



**REFERENCE NUMBER:** 16/3/3/1/A5/88/2053/22  
**NEAS REFERENCE NUMBER:** WCP/EIA/0001200/2022  
**DATE:** 03 July 2023

The Director  
Suikerbekkie Solar Facility 1 (Pty) Ltd.  
Unit B1, Mayfair Square, Century Way  
P.O. Box 15  
**CENTURY CITY**  
7441

**Attention: Ms. M. Penwarden**

Tel: (021) 276 3620  
Email: [Marielle.Penwarden@abowind.com](mailto:Marielle.Penwarden@abowind.com)

Dear Madam

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED SUIKERBEKKIE PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE (PV FACILITY 1) ON THE REMAINDER OF PORTION 2 OF THE FARM KERSBOSLAAGTE NO. 921 AND PORTION 5 OF THE FARM KERSBOSLAAGTE NO. 921, MALMESBURY FARMS, KLIPHEUWEL.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copies to: (1) Mr. R. Retief /Mr. N. Gates (NCC Environmental Services (Pty) Ltd.)  
(2) Mr. M. Theron (City of Cape Town: ERM)  
(3) Ms. S. Warnich-Stemmet (City of Cape Town: ERM)

Email: [nicka@ncc-group.co.za](mailto:nicka@ncc-group.co.za)  
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**REFERENCE NUMBER:** 16/3/3/1/A5/88/2053/22

## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED SUIKERBEKKIE PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE (PV FACILITY 1) ON THE REMAINDER OF PORTION 2 OF THE FARM KERSBOSLAAGTE NO. 921, AND PORTIONS 5 AND 6 OF THE FARM KERSBOSLAAGTE NO. 921, MALMESBURY FARMS, KLIPHEUWEL.**

With reference to your application for the abovementioned, find below the outcome with respect to this application.

### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Layout Alternative 1 (the Preferred Alternative), described in the Basic Assessment Report ("BAR") dated 09 March 2023.

#### A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

The Director  
% Ms. M. Penwarden  
Suikerbekkie Solar Facility 1 (Pty) Ltd.  
Unit B1, Mayfair Square, Century Way  
P.O. Box 15  
**CENTURY CITY**  
7441

Tel: (021) 276 3620

E-mail: [Marielle.Penwarden@abowind.com](mailto:Marielle.Penwarden@abowind.com)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".



<p>Activity Number: 12 Activity Description:</p> <p><i>The development of—</i></p> <ul style="list-style-type: none"> <li><i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i></li> <li><i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></li> </ul> <p><i>where such development occurs—</i></p> <ul style="list-style-type: none"> <li><i>(a) within a watercourse;</i></li> <li><i>(b) in front of a development setback; or</i></li> <li><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</i></li> </ul> <p><i>excluding—</i></p> <ul style="list-style-type: none"> <li><i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i></li> <li><i>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</i></li> <li><i>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i></li> <li><i>(dd) where such development occurs within an urban area;</i></li> <li><i>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</i></li> <li><i>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</i></li> </ul>	<p>The proposed development includes the development of infrastructure with a physical footprint of 100m<sup>2</sup> or more within 32m of a watercourse (i.e. wetlands).</p>
<p>Activity Number: 28 Activity Description:</p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or</i></p>	<p>The proposed development is approximately 20ha in extent and is located outside of an urban area on land used for agricultural purposes.</p>

<p>afforestation on or after 01 April 1998 and where such development:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 4 Activity Description:</p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><b>i. Western Cape</b></p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p> <p>Activity Number: 12 Activity Description:</p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in</i></p>	<p>The proposed facility requires an access road, internal roads and a service track that would be up to 5m wide and sited in areas containing indigenous vegetation.</p> <p>The proposed development will result in the clearance of more than 300m<sup>2</sup> of endangered Atlantis Sand Fynbos.</p>

accordance with a maintenance management plan.

**i. Western Cape**

- i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- ii. Within critical biodiversity areas identified in bioregional plans;
- iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;
- iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or
- v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.

Activity Number: 14

Activity Description:

The development of—

- (i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or
- (ii) infrastructure or structures with a physical footprint of 10 square metres or more;

where such development occurs—

- (a) within a watercourse;
- (b) in front of a development setback; or
- (c) if no development setback has been adopted, within 32 metres of a

The proposed development will entail the development of infrastructure with a physical footprint of more than 10 square metres that occurs within 32m of various seasonal and permanent wetlands that are located on the property.

watercourse, measured from the edge of a watercourse;

excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.

**i. Western Cape**

- i. Outside urban areas:
  - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
  - (bb) National Protected Area Expansion Strategy Focus areas;
  - (cc) World Heritage Sites;
  - (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
  - (ee) Sites or areas listed in terms of an international convention;
  - (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;
  - (gg) Core areas in biosphere reserves; or
  - (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.

Activity Number: 18  
Activity Description:

The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.

**i. Western Cape**

- i. Areas zoned for use as public open space or equivalent zoning;
- ii. All areas outside urban areas:
  - (aa) Areas containing indigenous vegetation;

The proposed facility may require the widening of existing gravel roads by more than 4m and which are sited in areas containing indigenous vegetation.

<p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority</p>	
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The abovementioned list is hereinafter referred to as “**the listed activities**”.

The holder is herein authorised to undertake the following alternative that includes the listed activities relating to the development:

The authorised development entails the development of the 19.9MW Suikerbekkie photovoltaic solar energy facility 1 and associated infrastructure on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921 and Portion 5 of the Farm Kersboslaagte No. 921, Malmesbury Farms, Klipheuwel.

The proposed development will comprise of following components:

- Solar Photovoltaic (“SPV”) facility:

The SPV facility will be located on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921, Malmesbury Farms, Klipheuwel and will consist of mounted photovoltaic panels, with the height limited to approximately 3.5m.

