REMAINDER OF PORTION 11 (NIEUWEPOST) OF THE FARM HEMEL EN AARDE NO. 587, DIVISION OF CALEDON: APPLICATION FOR CONSENT USE, DEPARTURE AND AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN: WRAP PROJECT OFFICE ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received for the following:

- **Consent use** in terms of Section 16(2)(o) of the By-Law, to allow for a utility service to accommodate a proposed solar installation.
- **Departure** in terms of Section 16(2)(b) of the By-Law to relax the lateral building line from 30m to 5,64m to accommodate the proposed solar installation and also exceed the maximum allowable floor space from 18,7546ha to 18,8626ha.
- **Amendment of the existing approved site development plan** in terms of Section 16(2)(l) of the By-Law to accommodate a proposed solar installation on the property.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any comments must be in writing in accordance with the provisions of Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **27 October 2023**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to the Town Planner, **Mr. H Olivier** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

RESTANT VAN GEDEELTE 11 (NIEUWEPOST) VAN DIE PLAAS HEMEL EN AARDE NR. 587, AFDELING VAN CALEDON: AANSOEK OM VERGUNNINGSGEBRUIK, AFWYKING, EN WYSIGING VAN GOEDGEKEURDE TERREINONTWIKKELINGSPLAN: WRAP PROJECT OFFICE NAMENS HAYGROVE HEAVEN (PTY) LTD

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek vir die volgende ontvang is:

- **Vergunningsgebruik** ingevolge Artikel 16(2)(o) van die Verordening, om voorsiening te maak vir 'n nutsdiens om 'n voorgestelde sonkraginstallasie te akkommodeer.
- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die syboulyn vanaf 30m na 5,64m te verslap om die voorgestelde sonkraginstallasie te akkommodeer en ook om die maksimum toelaatbare vloerruimte vanaf 18,7546ha na 18,8626ha te oorskry.
- **Wysiging van die bestaande goedgekeurde terreinontwikkelingsplan** ingevolge Artikel 16(2)(l) van die Verordening om 'n voorgestelde sonkraginstallasie op die eiendom te akkommodeer.

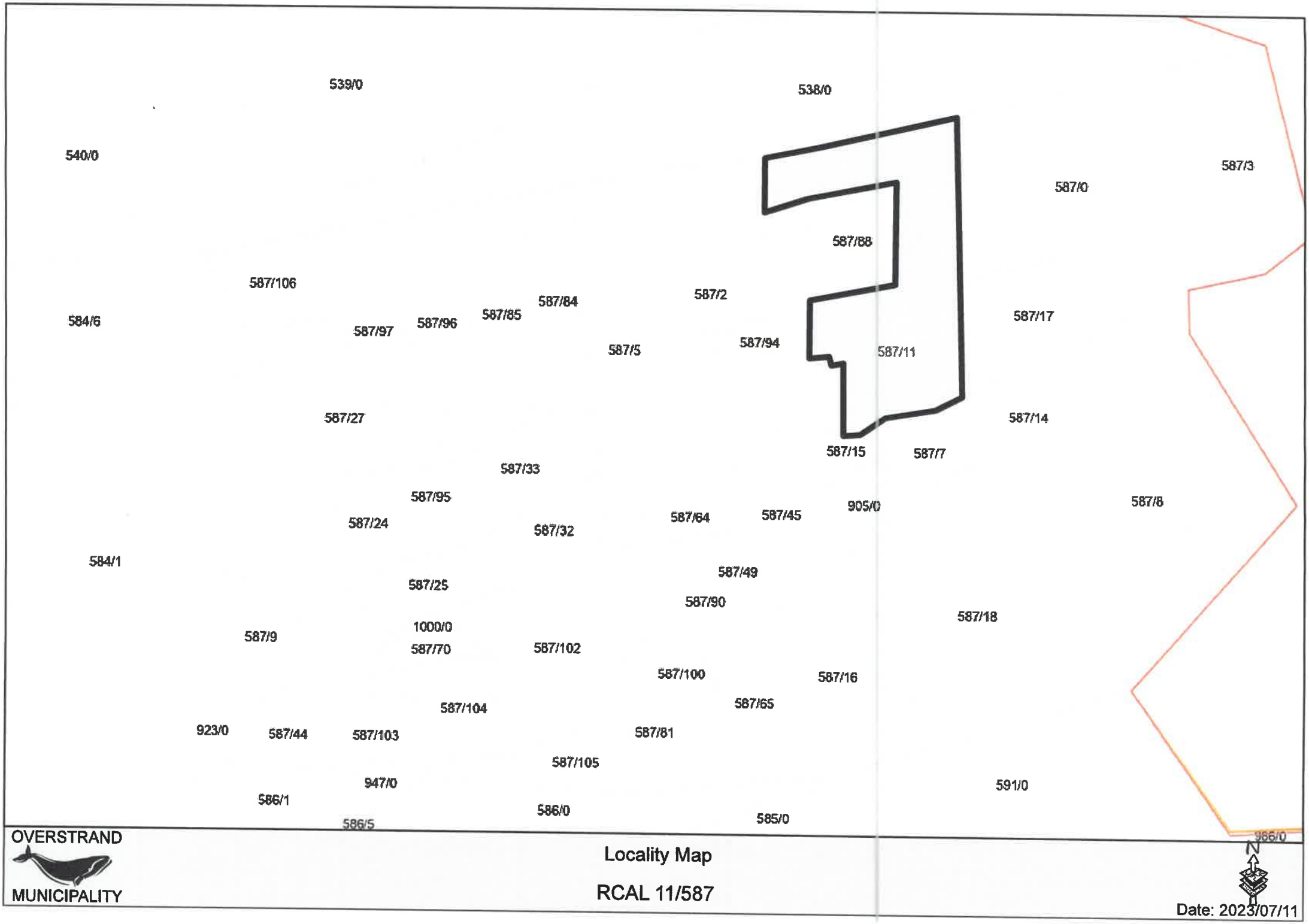
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weeksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik wees ingevolge Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) bereik voor of op **27 Oktober 2023**, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mnr. H Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

INXALENYE ESELEYO-11 (NIEUWEPOST) SEFAMA I-HEMEL EN AARDE NO. 587, ICANDELO LE-CALEDON: ISICELO SOKUSETYENZISWA KWEMVUME, SOKUNYENYISWA KUNYE NOLUNGISO LWESICWANGCISO SOPHUHLISO LWESIZA: WRAP PROJECT OFFICE EGAMENI HAYGROVE HEAVEN (PTY) LTD

Isaziso siyanikezelwa ngokweCandelo lama-48 Overstrand kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala) sokuba isicelo sifunyenwe soku kulandelayo:

- Imvume yokusetyenziswa ngokweCandelo le-16(2)(o) loMthetho kaMasipala, ukuvumela inkonzo eluncedo ukulungiselela ukufakwa okucetywayo kwesola.
- Ukutenxa ngokuhambelana malunga Candelo le-16(2)(b) loMthetho kaMasipala ukucuthwa komda wesakhiwo osecaleni ukusuka kwi-30m ukuya kwi-5,64m ukuze uvumele ufakelo olucetywayo lofakelo lwelanga kwaye ugqithise nowona mgangatho uphezulu uvumelekileyo womgangatho ukusuka kwi-18,7546ha ukuya kwi-18,8626ha.
- Ukwenziwa kwezilungiso kwiplani yophuhliso lwesiza ngokungqinelana neCandelo 16(2)(l) loMthetho kaMasipala ukuze kulungiselelwe ukufakelwa kwesola kwipropati.

Iinkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangiso ngeDolophu, ePaterson Street, eHermanus. Naziphi na izimvo mazibhalwe phantsi ngokungqinelana nezibonelelo zeCandelo lama-51 kunye nelama-52 oMthetho kaMasipala ukuze zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-**27 uOktobha2023**, ucaphula igama lakho, idilesi kunye nesizathu soqhagamshelwano lwakho. Imibuzo ngomnxeba ingenziwa kuMcwangcisi weDolophu, **uMnu. H Olivier** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.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OVERSTRAND
MUNICIPALITY
Locality Map
RCAL 11/587
Date: 2023/07/11

1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
By-Law	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
LUPA	Western Cape Land Use Planning Act, 2014.
MSDF	Overstrand Spatial Development Framework, 2020

2. PROPERTY DETAILS

Consultant	WRAP Project Office
Farm Property	Portion 11 of the Farm Hemel en Aarde Valley 587, Caledon
Extent	155,0487 ha
Zoning	Agricultural Zone 1: Agriculture

3. BACKGROUND AND INTENT

The subject property, known as Portion 11 of Farm Hemel en Aarde Valley 587 Caledon, is situated in the Hemel en Aarde Valley, as depicted in Plan 1 - Locality. Since 2010, the farm has been owned and operated by Haygrove Heaven (Pty) Ltd (Haygrove), and they have commissioned WRAP Project Office to prepare this land use application on their behalf. (Refer Annexure A – Power of Attorney and Company Resolution).

Haygrove grows soft fruits, strawberries, raspberries and cherries, on the farm, mainly in an organic manner. The commercial enterprise sells the fresh produce, both locally and internationally and has won numerous awards. Haygrove opted for intensive agriculture as it enables the farmer to increase yield, increase the quality of agricultural output, and enable innovative crop protection.

The proposed solar installation aims to address the farm's electricity requirements and significantly alleviate the immediate impacts of load shedding. By harnessing the power of the sun, Haygrove will ensure a reliable and sustainable energy source, reducing the need for costly and environmentally harmful alternatives like fuel-powered generators. This transition towards renewable energy aligns with the farm's commitment to environmental stewardship and sustainable practices.

In addition to the obvious benefits of a consistent power supply, the solar installation holds the potential to revolutionize Haygrove's operations in multiple ways. Firstly, it will enhance the farm's resilience by providing uninterrupted electricity for critical processes such as sorting, packaging and refrigeration, thereby safeguarding the quality and longevity of the farm's produce. This increased reliability will ensure that Haygrove can meet the demands of both local and international customers, thereby maintaining its reputation as a reliable supplier of top-quality soft fruits.

Furthermore, the solar installation offers the opportunity for Haygrove to reduce its carbon footprint and contribute to mitigating the effects of climate change. By generating clean and renewable energy, the farm will significantly decrease its reliance on fossil fuels and

minimize greenhouse gas emissions associated with traditional energy production. This commitment to sustainability and environmental responsibility not only aligns with global efforts to combat climate change but also positions Haygrove as a leader in the agricultural industry's transition towards a greener future.

To be able to proceed with the solar installation, solar installation the following applications need to be submitted and approved in terms of the OMLUS:

- Consent Use for a utility service;
- Departure from the 30m building line;
- Departure from the maximum allowable floor space; and
- Amendment of an approved site development plan.

4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

4.1 Consent Use to allow a utility service (solar installation) in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

A utility service is defined within the OMLUS as the following:

> *"utility service" means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes a water reservoir and purification works, electricity substations and transmission lines, waste water pump stations and treatment works,* ***energy renewable infrastructure*** *such as wind turbines and* ***solar panels****, whether* ***above*** *or below* ***ground*** *or water, and may include such sustainable service delivery technology as the Municipality may approve but does not include road or transport use;"*

The definition allows for the installation of solar panels above the ground. The solar panels are proposed to be erected in a location that is currently being used as berry fields. The area will be cleared to allow the installation of the solar panels. Solar panels need to be directed at a specific angle to optimize their efficiency and maximize energy generation. The angle at which solar panels should be tilted is known as the tilt angle or the tilt angle of inclination. The optimal tilt angle varies depending on the geographical location of the solar panel installation.

The primary motivation behind adjusting the tilt angle is to ensure that the solar panels receive the maximum amount of sunlight throughout the year. By angling the panels correctly, they can capture sunlight more effectively and convert it into usable electricity. This alignment with the sun's path allows the panels to receive sunlight at a perpendicular angle, minimizing the loss of solar energy and maximizing their overall output.

In general, the optimal tilt angle for solar panels is equal to the latitude of the location where they are installed. For example, if a solar panel system is set up at a location with a latitude of 30 degrees, the panels should be tilted at a 30-degree angle from the horizontal plane. This angle enables the panels to receive sunlight most directly during the year, especially during the peak solar hours.

Apart from the tilt angle, the direction in which solar panels should face is also crucial for maximizing their efficiency. In the northern hemisphere, solar panels should generally face south to receive the most sunlight throughout the day. By orienting the panels towards the south, they can capture sunlight from sunrise to sunset, ensuring optimal energy production.

However, the ideal direction may vary depending on specific regional factors such as shading from nearby structures or geographical obstructions. In such cases, it may be necessary to adjust the direction slightly to avoid shadows and obstacles that can reduce the panels' exposure to sunlight. South Africa requires a 25°-to-35°-degree angle directed northwards and at the Haygrove farm, the solar panels will be angled at 30° to 35° degrees towards the mountain (northwards) away from the R320 road.

