DESIGNED BY ENGINEER
AND CONSTRUCTED IN ACCORDANCE WITH
PART H OF SANS 10400.
ROOFING:
ALL WORK TO BE DESIGNED BY ENGINEER
AND CONSTRUCTED IN ACCORDANCE WITH
PART I OF SANS 10400.
LANDSCAPE ARCHITECTURE:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART J OF SANS 10400.
FACILITIES FOR PERSONS WITH DISABILITIES:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART K OF SANS 10400.
DRAINAGE:
ALL WORK TO BE DESIGNED BY ENGINEER
AND CONSTRUCTED IN ACCORDANCE WITH
PART L OF SANS 10400.
FIRE PROTECTION:
ALL WORK TO BE DESIGNED BY ENGINEER
AND CONSTRUCTED IN ACCORDANCE WITH
PART M OF SANS 10400.
SPACE HEATING:
ALL WORK TO BE DESIGNED AND
CONSTRUCTED IN ACCORDANCE WITH
PART N OF SANS 10400.
FIRE INSTALLATIONS:
ALL WORK TO BE DESIGNED BY ENGINEER
AND CONSTRUCTED IN ACCORDANCE WITH
PART O OF SANS 10400.

REUSE ROOM:
THE REUSE ROOM AREA IS LARGE
ENOUGH TO STORE ALL REUSE PRODUCED
ON THE PREMISES, INCLUDING ALL MATERIAL
INTENDED FOR RECYCLING.
ALL REUSE RECEPTACLES ARE SUPPLIED
WITH CLOSE FITTING LIDS OR COVERS, TO
PREVENT THE PROGRESS OF PILES, TOODS
ON ANY OTHER VEHICLE, AND TO RETAIN ANY
NUMBER OCCURS WITHIN THE REUSE
RECEPTACLE.

A REUSE ROOM SHALL BE CONSTRUCTED -
OF BRICK WITH THE INTERNAL WALLS
CEMENT PLASTERED TO A SMOOTH SURFACE
AND PAINTED IN A LIGHT COLOURED PAINT.
THE FLOOR SHALL BE OF CONCRETE.
CONCRETE FLOORS SHALL BE FINISHED
AND ROUNDED TO A RADIUS OF
75 MM AROUND THE PERIMETER. THERE
SHALL BE NO LEDGES AT THE ANGLE OF
THE FLOOR AND THE WALLS.
THE FLOOR IS GRADED AND DRAINED TO A
10% FLOOR TRAP DISCHARGING TO AN
OUTSIDE GULLY, WHICH IN TURN IS
CONNECTED TO A SEWER.
THE ROOM IS NATURALLY VENTILATED
THE ROOM IS PROMINENTLY MARKED BY A
WALL WHICH SHALL BE FITTED WITH AN EFFECTIVE
SELF-CLOSING DOOR.

SA REGULATIONS IN OFFICES - S1
1. TO COMPLY WITH REQUIREMENTS OF
SANS 10400:2011 & SANS 10400:
APPLICABLE.
2. ALL HOT WATER SERVICE PIPES SHALL
BE CLADDED WITH INSULATION WITH A
MINIMUM OF 1 mm.
3. HOT/COLD SERVICE PIPES SHALL BE
INSULATED WITH MINER WOOL PIPE
SECTIONS OF 100mm x 20mm AND WALL
THE JOINTS ARE WELL BUTTED
TOGETHER, SECURED TO THE PIPE BY
STAPLES AT 400mm CENTRES WITH
BANDS NOT MORE THAN 100mm FROM THE
END OF EACH SECTION. BORE TO BE
INSULATED WITH CAREFULLY MITRED
SECTIONS OF 100mm x 20mm PIPES.
SECTIONS FITTED CLOSELY TO THE PIPE
AND BUTTLY STRAPPED INTO POSITION.
INSULATION MUST COMPLY WITH SANS
10400:2011 & SANS 10400:
4. INITIAL 100mm THICK FOIL FACED,
NON-COMBUSTIBLE, LIGHTWEIGHT,
GLASSWOOL OR OTHER BLANKET AROUND
THE SERVICE OR HOT WATER COLUMNS.
BEAL THE EDGES WITH BRONZE TAPE.
USING 100mm x 20mm BRONZE TAPE
INSULATION INSULATE 30 OF THE
DISCONNECTED WATER PIPE AND ALL
OUTGOING HOT WATER PIPES.
INSTALLATION STRICTLY IN
ACCORDANCE WITH MANUFACTURERS
INSTALLATION INSTRUCTIONS.
INSULATION MUST COMPLY WITH SANS
10400:2011 & SANS 10400:
5. 200mm CAVITY BRICKWORK OF IMPERIAL
MORTAR CLAY BRICKS IN GLASS &
MORTAR MADE OF 2 HALF BRICK SIZES
INCLUDING MIN. 10% OF THE STRUCTURAL
DESIGN & STABILITY OF THE WALLS TO
BE DESIGNED BY ENGINEER.
6. BATHROOM - 100% KEYSER TO BE
CONNECTED TO HEAT PUMP FOR HOT
WATER SUPPLY. HEAT PUMP
INSTALLATION TO BE DONE BY
SPECIALIST. HEATING SYSTEM SHALL
COMPLY WITH SANS 10400:2011
NOMINOT UNDER COOL/INSTANT HOT
WATER HEATING APPLIANCE FOR BHK.
7. TOTAL FENESTRATION AREA IS BELOW
10% TO THE NET FLOOR AREA OF
OFFICE BLOCK THAT COMPLY WITH
THE MINIMUM ENERGY PERFORMANCE
REQUIREMENTS AS PER SANS 10400:
REQUIREMENTS AS PER SANS 10400:

GENERAL NOTES:

ALL WORK TO COMPLY WITH SANS
10400.
THIS DRAWING MUST NOT BE SCALED.
DIMENSIONS AND LEVELS ARE TO BE
CHECKED, THE LATTER ON SITE, BY THE
CONTRACTOR BEFORE
COMMENCEMENT OF ANY WORK OR
SETTING OUT OF SHOP DRAWINGS.
THE DESIGN SHOWN ON THIS DRAWING
IS COPYRIGHT AND REMAINS THE
PROPERTY OF THE ARCHITECT.

