

CONSERVATION INTELLIGENCE

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email rsmart@capenature.co.za
reference LS14/2/6/1/9/1/189-4_consent&rezoning_Bonnievale
date 9 July 2023

Langeberg Municipality
Private Bag X2
Ashton
6715

Attention: Tracy Brunings
By email: admin@langeberg.gov.za

Dear Tracy

Application for Consent Use and Rezoning for a Solar Photovoltaic Energy Facility and Electric Vehicle Charging Facility on Portion 4 of Farm Joubertsdal 189, Bonnievale

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.

According to the Western Cape Biodiversity Spatial Plan, the proposed footprint for the electric vehicle charging facility (EVCF) is Critical Biodiversity Area 2 (CBA) and the proposed solar photovoltaic Energy Facility (SPVEF) footprint is No Natural. The vegetation type that is/would have been present is Eastern Rûens Shale Renosterveld listed as endangered. There is a non-perennial river and associated instream dam more than 32 m to the north east of the EVCF.

The SPVEF is located within a cultivated land and therefore will not impact on natural vegetation. It is noted that the proposed footprint of the EVCF is located adjacent to the existing homestead and other farm buildings and within the fenced yard of the dwelling. Based on the aerial imagery it is likely that the proposed footprint is disturbed or transformed despite being a CBA.

We therefore recommend that further evidence should be provided whether there is any indigenous vegetation present on the footprint. This should include photographs and a description, after which further comment can be provided regarding the presence of indigenous vegetation and associated NEMA listed activities, as well as the desirability in terms of the planning application. The project proposal does not include a battery energy storage system.

The development proposal is aligned with the Draft Western Cape Climate Change Response Strategy whereby it aims to facilitate the transition from internal combustion vehicles to

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Miervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

electric vehicles through the use of renewable energy which also will have a positive impact on biodiversity through the reduction of the predicted impacts of climate change.

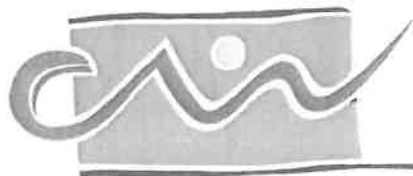
In conclusion, CapeNature recommends that further information is provided regarding the presence of indigenous vegetation within the footprint of the EVCF which is classified as CBA 2. CapeNature does not object to the proposed SPVEF within the proposed location. We further recommend that an Environmental Management Plan (EMP) is compiled for the project to ensure that construction and operation adheres to standard best environmental practice.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rhett Smart', with a horizontal line underneath.

Rhett Smart
For: Manager (Landscape Conservation Intelligence)



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/IE-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

J van Zyl
023-626 8313
086 5553340
Jacques@capewinelands.gov.za
15/2/6/1

Trappesstraat 51 Trappes Street
91
WORCESTER
6849

19 May 2023

Tracy Brunings
Langeberg Munisipality
Montagu
6720

Madam

Rezoning & Consent Uses: Service Station, Tourist Facility and Renewable Energy Structure, Portion 4 of Farm Joubertsdal No 189, Swellendam Registration Division.

This Department will approve the Rezoning & Consent Uses for the above mentioned if the applicant complies with the following:

1. If the sale of any foodstuff will take place on the premisses they must apply for a Certificate of Acceptability for a Food Premises.
2. The owner must have a smoking policy in place according to the Tobacco Control Act.
3. The owner must comply with the conditions of the Health Department of Cape Winelands District Municipality.
4. No health nuisance may occur on the premisses.

Sincerely

HF Pries
Munisipale Bestuurder.
JvZ

<u>AAN / TO</u>	T Brunings	<u>VAN / FROM</u>	C Posthumus
<u>VERW / REF</u>	15/4/13/R	<u>DATUM / DATE</u>	12 May 2023
<u>ONDERWERP SUBJECT</u>	APPLICATION ITO LLUPB, 2015: JOUBERTSDAL 189/4, SWELLENDAM - RENEWABLE ENERGY STRUCTURES AND SERVICE STATION (ELECTRIC VEHICLES)		

I refer to the above application.