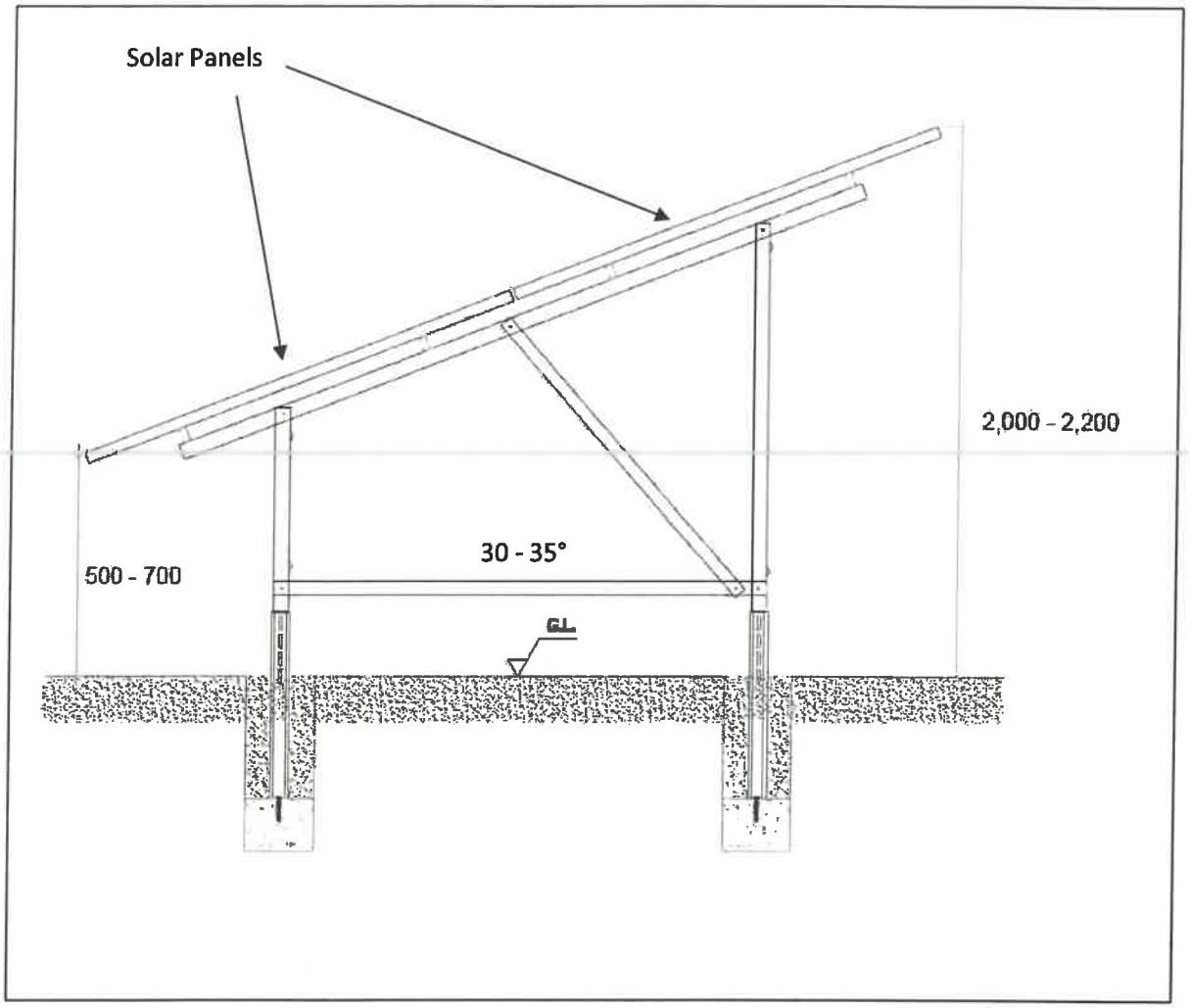


Figure 1: Proposed mounting structure.

Figure 2: Reference photos of a solar installation and proposed mounting structures.

The proposed arrangement for the installation of the solar panels is depicted in Figure 1 and 2. The mounting structures have been carefully designed to accommodate two panels stacked vertically on each structure. The plan entails three rows of solar panels, each measuring 90 meters in length and 4 meters in width. Within each row, there will be space for 176 solar panels, resulting in a total array of 528 solar panels. This configuration is expected to generate a capacity of 300 kilowatts peak (kWp). It is important to note that the electricity produced by these solar panels will be exclusively used for the subject property and the adjacent farm, which is also owned by Haygrove. The adjacent farm is known as Portion 94 of the Farm Hemel en Aarde Valley 587, Caledon.

To ensure optimal positioning and mitigate any potential concerns, the solar panels will be angled away from the R320 road. This orientation has been chosen to ensure that the backside of the panels is not visible from other areas around the farm. By positioning the panels in this manner, any concerns about glare or reflection that may visually intrude on the surroundings will be effectively eliminated. This design consideration aims to maintain the aesthetic integrity of the farm while harnessing solar energy efficiently and sustainably.

Refer below to an extract of **Plan 4.2 an inset of the Site Development Plan (SDP)**:

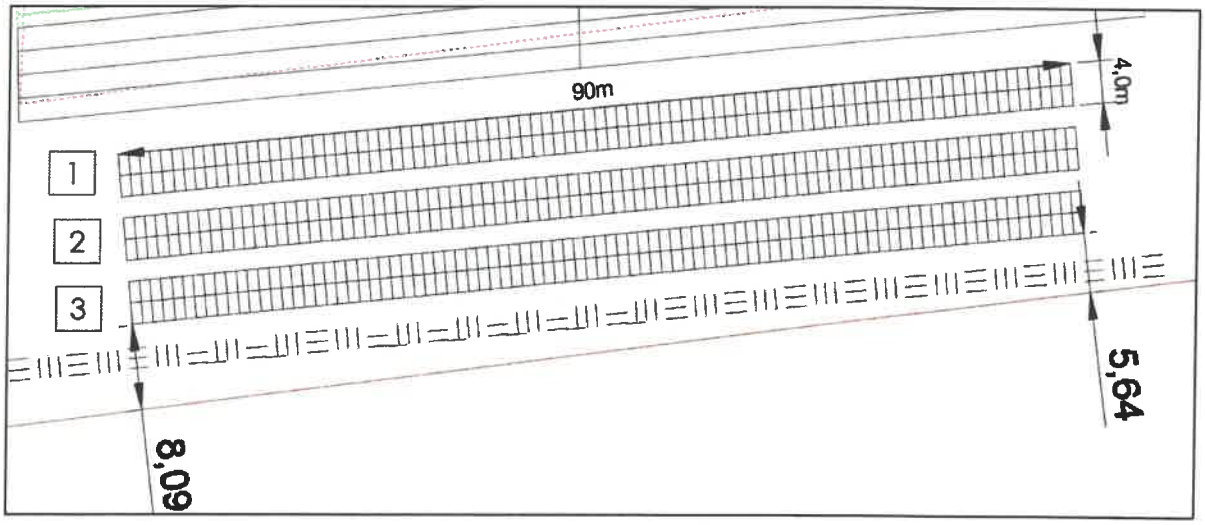


Figure 3: Proposed Solar installation (Not to Scale)

Solar power offers several significant benefits in the context of the information provided.

1. Renewable and Sustainable: Solar power harnesses energy from the sun, which is a renewable and virtually inexhaustible resource. By utilizing solar panels, Haygrove can generate electricity without depleting finite fossil fuel resources. This sustainable approach aligns with the principles of organic farming and demonstrates a commitment to environmental stewardship.

2. Cost Savings: The installation of solar panels allows Haygrove to generate its own electricity, reducing its reliance on external power sources and utility companies. This autonomy helps to mitigate the impact of rising energy costs, especially in regions like South Africa where load shedding and fluctuating electricity prices are common. By

generating their own power, Haygrove can lower operational expenses and protect against potential future increases in energy costs.

With the current loadshedding situation, Haygrove's expenses are approximately R2 million rand per annum on diesel, which means approximately R170 000 per month is removed from the budget that can be allocated elsewhere once the solar panels are erected.

3. Energy Independence: With a solar power system in place, Haygrove gains greater control over its energy supply. This reduces vulnerability to power outages and load shedding, ensuring that critical operations such as sorting and cooling fresh produce can continue uninterrupted. The ability to sustain operations during grid disruptions enhances business resilience and minimizes potential losses.