AREA CALCULATIONS

PORTION 50
of FARM NOOTGEDACHT No:55

PARCEL LAND AREA: 160 208m²

FLOOR AREA CALCULATION:

MILLING PLANT WORKSHOP	3 089m ²
CLAY SOURCING STORE	2 458m ²
MARKING PRODUCTION	2 019m ²
CHIMNEY STACK	173m ²
GATE HOUSE & ADMIN OFFICE	448m ²
BLUNDER	159m ²
REFUSE ROOM	39m ²
TOTAL FLOOR SPACE	20 085m ²

GLA CALCULATION:

MILLING PLANT WORKSHOP	3 089m ²
CLAY SOURCING STORE	2 458m ²
MARKING PRODUCTION	2 019m ²
CHIMNEY STACK	173m ²
GATE HOUSE & ADMIN OFFICE	448m ²
BLUNDER	159m ²
REFUSE ROOM	39m ²
TOTAL GLA	20 085m ²

COVERAGES CALC:

MILLING PLANT WORKSHOP	3 089m ²
CLAY SOURCING STORE	2 458m ²
MARKING PRODUCTION AREA	2 019m ²
CHIMNEY STACK	173m ²
GATE HOUSE & ADMIN OFFICE	448m ²
BLUNDER	159m ²
REFUSE ROOM	39m ²
TOTAL COVERAGES	20 085m ²
TOTAL COVERAGES AS A PERCENTAGE	12.5%

PARKING CALCULATION:

TOTAL OFFICE GLA	15 520m ²
(15 520m ² x 1:500) =	103.47
TOTAL OFFICE GLA	103.47
(103.47 x 1:500) =	6.89
TOTAL PARKING BAYS REQUIRED	267 bays
TOTAL PARKING BAYS PROVIDED	271 bays

REVISION

REVISION 01/2026

ISSUED FOR INFORMATION

PORTION 50 OF FARM NOOTGEDACHT
DEVONBOSCH
STELLENBOSCH

PROPERTY OWNERS:

KILLARNEY BRICKFIELDS (Pty) LTD

REG NO: 2013/117050/7

DRAWING TITLE:

SITE DEVELOPMENT PLAN

DRAWING AUTHOR:

Francois du Toit

PrAct, SACAP Membership Number: 7350

ISSUED FOR:

LOCAL AUTHORITY

SDP APPLICATION

PROJECT NO: 522

PAPER SIZE: A0

SCALE: 1:750

DRAWING NO: 201

REVISION No: N

ANNEXURE E

**APPLICATION FOR A TEMPORARY DEPARTURE: FARM NO. 65/50, KOELENHOF,
STELLENBOSCH**

**COMMENT FROM THE DEPARTMENT:
COMMUNITY SERVICES**

INTEROFFICE MEMORANDUM



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

DEPARTMENT: COMMUNITY SERVICES

Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	Administrative Officer: Land Use Management Nicole Katts	From:	Senior Environmental Planner: Schalk van der Merwe
CC:	Air Quality / Noise Control Officer: Martin van As	Date:	12 May 2025
Re:	LAND USE APPLICATION: FARM 65/50, STELLENBOSCH - LU/18416		

The above application refers. From an environmental planning point of view this department has no objection to the approval of the application on condition that:

1. Activities on site, during construction and thereafter, comply with the Western Cape Noise Control Regulations; and
2. During construction and operation all reasonable steps are taken to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.

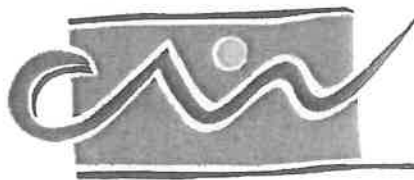
S VD MERWE

**SENIOR ENVIRONMENTAL PLANNER
COMMUNITY SERVICES**

ANNEXURE F

**APPLICATION FOR A TEMPORARY DEPARTURE: FARM NO. 65/50, KOELENHOF,
STELLENBOSCH**

**COMMENT FROM THE HEALTH
DEPARTMENT (CAPE WINELANDS)**



CAPE WINELANDS DISTRICT

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MEMORANDUM TO/ AAN : N.Katts
(Planning Economic &
Development Services: Stellenbosch Municipality)
Official / Beampte : Ms. N. Nqola
Your ref/ U vrew. : Erf 65/50
Ref No / Verw. No : 15/2/6/1
Date / Datum : 12/06/2025

APPLICATION FOR CONSENT USE AND DEPARTURE: FARM 65/50 STELLENBOSCH DIVISION - LU/18416 - TP1022/2024 STELLENBOSCH, WESTERN CAPE

There are no objections from an Environmental Health point regarding this application, subject to compliance with the following:

Your letter dated **12 May 2025**, in the above regard refers.

From an environmental health perspective this application may be recommended for approval, provided that the following conditions are complied with:

1. Sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions, and approval.
2. Sewage disposal on the premises must always take place in a nuisance-free manner and shall be the owner's responsibility.
3. The quality of the potable water on the premises must always comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.
4. Refuse collection and storage must be done in a way that will not cause a health nuisance.
5. The proposed development must be provided with a refuse area that is large enough to store all the refuse generated on the premises, Inaccessible to the public (ie equipped with a lockable door or gate)
6. All areas where food is handled must comply with the minimum requirements for food handling premises as determined in Regulation R638 (General Hygiene Requirements for Food Premises Regulations) in terms of the Foodstuffs, Cosmetics and Disinfectants Act, of 22 June 2018 under the National Health Act.

