



DRAKENSTEIN

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Civic Centre, Berg River Boulevard, Paarl 7647

Enquiries: R Mowzer
Contact number: 021 - 80748222
Reference: 15/4/1 (F83/1) T
Date: 10 September 2025

RM/JA

Setplan
PO Box 28
STRAND
7140

Email: neville@setplan.com

Sir

APPLICATION FOR REZONING, CONSENT USE, PERMANENT DEPARTURE FROM THE DEVELOPMENT PARAMETERS, AMENDMENT OF A RESTRICTIVE TITLE CONDITION AND APPROVAL OF A SITE DEVELOPMENT PLAN: FARMS 83/1 TULBAGH DIVISION ET AL

Your above-mentioned application (Collaborator Reference 2148445) refers.

1. **Provisional approval** has been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:
 - 1.1 **Rezoning** portions (footprint of the windfarm) of Farms 88/9 and 458 Tulbagh Division from Agriculture Zone to Utility Zone in order to allow for the proposed wind farm, for the lifespan of the wind farm facility;
 - 1.2 **Consent use** in order to permit or allow for renewable energy generation within the proposed Utility Zone, for the lifespan of the wind farm facility;
 - 1.3 **Permanent departure** from the applicable land use parameters in order to make provision for the relevant structures of the wind farm located on Farms 88/9 and 458 Tulbagh Division;
 - 1.4 **Amendment** of a restrictive title deed condition (Conditions IE, IIE and IIIG in the certificate of Consolidated Title T29764/2018) to permit the development of a wind farm on portions of Farm Nayoth No. 458, for the lifespan of the Zen Wind Farm Facility;

2. The approvals mentioned in Paragraphs 1.1 to 1.4 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:

2.1 Compliance with the following general conditions:

- 2.1.1 This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
- 2.1.2 Any amendments to the application are subject to the relevant approval;
- 2.1.3 No new buildings or structures are to be erected or existing structures altered without the approval of building plans by Council;
- 2.1.4 The servitude road over Farm 458 Tulbagh Division, in favour of Farm 88/6, not be utilised during construction or operation of the Zen Wind Farm;
- 2.1.5 Any recommendations contained in the TIA must be done to the satisfaction of the Drakenstein Municipality: Civil Engineering Services Division;
- 2.1.6 Adherence to the conditions laid down in the memorandum of the Drakenstein Municipality: Civil Engineering Services Division referenced 15/4/1 (F83/1, F83/2, F88/9 & F458/0) T (1979) dated 19 December 2024 (**Annexure M**);
- 2.1.7 Adherence to the conditions laid down in the memorandums of the Drakenstein Municipality: Electro Technical Engineering Services Division referenced 8/2/5_83_1_83_2_88_9_458_0 dated 11 October 2024 (**Annexure N**);
- 2.1.8 Adherence to the conditions laid down in the memorandum of the Drakenstein Municipality: Environmental Management Division referenced 15/4/1 (F83/1)T dated 8 November 2024 (**Annexure P**);
- 2.1.9 The developer must ensure that the increased traffic flow from the development during construction phase does not create disturbance for the existing surrounding road users;

2.2 Compliance with the following conditions before the submission of building plans:

- 2.2.1 The developer to submit proof of a financial guarantee obtained from one of the major banks providing for decommissioning and environmental rehabilitation of the Zen Wind Farm;

- 2.2.2 An amended Site Development Plan must be submitted for the approval by the Manager: Land Development Management taking the following into consideration:
- (a) The surveyed areas depicting the utility zoning footprint/lease areas and applicable servitudes. Such servitudes include the servitudes around individual turbine footprints, along servitude access roads (not the public roads) and along underground cable servitudes;
 - (b) WT Z6-9 be relocated at least 45m south of the existing servitude road located over Farm 458 Tulbagh; and
 - (c) Access points to the Zen Wind Farm be clearly indicated as well as internal farm roads to be utilised for the wind turbines.
- 2.2.3 The applicant is responsible for the cost and for the publication, in the Provincial Gazette, of the final notice regarding the amendment of the restrictive condition, which should be attended to prior to the issuing of the final letter of approval;
- 2.2.4 The applicant is responsible for the submission of the original title deed at the Cape Town Deeds Office for the necessary endorsement by the Registrar of Deeds, together with a copy of the final amendment notice as published in the Provincial Gazette.