- Powerlines:

Associated grid connection comprising an up to 132 kV underground powerline connecting the proposed facility to the existing Eskom 66 kV Perdeberg Substation/by Loop-in-Loop-out connection into the Perdeberg/Prospect Hill 66kV overhead line.

- Associated infrastructure:

- Access

Existing farm roads, including the existing road used for the sand mining operation on the property off Vryguns Road, will be used as far as possible.

- Auxiliary services

On-site electrical infrastructure such as a substation, associated step-up infrastructure and a stand-alone Battery Energy Storage System (BESS) will be developed. Associated internal underground electrical reticulation (i.e., voltage lines of up to 11/22kV) will be installed. Auxiliary buildings for associated operations will be developed. A perimeter fence will be developed for security purposes.



Potable water supply for the development has been confirmed by the relevant water authority. Minimal sanitation services will be required. The total development footprint will be less than 20 hectares in extent.

### C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921 and Portion 5 of the Farm Kersboslaagte No. 921, Malmesbury Farms, Klipheuwel.

The 21-digit Surveyor General codes are:

Remainder of Portion 2 of the Farm Kersboslaagte No. 921	C04600000000092100002
Portion 5 of the Farm Kersboslaagte No. 921	C04600000000092100005

The central co-ordinate for the proposed development is:

Middle (Point) of PV facility	33° 39' 17.6" South	18° 48' 29.6" East
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Co-ordinates for the proposed powerline/Grid Connection line:

Start	33° 39' 32.16" South	18° 48' 32.65" East
Middle	33° 39' 19.88" South	18° 48' 25.18" East
End	33° 39' 23.12" South	18° 48' 42.63" East

Refer to **Annexure 1**: Locality Plan and **Annexure 2**: Site Development Plan.

The above is hereinafter referred to as "**the site**".

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

NCC Environmental Services (Pty) Ltd  
c/o Mr. Ronaldo Retief and Mr. Nick Gates  
P. O. Box 30223

**TOKAI**  
7966

Tel.: 021 702 2884

E-mail: [ronaldor@ncc-group.co.za](mailto:ronaldor@ncc-group.co.za) and [nickg@ncc-group.co.za](mailto:nickg@ncc-group.co.za)

### E. CONDITIONS OF AUTHORISATION

#### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated March 2023 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and

- b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity during which period the authorised listed activities for the construction phase, must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### **Written notice to the Competent Authority**

5. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2. The notice must also include proof of compliance with the following conditions described herein:  
Conditions: 6, 7, 10 and 18.

### **Notification and administration of appeal**

6. The holder must in writing, within fourteen (14) calendar days of the date of this decision –
  - 6.1. Notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1. the outcome of the application;
    - 6.1.2. the reasons for the decision as included in Annexure 3;
    - 6.1.3. the date of the decision; and
    - 6.1.4. the date when the decision was issued.
  - 6.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section F below;
  - 6.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
  - 6.4. Provide the registered I&APs with:
    - 6.4.1. The name of the holder (entity) of this Environmental Authorisation,
    - 6.4.2. The name of the responsible person for this Environmental Authorisation,
    - 6.4.3. The postal address of the holder,
    - 6.4.4. The telephonic and fax details of the holder,
    - 6.4.5. The e-mail address, if any of the holder; and

6.4.6. The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

7. The listed activities, including site preparation, must not commence within **twenty (20)** calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

### **Management of activities**

8. The draft EMPr (compiled by NCC Environmental Services, dated 06 March 2023) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any land clearing or development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
11. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activity during the development activities thereafter it must be kept at the office of the holder and must be made available to any authorised person on request.
12. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
  - 13.1. The holder must undertake an environmental audit within three (3) months of the commencement of the listed activities and submit an Environmental Audit Report to the Competent Authority one (1) month after the completion of the environmental audit.
  - 13.2. An Environmental Audit Report must be submitted to the Competent Authority every two (2) years for the duration of the development/construction phase.
  - 13.3. A final Environmental Audit Report must be submitted to the Competent Authority within six (6) months of the completion of the construction phase.
  - 13.4. The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to any I&APs upon request.

## Specific conditions

14. In accordance with the Heritage Impact Assessment (compiled by CTS Heritage, dated December 2021) as endorsed by Heritage Western Cape's final comment (dated 06 May 2022), and as included in the EMPr, the following mitigation measures must be implemented:
  - 14.1. The mitigation measures proposed in the Visual Impact Assessment (compiled by David Gibbs, dated 15 July 2022) must be implemented in the design of the development.
  - 14.2. The existing avenue of trees must be retained as far as practically possible.
  - 14.3. Should any heritage and human remains be disturbed, exposed or uncovered during excavations and earthworks for the Solar Photovoltaic facility, work in the vicinity must cease immediately, the remains made secure, preferably in situ and the respective archaeologist and the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape notified immediately. Buried remains should not be removed until inspected by an archaeologist. Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil bones and fossil shells); coins; indigenous and/ or colonial ceramics; any articles of value or antiquity; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.
15. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
16. Surface and ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
17. The site must be clearly demarcated prior to the commencement of the development activities. The development footprint of the proposed development must be limited to the demarcated area.
18. In accordance with the Freshwater Ecosystems Report (compiled by The Freshwater Consulting Group, dated July 2022), and as included in the EMPr, a 10m buffer area around all wetlands/watercourses, must be established prior to the construction phase. The 10m buffer area must be maintained throughout the life-cycle of the development.
19. The recommendations contained in the Faunal Compliance Statement (prepared by Biodiversity Africa, dated February 2022), as included in the EMPr, must be implemented.
20. In accordance with the Terrestrial Biodiversity Compliance Statement (compiled by Nick Helme Botanical Surveys, dated 08 March 2023), a search and rescue of faunal species must be undertaken during site clearing activities for each solar panel to be developed.
21. The portion of the proposed site where existing mining activities are located, may not be commenced with prior to the closure of the existing mine. A copy of the closure certificate for the existing mining activities must be submitted to this Department prior to the commencement of construction activities on this said portion.
22. Dust suppression measures must be used to mitigate dust during the construction phase. No potable water may be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/ or straw stabilisation, etc.) must be implemented instead.

23. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

## **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2 this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the NEMA EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr, must be made in accordance with Regulations 35 to 37 of the NEMA EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

## **G. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the Competent Authority -
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker *i.e.*, the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs -
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker *i.e.*, the Competent Authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

By post: Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
**CAPE TOWN**  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr M. Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building  
1 Dorp Street  
**CAPE TOWN**  
8001

By e-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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**MR ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DATE OF DECISION: 03 JULY 2023**

Copies to: (1) Mr. R. Retief /Mr. N. Gates (NCC Environmental Services (Pty) Ltd.) Email: [nickg@ncc-group.co.za](mailto:nickg@ncc-group.co.za)  
(2) Mr. M. Theron (City of Cape Town: ERM) Email: [mome.theron@capetown.gov.za](mailto:mome.theron@capetown.gov.za)  
(3) Ms. S. Warnich-Stemmet (City of Cape Town: ERM) Email: [Sonja.WarnichStemmet@capetown.gov.za](mailto:Sonja.WarnichStemmet@capetown.gov.za)

## ANNEXURE 1: LOCALITY MAP

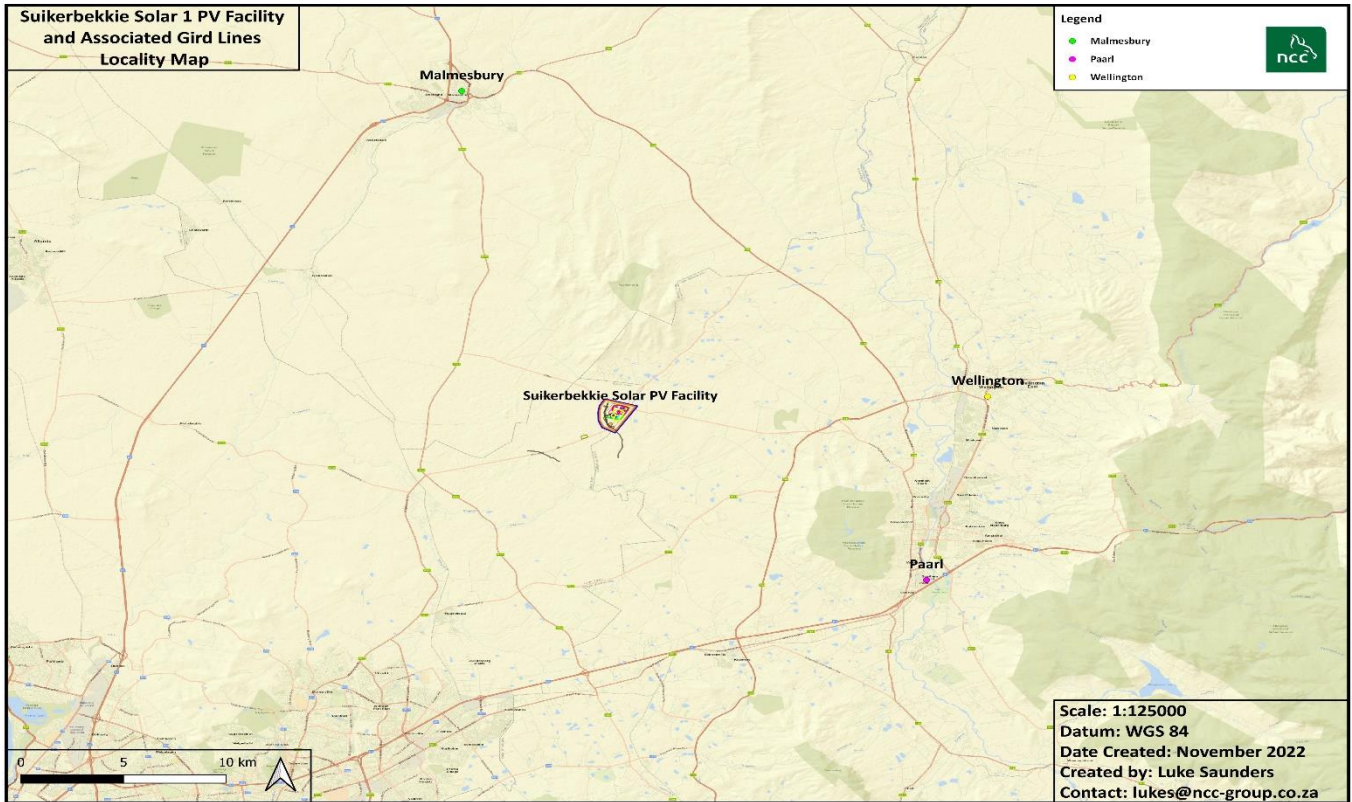
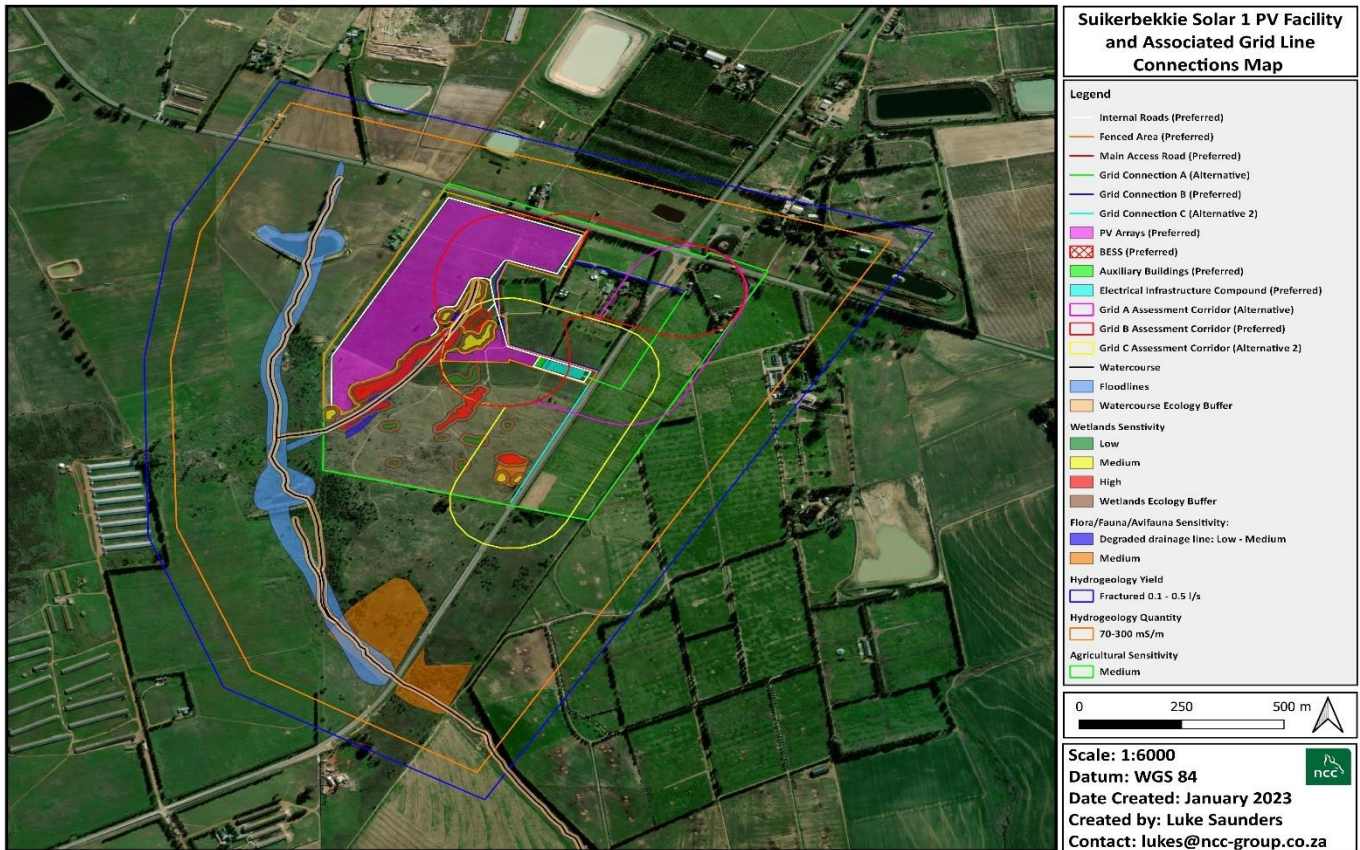