This Department reserves the right to set further requirements during the running of the business.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully



Nolusindiso Nqola
Environmental Health Practitioner
Obo. MUNICIPAL MANAGER

ANNEXURE G

**APPLICATION FOR A TEMPORARY DEPARTURE: FARM NO. 65/50, KOELENHOF,
STELLENBOSCH**

**COMMENT FROM THE DIRECTORATE:
INFRASTRUCTURE SERVICES**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nicole Katts
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	14 April 2026
Our Ref ▫ Ons Verw:	Civil LU 2895
Town Planning Ref:	LU/18416 – TP1022/2024
Re ▫ Insake:	<p>Farm 65/50, Stellenbosch: Application is made in terms of Section 15(2)(c) the Stellenbosch Municipal Land Use Planning By-Law, 2023, for a Temporary Departure for mining purposes (the making of bricks and related clay products) on Farm No. 65/50, Stellenbosch Division. The period for which a mine and associated brickmaking may operate shall be linked to the life expectancy of the mine and therefore may exceed a period of 5 years. In 1998, the zoning of the subject property was determined as Industrial Zone III, specifically of the mining of clay. With the introduction of a new zoning scheme, the zoning was converted to “Agricultural and Rural Zone with a deemed departure for mining”. A clay brick is currently located on Farm No. 65/ 20, Stb and the currently application is to rebuild the brick factory on a mined-out area on Farm No. 65/50, Stb.</p>

The following engineering documents were evaluated as part of this application:

- Civil engineering services report by BSI dated 24 Oct 2025

- SDP Drawing No 201 Rev N by FDA

In consideration of provisions related to Civil Engineering Services the application is supported subject to the following conditions:

Specific Conditions: These conditions must be complied with prior to transfer of the first property or approval of any building plans, whichever occurs first.

1. Water (See: Annexure Services)

- 1.1 The connection to the erf must be installed.
- 1.2 A servitude must be registered across erven 65/20 and 65/9. This must be in place before building plan approval.
- 1.3 The metering arrangements must be indicated on the Building Plans and detail engineering drawings – additional condition may be set at that stage.

2. Sewer (See: Annexure Services)

- 2.1 The connection to the erf must be installed.
- 2.2 A servitude must be registered across erven 65/20 and 65/9. This must be in place before building plan approval.

3. Roads (See: Annexure Services)

- 3.1 An access road must be constructed.
- 3.2 An access servitude must be registered across erven 65/20 and 65/9. This must be in place before building plan approval.
- 3.3 Any conditions stated by the Provincial Roads Engineer must be complied with.

4. Stormwater (See: Annexure Services)

- 4.1 The difference between the pre-and post-development run-off must be attenuated on site. The detention pond, associated stormwater pipelines, inlet and outlet structures and erosion protection must be completed to municipal standards before an Occupation Certificate. All earthworks and trimming and shaping of the pond

must also be completed. See **Annexure Services** for conceptual layout of pond – details must be clearly indicated on the building plans and/or engineering drawings submitted for approval prior to construction.

- 4.2 The municipality may request additional stormwater management details at building plan stage – additional condition may become applicable.

5. Servitudes

- 5.1 Should the need for any additional servitudes, other than those already mentioned, be identified during building plan approval and/or engineering drawing approval stage, such servitudes must be registered by the developer at their cost.

6. Installation of Engineering Services

- 6.1 Detail engineering drawings must be submitted for approval prior to the commencement of construction and prior to the approval of building plans. The engineering drawings approval letter issued by the Municipality will constitute the “engineering services agreement” for the provision and installation of services between the municipality and the land owner / developer, as stated in the municipality’s land-use planning by-law.

7. Development Charges (DCs)

- 7.1 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to the transfer of the first property (subdivision clearance) or approval of any building plans, whichever occurs first. The amount payable will therefore be the amount as calculated according to the approved tariff structure and according to the DCs Policy principles at the time that payment is made.
- 7.2 A DCs estimate is provided in **Annexure DC**. This calculation is purely provisional, based on the information available at this stage, and a final calculation will be provided prior to payment and based on the final/approved development parameters.

