MUNISIPALITEIT / MUNICIPALITY

BEAUFORT-WES/BEAUFORT WEST/BHOBHOFOLO

Notice No. 93/2022

PROPOSED SUBDIVISION AND CONSENT USE OF REMAINDER FARM 16: REMAINDER OF FARM 18 AND PORTION 1 OF FARM 18) GERT ADRIAANSKRAAL); REMAINDER OF FARM 21 AND PORTION 1 OF FARM 21 (SNYDERSFONTEIN), BEAUFORT WEST // VOORGESTELDE ONDERVERDELING EN VERGUNNINGSGEBRUIK VAN RESTANT PLAAS 16: RESTANT VAN PLAAS 18 EN GEDEELTE 1 VAN PLAAS 18) GERT ADRIAANSKRAAL); RESTANT VAN PLAAS 21 EN GEDEELTE 1 VAN PLAAS 21 (SNYDERSFONTEIN), BEAUFORT-WES

Notice is hereby given in terms of Section 61 of the Municipal Land Use Planning By-law for Beaufort West Municipality that the Authorized Official of Beaufort West Municipality **in whole approved** the following applications, in terms of Section 60 of the same By-law as follows:-

1. **Consent Use** to permit renewable energy structure in Agricultural Zone 1 (AZ1) and;
2. **Subdivision** of land that is not exempt in terms of Section 24.

- To create lease areas for the wind turbines, substation and battery facility;
- To create servitudes (15m wide) for right-of-way, underground cables and limited overhead powerlines on internal roads;
- To create servitudes (15m wide) for underground cables and limited overhead powerlines (not along internal roads);

be **APPROVED** in terms of the Beaufort West Bylaw on Municipal Land Use Planning, 2019 to allow for the development of the Nuweveld North Wind Farm, as applied for to the Municipality and in accordance with Site Development Plan No.P0217-NN-SDP) dated October 2021.

Conditions of Approval

- The subdivision for lease purposes, in terms of Section 22(1) of the Beaufort West Municipal Planning Bylaw, 2019 will lapse if the right is not exercised within five years from the date of approval.
- The conditions included within the Environmental Authorisation dated 08 December 2021 (Ref 14/12/16/3/3/2/2042), or subsequent amendments thereof, be adhered to all times to the satisfaction of the department.
- The conditions included within the letter by the Western Cape Department of Transport and Public Works, dated 02 February 2022 (Ref TPW/CFS/RP/LUD/REZ/SUB-01&17 (Job 27271), be adhered to at all times to the satisfaction of the Department.
- The conditions included within the letter by the Western Cape Department of Agriculture, dated 29 April 2022 (Ref 12/3/2; 12/4/5/2: Farm 12 Beaufort West), be adhered to at all times to the satisfaction of the department.
- The conditions included within the letter by the National Department of Agriculture, Land Reform and Rural Development dated 27 January 2021 be adhered to all times to the satisfaction of the department.
- The applicant must submit a general plan of diagram to the Surveyor General for approval, including proof to the satisfaction of the Surveyor-General of:

  (a) The Municipality’s decision to approve the subdivision.
  (b) The conditions of approval imposed in terms of Section 66; and
  (c) The approved subdivision plan

- The applicant must submit site development and building plans for approval to the Municipality prior to the commencement of construction.
- All costs in terms of the proposed development, including any service connections will be the responsibility of the applicant.

- The Municipality as well as the Western Cape Department of Agriculture: Land Use Management, must be provided, free of charge, with the lease diagrams upon registration thereof.
- Should the Municipality provide services or if the developer use Bulk Services of the Municipality, a Service Level Agreement (SLA) will have be concluded between the Developer and the Municipality and any Development Contributions (DC's) required should be included in the SLA.

Reasons for the approval are as follows:

1. There were no objections or concerns raised during the Public Participation Process that could potentially hinder the application. Similarly, all specialist studies appear to have been considered during the compilation phase and where considerations or changes have been required, they have been adequately done.

2. The development proposal is consistent with National, Provincial, Regional and Municipal Planning and Policy Frameworks.

3. There appears to be no direct impact on the surrounding, environment, farms or communities and the developer will have to ensure the integrity of the environment in all phases of the project. Environmental impacts in fauna and flora could be mitigated, based on the conditions imposed within the Environmental Authorization.

4. That the proposed consent use for a wind-energy facility will not have a detrimental impact on the character of the surrounding area.

5. The proposed wind-energy facility will not place additional strain on the ability of the Municipality to provide services.

Any person whose rights are affected by the above decision and or conditions may appeal to the Appeal Authority by submitting a written appeal to the Municipal Manager, Beaufort West Municipality, Private Bag 582, 112 Donkin Street, Beaufort West, 6970, so to reach the undersigned within **21 days** from the date of publication of this notice. Official appeal forms are available on request from mrs. E. du Plessis at Tel. No. 023-414 8117 or e-mail: admin@beaufortwestmun.co.za**.**

Kennis geskied hiermee ingevolge Artikel 61 van die Munisipale Grondgebruikbeplanningsverordening vir Beaufort-Wes Munisipaliteit dat die Gemagtigde Beampte van Beaufort-Wes Munisipaliteit die volgende aansoeke **in geheel goedgekeur** het, ingevolge Artikel 60 van dieselfde Verordening soos volg :-

1. **Vergunninsgebruik** Gebruik om hernubare energiestruktuur in Landbousone 1 (AZ1) toe te laat en;
2. **Onderverdeling** van grond wat nie ingevolge Artikel 24 vrygestel is nie.