Figure 1: Site area where the proposed development will be constructed.

## ANNEXURE 2: SITE DEVELOPMENT PLAN





## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority took, *inter alia*, the following into consideration:

- a) The information contained in the Application Form dated 16 November 2022 and received by the Competent Authority on 17 November 2022, the BAR and EMPr dated March 2023 and received by the Competent Authority on 09 March 2023 and additional information received by the Competent Authority on 19 June 2023;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated March 2023; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues which, according to the Competent Authority, were the most significant reasons for the decision, is set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the boundary of the proposed site and along the powerline route where the listed activities are to be undertaken on 16 February 2022;
- the placing of a newspaper advertisement in the "TygerBurger" newspaper on 16 February 2022;
- giving written notice to the occupiers of land adjacent to the site where the listed activities are to be undertaken and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 16, 17 and 18 February 2022 and 25 January 2023;
- making the draft BAR available to I&APs for public review from 26 January 2023 to 24 February 2023; and
- placing a hard copy of the BAR at the Durbanville Library. Hard copies of the report was also made available upon request, and was available electronically on the Environmental Assessment Practitioner's website.

The concerns raised by I&APs were responded to and addressed during the public participation process. The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address concerns raised.

### 2. Alternatives

No site alternatives were investigated and considered for the proposed development. A site selection process was undertaken by the Suikerbakkie Solar Facility 1 (Pty) Ltd, and the following factors informed the selection of the preferred site alternative:

- Solar resources;
- Size and land use aspects such as zoning and spatial transformation areas;

- Accessibility of the site (existing road network);
- Topography;
- Proximity to existing power transmission infrastructure; and
- Landowner consent provided to utilize the preferred site for the proposed development.

The alternatives investigated were Technology and/or Layout Alternatives (i.e., route and alignment alternatives) and the "No-go" Alternative.

Layout Alternative 1 (the Preferred Alternative - herewith authorised)

Layout Alternative 1 entails the development of the 19.9MW Suikerbekkie photovoltaic solar energy facility 1 and associated infrastructure on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921 and Portion 5 of the Farm Kersboslaagte No. 921, Malmesbury Farms, Klipheuwel.

The proposed development will comprise of following components:

- Solar Photovoltaic ("SPV") facility:

The SPV facility will be located on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921, Malmesbury Farms, Klipheuwel and will consist of mounted photovoltaic panels, with the height limited to approximately 3.5m.

- Powerlines:

Associated grid connection comprising an up to 132 kV underground powerline connecting the proposed facility to the existing Eskom 66 kV Perdeberg Substation/by Loop-in-Loop-out connection into the Perdeberg/Prospect Hill 66kV overhead line.

- Associated infrastructure:

- Access

Existing farm roads, including the existing road used for the sand mining operation on the property off Vryguns Road, will be used as far as possible.

- Auxiliary services

On-site electrical infrastructure such as a substation and associated step-up infrastructure/ collector infrastructure and /or a Battery Energy Storage System (BESS) will be developed. Associated internal underground electrical reticulation (i.e., voltage lines of up to 11/22kV) will be installed. Auxiliary buildings for associated operations will be developed. A perimeter fence will be developed for security purposes.