The Civil Engineering Services Department has no objection to the above application subject to the following conditions:

1. The Langeberg Municipality cannot supply potable water to the above property. The provision of water and sewer services is the responsibility of the owner.
2. The R60 is a Provincial Road and approval for access along this road must be obtained from the Department of Infrastructure WESTERN CAPE GOVERNMENT.
3. It is the responsibility of the owner to ensure that water provided must comply with SANS 0241 specifications.
4. A suitable and effective sewerage disposal system must be provided for all wastewater. Provision must be made for a conservancy tank/s for the disposal of sewerage for all the proposed units. Tanks must comply with all minimum prescribed specifications regarding content and fittings. Provision must be made for the tanker to have access to the conservancy tank/s. The maintenance and regular emptying of the conservancy tanks will be the responsibility of the owner.

Your faithfully



Carel Posthumus

Senior Manager Civil Engineering Services

Langeberg Municipality* (LLUPB, 2015)

Date: 2024/06/03

tbrunings@langeberg.gov.za

Enquiries:

WayleavesWesternOU@eskom.co.za

WAYLEAVE APPLICATION: *Land Use Application by private land owner - Eskom comment required by Langeberg Municipality.

· 16km NE of Swe off R60 and DR1333 · Between Ashton and

YOUR REF: 15/4/14/5 & 7 Joubertsdal 189/4, Swe

ESKOM REF: 14975-24

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. Eskom services are affected by your proposed works and the following must be noted:

- a) Eskom has no objection to the proposed work and include a drawing indicating Eskom Overhead and underground services in close proximity.
- b) Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- c) There may be LV overhead services / connections not indicated on this drawing.
- d) The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Swellendam

Juanita Steenkamp

028 514 7228 / 074 655 3225

SteenkJn@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Customer Services on 08600 37566 or customerservices@eskom.co.za

2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Nancy Piliso from the Land Development Office to be contacted at PilisoN@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of **300mm** with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.
- k) **No work can take place within the servitude of a 66kV Cable or 132kV Cable if indicated.** Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Nancy Piliso at PilisoN@eskom.co.za to arrange a site visit.

3. O.H. Line Services:

- a) The following building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following **distances from the conductors**:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) Lungile Motsisi MotsisiL@eskom.co.za. Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES. NO WORK WITHIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

4. **NOTE**

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



Ref: TPW/CFS/RP/LUD/REZ/SUB-04/263 (Job 30332)

Langeberg Municipality

Private Bag X2

ASHTON

6730

Attention: Ms Tracy Brunings

Dear Madam

REZONING AND CONSENT USES: SERVICE STATION, TOURIST FACILITY AND RENEWABLE ENERGY STRUCTURE ON PORTION 4 OF FARM JOUBERTSDAL NR 189, SWELLENDAM REGISTRATION DIVISION.

1. The following refers:
 - 1.1. Langeberg Municipality's e-mail to this Branch dated 8 May 2023.
 - 1.2. CK Rumboll & Partners' letter referenced LB/12877/NG, dated 25 April 2023
 - 1.3. Drawing No 65/P/101 Revision 0 dated 30 December 2022
 - 1.4. Email from Ms Mandri Crawford of CK Rumboll & Partners to Mr M Ntlati of this Branch dated 29 January 2024
2. Divisional Road 1333 (DR01333), to which this Branch is the Road Authority, is affected by this application.
3. This Branch offers no objection to this application in terms of the Land Use Planning Act 3 of 2014, provided that the following conditions are adhered to:
 - 3.1. Proposed renewable energy structures may be built on portion of land that falls on the Left-Hand Side of DR01333 on Portion 4 of Farm 189 between $\pm$ km 0.22 to $\pm$ km 0.44, provided that it is built at least 30m from the Road Reserve, taking access off the farm road that connects to DR01333 at $\pm$ km 0.21 LHS.
 - 3.2. The renewable energy structures are built in such a way as not to cause any obstructions to drivers using DR01333 from possible reflective glares from solar panels.
 - 3.3. Access to the proposed service station and tourist facility may be taken from existing access at $\pm$ km 0.34 RHS on DR01333
 - 3.4. Existing access at $\pm$ km 0.27 RHS must be closed.

