



MUNISIPALITEIT / MUNICIPALITY
BEAUFORT-WES/BEAUFORT WEST/BHOBHOFOLO



Notice No. 201/2023

PROPOSED CONSENT USE & SUBDIVISION USE FOR RENEWABLE ENERGY STRUCTURES AND UTILITY SERVICE: PTN 1 FARM ARTHURSKRAAL NO. 386, PTN 2 (BOOM SPRUIT) OF THE FARM ARTHURSKRAAL NO. 386, PTN 3 (DANIELSRIVIER) OF THE FARM ARTHURSKRAAL NO. 386, REM EXTENT OF PTN 5 (PTN OF PTN 7) OF THE FARM MUISKRAAL NO. 373, PTN 7 OF FARM MUISKRAAL NO. 373: KWAGGA 3 WIND ENERGY FACILITY: BEAUFORT WEST

Notice is hereby given in terms of Section 61 of the Municipal Land Use Planning By-Law for Beaufort West Municipality, Notice No. 21/2019 that the Authorized Official in terms of Section 60 of the same **approved** the following applications:

1. **Consent uses:** in accordance with Section 15(2)(o) of the Beaufort West By-Law on Municipal Land Use Planning in order to permit renewable energy structures on Portion 1 of the Farm Arthurskraal No. 386, Portion 2 (Boom Spruit) of the Farm Arthurskraal No. 386, Portion 3 (Danielsrivier) of the Farm Arthurskraal No.386, Remaining Extent of Portion 5 (A Portion of Portion 7) of the Farm Muis Kraal No. 373 and Portion 7 of the Farm Muis Kraal No. 373; and
2. **Subdivisions:** in accordance with Section 15(2)(d) of the Beaufort West By-Law on Municipal Land Use Planning in order to permit registration of a long-term lease areas over Portion 1 of the Farm Arthurskraal No. 386, Portion 2 (Boom Spruit) of the Farm Arthurskraal No. 386, Portion 3 (Danielrivier) of the Farm Arthurskraal No. 386, Remaining Extent of Portion 5 (A Portion of Portion 7) of the Farm Muis Kraal No. 373 and Portion 7 of the Farm Muis Kraal No. 373;

as a whole to allow for the development of the Kwagga WEF 3, as applied for to the Municipality, subject to the following conditions imposed in terms of Section 66 of the said by-law:

Conditions of approval:

- a) The applicant must submit a detailed site development plan, and associated building plans, which illustrates the compliance with the proposed development to the various conditions of approval as well as the requirements of the Beaufort West Municipal Planning By-law, 2019, for approval by the municipality, prior to the commencement of construction.
- b) All construction and operational phase activities and materials must be accommodated on site within the identified Appurtenant Structures Site.
- c) The applicant must submit a diagram to the Surveyor-General for approval, including proof to the satisfaction of the Surveyor-General of the Municipality's support of the registration of associated transmission line servitudes, where required.
- d) Should the Municipality provide services or if the developer use bulk services of the Municipality, a Service Level Agreement (SLA) will have to be concluded between the Developer and the Municipality and any Development Contributions (DC's) required should be included in the SLA.
- e) Access to the development will be gained from the N12 (via R308 main road) from existing and newly planned internal farm and access roads, to be upgraded to a width not exceeding 10m.
- f) The colour s of buildings, roofs etc. should be muted and designed to blend with the natural landscape.
- g) Lightning must be designed to minimize light pollution (e.g. use of down lighting. Motion sensors etc).

Conditions of approval relating to Development Parameters:

During the evaluation process of the application, it was noticed that the overall Renewable Energy Structure height exceeds 100m therefore:

In accordance with Section 66(2)(v) of the Beaufort West Land Use Planning By-law (2019) the following conditions relating to the development parameters are further imposed.

Setback:

- a distance of 1,5 times the overall blade tip height of the turbine, measured from the cadastral boundary of the land unit, unless the wind energy facility comprises more than one cadastral unit, in which case the setback will only be applicable to the outer boundaries of the cadastral units which forms part of the wind energy facility;
- a distance of 1,5 times the overall blade tip height of the turbine, measured from any public road or private or public right of way, unless it provides access to the turbine;
- a distance of 1,5 times the overall blade tip height of the turbine, measured from any electrical infrastructure;
- a distance of 1,5 times the overall blade tip height of the turbine, measured from the nearest residential, commercial or critical agricultural structures including animal housing, outbuildings, store rooms, excluding structures such as water troughs, feed dispensers, and windmills.

Additional Information:

- a) That all costs in terms of the proposed development, including any service connections will be the responsibility of the applicant.
- b) Accesses to and from any Provincial roads must be applied for to, and approved by, the Western Cape Department of Transport & Public Works: Roads (Chief Directorate: Road Planning).
- c) A further conditional approval will need to be applied for from the South African Civil Aviation Authority, together with its final approval after construction.
- d) Any conditions included within the Environmental Authorizations (and its amendments) or subsequent amendments thereof, be always adhered to, to the satisfaction of the department.
- e) The conditions included within any National, Western Cape or other Departments' comments on the application, be always adhered to, to the satisfaction of the relevant department.
- f) It should be further noted that approval for consent use is not a permanent right but will be given for the duration / life span of the facility. Any renewable energy structure and associated infrastructure that has reached the end of its productive life or has been abandoned, including buildings, cables, and roads, must be removed by the owner. A renewable structure is considered abandoned when the structure fails to continuously operate for more than two years and upon such event the consent use hereby granted shall be considered to have automatically lapsed.
- g) According to Section 42(2)(a) of the Spatial Planning and Land Use Management Act of 2013, this approval will be valid for a maximum of 5 years from date of final approval. If the intended development is not implemented within the aforesaid period of 5 years this approval will automatically expire and the applicant will have to submit a new application.

Reasons for approval:

- (i) 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.

- (ii) The development proposal is consistent with National, Provincial, Regional and Municipal planning and policy frameworks.
- (iii) 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 on fauna and flora could be mitigated, based on the conditions imposed within the Environmental Authorization.
- (iv) That the proposed consent use for a wind- energy facility will not have a detrimental impact on the character of the surrounding area.
- (v) 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 Acting 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.

Municipal Offices
112 Donkin Street
Beaufort-West
6970

D.E. Welgemoed
Municipal Manager

Ref. No. 12/3/2; 12/4/5/2; Farm 373/5, Beaufort-West
Date: 24 November 2023