4. Environmental Impact: Solar power is a clean and environmentally friendly energy source. By installing solar panels, Haygrove significantly reduces its carbon footprint and environmental impact. The transition from conventional electricity sources to solar power reduces greenhouse gas emissions associated with fossil fuel combustion. Haygrove's commitment to sustainable practices and renewable energy contributes to mitigating climate change and preserving the environment for future generations.

5. Enhanced Reputation: Haygrove's introduction of solar power showcases the farm's commitment to sustainability and innovative farming practices. This proactive approach can enhance the farm's reputation among customers, investors, and stakeholders. By aligning with the growing demand for environmentally conscious products, Haygrove positions itself as an industry leader and attracts consumers who value sustainable and ethically produced agricultural products.

6. Long-Term Investment: Solar panels have a long lifespan and require minimal maintenance. Once installed, it can generate electricity for decades, providing a long-term return on investment. The initial upfront costs are often offset by energy savings over time. Moreover, as technology advances, the efficiency and affordability of solar panels continue to improve, making it a worthwhile investment for Haygrove's long-term sustainability and profitability.

The solar installation is proposed to be located behind existing windbreaking and visual trees that will limit the amount of visual impact the solar installation will have.

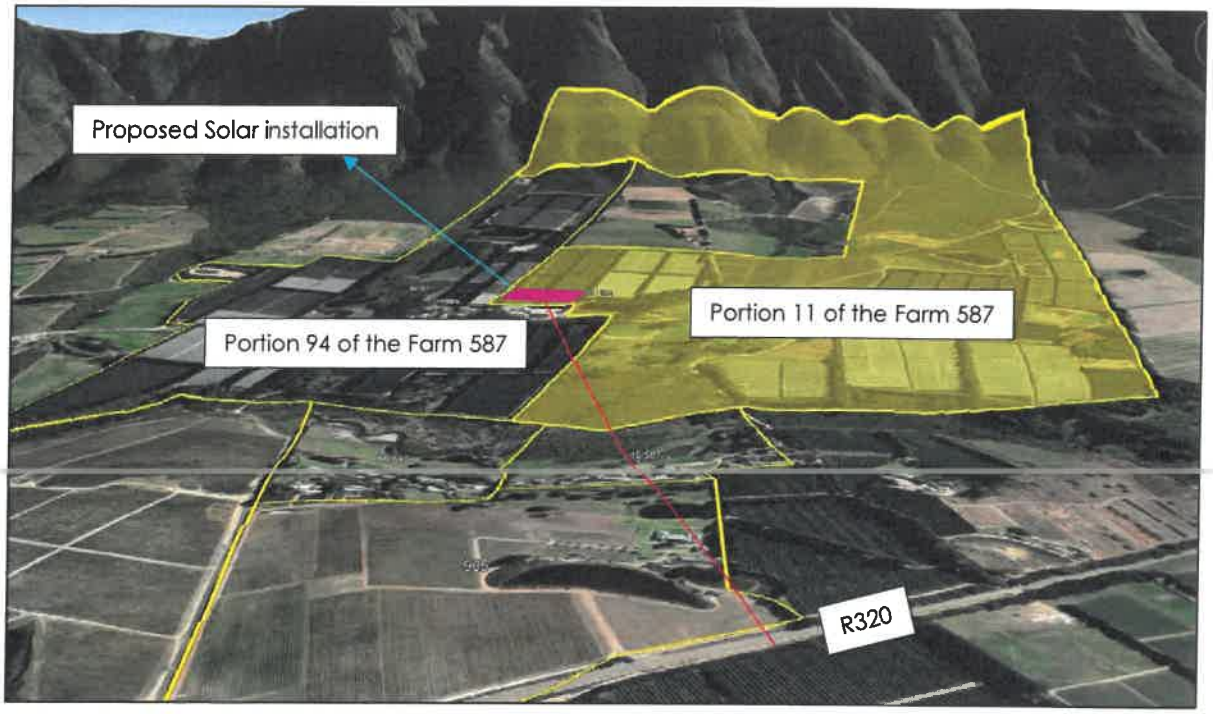


Figure 4: Surrounding Area Terrain

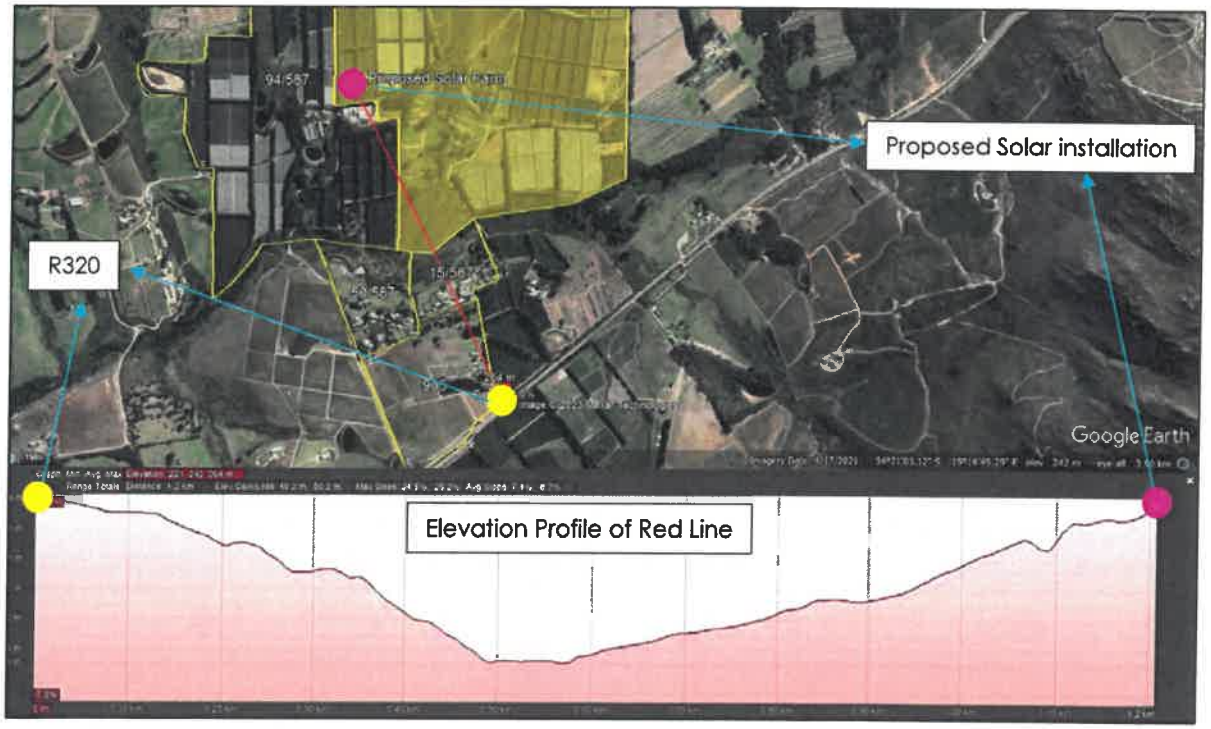


Figure 5: Elevation Profile from the R320 to the Proposed Solar installation (RED LINE)

4.2 Departure from the 30m building line to 5,64m in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

After careful consideration, multiple locations were considered for the placement of the solar panels. However, due to environmental concerns associated with those locations, a final position was decided upon. The previously considered positions were deemed unsuitable due to potential ecological impacts. In contrast, the selected location is within an area of the farm that has already been disturbed and is currently part of the existing berry fields. This choice minimizes the environmental impact and ensures that the solar installation integrates harmoniously with the farm's existing operations.