- 3.5. Existing access at $\pm$ km 0.37 RHS must be closed. Access to be shared at $\pm$ km 0.34.
- 3.6. No access, other than the above-mentioned accesses, may be created or continue to exist off DR01333.
- 3.7. All above mentioned accesses and all the fences along MR00280 must be constructed in accordance with the standards for a main farm access as specified by the District Roads Engineer - Paarl, or his agent, the Department of Roads Cape Winelands District Municipality.
- 3.8. All costs towards this application must be for the developer's account.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE

DATE: 7 FEBRUARY 2024

Our Ref: HM / CAPE WINELANDS / LANGERBERG / SWELLENDAM / BRUINJIES RIVER /
PORTION 4 OF FARM 189
Case No: HWC23112910SB1130
Enquiries: Stephanie Barnardt
E-mail: Stephanie.Barnardt@westerncape.gov.za
Tel: 021 483 5959



Applicant: Jenna Lavin
Property owner: La Berg Trust
jenna.ctsheritage@gmail.com

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED REZONING AND CONSENT USES SERVICE & RENEWABLE ENERGY STRUCTURE ON PORTION 4 OF FARM 189 ON STATION, TOURIST FACILITY, SWELLENDAM, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The matter above has reference.

Heritage Western Cape is in receipt of the above matter received. This matter was discussed at the Heritage Officers meeting held on 14 December 2023.

You are hereby notified that, since there is no reason to believe that the proposed Rezoning and Consent Uses Service & Renewable Energy Structure on Portion 4 of Farm 189 on Station, Tourist Facility, Swellendam, will impact heritage resource, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. HWC Chance finds producer to be included into the environmental authorization.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

**Sneha R
Jhupsee**

Digitally signed by Sneha R Jhupsee
Date: 2024.01.11 07:38:10 +02'00'

Sneha Jhupsee
Acting Assistant Director: Professional Services



www.westerncape.gov.za/eas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1669, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** cooheritage@westerncape.gov.za

Straatadres: Protea Assurance gebou, Groenmarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1669, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** cooheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iProtea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** inombolo yebhokisi yeposi 1669, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** cooheritage@westerncape.gov.za



REFERENCE: 16/3/3/6/1/E3/10/1535/22
DATE OF ISSUE: 26 January 2023

Mr Joubert Roux
Zero Carbon Charge
Cell: 082 804 1892
E-mail: joubert@zerocc.co.za

Dear Sir

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED ESTABLISHMENT OF A FARMSTALL, PARKING AREA, RENEWABLE ENERGY GENERATION PLANT, ELECTRIC VEHICLE RECHARGE FACILITY, ENERGY STORAGE BATTERY UNITS AND ASSOCIATED STRUCTURES ON PORTION 4 OF THE FARM JOUBERTSDAL NO. 189, SWELLENDAM.

1. The electronic copy of the abovementioned document received by the Department on 5 December 2022, refers.
2. Based on the information provided by you, this Directorate notes the following:
 - The proposed development entails the establishment of a farmstall, parking area, renewable energy generation plant, electric vehicle recharge facility, energy storage battery units and associated structures on the Portion 4 of the Farm Joubertsdal No. 189, Swellendam.
 - The proposed renewable energy generation plant will consist of photovoltaic solar panels.
 - The proposed development includes a transmission cable of less than 2km from the renewable energy generation plant to the electric vehicle recharge facility.
 - The energy generation plan will have an electrical output of less than 10 megawatts and the transmission cable will have a capacity of approximately 1 kilovolt.
 - Lithium batteries with a combined storage capacity of less than 30m³ will be used to store the generated electricity.
 - The proposed development will have a development footprint of approximately 9500m².
 - The site has been lawfully cultivated with no remaining indigenous vegetation.
 - No watercourses are present on the site or within 32m of the site.
 - The site is zoned for agricultural purposes and is located outside the urban area of Swellendam.
3. Your attention is therefore drawn to the listed activities in terms of the EIA Regulations, 2014 (as amended). Please be advised that the proposed development **does not** constitute any listed activities in terms of the EIA Regulations, 2014 (as amended).
4. This determination is based on the following:
 - The infrastructure for the transmission of electricity will have a capacity of less than 33 kilovolts;

