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| Picture%20002 **BEAUFORT-WES(T)**  **MUNISIPALITEIT // MUNICIPALITY** |
| **LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM** |

KINDLY NOTE:

*Pre-application consultation is an advisory session and does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.*

PART A: PARTICULARS

Reference number: Koup 1 WEF

Purpose of consultation: Pre-application meeting with officials from Beaufort West Municipality

Brief proposal: To establish the *Koup 1 wind energy facility* as a grouping of renewable energy structures

Property(ies) description: Remainder of Portion 11 of the Farm Brits Eigendom No. 374; Portion 15 of the Farm Brits Eigendom No. 374; Portion 5 of the Farm No. 380; Portion 11 of the Farm No. 380; Remainder of Portion 10 of the Farm No. 380.

Date: 13 December 2022

Attendees:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Name & Surname | Organisation | Contact Number | E-mail |
| Official | Mr C Wright | B/West Municipality | 0844026007 | [christopher@beaufortwestmun.co.za](mailto:christopher@beaufortwestmun.co.za) |
| Pre-applicant | Mr B Rode | RodePlan | 0826587545 | [berchtwald@rodeplan.co.za](mailto:berchtwald@rodeplan.co.za) |
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List documents provided for discussion at meeting:

*(Include document reference, document/plan dates and plan numbers where possible and attach to this form)*

(1) Motivation report, (2) pre-application form, (3) application form and (4) map in hard copy and dated 13 December 2022. All annexures electronically.

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| ~~YES~~ | NO |

Has pre-application consultation been undertaken for a land development application in terms of section 53 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) and regulation 10 of the Western Cape Land Use Planning Regulations, 2015 (LUP regulations)?

*(If yes, request a copy of the minutes)*

Comprehensive overview of proposal:

This land development application concerns the land use rights to establish part of the *Koup 1 wind energy facility* *(WEF)* as consent use on five (5) properties located in the Beaufort West municipal area. The five (5) properties have a combined land extent of 4010 ha and up to 24 wind turbines will be constructed on these properties as part of the facility. the central coordinates are 32° 51' 35.02" S and 22° 28' 50.20" E as the central point of Portion 5 of Farm 380.

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PART B: APPLICATION PROCESS



PART C: QUESTIONNAIRES

SECTION A:

DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND FEES

|  |  |  |  |
| --- | --- | --- | --- |
| **Tick if relevant** | | **What land use planning applications are required in terms of section 15 of the By-Law on Municipal Land Use Planning for Beaufort West Municipality** | **Application fees payable** |
|  | 2(a) | a rezoning of land; | R |
|  | 2(b) | a permanent departure from the development parameters of the zoning scheme; | R |
|  | 2(c) | a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land; | R |
| **√** | **2(d)** | **a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;** | R |
|  | 2(e) | a consolidation of land that is not exempted in terms of section 24; | R |
|  | 2(f) | a removal, suspension or amendment of restrictive conditions in respect of a land unit; | R |
|  | 2(g) | a permission required in terms of the zoning scheme; | R |
|  | 2(h) | an amendment, deletion or imposition of conditions in respect of an existing approval; | R |
|  | 2(i) | an extension of the validity period of an approval; | R |
|  | 2(j) | an approval of an overlay zone as contemplated in the zoning scheme; | R |
|  | 2(k) | an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram; | R |
|  | 2(l) | a permission required in terms of a condition of approval; | R |
|  | 2(m) | a determination of a zoning; | R |
|  | 2(n) | a closure of a public place or part thereof; | R |
| **√** | **2(o)** | **a consent use contemplated in the zoning scheme;** | R |
|  | 2(p) | an occasional use of land; | R |
|  | 2(q) | to disestablish a home owner’s association; | R |
|  | 2(r) | to rectify a failure by a home owner’s association to meet its obligations in respect of the control over or maintenance of services; | R |
|  | 2(s) | a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building. | R |
| **PLUS** | | **Request the Municipality to certify in writing that the registration of servitudes and/or lease agreements for the provision or installation of on-site electricity transmission lines are exempt from an application in terms of section 15.** |  |
| **Tick if relevant** | | **What prescribed notice will be required?** | **Advertising fees payable** |
| Y | N | Serving of notices (i.e Delivering by hand; registered post; data messages)  Publication of notices (i.e Local Newspaper(s); *Provincial Gazette; site notice; Municipality’s website*) | R |
| Y | N | Additional publication of notices (i.e Site notice, public meeting, local radio station, Municipality’s website, letters of consent or objection) | R |
| Y | N | Notice of decision (i.e Provincial Gazette) | R |
| Y | N | Integrated procedures | R |
| **TOTAL APPLICATION FEE\*:** | | | **R** |

KINDLY NOTE: \* *Application fees are estimated on the information discussed and are subject to change with submission of the formal application.*

*Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.*

*The applicant is liable for the cost of publishing and serving notice of an application.*

**SECTION B:**

**PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| QUESTIONS REGARDING PLANNING POLICY CONTEXT | YES | NO | TO BE DETERMINED | COMMENT |
| Is any municipal integrated development plan, spatial development framework(s), structure plans, by-laws or any other municipal policies or guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans? | √ |  |  |  |
| Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)] |  | √ |  |  |
| Any other Municipal by-law that may be relevant to application? (If yes, specify) |  | √ |  |  |
| Zoning Scheme By-law considerations:  What is the current zoning of the property? Agriculture Zone 1  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  What is the proposed zoning of the property? Agriculture Zone 1 with consent use of renewable energy structure  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Does the proposal fall within the provisions/parameters of the zoning scheme? Yes  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Are additional applications required to deviate from the zoning scheme? (if yes, specify) No  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |  |

