



**CLEAN AUDITS SINCE 2010/11**



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File ref: 15/3/10-15/Farm\_1103

Enquiries:  
Mr AJ Burger

18 October 2021

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

**By Registered Mail**

Dear Sir/Madam

**PROPOSED CONSENT USE ON FARM 1103, DIVISION MALMESBURY**

Your application, with reference number KAL/7694/NJdK, dated 12 July 2021, on behalf of the CVW Hamman, refers.

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 on farm no 1103, Division Malmesbury, is approved in terms of Section 70 of the By-Law, subject to the conditions that:

**1. TOWN PLANNING AND BUILDING CONTROL**

- a) The consent use authorises a renewable energy structure (19ha in extent) in order to operate a 10MW solar photovoltaic facility;
- b) The consent use complies with the relevant zoning parameters applicable to renewable energy structures;
- c) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- d) The owner makes financial provision, to the satisfaction of the Senior Manager: Built Environment, 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;
- e) The financial provision in (d) be secured by means of a bank guarantee, to the amount quoted by a registered wind turbine manufacturer, and that the guarantee be held by the Council's Lawyer.
- f) Application be made to the Senior Manager: Built Environment for the erection/display of advertising signs;

**2. WATER**

- a) No municipal drinking water can be provided;

**3. SEWERAGE**

- a) Sewerage services only be available for the removal of household sewerage, by means of a vacuum truck;

**4. STORMWATER**

- a) Stormwater generated by the development be dealt with in such a manner that existing systems does not overload;

*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**

## 5. DEPARTMENT OF WATER & SANITATION

- a) No abstraction of surface or groundwater be done or storage of water be created without prior authorisation from this Department, unless it is a Schedule 1 or Existing Lawful use as described in the National Water Act, 1998 (Act No. 36 of 1998);
- b) Any development within the 1 : 100 year flood line or within 500m from any boundary of a wetland or water resource constitutes a water use activity and must be authorised and registered in terms of the National Water Act, 1998 (Act No. 36 of 1998);
- c) A storm water management plan be developed and implemented;
- d) No surface, ground or storm water be polluted as a result of activities on the site. In the event that pollution does occur, this Department must be informed immediately;
- e) All requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) be adhered to.

## 6. DEPARTMENT OF AGRICULTURE

- a) Proof be provided that the relevant sections on which mining activities (sand) took place are completely rehabilitated before this project commences;
- b) Any further extension of the proposed project should be reviewed in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970);
- c) No subdivision be permitted for the purposes of demarcating an individual footprint area;
- d) No construction be placed on existing agricultural activities;
- e) Natural vegetation be restored after the construction of the plant has been completed in order to prevent degradation;
- f) Provision be made to control effluent where applicable;
- g) Water be used for the maintenance of the premises may not be obtained from existing water rights allocated to the premises or surrounding premises as this will have a negative impact on agricultural production;
- h) The owner / developer takes responsibility for the maintenance and status of the natural base of the premises.

## 7. GENERAL

- a) The approval does not exempt the owner/developer of adherence to any other legal procedures, applications and/or approvals related to the intended land use;
- b) The Environmental Authorisation (EA) of the Department of Environmental Affairs and Development Planning dated 29 September 2011, as amended, and extended on 24 August 2020, with reference 12/12/20/2019/AM4 be complied with.
- c) The approval is, in terms of section 76(2)(w) of the By-Law, only valid for a period of 5 years. All conditions of approval must be complied with before the plant comes into operation, and failing to do so will result in the approval expiring.
- d) If all conditions be complied with before the 5 year approval period lapses, the land use be permanent and the approval period not be applicable anymore.

Yours sincerely

  
**MUNICIPAL MANAGER**  
per Department Development Services

AdJ/ds

Copies:                    *Department: Financial Services*  
                                 *Department: Civil Engineering Services*  
                                 *Building Control Officer*  
                                 *CVW Hamman, PO Box 812, Malmesbury, 7299*  
                                 *Michele Manzoni – New Symphony Energy Pty Ltd [michelemanzoni@gmail.com](mailto:michelemanzoni@gmail.com)*