Potable water supply for the development has been confirmed by the relevant water authority. Minimal sanitation services will be required. The total development footprint will be less than 20 hectares in extent.

Layout Alternative 1 is the Preferred Alternative as it entails the clearance of indigenous vegetation of a less expansive area of land and incorporates a wetland buffer area, as recommended by the freshwater specialist. To mitigate disturbance of the wetland habitat for Layout Alternative 1, the Aquatic specialist has stipulated the requirement for the implementation of a 10m buffer around the wetland in order for the wetland to be avoided by the proposed development activities. This has been incorporated in the preferred site layout plan. Several grid connection routes for the powerlines were also assessed and, as with the layout, all route options have been intentionally devised to avoid any sensitive features on the property and route. The proposal/ preferred alternative avoids environmentally sensitive features and also utilises the shortest powerline route to tie into the grid.

## Layout Alternative 2

Layout Alternative 2 differs from the preferred alternative in respect of the location of the electrical infrastructure compound, auxiliary buildings and the extent of the proposed development footprint. The preferred layout reflects that these structures are located to the south-east corner of the facility with a grid connection line connecting to the Perdeberg substation from there, of which there are three alternatives assessed (Grid Line A, Grid Line B and Grid Line C). Layout 2 has a slightly greater development footprint and reflects that these structures are located further north than the preferred alternative.

## Technology Alternative

Two line types were assessed for the grid connection for the proposed development and these can be considered as technology alternatives. The preferred technology for the grid connection powerlines is underground lines. The alternative of overhead lines is currently not preferred as it is presently more desirable to route the lines underground to provide less visual disturbance to the area, however, there are no significant constraints from an environmental perspective, which could preclude development of either.

## "No-Go" Alternative

The "no-go" alternative implies that the "status quo" would remain. This alternative is not preferred as the proposed development of the solar PV facility, is a positive utilisation of undeveloped land. This alternative would result in no additional impact on the receiving environment and there would be no impact on the existing environmental baseline, but also no benefits to the local economy and affected communities. The alternative therefore bears the opportunity cost of missed socio-economic benefits to the local community. The option of not developing also entails that contribution in assisting in alleviating stress in the local and national electricity grid will be forfeited.

### **3. Impact Assessment and Mitigation measures**

#### 3.1. Need and Desirability and Planning Context

The proposed site is zoned Agriculture, with the exception of Portion 5 of Farm Kersboslaagte No. 921, Klipheuwel, which is zoned Utility. The proposed site is located outside an urban area in terms of the NEMA EIA Regulations, 2014 (as amended). The proposed development is aligned with the Western Cape Provincial Spatial Development Framework ("PSDF") in that it contributes to the province's strategic objectives and policies, particularly energy diversification and energy efficiency for the transition to a low carbon economy. The proposed development contributes towards a sustainable energy future.

The proposed development is in line with the relevant planning policies applicable to the area. The proposed site is not mapped as a Critical Biodiversity Area nor does it fall within the City of Cape Town's biodiversity network.

It must be noted that a portion of the proposed site is currently being lawfully mined and that construction activities related to the proposed development will commence in that area once mining activities have ceased and a closure certificate has been issued.

#### 3.2. Agricultural impacts

An Agricultural Compliance Statement (prepared by Johann Lanz, dated 17 June 2022) was undertaken for the proposed development. According to the assessment, soils across the site are coarse, very sandy soils of medium depth overlying clay and are limited by low water and nutrient holding capacity and by limited drainage.

In contrast to the findings of the DFFE Screening tool report, the Agricultural Compliance Statement indicates that the proposed development will have an insignificant impact on the agricultural potential of the site. This is based on the fact that much of the site has been mined previously, with the remaining soil types present on the site having low to medium agricultural potential. The Agricultural Compliance Statement further states that any of the design, layout and technology alternatives will be acceptable, also in terms of its cumulative impact in terms of loss of agricultural land use. Although the draft Basic Assessment Report was submitted to the Department of Agriculture for consideration, no comment was provided.

### 3.3. Terrestrial Biodiversity Impacts

The proposed development will result in the clearance of some indigenous vegetation. A Terrestrial Biodiversity Compliance Statement dated August 2022 was undertaken by Nick Helme Botanical Surveys to inform the environmental authorisation process for the proposed development. According to the findings of the statement, no plant or animal species of conservation concern were identified within the site. In contrast to the high terrestrial biodiversity sensitivity rating indicated in the DFFE screening tool report, the specialist indicated that the study area presents no ecological constraints to the proposed development and the entire proposed development area on the Facility 1 site is of Low ecological sensitivity. The study estimated that about 0.15ha to 0.3ha of indigenous vegetation will be lost to the proposed Facility 1 development, all of which is of Low regional botanical sensitivity and conservation value, and is comprised of weedy, widespread species. The overall ecological significance of the development of the proposed footprint (which excludes the Low - Medium sensitivity area) would be Low negative on a regional scale. The study indicates that neither of the alternative grid connection corridors nor the BESS area contains any ecologically sensitive areas, and these corridors thus present no ecological constraints, to either the overhead or the underground options, or to the BESS. The study concludes that the proposed development (either alternative, and any of the grid connections) could be authorised without any regionally or nationally significant ecological impacts.

An addendum to the above study dated 22 November 2022 was compiled by Nick Helme Botanical Surveys in consideration of the preferred Grid Connection Option changing from Grid Line A to Grid Line B. The specialist's assessment of the impacts assessed in the report are no different for Grid Line A and Grid Line B and so the significance ratings pre- and post-mitigation remain the same as indicated in the prior assessment report. The mitigation measures indicated in the report for the underground technology alternative also remain the same, regardless of the route alternative, and so also apply to Grid Line B. The addendum concludes that Grid Line Route B is acceptable from an ecological perspective.