3. The following be regarded as the reasons for the decision:

- 3.1 The development proposal supports the objectives of the Western Cape Provincial Spatial Development Plan and Drakenstein Integrated Development Plan by contributing to energy security;
- 3.2 The wind farms layout avoids sensitive ecological areas and high potential agricultural land;
- 3.3 Mitigation measures and rehabilitation plans will ensure minimal long term environmental impact;
- 3.4 The project will create jobs during construction and operation, enhance local economic activity and provide clean energy to the national grid, indirectly benefiting rural communities and agri-processing industries;
- 3.5 The amendment to the title deed condition for Farm Nayoth No. 458 will allow renewable energy generation while preserving agricultural use;
- 3.6 The proposed development adheres to zoning regulations, environmental authorisations and land use management guidelines which are supported by specialist assessments and subsequent approvals;

- 3.7 The wind farm is deemed desirable, sustainable and beneficial for the local and regional community, contributing to renewable energy goals and environmental resilience;
- 3.8 The Zen Wind Farm site will maintain its agricultural function;
- 3.9 A structured approach to decommissioning and rehabilitation is planned for the Zen Wind Farm at the end of its operational life;
- 3.10 The proposed development can easily be accommodated by the existing road network with the mitigation measures to be implemented as indicated in the Traffic Impact Assessment;
- 3.11 Little to no negative impacts to the natural environment is foreseen by this application;
- 3.12 The property is well located in terms of the much needed wind usually experienced in the area;
- 3.13 All the concerns raised by the objector were sufficiently addressed by the applicant; and
- 3.14 All the relevant departments consented to the application, subject to certain conditions.

4. The applicant take cognisance of the following:

- 4.1 Conditions laid down by the Department of Forestry, Fisheries and the Environment in the amended Environmental Authorisation (**Annexure I**);
- 4.2 Conditions laid down by the Western Cape Department of Infrastructure: Road Planning in their letter (**Annexure K**);

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

This **provisional approval** is therefore suspended until further notice. Please also notify (**email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **the objectors** (if any), of their right of appeal – proof of notification **must** be provided. Should there be any appeals against the decision, the application title (heading) must be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



H. STRIJDOM (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT MANAGEMENT

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, customercare@drakenstein.gov.za, and Henk Strijdom, henks@drakenstein.gov.za



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/2/322/AM5
Enquiries: Ms Azrah Essop
Telephone: (012) 399 8529 E-mail: AEssop@dfpe.gov.za

Mr Unai Bravo Urtasun
FE Bonne Esperance (Pty) Ltd
Unit 1501
15th Floor
Portside Building
4 Bree Street
CAPE TOWN
8001

Cell phone Number: 071 429 8010
Email Address: unai.bravo.urtasun@acciona.com

PER EMAIL / MAIL

Dear Mr Urtasun

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 03 NOVEMBER 2016, AS AMENDED, FOR THE ESTABLISHMENT OF THE 147 MW FE BONNE ESPERANCE WIND ENERGY FACILITY (KNOWN AS ZEN WIND ENERGY FACILITY (WEF)) AND ASSOCIATED INFRASTRUCTURE IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 03 November 2016, the amendments to the EA dated 11 February 2019; 08 June 2020; 25 June 2020; 21 May 2021, your application for amendment of the EA received by the Department on 26 June 2023 and the acknowledgement letter dated 05 July 2023, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 03 November 2016, amended, as follows:

Amendment 1: Amendment to the contact details of the EA Holder contact person:

The contact details of the holder of the EA:

From

*FE Bonne Esperance (Pty) Ltd
Mr Thomas Condesse
60 Hennie Winterback Street
Panorama
7500*

Telephone Number: 021 013 3614
Email Address: Thomas.condesse@genesis-eco.com

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Is hereby amended to:

"FE Bonne Esperance (Pty) Ltd
Mr Unai Bravo Urtasun
Unit 1501
15th Floor
Portside Building
4 Bree Street
Cape Town
8001

Cell phone Number: 071 429 8010
Email Address: unai.bravo.urtasun@acciona.com

Reason for amendment:

The contact person and relevant details of the holder of the environmental authorisation are required to be amended to reflect the new contact person, current postal address, and relevant cell phone and email contact details. A letter from the new contact for the holder, stating that they are willing to accept responsibility of the EA and its amendments has been appended to the Application Form.

