



CLEAN AUDITS SINCE 2010/11
SKOON OUDITS SEDERT 2010/11



Ons gee gestalte aan 'n beter toekoms!
We shape a better future!
Sakha ikusasa elingcono!

File ref: 15/3/10-15/Farm_1103

Enquiries:
Mr AJ Burger

24 May 2023

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

By Registered Mail

Dear Sir/Madam

RECTIFICATION OF OMISSION : PROPOSED CONSENT USE AND EXEMPTIONS ON FARM 1103, DIVISION MALMESBURY

Your letter, with reference number KAL/7694/NJdK, dated 23 May 2023, refers.

Please note that the letter amends the letter of approval dated 18 October 2021. The letter includes the amendment of condition A1(e), adding condition A1(g) and a decision B which deals with the exemptions.

A 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/ developer 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 solar photovoltaic 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;
- g) The owner/ developer makes provision for his/ her social contribution towards projects in the Swartland.

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;

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.

- B** The registration of a right of way servitude and service servitude on the remainder of farm 1103, Division Malmesbury, complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval from Swartland Municipality.

The service servitude will accommodate the new electrical power line that stretches from the proposed facility (lease area on Farm 1103) to the existing electrical servitude and the again to the substation on farm 1103/3. The proposed servitude will be $\pm 1,2$ km in length and 22m wide.

The right of way servitude will provide access to the proposed lease area. The servitude road will be $\pm 8\text{m}$ wide and $\pm 425\text{m}$ in length.

Kindly provide Swartland Municipality with copies of the approved Surveyor General diagrams for record keeping purposes.

