File ref: 15/3/10-8/Erf\_327 Enquiries:

A. de Jager

16 January 2025

C.K. Rumboll & Partners

P.O. Box 211

MALMESBURY

7299

**By Registered Mail**

Dear Sir/Madam

**PROPOSED CONSENT USE ON A PORTION OF ERF 327, MALMESBURY**

Your application, with reference number MAL/13369/NJdK, dated 20 September 2023, on behalf of Swartland Municipality, refers.

By virtue of the authority delegated to the Senior Manager: Development Management, 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 renewable energy structures on a portion of Erf 327, Malmesbury, is hereby approved in terms of Section 70 of the By-Law, subject to the conditions that:

1. **TOWN PLANNING AND BUILDING CONTROL**
2. The consent use authorises the construction and operation of a photovoltaic (PV) solar plant on a portion (63 ha in extent) of Erf 327, Malmesbury, consisting of renewable energy structures, with an expected peak capacity of 19,8 Megawatt, once operational;
3. The consent use complies with the relevant zoning parameters applicable to renewable energy structures;
4. Building plans be submitted to the Senior Manager: Development Management for consideration and approval;
5. Application be made to the Senior Manager: Development Management for the erection/display of advertising signs;
6. The owner/developer ensures the proper maintenance of the renewable energy structures, to the satisfaction of the Director: Electrical Engineering Services. Maintenance includes, but is not limited to:
7. painting;
8. structural repairs;
9. rehabilitation measures; and
10. the upkeep of security and safety measures.
11. The owner/developer is responsible for the cost of maintaining the facility and any access road, unless deemed as a public way, and for the cost of repairing any damage resulting from construction or operation;
12. The renewable energy structures or any part thereof only be illuminated for safety and operational purposes and the illumination therefore be appropriately screened from abutting land units;
13. Appurtenant structures, including, but not limited to, equipment shelters, storage facilities, transformers and sub-stations, be architecturally compatible with the receiving environment, to the satisfaction of the competent authority(ies);
14. Appurtenant structures only be used for the storage of equipment or other uses directly related to the operation of the particular facility;
15. The solar structures not cause any adverse effects due to its reflective nature and be designed and erected accordingly, to the satisfaction of the competent authority(ies);
16. No soil erosion take place, and the rehabilitation of any high-risk erosion area be completed to the satisfaction of the competent authority(ies);
17. Dust suppression measures be employed to mitigate dust distribution during the construction phase. No potable water be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/ or straw stabilisation, etc.) be implemented instead;
18. A detailed landscape plan be compiled for the property concerned by a registered Landscape Architect and submitted with the building plan application;
19. The owner/developer makes financial provision, to the satisfaction of the competent authority, for protection against failure at any time after site 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;
20. **WATER**
21. No municipal potable water be provided;
22. **SEWERAGE**
23. Sewage services, for household sewage only, be provided by means of a sewerage truck;
24. **STORMWATER**
25. The post-development stormwater runoff be managed in such a manner as to be equal in maximum volume to the pre-development stormwater runoff;
26. **GENERAL**
27. The owner/developer is responsible to adhere to any other legal procedures, applications and/or approvals related to the intended land use and this approval does not serve as an exempt from the aforementioned;
28. Cognisance be taken of the approved registration in terms of the Solar Exclusion Norm (Government Notice 4558 of 27 March 2024) and issued by the Department of Environmental Affairs and Development Planning, reference no. 16/9/2/F5/16/2256/24, dated 18 November 2024;
29. Cognisance be taken of the comments by the Department: Water and Sanitation, with reference no. WU34808, dated 13 March 2024;
30. The 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 before the photovoltaic solar plant comes into operation.

Yours sincerely

**MUNICIPAL MANAGER**

per Department Development Services

*AdJ/ds*

*Copies: Department: Financial Services*

*Department: Electrical Engineering Services*

*Department: Civil Engineering Services*

*Building Control Officer*

*M. Terblanche,* [*terblanchem@swartland.org.za*](mailto:terblanchem@swartland.org.za)

**Reasons for approval:**

1. The application is consistent with the SDF.
2. The proposal is consistent with the principles of SPLUMA and LUPA.
3. A Visual Impact Statement was undertaken and revealed that the proposed development will result in a localised negligible visual impact, subject to the implementation of mitigation measures. Relevant condition added.
4. Existing water use registered with Department of Water and Sanitation for abstraction and bulk water supply for agricultural use is deemed sufficient and available.
5. No additional electricity supply or water supply is required.
6. Achieving the security of power supply will result in agricultural productivity being stabilised within the area, the provision of agri-industrial services and maintained and prolonged employment / job security within the existing farm and greater agricultural sector in the region.
7. The proposed development is anticipated to contribute to the social and economic aspects of the regional area by providing temporary and permanent employment opportunities during the construction and operational phases.
8. Potential dust and noise impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr.
9. No objections were received during the public participation process.
10. Photovoltaic installations are the most reliable source of clean energy generation, as it turns sunlight directly into electricity, without any prior conversion.
11. The installation, management and maintenance are much more affordable than any other of the techniques.
12. Solar photovoltaic installations are not labour intensive and no specialised equipment and high level of training are required.
13. Solar photovoltaic plants use no water while generating electricity.