General Conditions

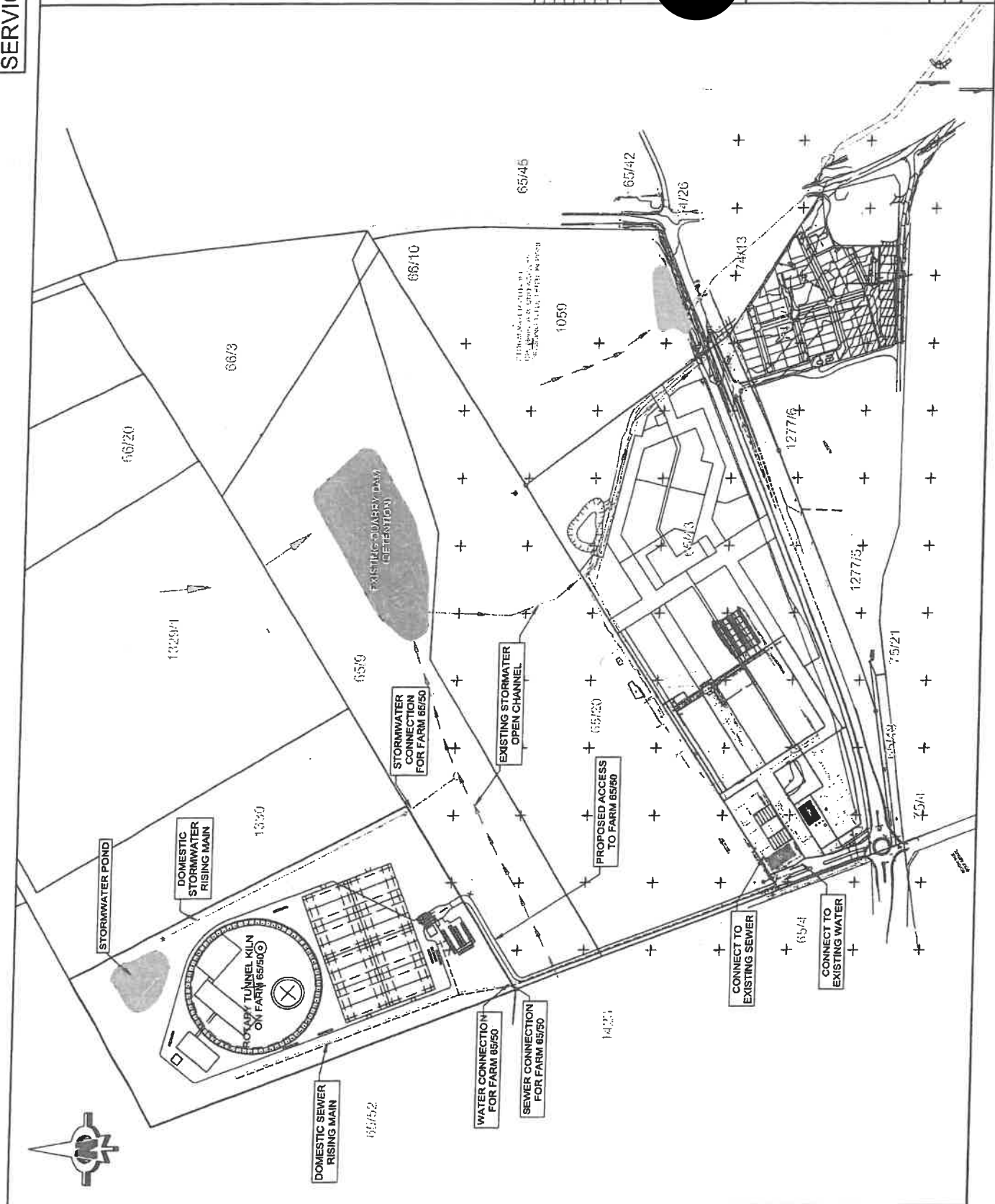
8. The implementation of the development wrt the provision of civil engineering services, must comply with the "*General guidelines and standard practices for the provision of civil engineering services for new developments*" as published on the municipality's website and as amended from time-to-time.
9. The design of the civil engineering services for the development must comply with the "*Design Guidelines and Minimum Standards for Civil Engineering Services*" as published on the municipality's website and as amended from time-to-time.
10. The internal services are private. Therefore, all internal services will be maintained by the Owner.
11. The Developer will be held liable for any damage to municipal infrastructure, caused as a direct result of the development of the subject property. The Developer will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services, prior to transfer of the first property or approval of any building plans or occupation certificate, whichever occurs first.
12. The developer will be held liable for any nuisance, health or other risk to the public, caused as a direct result of the development of the subject property. Where in the opinion of the Municipality a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the Municipality may give the Developer and/or Owner's Association written notice to remedy the defect.



Tyrone King Pr Tech Eng
Manager: Development (Infrastructure Services)

ANNEXURE: SERVICES

NOTES:



NO.	AMENDMENTS	DATE	BY	CHK
1	As per client requirements	15/01/20	P. L. Rie	
2	As per client requirements	15/01/20	P. L. Rie	
3	As per client requirements	15/01/20	P. L. Rie	
4	As per client requirements	15/01/20	P. L. Rie	
5	As per client requirements	15/01/20	P. L. Rie	
6	As per client requirements	15/01/20	P. L. Rie	
7	As per client requirements	15/01/20	P. L. Rie	
8	As per client requirements	15/01/20	P. L. Rie	
9	As per client requirements	15/01/20	P. L. Rie	
10	As per client requirements	15/01/20	P. L. Rie	

CABRICO

PROPOSED ROTARY
TUNNEL KILN PROJECT
ON FARM 65/50,
STELLENBOSCH

CIVIL SERVICES
CONNECTIONS

1:2500
1:2500
1:2500

1500/10



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	DC 2895 (I) Farm 65-50 Stellenbosch (LU-18416 TP-1022-2024)
Development Name:	
Date:	14 April 2026
Financial Year:	2025/2026
Erf Location (Select from 7 Locations):	Koelenhof
School/ECD Category (Select Quintile 1-4 or 5 or N/A):	N/A
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Farm 65-50
DC Parameters Reference:	SDP Drawing No 201 Rev N by FDA

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	kl/day	kl/day	ha°C	lt/week	trips/day		persons		
Total Increased Services Usage:	80.38	70.3325	3.01425	4.019	263.73		200.95		
Total Service Usage Reduction:	0	0	0	0	0.0		0		
Total Service Usage after Reduction:	80.38	70.33	3.01425	4.019	263.7		201		
Charges before adjusting for positive only, before Deductions	R 2 143 702.01	R 1 950 436.08	R 380 606.54	R 425 605.68	R 1 479 764.01	R 6 380 114.32	R 372 887.52	R 6 753 001.84	
Charges adjusted for positive only, before Deductions	R 2 143 702.01	R 1 950 436.08	R 380 606.54	R 425 605.68	R 1 479 764.01	R 6 380 114.32	R 372 887.52	R 6 753 001.84	
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -	
Total Development Charges Payable (excluding VAT):	R 2 143 702.01	R 1 950 436.08	R 380 606.54	R 425 605.68	R 1 479 764.01	R 6 380 114.32	R 372 887.52	R 6 753 001.84	
VAT:	R 321 555.30	R 292 565.41	R 57 090.98	R 63 840.85	R 221 964.60	R 957 017.15	R 55 933.13	R 1 012 950.28	
Total Development Charges Payable (including VAT):	R 2 465 257.31	R 2 243 001.50	R 437 697.52	R 489 446.53	R 1 701 728.61	R 7 337 131.47	R 428 820.65	R 7 765 952.12	

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	Estimate
Notes:	<p>PARKING CALCULATION:</p> <p>TOTAL BRICKWORKS GLA = 19 922m²</p> <p>(19 922m² X 1bay/100m²) = 199.2bays</p> <p>TOTAL OFFICE GLA = 173m²</p> <p>(173m² X 4bays/100m²) = 6.9bays</p> <p>TOTAL PARKING BAYS REQUIRED 207 bays</p> <p>TOTAL PARKING BAYS PROVIDED 207 bays</p>