Amendment 2: Amendment of the Wind Farm Layout:

The Applicant has finalised the Zen facility layout following the review period, and the Final Facility Layout is submitted in accordance with Condition 13 of the EA together with the Final Motivation report, as well as the Final EMPr (in accordance with Condition 13 and 15 of the EA).

In terms of Condition 13 of the EA dated 03 November 2016, as amended, the following amendments have been proposed to the layout map of the Zen WEF.

1. Reduction in the number of turbines from 27 to 17;
2. Increase turbine capacity from 6 MW to up to 7.5 MW per turbine;
3. Optimise turbine/facility layout based on the energy yield, and revise the layout as required based on the revised turbine numbers and turbine specification; and
4. Optimise internal underground cabling (33kV) to enable a consolidated point of grid connection for the Zen/Bergriver wind farm cluster on the Bergriver site and remove the on-site substation and overhead power line connection from the project description.

Reason for amendment:

The reduction in number and repositioning of turbines, coupled with infrastructure adjustments, ensures that the wind farm layout is optimised to both maximise operational efficiency and remain outside of identified sensitive areas. The final turbine positions have been verified by specialist consultants, and all specialists have confirmed the acceptability of the revised facility layout which is attached as Appendix J of the Final Motivation Report. The revised layout also takes into consideration the ideal point of connection to the grid, which is a direct connection to the adjacent authorised 132kV Bergriver facility substation. The project will also utilise combined construction infrastructure (temporary facilities, laydown areas, batch plants) to be shared with the adjacent Bergriver Wind Farm to further reduce the overall impacts of the project.

Amendment 3: Amendment of the project description:

a) Description on Page 6 of the EA

From:

The infrastructure associated with this facility includes:

- The site proposed to accommodate up to 27 wind turbines. The facility would be operated as a single facility with each turbine being up to 6MW in capacity.
- Internal access roads (up to 6m in width) linking the wind turbines and other infrastructure on the site. Existing farm roads will be utilised and upgraded.
- An on-site substation (200m x 200m) to facilitate grid connection.
- A new 132kV power line (up to 6.5km in length) via a direct connect to the LeBonne Substation or a loop in and loop out connection to the LeBonne-Gouda power line which is located on the Farm LeBonne Esperance (adjacent Wind Farm Site).

Is hereby amended to:

The infrastructure associated with this facility includes:

- The site proposed to accommodate up to 17 wind turbines, with each turbine being up to 7.5MW in capacity.
- Internal access roads (up to 8m in width) linking the wind turbines and other infrastructure on the site. Existing farm roads will be utilised and upgraded.
- Cabling between the turbines, to be laid underground where practical.

b) Listed Activities of the EA

From:

From: Listed activities	Activity/project description
GN R. 544 Item 22: "The construction of a road, outside urban areas, (ii) Where no road reserve exists where the road is	External and internal access roads between turbines need to be constructed. Temporary roads during construction could be up to 6m in width.
GN R. 544 Item 47: "The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (ii) where no reserve exists, where the existing road is wider than 8 metres. "	External and internal access roads between turbines need to be constructed. Temporary roads during construction could be up to 6m in width.

Is hereby amended to:

From: Listed activities	Activity/project description
GN R. 544 Item 22: "The construction of a road, outside urban areas, (ii) Where no road reserve exists where the road is	External and internal access roads between turbines need to be constructed. Temporary roads during construction could be up to 8m in width.
GN R. 544 Item 47: "The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (ii) where no reserve exists, where the existing road is wider than 8 metres. "	External and internal access roads between turbines need to be constructed. Temporary roads during construction could be up to 8m in width.

OFFICE REFERENCE: 14/12/16/3/3/2/322/AM5

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 03 NOVEMBER 2016, AS AMENDED, FOR THE ESTABLISHMENT OF THE 147 MW FE BONNE ESPERANCE WIND ENERGY FACILITY (KNOWN AS ZEN WIND ENERGY FACILITY (WEF)) AND ASSOCIATED INFRASTRUCTURE IN THE WESTERN CAPE PROVINCE

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Reason for amendment:

The requested amendment will ensure that the project description contains all relevant and updated information, facilitating compliance monitoring and ultimately leading to better environmental protection.