Yours sincerely

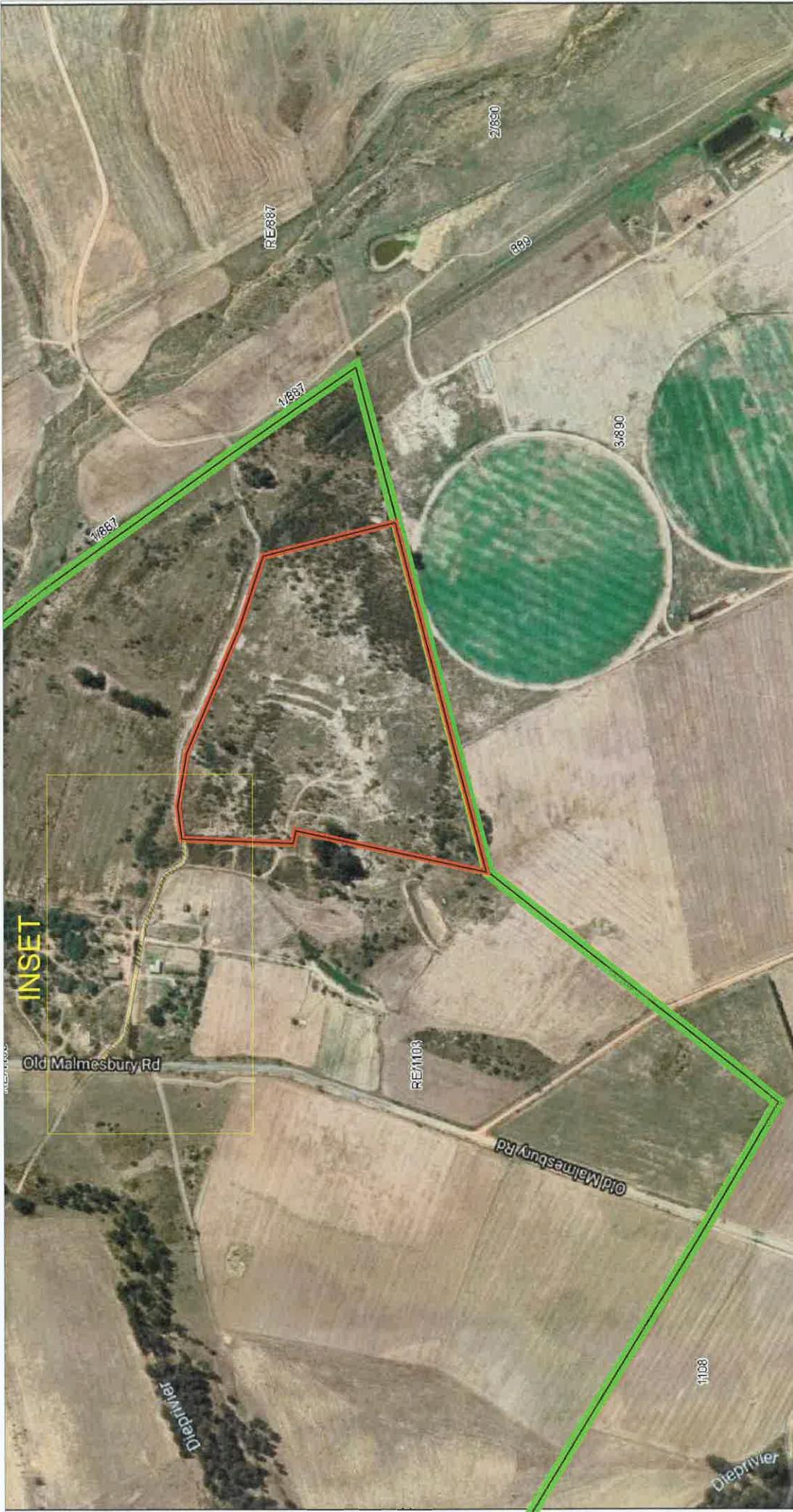


MUNICIPAL MANAGER

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

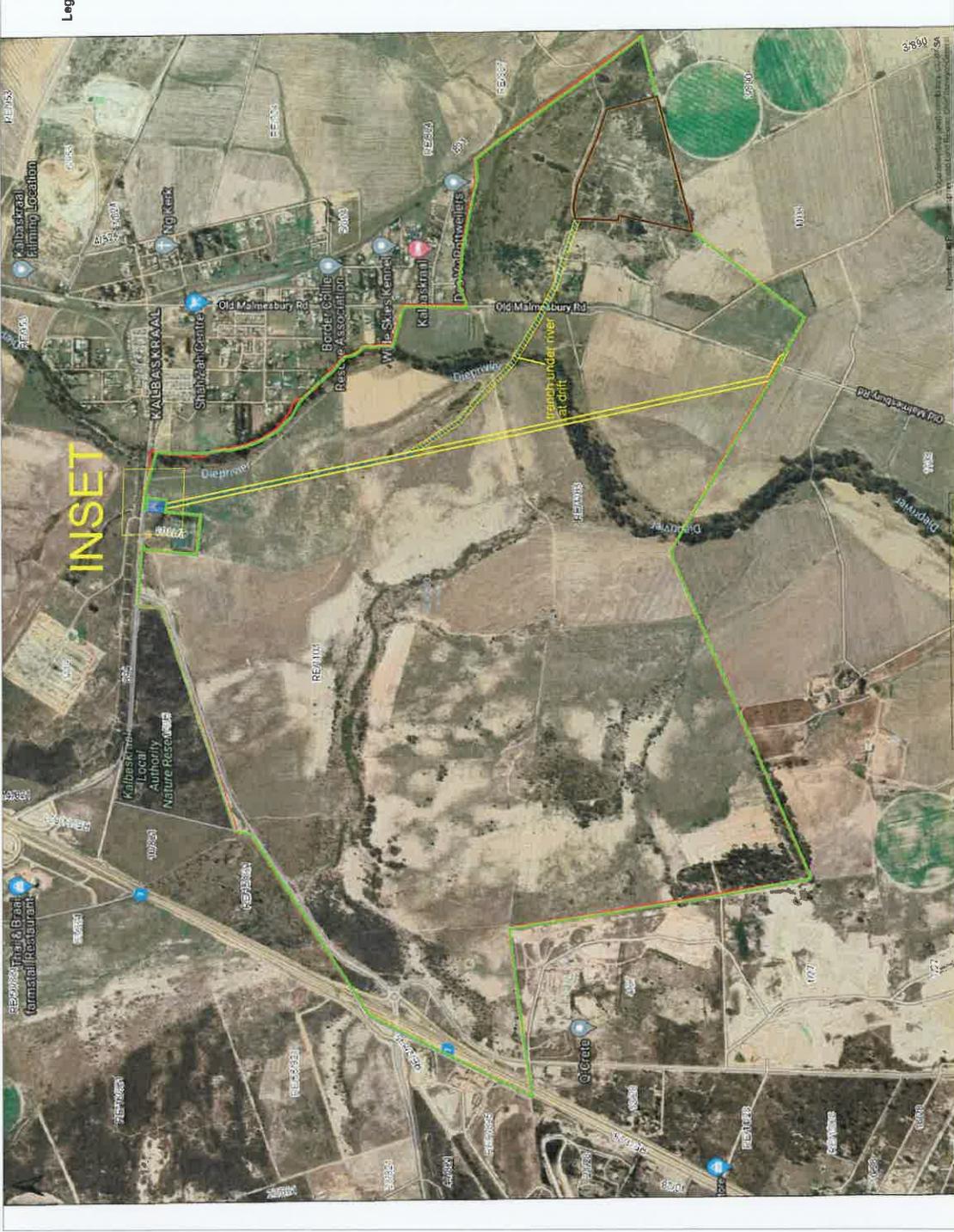


DRAWING BY: N.J. de Kock	NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING
COMPILED BY: C.K. RUMBOLL & VENHOTE TOWN PLANNERS PROFESSIONAL SURVEYORS 16 PANNER STREET, MALMESBURY Tel: 022 - 4821845 Fax: 022 - 4871091 Email: info@rumboll.co.za	DATE: July 2021
REF: KALT/SH/10/16	AUTHORITY: SMARTLAND MUNICIPALITY
	SCALE: N.T.S

Property description:	Farm no 1103, Malmesbury District
Zoning	Agricultural Zone 1
Primary use	Agriculture
Size	697.2645 ha
	<i>A. J. Baynes</i>

Legend:	
Farm 1103	
Private right of way servitude (8m wide)	





Leg

<p>Legend:</p> <ul style="list-style-type: none"> Farm no 1103 Electrical power line Service servitude 19ha Lease area 	<p>Property description:</p> <ul style="list-style-type: none"> Farm no 1103, Malmesbury District Zoning: Agricultural Zone 1 Primary use: Agriculture Size: 697,2645 ha 	<p>DRAWING BY: NI de Kock</p> <p>NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING</p> <p>COMPILED BY: C.K. RIMBOLD & VENOTE TOWN PLANNERS PROFESSIONAL SURVEYORS 18 RAINIER STREET, MALMESBURY Tel: 022 - 4621845 Fax: 022 - 4671861 Email: leep@umbold.co.za</p>
	<p>Servitude width: 22m Servitude length: ±1.2km Connects to existing service servitude and then again to substation on Farm no 3/1103</p>	<p>DATE: July 2021</p> <p>AUTHORITY: SMARTLAND MUNICIPALITY</p>

Handwritten signature