- The electricity output for the infrastructure for the generation of electricity will be less than 10 megawatts and will cover an area of less than 1ha;
 - The infrastructure for the storage of dangerous goods will have a combined storage capacity of less than 30m³;
 - No indigenous vegetation will be cleared; and
 - The proposed development will not be located within a watercourse or within 32m of a watercourse.
5. Environmental Authorisation is therefore not required from this Department prior to the proposed development of a farmstall, parking area, renewable energy generation plant, electric vehicle recharge facility, energy storage battery units and associated structures on Portion 4 of Farm Joubertsdal No. 189, Swellendam.
 6. However, should any revision of the proposed development constitute a listed activity(ies) in terms of the NEMA EIA Regulations, 2014 as defined in Listing Notices 1, 2 and 3 an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
 7. The applicant must comply with any other statutory requirements that may be applicable to the development.
 8. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that –“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”
 9. This Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully

Melanese Schippers
Digitally signed by
 Melanese Schippers
 Date: 2023.01.26
 10:30:18 +02'00'

pp HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Mr Jan-Taljaard Marx (EnviroAfrica CC)
 (2) Mr Ron Brunings (Swellendam Municipality)

E-mail: jan@enviroafrica.co.za
 E-mail: rbrunings@swellenmun.co.za



BREED-OLIFANTS

CATCHMENT MANAGEMENT AGENCY

Cnr Mountain Mill & East Lake Road, Worcester 6850, Private Bag X3055 Worcester 6849

Enquiries : E. Rossouw

Tel : 023 346 8000

Fax : 023 347 2012

Ref : 4/10/1/H50B/Joubertsdal 189 prt 4 Swellendam

E-mail : erossouw@bqcmma.co.za

Your reference:

Date: 17/07/2023

Langeberg Municipality
3 Piet Retief Street
MONTAGU
6720

Per email: Tbrunings@langeberg.gov.za

Mam,

**COMMENT: REZONING: PORTION 4 OF FARM 189, SWELLENDAM RD
APPLICATION FOR RENEWABLE ENERGY STRUCTURES AND SERVICE STATION
(ELECTRIC VEHICLES)**

The Breede-Olifants Catchment Management Agency (BOCMA) received your documents for the abovementioned proposed activity, dated 08 May 2023.

The BOCMA supports the application with special reference to the following considerations and conditions:

Water Use

The application is within close proximity of a tributary for the Bruintjies river. As such the stormwater management for the facilities and renewable energy structures should avoid direct flow to the tributaries. The proximity requires a freshwater risk matrix to be conducted to verify the impact risks to the water sources.

Wastewater generated on the property must be mitigated and managed in an environmentally safe manner.

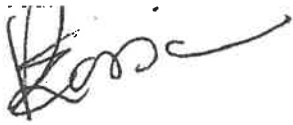
General Conditions

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- No pollution of surface water or ground water resources may occur. The application is within proximity to a water course and the water within the water course must be monitored upstream and downstream for changes in quality that may occur due to the nature of the run-off from this activity.
- Storm water management must be addressed and applied both in terms of flooding and pollution potential.

- You are requested to ensure that each water use on the property are measured according to Government Notice 131 of 2017.

The comments provided are in the interest of responsible water resource management. The BGCMA will gladly comment on any additional information provided for review. The BGCMA reserves the right to revise initial comments and request further information based on any additional information that might be received.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jan van Staden', with a long horizontal flourish extending to the right.

MR. JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

Tracy Brunings

From: Elkerine Rossouw <erossouw@bocma.co.za>
Sent: Tuesday, 03 October 2023 10:07
To: Tracy Brunings
Cc: Vatiswa Myeza; Sabelo Msibi; Coreen Rautenbach
Subject: 4/10/H50B/Joubertsdal 189/4, Swellendam

Hi Tracy

Your email dated 6 September 2023 with the comments on State Department Comments refers.

The application is supported but the applicant may not implement without the Risk Matrix being done on the stream and confirmation of the process followed by the land owner/applicant with a lease agreement.

Kind regards

Elkerine Rossouw

erossouw@bocma.co.za

Water Use Specialist

023 3468000



BREDE-OLIFANTS
CATCHMENT MANAGEMENT AGENCY