Amendment 4: Removal of coordinates of infrastructure:

Page 5 of the EA contains the following coordinates:

	Latitude (S)	Longitude (E)
Substation	33°14'0.34" S	18°59'32.16" E
Power line		
Start:	33°14'0.34" S	18°59'32.16" E
Middle	33°15'16.43" S	19°07.49" E
End	33°15'57.51" S	19°1'18.87" E

The above coordinates are hereby removed.

Reason for amendment:

The amended and optimised wind farm layout includes the removal of the 132kV on-site substation and overhead grid connection infrastructure within the authorised area. The co-ordinates are no longer required to be included in the EA.

Amendment 5: Removal of conditions in the EA:

The below conditions are hereby removed from the EA:

Condition 16.6 (Page 10 of the EA)

16.6. A plant rescue and protection plan which allows for maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultant with the ECO and be implemented prior to commencement of the construction phase.

Condition 45 (page 15 of the EA)

45. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g., grasslands, rivers, wetlands, and dams). The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the power line once the exact positions of the towers have been surveyed and pegged. Additional areas of high sensitivity along the preferred alignment must also be identified by the avifaunal specialist for the fitment of anti-collision devices. These devices must be according to Eskom's Transmission and EWT's Guidelines.

Condition 46 (page 15 of the EA)

46. A pre-construction walk through on the selected power line alignment by a bat specialist, avifaunal specialist and ecologist, must be conducted to ensure that the micro-siting of the turbines has the least possible impact, there are no nests sites of priority species on or close to the construction corridor, and all protected plant species impacted are identified.

Reason for amendment:

After a vegetation specialist conducted field verification, it was determined that no aspects of the layout would have any adverse effects on the natural vegetation. As a result, there is no need for a preconstruction inspection of the development area or the implementation of a Plant Rescue and Protection Plan. The specialist has verified that including a Plant Rescue and Protection Plan in the Environmental Management Plan (EMPr) is no longer necessary. The amended and optimised wind farm layout includes the removal of the 132kV on-site substation

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and overhead grid connection infrastructure within the authorised area. Condition 45 and Condition 46 of the EA relate to the overhead grid connection infrastructure and are therefore required to be removed.

Amendment 6: Removal of listed activities in the EA:

Activity 10 of GNR 544 is no longer applicable to or relevant to the project description, and is hereby removed from the EA.

Authorised Listed Activity in terms of the EIA Regulations (2006) as included in the EA	Reason for removal
GN R. 544 Item 10 "The construction of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts." An onsite substation (66kV or 132kV) is required for the project	This Listed activity is no longer relevant as the turbines within the Zen Wind Farm will be connected to a shared substation on the Bergriver Wind Farm project site through underground 33kV cabling/grid lines. This electrical infrastructure allows for the transfer of power generated by the turbines to the substation. No substation is planned as part of the Zen Wind Farm

Reason for amendment:

The internal underground cabling (33kV) to enable a consolidated point of grid connection for the Zen/Bergriver cluster is optimised in the final facility layout, and the 132kV on-site substation and overhead power line connection are requested to be removed from the project description. Therefore, Activity 10 of GNR544 is no longer applicable to or relevant to the project description, and is hereby removed from the EA.

Approval of Final Layout and Final EMP

The final EMP (included in Appendix K) submitted in accordance with Condition 15 of the EA (dated 3 November 2016) and Chapter 5 of the EIA regulations of December 2014 (as amended), is hereby approved. The Final Zen Wind Farm facility layout (Figure 2.1 of the final motivation report) submitted in accordance with Condition 13 of the EA, is hereby approved.

The Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. Failure to commence with construction activities within the maximum 10 year period, your EA will be deemed to have lapsed and a new application for Environmental Authorisation will have to be lodged.

This amendment letter must be read in conjunction with the EA dated 03 November 2016, as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@dfre.gov.za

By hand: Environment House
473 Steve Biko Road
Arcadia
PRETORIA
0083; or

By post: Private Bag X447
PRETORIA
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website or request a copy of the documents at appeals@dfre.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment
Date: 10/11/2023

cc:	Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannahasa.com
	Mare-Liez Oosthuizen	Western Cape: DEA&DP	Email: Mare-liez.Oosthuizen@westerncape.gov.za
	Earl Cyster	Drakenstein Local Municipality	Email: Earl.cyster@drakenstein.gov.za