Koelenhof

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage		Development Charge Levied (excl VAT)				Sub Total (Civil Eng Services)	Community	Total
		Area (m ²)	Unit/Amount	Area (m ²)	Unit/Amount	Amount	Result	Water	Sewer	Stormwater	Solid Waste	Roads & Transport		
Residential	Single Residential >1000m ²	du				0		R	-	R	-	R	-	R
	Single Residential <500m ²	du				0		R	-	R	-	R	-	R
	Single Residential >250m ²	du				0		R	-	R	-	R	-	R
	Single Residential <250m ²	du				0		R	-	R	-	R	-	R
	Second Dwelling	du				0		R	-	R	-	R	-	R
	Less Formal Residential	du				0		R	-	R	-	R	-	R
	Group Residential	du				0		R	-	R	-	R	-	R
	Apartments	du				0		R	-	R	-	R	-	R
	Retirement Village	du				0		R	-	R	-	R	-	R
	Old age home	du				0		R	-	R	-	R	-	R
Accommodation	Student Accommodation/Communal/Hostels	rooms				0		R	-	R	-	R	-	R
	Guest House	rooms				0		R	-	R	-	R	-	R
	Hotel, Residential	rooms				0		R	-	R	-	R	-	R
	General Business	m ² GLA				0		R	-	R	-	R	-	R
	Office	m ² GLA			173	173		R	18 485.36	R	16 791.51	R	3 776.00	R
	Retail/Shop	m ² GLA				0		R	-	R	-	R	-	R
	Restaurant	m ² GLA				0		R	-	R	-	R	-	R
	Outdoor Function / Picnic Area	persons				0		R	-	R	-	R	-	R
	Farm Market	stall				0		R	-	R	-	R	-	R
	Conference Facility/Places of assembly	m ² GLA				0		R	-	R	-	R	-	R
Commercial	Hospital/Clinic/Medical Rooms	m ² GLA				0		R	-	R	-	R	-	R
	University/College	student				0		R	-	R	-	R	-	R
	School/Day Care	student				0		R	-	R	-	R	-	R
	Industrial - light	m ² GLA				0		R	-	R	-	R	-	R
	Industrial - heavy	m ² GLA				0		R	-	R	-	R	-	R
	Warehousing/Light Manufacturing	m ² GLA			19922	19922		R	2 125 246.65	R	1 933 644.37	R	377 320.86	R
	Storage Facilities	unit				0		R	-	R	-	R	-	R
	Open Space/Natural Environment/Utility Site	ha				0		R	-	R	-	R	-	R
	Roads and Parking	ha				0.0000		R	-	R	-	R	-	R
	To be calculated	n/a				0.0000		R	-	R	-	R	-	R
Other	(Based on equivalent demands)	n/a				0		R	-	R	-	R	-	R
Total Area:		0			0			Total Area:				0		

Charges before adjusting for positive only, before Deductions																		
Charges adjusted for positive only, before Deductions																		
Deductions per service (from usage reductions)																		
Discount Deduction (%)																		
Additional Deduction per service - from Service Agreement (sum)																		
Sub Total after Adjustments and Deductions (excluding VAT)																		
VAT																		
Total Development Charges																		
Deduct	Percentage: 0.00%		R	2 143 702.01	R	1 950 436.08	R	380 605.54	R	425 605.68	R	1 479 764.01	R	6 380 114.32	R	372 887.52	R	6 753 001.84
			R	2 143 702.01	R	1 950 436.08	R	380 605.54	R	425 605.68	R	1 479 764.01	R	6 380 114.32	R	372 887.52	R	6 753 001.84
			R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
			R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Totals			R	2 143 702.01	R	1 950 436.08	R	380 605.54	R	425 605.68	R	1 479 764.01	R	6 380 114.32	R	372 887.52	R	6 753 001.84
			R	321 555.30	R	282 565.41	R	57 080.98	R	63 840.85	R	221 964.60	R	957 017.15	R	55 933.13	R	1 012 840.28
			R	2 465 257.31	R	2 243 001.50	R	437 687.52	R	489 446.53	R	1 701 728.61	R	7 337 131.47	R	428 820.65	R	7 765 952.12
			R		R		R		R		R		R		R		R	

ANNEXURE L

**APPLICATION FOR A TEMPORARY DEPARTURE: FARM NO. 65/50, KOELENHOF,
STELLENBOSCH**

**COMMENT FROM THE THE
DEPARTMENT: INFRASTRUCTURE
SERVICES**



Ref: DOI/CFS/RN/LU/REZ/SUB-25/524 (Application No: 2025-05-0056)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendorff

PORTION 50 OF FARM NOOITGEDACHT NO. 65, STELLENBOSCH: MAIN ROAD 187 (BOTTELARY ROAD): APPLICATION FOR TEMPORARY DEPARTURE AND APPROVAL OF SITE DEVELOPMENT PLAN

1. The following refer:
 - 1.1. The undated Notice of the Land Development Planning application for comment received from Anton Lotz Town and Regional Planning (Application Reference: LU/18416 - TP1022/2024);
 - 1.2. The undated Site Development Plan (SDP), Drawing Number 1500/03B, titled: Cabrico Brick Company – Proposed rotary tunnel kiln, prepared by BSi Civil and Structural Engineers; and
 - 1.3. The Application Motivational Report dated December 2024 prepared by Anton Lotz Town and Regional Planning.
2. Main Road 187 (MR187; Bottelary Road) will be affected by the proposed development at the existing roundabout located at approximately km13.70 on the left-hand side (LHS) at the roundabout.
3. The application entails a Temporary Departure aimed at constructing a new technology Rotary Tunnel Kiln to produce bricks and related clay products on Portion 50 of Farm 65, which will replace the existing brick factory on Portion 20 of Farm 65. The site has a deemed departure for mining and holds an approved mining licence from the Department of Mineral Resources and Energy.
4. The proposed Site Development Plan (SDP), submitted for approval in terms of the applicable zoning scheme, reflects a factory with a floor area of 40,000 m² and a total project footprint of 80,000 m².
5. Internal access roads within the Devonbosch development will continue to serve as the access route to Portion 50 of Farm 65, as has been the case in the past.