An updated Terrestrial Biodiversity Compliance Statement dated 08 March 2023 was compiled by Nick Helme Botanical Surveys to further inform the environmental authorisation process for the proposed development. The specialist states that the entire facility study area and grid corridors are degraded or completely transformed from a botanical perspective. The assessment concludes that the proposed development (either alternative, and any of the grid connections) could be authorised without any regionally or nationally significant ecological impacts.

Impact management actions based on the specialist's recommendations regarding site clearance and search and rescue exercises conducted during the construction phase have been included as conditions in this Environmental Authorisation and in the EMPr.

Cape Nature indicated in their correspondence dated 09 March 2023 that they support the findings of the botanical, faunal, avifaunal and aquatic assessments.

### 3.4. Faunal Impacts

The Faunal Compliance Statement dated February 2022, prepared by Biodiversity Africa, states that five Western Cape endemic amphibian species have a distribution which includes the

project area, two of which are listed as Near Threatened (Cape Rain Frog and Cape Caco) and have a high likelihood of occurrence. Four endemic reptile species have a distribution within the project area, of which two are listed. This includes the Geometric Tortoise (Critically Endangered) which has a low likelihood of occurrence and the Cape Dwarf Chameleon (Near Threatened) which has a moderate likelihood of occurrence on the site. Eleven listed mammal species and four endemic species have a distribution range which includes the project area. One Near Threatened species, the Grey Rhebok and one endemic species, the Cape Dune Mole-rat, was confirmed on site.

The study identified the following impacts on fauna:

- Loss of extent of transformed and degraded terrestrial faunal habitat due to clearing of vegetation during the construction phase;
- Disturbance to faunal species inhabiting the project area due to noise, dust and night lighting associated with construction activities;
- Disturbance to faunal species due to operational maintenance of the PV facility (washing panels, vegetation trimming, panel replacement, security);
- Restriction of faunal movement due to barriers created by security fences; and,
- Disturbance to faunal species of conservation concern due to clearing of vegetation, noise, dust, and night lighting associated with construction activities.

The study also identified the potential damage to project infrastructure from faunal species such as the Cape Dune Mole-rat, which is often considered a pest as it has been known to damage underground cables and compromise the integrity of roads. This activity may extend to solar panel foundations. The study states that the project induced impacts on fauna are all considered to be low post mitigation and estimates ecological recovery of the site within 2 years of development. With respect to the development alternatives proposed, the overhead cabling is preferred over underground cabling from a terrestrial biodiversity perspective (specifically faunal) as it will not disrupt fossorial species. Impacts of all alternatives investigated would be the same post-mitigation and will not have unacceptable impacts on terrestrial biodiversity. The preferred Layout 1 and Grid Line A is considered acceptable from a faunal perspective.

An addendum to the Faunal Assessment dated 11 December 2022, prepared by Biodiversity Africa, considered the preferred alternative for the Grid Connection Option changing from Grid Line A to Grid Line B and states that the impacts assessed in the report are the same for Grid Line A and Grid Line B, with the significance ratings pre- and post-mitigation remaining the same as indicated in the report. The mitigation measures indicated in the report for the underground technology alternative also remain the same, regardless of the route alternative, and also apply to Grid Line B. The addendum concludes that Grid Line Route B is acceptable from a faunal perspective.

The recommendations made by the faunal specialist have been incorporated within the final BAR and the relevant sections within the EMPr as well as conditions of this Environmental Authorisation.

### 3.5. Avifaunal Impacts

An Avifaunal Assessment dated July 2022 was undertaken by Wild Skies Ecological Services. According to available spatial data, the site lies approximately 24km to the west of the Boland Mountains Important Bird & Biodiversity Area (IBA) and the DFFE Screening Tool report indicates that the site has a high sensitivity from an avian perspective. According to a desktop-based analysis conducted by the specialist, the natural habitat in this area is subject to significant disturbance and therefore unlikely to support sensitive Red List species. The on-site inspection of the proposed Suikerbekkie 1 PV SEF and its associated power line alignment confirmed the transformed nature of the natural habitat within the broader area and the significant levels of disturbance. The study identified that site is relatively impacted by surrounding agriculture and infrastructure, including roads, existing power lines and a nearby Eskom substation and that the habitat is transformed and uniform. Apart from a pair of foraging Blue Crane, a species regionally Red-listed as Near-threatened, recorded within 300m of the site, no red listed species were

recorded within the site. The construction of the proposed facility will transform a relatively small area compared to the remaining similar habitat within the broader area. Once mitigated, the impacts of the proposed project are all rated as low negative significance.

The assessment advises that bird monitoring is not recommended for the construction or operation phases of the proposed development and indicates that the underground grid connection alternative is preferable to the overhead alternative. The assessment recommends that precaution must be exercised in respect of the handling of chemicals on the development site, specifically to potential spillages. The recommendations made by the avifaunal specialist have been incorporated within the final BAR and the relevant sections within the EMPr.

The addendum to the Avifaunal Assessment dated 22 November 2022, prepared by WildSkies Ecological Services (Pty) Ltd concluded that impacts assessed in the prior report are the same for Grid Line A and Grid Line B, with the significance ratings pre- and post-mitigation remaining the same. The addendum concludes that Grid Line Route B is acceptable from an avifaunal perspective.

### 3.6. Freshwater impacts

A Freshwater Ecosystems Study dated July 2022, prepared by Freshwater Consulting, identified that the study area is located in quaternary catchment G21E in the Berg River Water Management Area of the Western Cape, which lies in the Southwestern Coastal Belt ecoregion. The slope across the Suikerbekkie site is roughly 2%, and the largely sandy soils on the site have a low runoff potential and are generally well-drained. The erosion potential across the site is high, also due to the sandy nature of the soils. From an aquatic biodiversity sensitivity perspective, the Suikerbekkie site is categorised by the DFFE's Screening Tool as being of low sensitivity, but lying adjacent to an area of very high sensitivity.