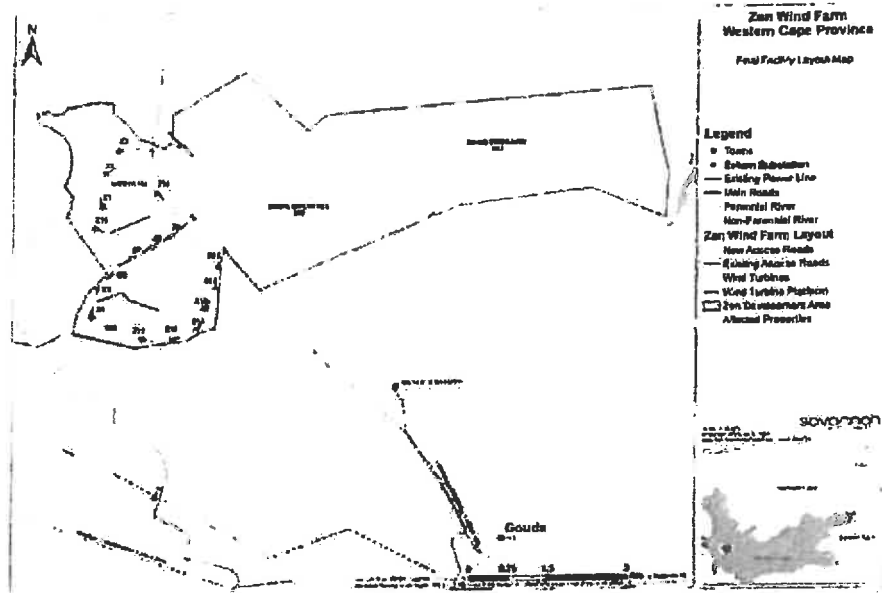


Figure 2.1: Final Facility Layout Map for the Zen Wind Farm (map ref: Zen Wind Farm Final Layout Sept'23 also included in Appendix J)

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Department of Infrastructure
Vanessa Stoffels
 Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: TPW/CFS/RP/LUD/REZ/SUB-10/330 (App: 2024-06-0021)

The Municipal Manager
 Drakenstein Municipality
 PO Box 1
PAARL
 7622

Attention: Mr J Meyer

Dear Sir

PORTION 1 OF FARM BONNE ESPERANCE NO. 83, PORTION 2 OF FARM BONNE ESPERANCE NO. 83, PORTION 9 OF FARM NO. 88, PORTION 0 OF FARM NAYOTH NO. 458, TULBAGH: VARIOUS PROCLAIMED ROADS: ZEN WIND ENERGY FACILITY: APPLICATION FOR REZONING, CONSENT USE, AMENDMENT OF TITLE DEED CONDITIONS AND PERMANENT DEPARTURE

1. Your application received from Messrs Setplan email dated 21 May 2024 refers.
2. The proposed Zen Wind Energy Facility is located on the following farm properties, Portion 1 of the Farm Bonne Esperance No 83, Portion 2 of the Farm Bonne Esperance, Portion 9 of Farm 88 and Portion 0 of the Farm Nayoth 458.
3. The facility will consist of 17 wind turbines of up to 7MW each, internal roads and connecting cables. Other required infrastructure will be shared with an adjacent wind energy facility.
4. This application is for the following:
 - 4.1 Rezoning of the windfarm footprint from Agriculture Zone to Utility Zone;
 - 4.2 Permanent Departure to accommodate the utility and plant services;
 - 4.3 An amendment of a restrictive title deed condition; and
 - 4.4 Approval of a Site Development Plan.
5. The proposed facility affects the following proclaimed roads: Trunk Road 23/3 (TR02303, R44), Divisional Road 81161 (DR01161), Minor Roads 5285 (OP05285), Minor Road 5284 (OP05284), and possibly other proclaimed roads also.
6. Access is proposed off Trunk Road 23/3 via Divisional Road 1161, Minor Road 5285, Minor and Road 5284 to the Wind Energy Facility. A new access off Divisional Road at approximately 36.38 (LHS and RHS) is also proposed, which is approved by this Branch as a Main Farm Access.
7. The Traffic Impact Assessment undertaken by UDS dated 8 March 2024, recommended that the affected gravel roads be upgraded.