6. The Motivational Report includes confirmation from ITS Consulting Engineers that no additional traffic will be generated by the new facility, as the previous mining operation already involved the production of similar brick and clay products.
7. This Branch has no objection to the application for Temporary Departure on Portion 50 of Farm Nooitgedacht 65, Stellenbosch, subject to the following conditions:
 - 7.1. No new access may be taken from MR187 or MR174 without prior approval from this Branch;
 - 7.2. The only permitted access to Portion 50 of Farm 65 shall be from MR187 at approximately km 13.70 (LHS);
 - 7.3. Any future amendments to the Site Development Plan must be submitted to this Branch for review and comment; and
 - 7.4. Stellenbosch Municipality is responsible for confirming that all related land units have the necessary right of way servitudes to prevent any property from being landlocked.

Yours Sincerely



DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 26 JUNE 2025

ENDORSEMENTS

1. Stellenbosch Municipality
Attention: Mr U von Molendorff (e-mail: landuse.enquiries@stellenbosch.gov.za)
2. Anton Lotz
Attention: Anton Lotz (email: alotz@iafrica.com)
3. Mr DD Fortuin (e-mail)
4. Mr B du Preez (e-mail)

ANNEXURE M

**APPLICATION FOR A TEMPORARY DEPARTURE: FARM NO. 65/50, KOELENHOF,
STELLENBOSCH**

**COMMENT FROM THE DEPARTMENT
OF WATER AFFAIRS**



BREDE-OLIFANTS

52 Voortrekker Road | Bellville | 7530, Private Bag X16 | Sanlamhof | Bellville | 7532

Enquiries: Asiphe Mpambani

Tel: 021 941 6338

E-mail: ampambani@bocma.co.za

Reference: 4/10/1/G22G/Nooitgedacht No 65/50 Stellenbosch

Date: 14 July 2026

Killarney Brickfields (Pty) Ltd

EMAIL: alotzt@afrika.com

Attention: Anton Lotz

Dear Anton

COMMENTS FOR THE PROPOSED NEW BRICK MANUFACTURING FACILITY ON PORTION 50 OF FARM NOOITGEDACHT NO. 65, STELLENBOSCH

Your email received on the 3rd July 2026 has reference.

The Breede-Olifants Catchment Management Agency (BOCMA) has evaluated the submitted Environmental Authorization and supporting Site Development Plan and has the following comments:

1. Breede-Olifants Catchment Management Agency (BOCMA) acknowledges receipt of the Environmental Authorisation (EA) and supporting documentation for the proposed relocation and construction of a new brick manufacturing facility on Portion 50 of Farm Nooitgedacht No. 65, Stellenbosch.
2. Based on the Environmental Authorisation and supporting documents submitted, BOCMA has no objection in principle to the proposed development, subject to the comments below, compliance with the National Water Act, 1998 (Act No. 36 of 1998), as amended, and provided that no pollution of water resources occurs.
3. The Environmental Authorisation identifies an artificial depressional wetland within the development area. Please note that any activities that may impede or divert the flow of water in a watercourse, or alter the bed, banks, course or characteristics of a watercourse, may constitute water uses in terms of Sections 21(c) and 21(i) of the National Water Act, 1998 (Act No. 36 of 1998).
4. Please note that should the proposed water activities trigger a water use in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998), the applicant must ensure that such water use is lawfully authorized, either through an applicable General Authorization or a Water Use Licence lodged through the Electronic Water Use Licence Application and Authorisation System (e-WULAAS), prior to commencement.
5. Please ensure that clean and dirty stormwater systems are managed separately. No stormwater runoff from the application premises that contains waste, or water that contains waste emanating from any activity, may be discharged into a water resource without prior treatment. Appropriate stormwater management measures must be implemented to prevent erosion, sedimentation, and pollution of water resources.

6. The Environmental Authorisation identifies an artificial depressionnal wetland associated with accumulated stormwater within the development area. Accordingly, the proposed stormwater management system should be designed, implemented, and maintained in a manner that preserves the hydrological functioning of this feature and prevents adverse impacts on surrounding and downstream water resources.
7. Please provide detailed information regarding the proposed wastewater dam, including its purpose, storage capacity, lining specifications, overflow arrangements and the management of wastewater generated by the brick manufacturing process. This information is required to enable BOCMA to assess whether any regulated water uses in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998), may be applicable. Furthermore, the wastewater dam must be designed, operated and maintained to prevent seepage and the pollution of surface water and groundwater resources.
8. As the proposed development is located on a previously mined-out area, please ensure that appropriate rehabilitation and drainage management measures are implemented to prevent altered drainage patterns, erosion, sediment transport and any adverse impacts on surrounding water resources.
9. Please ensure that no waste or water containing waste is disposed of in a manner that may detrimentally impact on a water resource without authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998), and other relevant legislation.
10. All requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) regarding water use must be adhered to.
11. These comments do not exempt the applicant from complying with any relevant legislation or the requirements of other competent authorities.

BOCMA reserves the right to revise the above comments and request additional information based on any further information received.

Yours faithfully



Chief Executive Officer (Acting)	: <u>Mr Jan van Staden</u>
Letter signed by	: Ntsoakeleng Nakin
Designation	: Control Environmental Officer
Date	: 22 July 2026



REFERENCE: 16/3/3/2/B4/45/1025/24
NEAS REFERENCE: WCP/EIA/0001436/2024
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 26 FEBRUARY 2025

The Board of Directors
Cabrico (Pty) Ltd.
PO Box 172
SOMERSET WEST
7130

Attention: Mr. John Volsteadt

Cell: 082 773 0739
E-mail: Johnv@cabrico.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE DEVELOPMENT OF A BRICK MAKING FACILITY AND ASSOCIATED INFRASTRUCTURE ON PORTION 50 OF THE FARM NOOITGEDACHT NO. 65, STELLENBOSCH.