The chosen position for the solar installation is in close proximity to the farm's transformer, which serves as the central point for electricity distribution. This strategic placement allows for efficient energy transfer and distribution, ensuring optimal utilization of the generated solar power. In order to achieve this proximity, there is a departure from the 30-meter building line required. The solar installation is proposed to be positioned approximately 5.64 meters at its closest point from the boundary between the subject property and Portion 94 of the Farm Hemel en Aarde Valley 587, Caledon, which is also owned by Haygrove. Importantly, this departure is not proposed to have any negative impact on neighbouring property owners, as the departure is not required between the farm and any other neighbouring properties. Refer to **Plan 4.1** and **4.2 – SDP**.

By locating the solar installation near the transformer, Haygrove can streamline the distribution of the generated electricity, ensuring a more efficient and reliable power supply to both the subject property and their adjacent farm. This approach maximizes the overall effectiveness of the solar power system and minimizes energy losses during distribution.

Furthermore, the proximity of the solar installation to the transformer facilitates ease of maintenance and monitoring. With the solar panels located nearby, any necessary repairs or inspections can be carried out swiftly and effectively, minimizing downtime and ensuring optimal system performance. It is also important to note that the installation and maintenance of the solar installation will be done by experienced installers that will ensure the installation adheres to any guidelines.

4.3 Departure from the maximum allowable floor space in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Throughout the history of Haygrove owning the subject property there have been historical land use applications and specific reference is being made to the 2016 land use approval Annexed as **Annexure C – Historic Approval**.

The approval allowed the accommodation of intensive horticulture tunnels and departure from building lines. A condition of the approval (Condition 3(a)) linked the Site Development Plan 14/073/01/P11 to the approval. The approval allowed for 18.5376 ha of intensive horticulture tunnels with an additional 0,2170ha of structures divided between the existing restaurant, outbuilding, dwellings, and labourer's cottages for a total allowable floor space of 18,7546 ha.

The proposal to include the solar installation within floor space requires the consent of the OM as the current floor space is exceeding the allowable 5000m² as determined by the OMLUS. After internal discussions, the OM's Town Planning department decided that solar panels will be considered as part of a farm's floor space. As a result, a departure from the allowable floor space is being applied for as the proposal is to increase the floor space by approximately 1080m² which will be the footprint of the solar installation.

Proposal Floor Space Departure	
Approved Floor Space (2016)	18,7546 ha
Proposed Solar installation Floor Space	1080m² / 0,1080ha
Proposed Floor Space (2023)	18,7546 ha + 0,1080 = **18,8626ha**

The departure is required to allow the proposed solar installation to be established. As motivated in Section 4.1 and 4.2 above, the solar installation is not predicted to have any negative impact on any surrounding neighbours.

4.4 **Amendment of an approved site development plan** in terms of Section 16(2)(L) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The current SDP was approved in 2016 (14/073/01/P11), which SDP is attached together with the historical approval Annexed as **Annexure C**. With the proposal to add the solar installation to the subject property the SDP requires amendment. Refer **Plan 4.1 and 4.2** which is proposed to replace the existing approved site development.

The only alteration is the removal of the existing berry farms and to establish the proposed solar installation as has been motivated in Section 4.1 of this report.

5. APPLICATION

Considering the above, application is made for the following:

5.1 **Consent Use** for a utility service (solar installation) in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.2 **Departure** from the 30m building line to 5,64m in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.3 **Departure** from the allowable floor space in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.4 **Amendment of an approved site development plan** in terms of Section 16(2)(L) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

6. LAND USE ENVIRONMENT

The subject property is situated in the Hemel en Aarde Valley, located between a mixture of agricultural area and a residential area (zoned Resort). The surrounding properties are used for agricultural, residential and tourism-related purposes. This makes the proposed solar installation not considered out of the ordinary. The surrounding properties have different land uses, and their zonings are depicted in **Plan 2**, which illustrates the zoning in the area.

7. TITLE DEED

Title deed T42402/2010 (refer **Annexure B – Title Deed**) was perused and there are no restrictive conditions that prohibit the proposed solar installation on the subject property.

8. ZONING

The following zoning parameters were assessed in conjunction with the OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:

AGRICULTURE ZONE 1: AGRICULTURE (AGR1)			
Land Use Restrictions			
	Parameters	**Proposal**	**Comply/ deviate**
Primary use	Agriculture, Crèche, Dwelling House, Guest Rooms and Home Occupation.		Comply
Consent uses that may be applied for	Additional Dwelling Units, Agricultural Industry, Animal Care Centre, Aquaculture, Day Care Centre, Farm Shop/Stall, Fertiliser Plant, Guest House, Hotel, Institution, Intensive Animal Farming, Intensive Horticulture, Lodge, Mining, Place of Assembly, Place of Entertainment, Place of Instruction, Plant Nursery, Riding Stables, Service Trade, Tourist Accommodation, Tourist Facilities, Transmission Apparatus, **Utility Services**, Wellness Centre And 4x4 Trail.	Utility Services	**Applied for and motivated.**
Floor Space	The total floor space of all buildings on the land unit may not exceed 5000m², provided that the Municipality may relax this requirement if it is satisfied that such buildings are required for bona fide farming activities on the land unit.	Proposal Floor Space Departure **Approved Floor Space (2016) - 18,7546 ha** • Intensive Horticulture Tunnels – 18,5376ha • Restaurant – 322m² • Outbuilding – 257m² • Dwellings – 991m² • Labourer's Cottages – 600m² Proposed Solar Installation Floor Space = 0,1080 ha **Proposed Floor Space (2023) = 18,8626ha**	**Applied for and motivated.**

Building Lines	The street and common boundary building lines are determined in accordance with the area of the land unit as specified in the table below. Greater than 10 ha: Street boundary building lines = 30,0 m Common boundary building lines = 30,0 m	The 2016 approval allowed: Departure of the: • Southern lateral building line from 30m to 21,5m; • The building line with Portion 88 of the Farm Hemel en Aarde Valley 587 Caledon from 30m to 3,4m. Current Proposal: • Departure of the Southern building line with Portion 94 of the Farm Hemel en Aarde Valley 587 Caledon from 30m to 5,64m.	**Applied for and motivated.**
Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m, provided that agricultural buildings other than dwelling units shall not exceed a height of 12,0 m, measured from the base level to the top of the structure, and where the Municipality is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height.	No structures are higher than the allowable 8,0m.	Comply
Parking	Parking and access shall be provided on the land unit in accordance with Chapter 17.1. Restaurant – **6 bays per 100m² GLA** Dwellings – **1 bay per dwelling**	The 322m² restaurant requires 19,3 parking bays The 11 dwellings and labourers cottages require 11 parking bays. **There are 31 parking bays required and 31 parking bays are provided.** The solar installation is not predicted to attract any addition parking provision.	Comply

9. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

Water
There are historic registered water rights on the subject property. The proposed solar installation is not predicted to have any impact on the water of the existing farm.