8. This Branch offers no objection to the application in terms of the Land Use Planning Act No. 3 of 2014 on condition that:
- 8.1 The applicant/developer must accept the handing over of the affected proclaimed roads for construction purposes, referenced in paragraph 5, from the District Roads Engineer - Paarl (Att: elroy.smith@westerncape.gov.za) before construction commences;
- 8.2 The applicant/developer shall be responsible for the maintenance of the affected proclaimed roads during the construction phase of this development;
- 8.3 A photographic record of the affected proclaimed road condition must be taken, and the road maintained to this condition to the satisfaction of the District Roads Engineer - Paarl during the construction period;
- 8.4 The applicant/developer upgrades sections of gravel roads and accesses should it not be suited for heavy vehicles to the satisfaction of the District Roads Engineer - Paarl, and
- 8.5 After construction has been completed, the applicant/developer shall hand the affected proclaimed roads back to the District Roads Engineer - Paarl in the same or better condition than before construction commenced.

Yours faithfully



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 30 JULY 2024



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Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To: EXECUTIVE DIRECTOR: CORPORATE & PLANNING SERVICE
(ATTENTION: E. CYSTER)

From: EXECUTIVE DIRECTOR: ENGINEERING SERVICES

Enquiries: LH SMITH

Collaborator number: 2148445

Reference number: 15/4/1 (F83/1, F83/2, F88/9 & F458/0) T (1979)

Date: 19 December 2024

Subject: APPLICATION FOR REZONING, CONSENT USE & AMENDMENT OF A
RESTRICTIVE TITLE CONDITION: FARMS F83/1, 83/2, 88/9 & 58/0 TULBAGH

These conditions will be subject to review by the Engineering Services Department upon receipt of Civil and/or building plans for approval. This may require all the studies carried out for the proposed development to be updated and revised accordingly, which shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

The aforementioned is based on the possibility of changes in the physical environment in respect of engineering infrastructure between date of issuing of conditions and actual building/construction being imminent, which may impact on available relevant infrastructure capacities as at time of initial issuing of conditions.

NOTE: This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants.

THE FOLLOWING CONDITIONS WILL APPLY

1. STREETS & TRAFFIC

- 1.1. Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2. *As access is off a proclaimed main road, approval from the Provincial Roads Engineer is required;*
- 1.3. *The parking areas must be indicated on the layout plans; and*

- 1.4. Any alterations to the existing road network will be the responsibility of the developer, including design, approval and construction of any additional traffic control and or traffic calming measures as detailed in the Traffic Impact Assessment (TIA) of UDS Africa, referenced 378/2024/Reports/TIA dated 08 March 2024.**

2. STORM WATER

- 2.1. Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.2. Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 2.3. No development is allowed within the 1:50 year flood line and any construction within the 1:100 year flood line must be 1m above the 1:100 year flood line;
- 2.4. Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run- off for a 1:50 year storm event;
- 2.5. Contaminated run-off (washing water, storm water, etc) must be disposed of in such a manner so as not to cause any pollution to surface, ground water or create a nuisance; and
- 2.6. Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on $0.02\text{m}^3/\text{m}^2$ roof area.

3. WATER

- 3.1 All potable water supplied to consumers on the farm shall comply with SANS 241 as amended. Proof of compliance test no older than 6 months must be available on request. All testing must be done by an accredited service provider;
- 3.2 Water saving devices shall be installed in toilets, bathrooms and basins;
- 3.3 Any existing system that is to remain shall be upgraded to minimum municipal standards;
- 3.4 A water demand management plan must be submitted to the Civil Engineering Department and must include and indicate the measures to be put in place to conserve and manage water;
- 3.5 **Water services intermediary agreement to be entered into with Drakenstein Municipality;**
- 3.6 **Farm owners are regarded as water services intermediaries and are responsible for the provision of at least basic water and sanitation services to people living on the farm; and**

- 3.7** *Any abstraction from any natural water source on the property must be metered (type of meter to be confirmed by Department of Water and Sanitation).*

4. WASTEWATER SERVICES

- 4.1** The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law (2014);
- 4.2** No new septic tanks allowed, all old/existing septic tank and soakaway systems must comply with the Water Research Commissions Report TT 114/99. No conservancy tank will be allowed within 100m of the 1:50 year flood line;
- 4.3** The municipality cannot guarantee a tanker service at all times and the owner remains responsible for the servicing of the conservancy tank. Any private company used must be registered with the Municipality and must provide the owner of an invoice for services rendered. All invoices must be submitted on a monthly basis to the Waste Water Services section as proof of compliance; and
- 4.4** Any existing system that is to remain shall be upgraded to minimum municipal standards;

5. SOLID WASTE

- 5.1.** All solid waste disposal shall comply with, the National Environmental Management Waste Act 59 of 2008. Proof of compliance must be available on request;
- 5.2.** A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out; and
- 5.3.** The Developer shall indemnify the Municipality from any damages caused as a result in rendering the refuse removal service.