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

Yours faithfully

Zaahir Toefy
Digitally signed by Zaahir Toefy
Date: 2025.02.26 11:26:54
+02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. Larry Eichstadt (Resource Management Services)
(2) Mr. Marius Engelbrecht (Cape Winelands Municipality)
(3) Mr. Schalk van der Merwe (Stellenbosch Municipality)

Email: larry@rmsenviro.co.za
Email: mariuse@capewinelands.gov.za
Email: Schalk.vanderMerwe@stellenbosch.gov.za

REFERENCE: 16/3/3/2/B4/45/1025/24
NEAS REFERENCE: WCP/EIA/0001436/2024
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: **26 FEBRUARY 2025**

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE DEVELOPMENT OF A BRICK MAKING FACILITY AND ASSOCIATED INFRASTRUCTURE ON PORTION 50 OF THE FARM NOOITGEDACHT NO. 65, STELLENBOSCH.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the preferred site and layout alternative and the preferred technology alternative described in the Final Environmental Impact Assessment ("EIA") Report, dated 22 October 2024.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Cabrico (Pty) Ltd.
c/o Mr. John Volsteedt
PO Box 172
SOMERSET WEST
7130

Cell: 082 773 0739
E-mail: Johnv@cabrico.co.za

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

B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 2 – Activity Number: 6 <i>The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding-</i></p> <ul style="list-style-type: none"> (i) <i>activities which are identified and included in Listing Notice 1 of 2014;</i> (ii) <i>activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</i> (iii) <i>the development of facilities or infrastructure for the treatment of effluent, polluted water, wastewater or sewage where such facilities have a daily throughput capacity of 2 000 cubic metres or less; or</i> (iv) <i>where the development is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will not exceed 50 cubic metres per day.</i> 	<p>The development will require an amendment of the existing Atmospheric Emissions license.</p>

The abovementioned activity is hereinafter referred to as **"the listed activity"**.

The holder is herein authorised to undertake the following alternative as it relates to the listed activity:

The proposal entails the development of a brick making facility and associated infrastructure on Portion 50 of the Farm Nooitgedacht No. 65, Stellenbosch. The brick making facility will

make use of the Rotary Tunnel Kiln technology and requires an amendment of the existing Air Emissions License. The development will have a footprint of approximately 8ha.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on Portion 50 of the Farm Nooitgedacht No. 65, Stellenbosch and has the following co-ordinates:

Latitude (S)	Longitude (E)
33° 52' 17.7"	18° 48' 6.0"

The SG digit codes are: C067 0000 000000065 00050

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Resource Management Services
c/o Mr. Larry Eichstadt
PO Box 4296
DURBANVILLE
7551

Cell: 082 444 2630
Email: larry@rmsenviro.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Site and Layout Alternative and the preferred Technology Alternative described in the EIA Report dated 22 October 2024.
2. The holder must commence with the listed activity on the site within a period of **five years** from the date issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activity.

4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activities.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,

- 7.4.2 name of the responsible person for this Environmental Authorisation,
- 7.4.3 postal address of the holder,
- 7.4.4 telephonic and fax details of the holder,
- 7.4.5 e-mail address, if any, of the holder,
- 7.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.

8. The listed activity, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of activity

9. The construction Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or development activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct site visits and submit ECO reports on a quarterly basis to the competent authority for the duration of the construction period.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the

Environmental Authorisation and the EMPr. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner or Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake environmental audits and submit an Environmental Audit Report to the Competent Authority within 3 months of the commencement of the construction phase. A final Environmental Audit Report must be submitted to the Competent Authority within 6 months of the commencement of the operational phase.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 must be submitted.

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

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision. -
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
 Room 809
 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

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

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir Toefy

Digitally signed by Zaahir Toefy
Date: 2025.02.26 11:27:21
+02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 26 FEBRUARY 2025

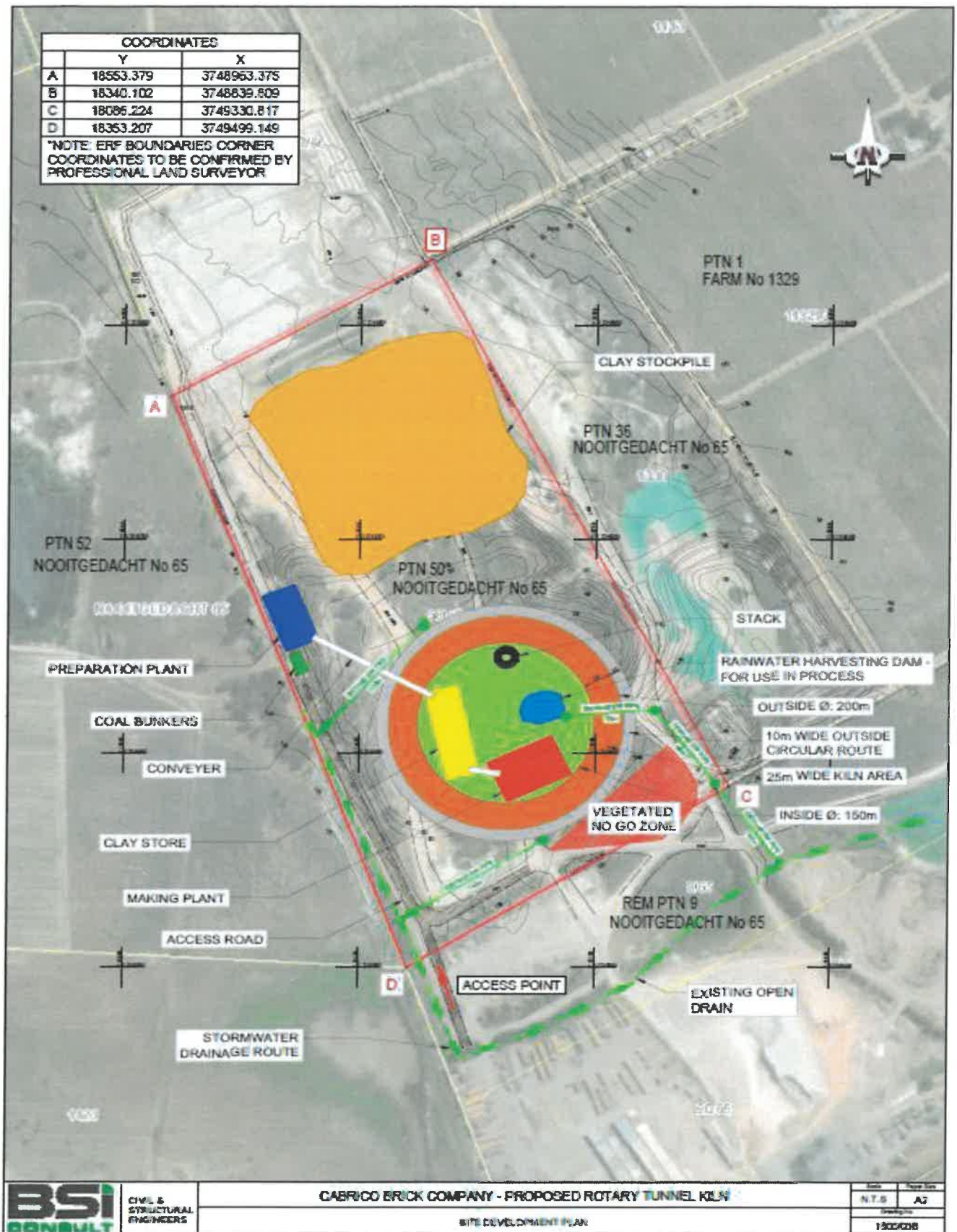
CC: (1) Mr. Larry Eichstadt (Resource Management Services)
(2) Mr. Marius Engelbrecht (Cape Winelands Municipality)
(3) Mr. Schalk van der Merwe (Stellenbosch Municipality)

