



REFERENCE NUMBER: 16/3/3/1/A5/88/2054/22
NEAS REFERENCE NUMBER: WCP/EIA/0001201/2022
ENQUIRIES: Mr. K. Govindasamy/Ms. K. Adriaanse
DATE OF ISSUE: 03 July 2023

The Director
Suikerbekkie Solar Facility 2 (Pty) Ltd.
Unit B1, Mayfair Square, Century Way
P.O. Box 15
CENTURY CITY
7441

For Attention: Ms. M. Penwarden

Tel: (021) 276 3620
Email: 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 PHOTOVOLTAIC ("PV") SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE (PV FACILITY 2) ON THE REMAINDER OF PORTION 2 OF THE FARM KERSBOSLAAGTE NO. 921, THE REMAINING EXTENT OF FARM NO. 928, THE REMAINING EXTENT OF PORTION 5 OF FARM GRAAFWATER NO. 931, THE REMAINING EXTENT OF FARM OLYPHANTS FONTEIN NO. 935, THE REMAINING EXTENT OF PORTION 1 FARM OLYPHANTS FONTEIN NO. 935 AND PORTION 3 OF FARM OLYPHANTS FONTEIN NO. 935, MALMESBURY FARMS, KLIPHEUWEL.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision 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 National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the Environmental Authorisation below.

Yours faithfully

MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

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

REFERENCE NUMBER: 16/3/3/1/A5/88/2054/22

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 PHOTOVOLTAIC ("PV") SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE (PV FACILITY 2) ON THE REMAINDER OF PORTION 2 OF THE FARM KERSBOSLAAGTE NO. 921, THE REMAINING EXTENT OF FARM NO. 928, THE REMAINING EXTENT OF PORTION 5 OF FARM GRAAFWATER NO. 931, THE REMAINING EXTENT OF FARM OLYPHANTS FONTEIN NO. 935, THE REMAINING EXTENT OF PORTION 1 FARM OLYPHANTS FONTEIN NO. 935 AND PORTION 3 OF FARM OLYPHANTS FONTEIN NO. 935, 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 March 2023.

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

The Director
% Ms. M. Penwarden
Suikerbekkie Solar Facility 2 (Pty) Ltd.
Unit B1, Mayfair Square, Century Way
P.O. Box 15
CENTURY CITY
7441

Tel: (021) 276 3620
Email: Marielle.penwarden@abowind.com

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

B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Activity / Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 1 Activity Description:</p> <p><i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where—</i></p> <p><i>(i) the electricity output is more than 10 megawatts but less than 20 megawatts; or</i></p> <p><i>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare;</i></p> <p><i>excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs—</i></p> <p><i>(a) within an urban area; or</i> <i>(b) on existing infrastructure</i></p> <p>Activity Number: 11 Activity Description:</p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or</i></p> <p><i>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more;</i></p> <p><i>excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is —</i></p> <p><i>(a) temporarily required to allow for maintenance of existing infrastructure;</i> <i>(b) 2 kilometres or shorter in length;</i> <i>(c) within an existing transmission line servitude; and</i> <i>(d) will be removed within 18 months of the commencement of development.</i></p>	<p>The proposed development includes the development of facilities from a renewable resource where the electricity output will be 19.9MW outside an urban area.</p> <p>The proposed development includes the development of infrastructure for the transmission and distribution of electricity outside an urban area with a capacity of 132kV.</p>

Listed Activity	Activity / Project Description
<p>Activity Number: 12 Activity Description:</p> <p>The development of—</p> <ul style="list-style-type: none"> (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; <p>where such development occurs—</p> <ul style="list-style-type: none"> (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — <p>excluding—</p> <ul style="list-style-type: none"> (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (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; (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; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (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. 	<p>The proposed development includes the development of infrastructure with a physical footprint of 100m² or more within a watercourse and/or within 32m of a watercourse (i.e. wetlands).</p>
<p>Activity Number: 19 Activity Description:</p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</p>	<p>The proposed development includes the infilling of depositing of material of more than 10m³ or the dredging, excavation, removal or moving of soil, sand, of more than 10m³ from a watercourse (i.e. wetlands).</p>