Sewage
"Boland Toilets" provides toilets and pumping services for the agricultural fields and tunnels. The sewage services have been installed in accordance with the prescripts of audits which have been done on the property and the capacity thereof can be regarded as sufficient.

The packhouse and offices have tanks which get emptied by the Overstrand Municipality.

Solid Waste
Solid waste will be collected and kept on-site and taken to the waste transfer station in Hermanus.

Electricity
Electricity is provided by Eskom and the proposal is to reduce the reliance on the electricity producer and become more sustainable.

Access and Egress
Access to the subject property is currently gained from Minor Road number OP04012 from km marker 0,991. The approval and implementation of this proposal will not alter this.

10. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1) (c) of the OM By-Law can be illustrated as follow:

Need and desirability

Socio-economic impact	The proposed solar installation has the potential to generate significant socio-economic impacts both locally and beyond. Here are some potential socio-economic benefits associated with the proposal: • Job Creation: The construction and operation of the solar installation will create employment opportunities. During the construction phase, workers will be needed for site preparation, installation of solar panels, and related infrastructure. Additionally, ongoing maintenance and monitoring of the solar installation will require skilled technicians and support staff. The employment opportunities generated by the project can contribute to local economic growth and improve the livelihoods of individuals in the community. • Local Economic Stimulus: The establishment of the solar installation can have positive effects on the local economy. The procurement of materials and services for the project will likely involve local suppliers and contractors. This infusion of economic activity can support local businesses, create revenue streams, and contribute to increased economic development in the area. Furthermore, the solar installation's presence may attract visitors or investors interested in sustainable practices, potentially leading to additional economic opportunities. • Energy Cost Savings: By generating their own electricity through the solar installation, Haygrove can reduce its reliance on external power sources and potentially lower energy costs. The savings achieved can be reinvested in the business, allowing for expansion, technological advancements, and further job creation. Additionally, the reduced energy costs can enhance the farm's competitiveness, as it can offer its products at more competitive prices in the market. • Environmental Benefits: The use of solar power contributes to environmental sustainability by reducing greenhouse gas emissions and dependence on fossil fuels. This aligns with global efforts to combat climate change and promotes a greener future. Haygrove's commitment to renewable energy can enhance its reputation as an environmentally responsible and socially conscious organization, attracting eco-conscious consumers and investors.

	• Long-Term Energy Security: By generating their own electricity through the solar installation, Haygrove can ensure a more reliable and resilient power supply. This reduces the farm's vulnerability to power outages, grid disruptions, and rising energy costs. Enhanced energy security enables Haygrove to maintain consistent operations, safeguarding jobs and the production of high-quality soft fruits.
Compatibility with surrounding uses	The solar installation is considered compatible with the surrounding area. The power produced will be used to increase the independence from ESKOM during loadshedding.
Impact on the external engineering services	Refer Section 9.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have an impact on safety, health and wellbeing of the surrounding community.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	• Renewable Energy Generation: By harnessing solar power, the solar installation reduces reliance on fossil fuel-based electricity generation. This shift to clean, renewable energy helps mitigate the negative environmental impacts associated with traditional energy sources, such as air pollution, greenhouse gas emissions, and climate change. By displacing conventional power generation with solar energy, the solar installation contributes to a cleaner and more sustainable energy mix. • Reduced Carbon Footprint: Solar power is a low-carbon energy source. The solar installation's operation results in significantly lower greenhouse gas emissions compared to conventional power generation methods. The reduction in carbon emissions helps combat climate change and its associated environmental impacts, such as rising global temperatures, altered weather patterns, and ecosystem disruption. The solar installation's contribution to reducing carbon footprints supports global efforts to mitigate climate change and protect the biophysical environment. • Biodiversity Preservation: The establishment of the solar installation within the existing berry fields minimizes the need for further land conversion or habitat destruction. By utilizing previously disturbed land, the solar installation avoids encroachment into natural habitats or sensitive

	ecosystems. This preservation of existing habitats can help maintain local biodiversity, allowing flora and fauna to thrive without significant disruption. • Soil Conservation: Solar panels are typically mounted on structures or racks, leaving the ground underneath relatively undisturbed. This allows for the preservation of soil structure and reduces the risk of erosion or degradation. The solar installation's design and construction take into consideration best practices for soil conservation, ensuring minimal disturbance to the natural soil composition and supporting soil health in the surrounding area. • Water Conservation: Solar power generation requires minimal water usage compared to traditional energy sources like fossil fuel power plants. By utilizing solar energy, the solar installation reduces the demand for water in electricity generation, contributing to water conservation efforts. This is particularly important in regions where water scarcity is a concern, as the solar installation helps alleviate stress on water resources and promotes sustainable water management. • Noise and Air Pollution Reduction: Solar panels generate electricity without producing noise or air pollution. Unlike conventional power generation methods that often involve noisy and polluting machinery, the solar installation operates silently and emits no harmful pollutants. This reduction in noise and air pollution contributes to a healthier and more pleasant environment for both humans and surrounding wildlife. Haygrove currently utilises generators to mitigate loadshedding.
Traffic impacts, parking, access and other transport related considerations	Refer to Section 9.

The property owners have tasked WRAP Project Office with submitting this application to ensure the proposed development aligns with policies, legislation, and title deed conditions, in pursuit of their vision.

Impact on views, sunlight and character of the area

The careful placement and orientation of the solar installation, in combination with the existing windbreaking trees in the area, ensure that the views, sunlight, and overall character of the surrounding area remain largely unaffected.

Through the analysis of the terrain and elevation profile depicted in Figure 4 and 5 of Section 4.1 in the motivational report, the solar installation has been strategically positioned to minimize any potential shading effects on the surrounding landscape. This thoughtful approach ensures that the solar panels do not block or significantly obstruct the natural flow of sunlight to neighbouring properties or open spaces.

Additionally, the presence of existing windbreaking trees further contributes to preserving the views and character of the area. These trees act as a visual barrier, effectively obscuring the solar panels from view. Their strategic placement provides a natural transition between the solar installation and the surrounding landscape, maintaining the aesthetic integrity of the area.

By utilizing the existing vegetation as a visual shield, the solar installation harmoniously blends into the environment, avoiding any jarring visual impacts. This careful consideration ensures that the solar panels do not detract from the scenic beauty of the surrounding area and maintains the overall character that makes the location appealing.

Moreover, the solar installation's compatibility with the surrounding area is not limited to its minimal visual impact. As discussed earlier, the renewable energy generated by the solar installation contributes to the preservation of the biophysical environment. By reducing reliance on fossil fuels and mitigating greenhouse gas emissions, the solar installation aligns with sustainable practices, further enhancing the overall character of the area as a responsible and environmentally conscious location.

The placement and orientation of the solar installation, along with the presence of windbreaking trees, work in tandem to ensure that the views, sunlight, and character of the surrounding area remain intact. Through careful planning and consideration, the solar installation blends seamlessly into the landscape, providing clean energy while preserving the natural beauty that makes the area unique.

Economic impact

1. Cost Savings: By generating electricity through solar power instead of relying on generators during load shedding, significant cost savings can be achieved. The estimated annual cost of 2 million Rand to run generators can be greatly reduced or even eliminated by utilizing solar energy. This reduction in operational expenses can directly contribute to increased profitability and financial stability for the farm.