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| QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS | YES | NO | TO BE DETERMINED | COMMENT |
| Is a development application affecting national interest in terms of section 52(3) of Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), required? |  | √ |  |  |
| Is the proposal in line with the national spatial development framework and national laws, regulations, other guidelines or documents? | √ |  |  |  |
| Is the proposal in line with the principles for land development, set out in the SPLUMA and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)? | √ |  |  |  |
| Is the proposal in line with the provincial spatial development framework(s) and provincial laws, regulations, other policies, guidelines or documents? | √ |  |  |  |
| Is any district municipal integrated development plan, spatial development framework, other policies, guidelines or documents relevant? | √ |  |  |  |

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| OUESTIONS REGARDING CONSENT / COMMENT REQUIRED | YES | NO | TO BE DETERMINED | OBTAIN APPROVAL / CONSENT / COMMENT FROM: |
| Is a land development application required in terms of section 53(2) of LUPA or section 10 of LUP Regulations? |  | √ |  | Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP) |
| Is provincial comment on land use application(s) required in terms of section 45(1) of LUPA? |  | √ |  | DEA&DP |
| Is/was the property(ies) utilised for agricultural purposes? | √ |  |  | Western Cape Government Department of Agriculture |
| Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)? |  | √ |  | National Department of Agriculture, Forestry and Fisheries (DAFF) |
| Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)? | √ |  |  | DEA&DP |
| Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)?  (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) /  National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) /  National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) /  National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) /  National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA)  (strikethrough irrelevant) |  | No  No  No  No  No  No |  | National Department of Environmental Affairs (DEA) &  DEA&DP |
| Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)? |  | √ |  | National Department of Water & Sanitation (DWS) |
| Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)? | √ |  |  | South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC) |
| Will the proposal have an impact on any National or Provincial roads? |  | √ |  | National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Department of Transport and Public Works (DT&PW) |
| Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations |  | √ |  | National Department of Labour (DL) |
| Will the proposal affect any Eskom owned land and/or servitudes? | √ |  |  | Eskom |
| Will the proposal affect any Telkom owned land and/or servitudes? |  | √ |  | Telkom SA Ltd. |
| Will the proposal affect any Transnet/Passenger Rail Agency of South Africa owned land and/or servitudes? |  | √ |  | Transnet/PRASA |
| Is the property subject to a land / restitution claim(s)? |  | √ |  | National Department of Rural Development & Land Reform |
| Will the proposal require comments from South African National Parks (SANParks) and/or CapeNature? |  | √ |  | SANParks / CapeNature |
| Is the property subject to any existing mineral rights? |  | √ |  | National Department of Mineral Resources |
| Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on?  (strikethrough irrelevant) |  | √ |  | Western Cape Government Departments of Cultural Affairs & Sport,  Education, Social Development,  Health and Community Safety |
| Does the proposal require any other authorisation(s) in terms of other applicable legislation that is not listed in the subject table? | √ |  |  | NEMA |

SECTION D:

SERVICE REQUIREMENTS

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES? | YES | NO | TO BE DETERMINED | OBTAIN COMMENT FROM:  (list internal department) |
| Electricity supply: |  | √ |  |  |
| Water supply: |  | √ |  |  |
| Sewerage and waste water: |  | √ |  |  |
| Stormwater: |  | √ |  |  |
| Road network: |  | √ |  |  |
| Telecommunication services: |  | √ |  |  |
| Other services required? Please specify. |  | √ |  |  |
| Development charges: |  | √ |  |  |

PART D: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Information and documentation required in terms of section 38(1) of the By-Law on Municipal Land Use Planning for Beaufort West Municipality** | | | | | | | | |
| Completed and signed application form | | | |  | Bondholder’s consent (if applicable) | | | |
| Power of attorney / Owner’s consent if applicant is not owner | | | | Proof of registered ownership or any other relevant right held in the land concerned | | | |
| Resolution or other proof that applicant is authorised to act on behalf of a juristic person | | | | S.G. diagram / General plan extract | | | |
| Written motivation | | | | Site development plan or conceptual layout plan | | | |
| Locality plan | | | | Proof of agreement or permission for required servitude | | | |
| Proposed subdivision plan | | | | Full copy of the title deed | | | |
| Proof of payment of application fees | | | | Minutes of pre-application consultation meeting (if applicable) | | | |
| Conveyancer’s certificate | | | |
| **Supporting information and documentation:** | | | | | | | | |
| Y | N | **N/A** | Consolidation plan |  | Y | N | N/A | Land use plan / Zoning plan |
| Y | N | **N/A** | Street name and numbering plan |
| Y | N | N/A | Landscaping / Tree plan | Y | N | N/A | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | N/A | Abutting owner’s consent | Y | N | N/A | Home Owners’ Association consent |
| Y  Y  Y | N  N | N/A | Copy of Environmental Impact Assessment (EIA) /  Heritage Impact Assessment (HIA) /  Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) /  Major Hazard Impact Assessment (MHIA) /  Environmental Authorisation (EA) / Record of Decision (ROD)  (strikethrough irrelevant) | Y | N | N/A | Services Report or indication of all municipal services / registered servitudes |
| Y | N | N/A | Copy of original approval and conditions of approval | Y | N | N/A | Proof of failure of Home owner’s association |
| Y | N | N/A | Proof of lawful use right | Y | N | N/A | Any additional documents or information required as listed in the pre-application consultation form / minutes |
| Y | N | N/A | Required number of documentation copies | Y | N | N/A | Other (specify) |

PART E: DISCUSSION

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PART F: SUMMARY / WAY FORWARD

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OFFICIAL: Mr Christopher Wright\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PRE-APPLICANT: Berchtwald Rode\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (FULL NAME) (FULL NAME)

SIGNED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SIGNED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_