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File ref: 15/3/6-15/Farm_331/01/03
15/3/10-15/Farm_331/01/03
15/3/12-15/Farm_331/01/03

Enquiries:
Mr HL Olivier

1 December 2022

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

By Registered Mail

Dear Sir/Madam

PROPOSED CONSOLIDATION, SUBDIVISION AND CONSENT USE ON PORTION 1 AND PORTION 3 OF FARMS SWARTBERG NR 331, DIVISION MALMESBURY

Your application, with reference number MAL/12410/ZN/MV, dated 13 April 2022, on behalf of the Swartberg Trust, refers.

- A By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the consolidation of portion 1 and portion 3 of the Farm Swartberg no 331, Division Malmesbury is hereby approved in terms of Section 70 of the By-Law.
- B By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the subdivision in order to register a lease area on the consolidated property of portion 1 and portion 3 of the Farm Swartberg no 331, Division Malmesbury is hereby approved in terms of Section 70 of the By-Law.
- C By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for consent use for a renewable energy structure on the consolidated property is hereby approved in terms of Section 70 of the By-Law.

The decisions A, B and C above are subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) Portions 1 and 3 of the farm Swartberg No. 331 be consolidated and that the consolidated property be registered at the deeds office before a building plan be considered for the proposed wind turbine;
- (b) The lease area be restricted to ±58,4ha as presented on the approved lease area plan;
- (c) A total of 1 (one) renewable energy structure (wind turbine) and ancillary infrastructure be developed on the consolidated property, as presented in the application and including, but not limited to:
- (i) A wind turbine generator as indicated on the location plan;

Rig asseblief alle korrespondensie aan:

Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299

Darling Tel: 022 492 2237

Tel: 022 487 9400

Faks/Fax: 022 487 9440

Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:

The Municipal Manager
Private Bag X52
Malmesbury 7299

Yzerfontein Tel: 022 451 2366

- (ii) Concrete foundations and platform $\pm 0,109$ ha in extent to support the turbine;
- (iii) A temporary construction and storage area $\pm 0,531$ ha in extent;
- (iv) Underground and overhead power lines from the turbine connecting the wind energy facility to the electrical grid network including the Withoogte Substation as indicated;
- (v) A temporary access road be constructed in order to allow adequate access for abnormal vehicles to the turbine platform and construction area;
- (d) The temporary access road be demolished and the cultivated land be reinstated after the installation of the proposed wind turbine;
- (e) The maximum height of the wind turbine be limited to 200m, measured from the natural ground level to the tip of the vertically extended blade;
- (f) A setback distance of 300m (equal to 1,5 times the overall height of the turbine) be maintained, measured from:
 - (i) the nearest residential, commercial or critical agricultural structures such as animal housing, outbuildings, store; rooms, but excluding structures such as water troughs, feed dispensers and windmills;
 - (ii) the cadastral boundary of the land unit;
 - (iii) any public road or private or public right of way; and
 - (iv) any electrical infrastructure;
- (g) In order to ensure compliance with condition 1. (f)(iii) above, the municipality be provided with written confirmation that the minor road 5522 has been de-proclaimed or alternatively moved to an appropriate location as approved by the relevant roads authority. This condition is applicable on building plan stage;
- (h) The turbine be treated with a non-reflective material, whether it be paint or any other application previously approved by the Director: Civil Services;
- (i) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (j) Application be made to the Senior Manager: Built Environment for the right to display of an advertising sign;
- (k) In terms of Section 12.7 of Schedule 2 of the By-Law, a Site Development Plan be prepared for each of the application properties, as well as for the combined development area and be submitted to the Director: Development Services for consideration and approval;
- (l) The owner makes financial provision, to the satisfaction of the Director: Financial Services, for protection against failure at any time after construction has started for the rehabilitation or management of negative environmental impact of decommissioning or of abandonment in the case of the owner not being financially able to fulfil any obligations in this regard. The amount as determined by the Director: Financial Services will escalate annually with the average CPI of the preceding twelve months;
- (m) The proposed renewable energy structure comply with the relevant zoning parameters applicable as contained in the applicable development management scheme;

2. GENERAL

- (a) This approval will not cause exemption from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use;
- (b) This approval is in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval be complied with within the 5 year period and failing to do so will result in this approval expiring;

Yours sincerely


MUNICIPAL MANAGER

per Department Development Services
HLO/ds

Copies:

Department: Financial Services
Department: Civil Engineering Services
Department: Electrical Engineering Services
Building Control Officer
Swartberg Trust, P.O. Box 188, MOORREESBURG, 7310
Email: swartberg58@gmail.com

LEASE AREA PLAN: FARMS 1/331 AND 3/331, MALMESBURY RD



6/328

Minor Road 5521

**SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY**

Konsolidasie toegestaan ingevolge artikel 70 van die Verordening insake munisipale Grondgebruikbeplanning (PK 0226 van 25 Maart 2020) onderhawig aan voorwaendes.

Consolidation granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 0226 of 25 March 2020), subject to conditions.

2022/12/01
DATUM/DATUM

M. B. B. B.
MUNISIPALE BESTUURDER
MUNICIPAL MANAGER

Portion 1 of Farm
Swartberg no 331
326.8355ha

Portion 3 of Farm
Swartberg no 331
36.7655ha

Lease Area 1
±58,3918ha

RE/1070

Minor Road 5519

RE/1070

MINIOT

**SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY**







Onderverdeling toegestaan ingevolge artikel 70 van die Verordening insake Munisipale Grondgebruikbeplanning (PK 0226 van 25 Maart 2020), onderhawig aan voorwaendes.

Subdivision granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 0226 of 25 March 2020) subject to conditions.

2022/12/01
DATUM/DATUM

M. B. B. B.
MUNISIPALE BESTUURDER
MUNICIPAL MANAGER

LEGEND:

-  Subject properties
-  Proposed position of a ±200m high wind turbine (WEC 1)
-  Proposed Consolidation
-  Proposed lease area
-  Temporary Access road
-  Final Access Road

NOTES:

Farms 1/331 and 3/331, Malmesbury RD, will be consolidated to create Lease Area 1 (±383,6010ha) to accommodate one wind turbine (WEC 1).

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

Drawing by: **Mandi Viljoen**

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DATE: FEBRUARY 2022

AUTHORITY: SWARTLAND MUNICIPALITY

REF: MAU/24/02/VJWV