2. Long-Term Cost Stability: Solar energy offers long-term cost stability as it is not subject to the price volatility of fossil fuels. Once the solar installation is operational, the sun provides a free and abundant source of energy, reducing dependence on

expensive fuel sources. This stability in energy costs allows for better financial planning and mitigates the risks associated with fluctuating energy prices.

3. Revenue Generation: Depending on the specific circumstances and regulations, surplus electricity generated by the solar installation can potentially be fed back into the grid, allowing the farm to earn revenue through feed-in tariffs or net metering arrangements. This additional income stream can further offset the initial investment in the solar installation and contribute to the farm's overall financial sustainability.

4. Job Creation: The construction and ongoing maintenance of a solar installation requires a skilled workforce, creating employment opportunities. Local workers can be hired for various tasks, including site preparation, installation of solar panels, electrical work, monitoring, and maintenance. The job creation potential of the solar installation contributes to local economic development, improves livelihoods, and supports the growth of a skilled workforce in the renewable energy sector.

5. Environmental Stewardship: Investing in solar energy demonstrates a commitment to environmental sustainability and reducing carbon emissions. This proactive approach can enhance the farm's reputation as an environmentally responsible business, appealing to environmentally conscious consumers and potential investors. It can open doors to partnerships, grants, and funding opportunities focused on sustainable agriculture and renewable energy initiatives.

11. POLICIES AND REGULATIONS

11.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

A portion of subject property is located in the "Mountain Catchment EMOZ" and "Protected Area Buffer EMOZ".

The purpose of the "Mountain Catchment EMOZ" is to protect and conserve the ecology and water provision functions of priority unprotected mountain catchments, to ensure optimal water security for the Overstrand communities and to preserve the significant eco-cultural tourism value of the Overstrand's natural mountain landscape character. The purpose of the "Protected Area Buffer EMOZ" is to protect the integrity of National, Provincial and Municipal Nature Reserves from negative external pressures/impacts while reducing pressure on core areas and to assist in preserving their value to the eco-cultural tourism economy of the Overstrand through alignment of appropriate land use and regulation.

This proposed solar installation is not located in the EMOZ, and it is not predicted to have an effect on the EMOZ.

11.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The top portion of the subject property is located in the "Landscapes HPOZ" and its purpose is to protect and enhance landscapes identified as having high natural, scenic and heritage significance and which contribute to the character and sense of place in the Overstrand and its economic base.

This proposed solar installation is not located in this HPOZ and it is not predicted to have an effect on the HPOZ.

11.3 Spatial Planning Policies

PSDF

The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.

Consistency with the PSDF

Throughout the PSDF, producing and establishing renewable energy sources, Section 3.1.6.2 Provincial Spatial Policies has a specific section "Energy" and "Climate Change Mitigation" that focuses on methods and reasons why the introduction of renewable energy should be supported.

The continual growth and support of these renewable systems allows the reduction of dependence on the normal grid and the use thereof which can be diverted and used by other that do not have the capability to install and reduce the dependence on ESKOM.

MSDF

No specific reference is made to renewable energy within the MSDF.

12. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal is not considered to have a negative impact on past spatial injustices.

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is to continue utilising the property for more than what is currently approved and continue the efforts to be the biggest employer within the Overstand while utilising sustainable energy systems.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

The Overstrand Municipality has demonstrated a solid history of effectively incorporating public participation into its administrative processes. Public participation is a crucial aspect of the land use planning process.

This process allows individuals who may be impacted by the proposal to provide feedback and raise any concerns or make suggestions that may lead to a more favourable outcome for all parties involved. All comments received will be carefully reviewed and taken into consideration before being addressed appropriately.

13. EVALUATION

In conclusion, the proposal for constructing a solar installation on the subject property demonstrates compelling reasons for its approval. The solar installation not only addresses the challenges posed by load shedding but also brings numerous benefits to the farm, the surrounding area, and the broader community.

The solar installation's compatibility with the surrounding area has been carefully considered and designed. The placement and orientation of the solar panels have been strategically planned to minimize visual impact, with the existing windbreaking trees further obscuring the panels from view. This ensures that the views, sunlight, and character of the area remain largely unaffected, preserving the aesthetic appeal of the landscape.

Furthermore, the positive impacts of the solar installation extend beyond the visual aspects. The generation of renewable energy through solar power contributes to reducing carbon emissions, mitigating climate change, and promoting sustainable practices. The solar installation's integration into the existing agricultural landscape and utilization of previously disturbed land exemplifies responsible land use and biodiversity preservation.

Economically, the solar installation brings significant advantages. The potential cost savings from eliminating the need to run generators during load shedding, which amounts to approximately 2 million rand per year, can enhance the farm's profitability and financial stability. Additionally, the long-term cost stability, revenue generation opportunities, job creation, market differentiation, and positive environmental stewardship associated with the solar installation further contribute to its economic viability and market competitiveness.

From a noise impact perspective, the solar installation will eliminate the current noise impact from generators running up to 4 hours at a time during loadshedding, having an impact on surrounding properties.

Considering the aforementioned factors, approving the construction of the solar installation aligns with the principles of sustainability, renewable energy transition, and responsible land management. It presents an opportunity for the farm to reduce operational costs, contribute to local economic development, and differentiate itself in the market as an environmentally conscious enterprise.

14. RECOMMENDATION

Based on the abovementioned motivation, it is recommended that the following be approved:

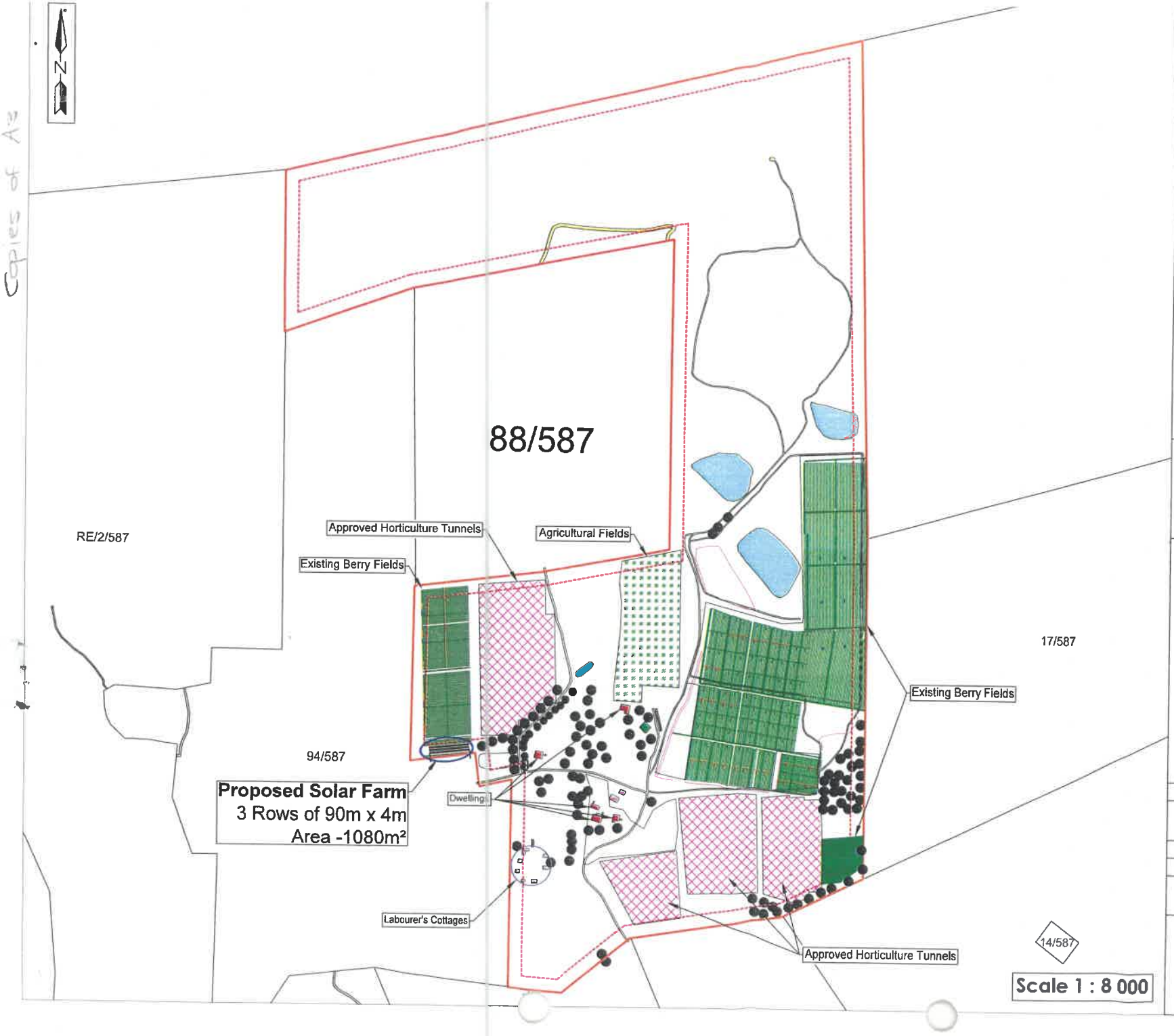
14.1 **Consent Use** to allow a utility service (solar installation) in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

14.2 **Departure** from the 30m building line to 5,64m in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

14.3 **Departure** from the allowable floor space in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

14.4 **Amendment of an approved site development plan** in terms of Section 16(2)(L) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Copies of A3



4.1 Proposed Site Development Plan

Portion 11 of the Farm Hemel-en-Aarde 587, Caledon

- Portion 11 of the Farm Hemel en Aarde 587 Caledon (155,0487 ha)
- 30m Building lines
- Agricultural Fields
- Dams
- Roads
- Existing tunnels
- Restaurant (322m²)
- Outbuildings (257m²)
- Dwellings (991m²)

Proposed Solar Installation

3 Rows of 90m x 4m

Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

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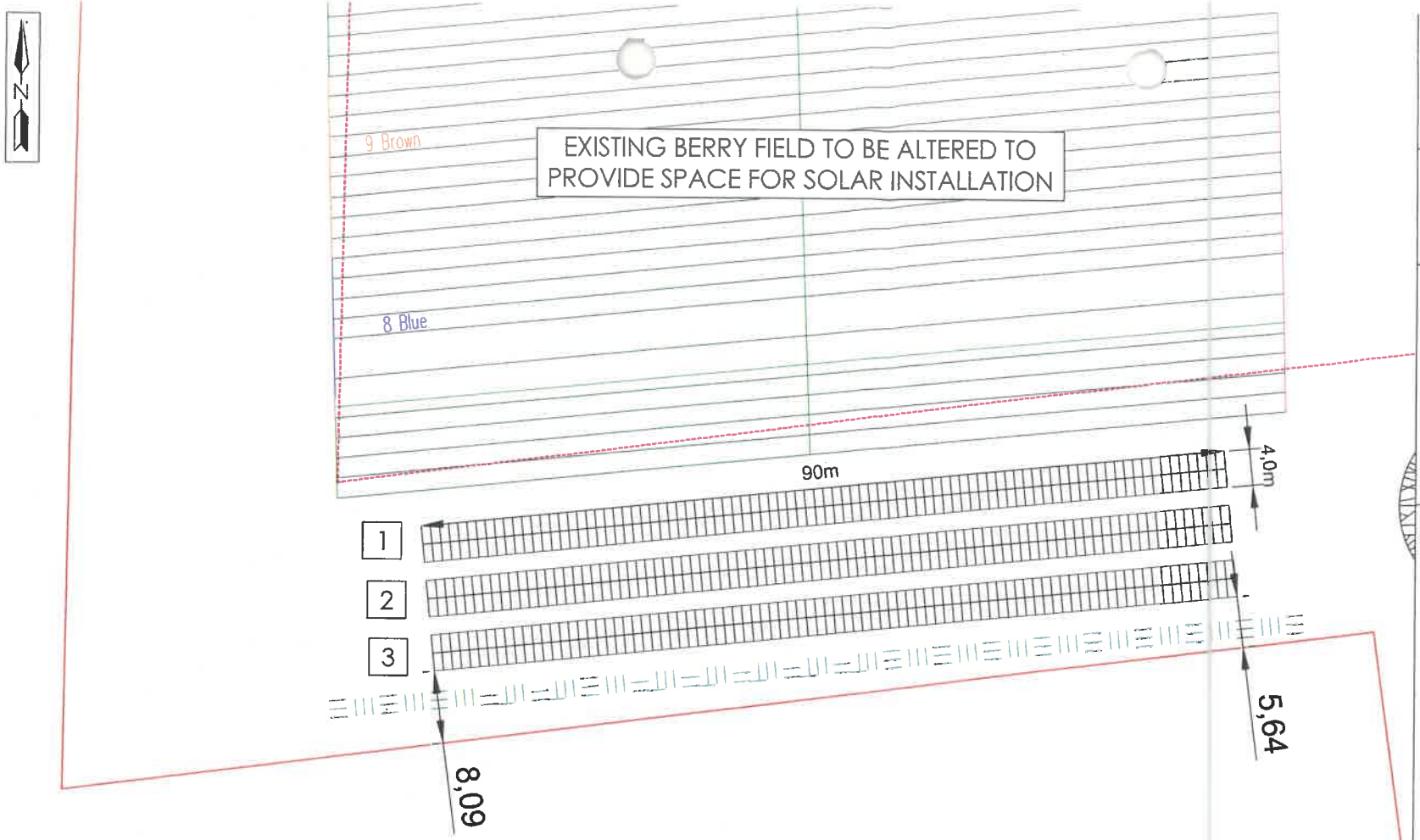

4.2 Inset Plan - Proposed Site Development Plan

Portion 11 of the Farm Hemel-en-Aarde 587, Caledon

Portion 11 of the Farm Hemel en Aarde 587 Caledon (155,0487 ha)

30m Building lines

Proposed Solar Installation

3 Rows of 90m x 4m

Total additional area = 1080m²

176 Solar Panels per row
528 Solar Panels total

Generating power of 300 kWp

Refence Pictures of the Proposed Solar Installation

Scale 1 : 2 000

Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

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