6 DEVELOPMENT CHARGES

- 6.1** Based on the information provided in the application, no Development Charge are payable by the developer.

7 GENERAL

- 7.1** *When at any stage in future the municipality is required to take over ownership and maintenance of civil infrastructure, it will be the responsibility of the property owners to ensure all water and waste water connections adhere to municipal standards and by-laws;*

- 7.2 When any service is to be taken over by Drakenstein Municipality, any damage caused due to the construction of houses or any other construction activity shall be repaired by the Developer. Failure to do so will result in clearances and occupation certificates being withheld and remedial works shall be done by Drakenstein Municipality for the cost of the developer.
- 7.3 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.4 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;
- 7.5 The whole of the works shall fall under the control of a single project manager;
- 7.6 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.7 A set of accurate as built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection;
- 7.8 The above conditions are to be complied with in stages;
- 7.8.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.8.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and
- 7.8.3 Proof of compliance for the requirements associated with long term operations must be available on request.

GCM



LH Smith

SENIOR MANAGER: INFRASTRUCTURE MANAGEMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2024\comments\Farms 83.1, F83.2, F88.9 & F458.0 Tulbagh - Rezoning, consent use & amendment of a restrictive title condition.docx

LHS/lis



Memo

To:	Senior Manager: Land Development Management For attention: H Strijdom/C van der Bank/E Cyster
From:	Manager: Planning and Costumer Services
Enquiries:	L. Laing
Reference number:	8/2/5_83_1_83_2_88_9_458_0
Date:	11 October 2024
Subject:	APPLICATION FOR DEPARTURE, REZONE, CONSENT USE FOR THE INSTALLATION OF WIND FARM OR RENEWABLE ENERGY, ERF 83/1, 83/2, 88/9 & 458/0, TULBAGH

Time Limit on Conditions: These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must be submitted for approval by this department.

1. INFORMATION REQUIRED/OUTSTANDING

1.1 Non

2. THE FOLLOWING CONDITIONS WILL APPLY

2.1 Non

3. GENERAL

- 3.1 The erven are situated outside the Drakenstein electricity distribution licenced area.
- 3.2 The respective erven are supplied by Eskom and their offices at Malmesbury may be contacted for further information regarding legislative requirements, existing services that may cross within the erf boundaries, upgrades, service connections etc.
- 3.3 The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully

L LAING

MANAGER: PLANNING AND CUSTOMER SERVICES

I:BEPLAN_3\Sub_Divisions_Rezoning\202425\83_1_83_2_88_9_458_0


DRAKENSTEIN

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🌐 www.drakenstein.gov.za

✉ registry@drakenstein.gov.za

📍 Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To:	MANAGER: LAND USE PLANNING & SURVEYING (ATTENTION: E. CYSTER)
From:	MANAGER: ENVIRONMENTAL MANAGEMENT
Enquiries:	C WINTER
Collaborator number:	2148445
Reference number:	15/4/1(F83/1)T
/Date:	8 NOVEMBER 2024
Subject:	ZEN WIND FARM - REZONING, CONSENT USE, PERMANENT DEPARTURE, AMENDMENT OF RESTRICTIVE TITLE CONDITION AND APPROVAL OF SDP: FARMS 83/1, 83/2, 88/9, 458/0, TULBAGH

Reference is made to the above-mentioned application for accommodate the Zen Wind Farm on the above-mentioned properties.

1. All environmental risks were identified, assessed and appropriate mitigation measures have been proposed. Mitigation measures of the various specialists are to be adhered to.
2. The various specialists should be present on site to advise when routes are demarcated in order to clearly separate the environmentally sensitive areas that are mapped as part of this application.
3. A vegetation fire management plan is to be implemented during the operational phase of the development to demarcate and maintain fire breaks around all infrastructure.

Kind regards

Cindy Winter
Digitally signed
by Cindy Winter
Date: 2024.11.08
22:02:35 +02'00'

.....
C. WINTER
MANAGER: ENVIRONMENTAL MANAGEMENT