Email: larry@rmsenviro.co.za
Email: mariuse@capewinelands.gov.za
Email: Schalk.vanderMerwe@stellenbosch.gov.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated 12 April 2024 and the EMPr submitted together with the final EIA Report dated 22 October 2024;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the EIA Report dated 22 October 2024; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

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

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- notices were placed at the entrance of the site;
- the placing of a newspaper advertisement in the *'Eikestadnuus'* and *'Die Burger'* on 15 February 2024 and 16 February 2024;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 2 May 2024;
- making the pre-application Draft Scoping Report available for a 30-day commenting period from 16 February 2024 to 18 March 2024;
- making the Draft Scoping Report available for a 30-day commenting period from 12 April 2024 to 16 May 2024; and
- making the Draft EIA Report available for a 30-day commenting period from 16 September 2024 to 17 October 2024.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMP to adequately address the concerns raised.

2. Alternatives

Site and Layout Alternative (Preferred and herewith authorised)

This alternative entails the development of a brick making facility and associated infrastructure on Portion 50 of the Farm Nooitgedacht No. 65, Stellenbosch. The proposed development will have a footprint of approximately 8ha. This alternative is preferred since the site is transformed due to mining activities, primarily for brick making purposes.

Technology Alternatives

Various technology alternatives were considered, including the current clamp kiln technology, the zig-zag kiln and the rotary kiln. The rotary kiln technology is preferred (herewith authorised) due to its numerous benefits that includes reduced processing time, lower air emissions, lower fuel consumption and minimization of the production of waste, making it a more efficient and environmentally sustainable choice.

'No-go' Alternative

The 'no-go' alternative would mean that the *status quo* remains. This alternative was not preferred as it would prevent the incorporation of advanced technologies in the brick-making process, which could significantly enhance efficiency, reduce environmental impact, and improve the overall quality of the bricks produced.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

Given the current and projected future production volumes of bricks, the existing operational and maintenance costs associated with the current technology are unsustainable and cannot keep up with the required production rates. This development aims to address this challenge by replacing the outdated and inefficient clamp kiln technology with a more advanced and efficient brick-making process that will result in lower emissions into the atmosphere. In addition, the proposed development aligns with the municipality's Spatial Development Framework.

3.2 Biophysical Impacts

According to the Botanical Impact Assessment and Addendum (dated July 2024, compiled by Bergwind Botanical Surveys and Tours), the site historically contained Swartland Shale Renosterveld vegetation, which is classified as critically endangered ecosystem. However, the site has been transformed and disturbed by past mining activities and no intact Swartland Shale Renosterveld vegetation is present on the site.

The vegetation that occurs on site is regarded as secondary vegetation. The development was supported from a botanical perspective as the vegetation is found to be of low ecological and conservation value.

According to the Aquatic Biodiversity Compliance Statement (compiled by Delta Ecology dated June 2024) an artificial depressional wetland system is present on the site, which was formed due to accumulated storm water on the site. The study found that the artificial depression wetland system is of low biodiversity and ecological importance. The proposed stormwater ponds and channels will be designed in such a manner to promote the formation of wetland features to compensate for the loss of artificial wetlands.

3.3. Air Quality Impacts

Based on the Air Quality Impact Assessment Report (dated September 2024, compiled by Soundscape), the proposed development is designed to be more efficient than the current clamp kiln operations, requiring less fuel and fewer processing steps to produce bricks. Furthermore, the proposed brick making technology incorporates advanced measures for capturing and controlling emissions from the brick firing process. As a result, the proposed development will significantly improve local air quality by reducing concentrations of Particulate Matter, Sulphur Dioxide, Hydrogen Fluoride, as well as dust fall out. With the implementation of the mitigation measures, the air quality impacts are regarded as being of low negative significance.

Negative Impacts:

- Loss of indigenous vegetation.
- Loss of artificial wetlands.

Positive impacts:

- The development will replace the current inefficient clamp kilns technology with the Rotary Tunnel Kiln technology, which is more efficient since process time and air emissions is reduced, it will use less fuel, and it will produce less waste.

4. National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

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

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