The proposed development footprint of Facility 1 will avoid all of the wetlands and watercourses identified on and adjacent to the Suikerbekkie site. The proposed grid connection alternatives do not affect any freshwater ecosystems beyond the site, and do not cross over any wetlands or watercourses on the site. Ecological buffers of 10m for both the construction and operational phases are recommended for the protection of the wetlands (and watercourse) on the site. Due to the fact that the trenching required to lay Line A is the furthest from the wetlands, and also the shortest length, this option is marginally preferred over the other connection options. Thus, Layout 1 with Line A or Layout 2 with Line A are preferred from an inland aquatic ecosystem perspective.

The freshwater specialist provided an addendum report dated 22 November 2022, which notes that the applicant's preferred connection route has changed to Grid Line B. The addendum states that the change of preferred electricity grid connection from Line A to Line B is acceptable from a freshwater ecosystems perspective provided the specialist's recommendations are implemented. The recommendations of the specialist have been included as a condition in this Environmental Authorisation and in the EMPr. The Department of Water and Sanitation confirmed (in their comment dated 09 February 2023) that a Water Use License Application in terms of the National Water Act, 1998 (Act No. 36 of 1998) is underway.

### 3.7. Groundwater impacts

A Baseline Groundwater Impact Assessment dated 12 July 2022, prepared by GEOSS South Africa (Pty) Ltd, identified that there are many groundwater users in the region with the primary usage being for agriculture (irrigation of crops and watering of livestock) as well as for drinking purposes. Whilst the assessment classifies the vulnerability rating for groundwater within the study area as very high, it indicates that the cumulative risk of the proposed development can be reduced to very low, provided that the precautionary measures and recommendations are implemented and abided by. The primary risks for contamination of the groundwater resources in the area relate to the cleaning agents which may be used to clean the PV panels as well as the chemicals used to aid in dust suppression. It is recommended that these activities only make use of water, or

a biodegradable agent to increase the efficacy of the cleaning and dust suppression agents. The recommendations of the assessment have been included in the EMPr.

### 3.8. Geotechnical impacts

The Geotechnical Assessment dated August 2022, prepared by Geotechnical Consult Services, indicates that the site is underlain by recent aeolian sand and sandstone which may be suitable for use as plaster sand and notes that no geosites have been identified on the site and no shallow groundwater conditions are expected. Due to the study area being underlain by unconsolidated aeolian sand, the study found that the potential for collapse of side walls of deep excavations is moderate to high. The geotechnical risk classification for the project area is A2 E2 due to the erodibility and collapse potential of the soil and its potential erodibility due to its low shear strength. The only environmental impacts identified for the property are localized soil degradation and erosion. The study indicates that all other construction materials will have to be sourced from local suppliers or nearest available source in the area.

The recommendations of the assessment have been included as a condition of the Environmental Authorisation.

### 3.9. Heritage and paleontological impacts

A Heritage Impact Assessment (HIA) dated December 2021 was prepared by CTS Heritage in respect of the proposed development. The study identified that the primary heritage resources likely to be impacted by the proposed development are not archaeological or paleontological in nature, but rather pertain to a potential negative impact on the cultural landscape and its associated heritage features in respect of anticipated visual impacts. Two structures that have been graded IIIIC and date to 1926 are located within 1km of the proposed development. No direct impacts to these structures are predicted, apart from the aforementioned visual impacts. In order to minimize these impacts, the HIA recommends that existing avenues of trees on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921 as indicated in Figure 9.2 and 9.3 of the HIA, must be retained as much as possible. The study further recommends that the area presently excluded from the proposed layout around the structures graded IIIIC should be considered a no-go area for development or related activities. The area proposed for development is underlain by Quaternary Sand sediments that have low paleontological sensitivity and it is unlikely that the proposed development will negatively impact on significant paleontological heritage.

An updated HIA comment dated 20 June 2022 and prepared by CTS Heritage, anticipates that the proposed amendments will not have any additional impacts to heritage resources that were not previously assessed in the HIA. As such, there is no objection to the proposed amendments were made from a heritage perspective and no further assessment of these amendments with regard to their impact on heritage resources was recommended. There is no preferred alternative from a heritage perspective.

Heritage Western Cape (letter dated 6 May 2022) endorsed the HIA and the recommendations contained therein pertaining to the retaining of the existing avenues of trees as indicated in Figure 9.2 and 9.3 of the HIA and the recommendation of the area presently excluded from the proposed layout around the structures graded IIIIC to be considered a no-go area for development or related activities.

The recommendations of the HIA and Heritage Western Cape have been included as conditions in the Environmental Authorisation.

### 3.10. Visual Impacts

The proposed development is located at the intersection of Slent Road and Vryguns Road, at the north-eastern extremity of the City of Cape Town Metropolitan Municipality and well outside of the urban edge of the City of Cape Town, within a highly transformed rural environment. A Visual

Impact Assessment dated 15 July 2022 was undertaken by David Gibbs, a Landscape Architect. Though relatively small in extent, portions of the site have a degree of visual exposure due to their visibility from Slent Road. Portions of the site have a greater degree of visual absorption capacity as a result of the screening effect of existing vegetation and foreground buildings, notable when viewed from Vryguns Road. Should the placement of the proposed development avoid the most environmentally sensitive and visually exposed areas, and be balanced with tree, shrub and groundcover planting, the development is achievable without compromising the rural quality of the site and broader context. Based on the findings of the assessment, it is noted with the implementation of the mitigation measures proposed by the specialist, the visual impact significance rating can be reduced to a low negative. The specialist's recommended mitigation measures have been included in the EMPr.