    - Om huurareas vir die windturbines, substasie en batteryfasiliteit te skep;
    - Om serwitute (15m breed) te skep vir reg-van-weg, ondergrondse kabels en beperkte oorhoofse kraglyne op interne paaie;
    - Om serwitute (15m breed) te skep vir ondergrondse kabels en beperkte oorhoofse kraglyne (nie langs interne paaie nie);

GOEDGEKEUR word in terme van die Beaufort-Wes Verordening op Munisipale Grondgebruikbeplanning, 2019 om voorsiening te maak vir die ontwikkeling van die Nuweveld Noord Windplaas, soos by die Munisipaliteit aansoek gedoen en in ooreenstemming met Terreinontwikkelingsplan No.P0217-NN-SDP) gedateer Oktober 2021.

Voorwaardes van Goedkeuring

- Die onderverdeling vir huurdoeleindes, ingevolge Artikel 22(1) van die Beaufort-Wes Munisipale Beplanningsverordening, 2019 sal verval indien die reg nie binne vyf jaar vanaf die datum van goedkeuring uitgeoefen word nie.

- Die voorwaardes ingesluit in die Omgewingsmagtiging gedateer 08 Desember 2021 (Verw 14/12/16/3/3/2/2042), of daaropvolgende wysigings daarvan, moet te alle tye tot bevrediging van die departement nagekom word.
- Die voorwaardes ingesluit in die brief deur die Wes-Kaapse Departement van Vervoer en Openbare Werke, gedateer 02 Februarie 2022 (Verw TPW/CFS/RP/LUD/REZ/SUB-01&17 (Job 27271), te alle tye tot bevrediging van die departement nagekom word.
- Die voorwaardes ingesluit in die brief deur die Wes-Kaapse Departement van Landbou, gedateer 29 April 2022 (Verw 12/3/2; 12/4/5/2: Plaas 12 Beaufort-Wes), te alle tye tot bevrediging van die departement nagekom word.
- Die voorwaardes ingesluit in die brief deur die Nasionale Departement van Landbou, Grondhervorming en Landelike Ontwikkeling gedateer 27 Januarie 2021 te alle tye tot bevrediging van die departement nagekom word.
- Die aansoeker moet 'n algemene plan van diagram aan die Landmeter-generaal voorlê vir goedkeuring, insluitend bewys tot bevrediging van die Landmeter-generaal van:

    (a) Die Munisipaliteit se besluit om die onderverdeling goed te keur.
    (b) Die voorwaardes van goedkeuring wat ingevolge Artikel 66 opgelê is; en
    (c) Die goedgekeurde onderverdelingsplan

- Die aansoeker moet terreinontwikkelings- en bouplanne vir goedkeuring aan die Munisipaliteit voorlê voor die aanvang van konstruksie.
- Alle koste in terme van die voorgestelde ontwikkeling, insluitend enige diensaansluitings sal die verantwoordelikheid van die aansoeker wees.
- Die Munisipaliteit sowel as die Wes-Kaapse Departement van Landbou: Grondgebruikbestuur, moet gratis van die huurdiagramme voorsien word by registrasie daarvan.
- Indien die Munisipaliteit dienste verskaf of indien die ontwikkelaar Grootmaat Dienste van die Munisipaliteit gebruik, sal 'n Diensleweringsooreenkoms (SLA) tussen die Ontwikkelaar en die Munisipaliteit gesluit word en enige Ontwikkelingsbydraes (DC's) wat vereis word, moet by die SLA ingesluit word.

<u>Die redes vir die goedkeuring is soos volg:</u>

1. Daar was geen besware of bekommernisse wat tydens die Openbare Deelname proses geopper is wat die aansoek moontlik kan belemmer nie. Net so blyk dit dat alle spesialisstudies tydens die samestellingsfase oorweeg is en waar oorwegings of veranderinge vereis is, is dit voldoende gedoen.

2. Die ontwikkelingsvoorstel stem ooreen met Nasionale, Provinsiale, Streeks- en Munisipale Beplannings- en Beleidsraamwerke.

3. Daar blyk geen direkte impak op die omliggende omgewing, plase of gemeenskappe te wees nie en die ontwikkelaar sal die integriteit van die omgewing in alle fases van die projek moet verseker. Omgewingsimpakte in fauna en flora kan versag word, gebaseer op die voorwaardes wat binne die Omgewingsmagtiging opgelê word.

4. Dat die voorgestelde vergunningsgebruik vir 'n wind-energie fasiliteit nie 'n nadelige impak op die karakter van die omliggende gebied sal hê nie.

5. Die voorgestelde wind-energie fasiliteit sal nie bykomende druk plaas op die vermoë van die Munisipaliteit om dienste te lewer nie.

Enige persoon wie se regte deur bogenoemde besluit en of voorwaardes geraak word, kan by die Appèl-owerheid appelleer deur 'n skriftelike appèl in te dien by die Munisipale Bestuurder, Beaufort-Wes Munisipaliteit, Privaatsak 582, Donkinstraat 112, Beaufort-Wes, 6970, om sodoende die ondergetekende binne 21 dae vanaf die datum van publikasie van hierdie kennisgewing te bereik. Amptelike appèlvorms is op aanvraag by mev. E. du Plessis by Tel. 023-414 8117 of e-pos: admin@beaufortwestmun.co.za beskikbaar.

Municipal Offices // Munisipale Kantore **G.Z. Nyathi**

112 Donkin Street // Donkinstraat 112
Beaufort-Wes(t)
6970

Verw. / Ref. No. 12/3/2; 12/4/5/2

Acting Municipal Manager
Waarnemende Munisipale Bestuurder

Date // Datum: 22 July // Julie 2022