A Glint & Glare Assessment dated 20 June 2022, prepared by SiVEST SA (Pty) Ltd states that due to the remote location and the fact that the development is located in an area which is surrounded by ridges and natural vegetation, a large majority of the generated glare from the PV modules is absorbed by the surrounding ridges and vegetation, hence minimising the impact almost entirely. The study states that the Suikerbekkie photovoltaic solar energy facility 1 will have a nominal impact on the surrounding environment based on the existing vegetation between the facility and the receptors to remain and act as screens to absorb any potential solar glare as far as possible. In addition, the implementation of new screen vegetation as proposed by the Visual Impact Assessment dated 15 July 2022 and prepared by David Gibbs to blend in with the surrounding environment. The project is deemed acceptable from a Glint & Glare perspective, provided this report's recommendations, and mitigation measures are implemented.

The specialist's recommended mitigation measures have been included in the EMPr.

### 3.11. Socio- Economic Impacts

The Socio-Economic Impact Assessment prepared by Urban-Econ Development Economists indicates that the net positive impacts associated with the construction and operation of the proposed Suikerbekkie photovoltaic solar energy facility 1 (Layout 1 and 2) and its associated grid lines, namely, Layout 1 (Grid Line A – Preferred Alternative, Grid Line B, and Grid Line C) and Layout 2 (Grid Line A) is expected to outweigh the net negative effects. The proposed development is also envisaged to have a positive stimulus on the local economy and employment creation, leading to the economy's diversification and a small reduction in the unemployment rate. In terms of the site area assessed, the study states there are no fatal flaws from a socio-economic perspective and thus the location is deemed acceptable and should be authorised.

All alternatives for the proposed Suikerbekkie photovoltaic solar energy facility 1 and its associated grid connection are acceptable; the main negative aspect to consider in terms of the grid connection is the impact on agricultural activities on Varsfontein Stud Farm and Woodhill Racing Estate. Despite the negative impacts identified, the study notes that no fatal flaws have been identified to hinder the proposed development from commencing. In addition, even though the 'no-go' alternative will result in the avoidance of negative impacts from a socio-economic perspective, this would also result in the positive effects/impacts not being realised. Since positive effects and impacts would outweigh the negative effects, the construction and operation of the proposed development is preferred over the 'no-go' alternative. The study acknowledges that the negative impacts would be largely borne by the nearby farms, businesses, and households residing on them, whilst the positive impacts will be largely concentrated in the local and national economies. Due to this imbalance, the recommended mitigation measures must be strictly adhered to. The proposed Suikerbekkie photovoltaic solar energy facility 1 and its associated grid connection should therefore be considered for approval, subject to the implementation of the recommended mitigation and enhancement measures in the study.

The addendum to the Socio-Economic Assessment prepared by Urban Econ Development Economists (dated 19 January 2023) notes that the change in preferred grid route from Grid Line A to Grid Line B will result in the same impacts, with the significance ratings pre- and post-



mitigation remaining the same as indicated in the report. The addendum states that the mitigation measures indicated in the report for the underground technology alternative also remain the same, regardless of the route alternative, and so also apply to Grid Line B. Therefore, the specialist's opinion that there is nothing that precludes development of the proposed project remains valid. Grid Line Route B is acceptable from a socio-economic perspective.

The specialist recommended mitigation measures have been included in the EMPr.

### 3.12. Traffic Impacts

A Transport Study dated June 2022, prepared by JG Afrika, assessed the potential transport related impacts for the construction and operation phases for the proposed Suikerbekkie photovoltaic solar energy facility 1. According to the study the construction phase traffic, although significant, will be temporary and impacts are considered to have a low significance after mitigation measures are implemented. During operation, it is expected that staff and security will periodically visit the facility. It is assumed that approximately four full-time employees will be stationed on site. The traffic generated during this phase will be minimal and will not have an impact on the surrounding road network. The study states that the construction and decommissioning phases of the development is the only significant traffic generator and therefore noise and dust pollution will be higher during this phase. Considering that the duration of this phase is short term, the impact of the traffic on the surrounding road network is temporary and a solar facility, when operational, does not add any significant traffic to the road network. From a transport engineering perspective, the proposed alternatives listed (i.e., grid line options, layout alternatives, on-site electrical infrastructure compound alternatives, auxiliary buildings alternatives and the possibility of separating the BESS) are acceptable as it does not have any impact on the traffic on the surrounding road network. It should also be noted that the grid connection line, whether overhead or underground, would not have an impact on the traffic and transportation activities. Both the proposed access point and the access road to the facility are deemed feasible from a transport engineering perspective. The study states that the proposed development is supported from a transport engineering perspective provided that the recommendations and mitigations contained in this report are adhered to.

The addendum to the Transport Study dated 22 November 2022, prepared by JG Afrika, notes that the impacts assessed in the report are the same for Grid Line A and Grid Line B, with the significance ratings pre- and post-mitigation remaining the same as indicated in the report. The mitigation measures indicated in the report for the underground technology alternative also remain the same, regardless of the route alternative, and also applies to Grid Line B. The addendum states that Grid Line Route B is acceptable from a transport engineering perspective.

The specialist's recommended mitigation measures have been included in the EMPr and as a condition in the Environmental Authorisation.

### 3.13. Services

Limited services will be required. A private contractor will be used for the cleaning of ablution facilities and removal of solid waste as the volumes of waste to be generated will be minimal. The availability of water for the washing of the panels and domestic use has been confirmed by the Perdeberg Irrigation Board on 08 May 2022.

### 3.14. Dust and noise impacts

Construction activities (mainly construction vehicles transporting materials to the site) will generate noise and associated volumes of dust during weekly construction hours. The EMPr includes dust and noise control measures that will be implemented on site and at areas of high dust generation.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Loss of agricultural land;
- Potential biodiversity impacts;
- Potential botanical impacts;
- Potential freshwater impacts;
- Potential heritage impacts;
- Potential visual impacts;
- Potential geotechnical impacts; and
- Potential dust and noise impacts during the construction phase.

Positive impacts include:

- Employment opportunities during construction and operational phases of the proposed development;
- Archaeological finds;
- Transition to cleaner energy;
- Reduction in carbon derived energy – reduction in carbon taxes; and
- Economic gain for the applicant.

#### 4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

#### 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: "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."

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