Listed Activity	Activity / Project Description
<p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</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 afforestation on or after 01 April 1998 and where such development:</i></p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The proposed development will occur on land used for equestrian purposes after 01 April 1998 where such development will occur outside an urban area where the total land to be developed will be less than 20ha in extent.</p>
<p>Listing Notice 3 of the NEMA 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><u>i Western Cape</u></p> <p>(i) Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning; ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where</p>	<p>The proposed development includes the development of roads approximately 5m and 8m in width and located outside an urban area on areas containing indigenous vegetation.</p>

Listed Activity	Activity / Project Description
<p>no such setback line has been determined; or</p> <p>iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p> <p>Activity Number: 12 Activity Description:</p> <p>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 accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>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;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>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;</p> <p>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</p> <p>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.</p> <p>Activity Number: 18 Activity Description:</p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p>	<p>The proposed development includes the clearance of an area of 300m² or more of indigenous vegetation within an endangered ecosystem (i.e. Atlantis Sand Fynbos).</p> <p>The proposed development includes the widening of a road outside an urban area.</p>

Listed Activity	Activity / Project Description
<p>i. Western Cape</p> <p><i>i. Areas zoned for use as public open space or equivalent zoning;</i></p> <p><i>ii. All areas outside urban areas:</i></p> <p><i>(aa) Areas containing indigenous vegetation;</i></p> <p><i>(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</i></p> <p><i>iii. Inside urban areas:</i></p> <p><i>(aa) Areas zoned for conservation use; or</i></p> <p><i>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</i></p>	

The abovementioned is hereinafter referred to as **“the listed activities”**.

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the proposed development:

The authorised development entails the development of the 19.9MW solar photovoltaic facility and associated infrastructure on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921, the Remaining Extent of Farm No. 928, the Remaining Extent of Portion 5 of Farm Graafwater No. 931, the Remaining Extent of Farm Olyphants Fontein No. 935, the Remaining Extent of Portion 1 Farm Olyphants Fontein No. 935 and Portion 3 of Farm Olyphants Fontein No. 935, 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 a height limited to approximately 3.5m.

- Powerlines:

A 132kV overhead powerline will be developed. The powerline will be approximately 5.7km in length and will connect the development to the existing Eskom 132kV Prospect Hill Substation by loop-in-loop out connection into the Perdeberg/Prospect Hill 66kV overhead line. Existing towers/poles will be used where possible. However, where new towers/poles are required, the development footprint of each tower/pole will not exceed 2.25m² in extent.

- Associated infrastructure:

- Access:

Existing farm roads will be used as far as possible. Internal access roads with a road width of up to 5m will be developed, where required. Two main access points with a width of approximately 8m will be developed off Slent Road.

- Auxiliary services:

On site electrical infrastructure such as a substations, step-up infrastructure and battery storage will be established on site. Internal underground electrical infrastructure of up to 11/22kV will be developed. 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, the Remaining Extent of Farm No. 928, the Remaining Extent of Portion 5 of Farm Graafwater No. 931, the Remaining Extent of Farm Olyphants Fontein No. 935, the Remaining Extent of Portion 1 Farm Olyphants Fontein No. 935 and Portion 3 of Farm Olyphants Fontein No. 935, Malmesbury Farms, Klipheuwel.

The 21-digit Surveyor General codes are:

The Remainder of Portion 2 of Farm Kersboslaagte No. 921	C0460000000092100002
Remaining Extent of Farm No. 928	C04600130000092800000
Remaining Extent of Portion 5 of Farm Graafwater No. 931	C04600130000093100005
Remaining Extent of Farm Olyphants Fontein No. 935	C04600130000093500000
Remaining Extent of Portion 1 Farm Olyphants Fontein No. 935	C04600130000093500001
Portion 3 of Farm Olyphants Fontein No. 935	C04600130000093500003

The central co-ordinate for the proposed development is:

Middle (Point) of PV facility	33° 39' 34.49" South	18° 48' 27.74" East
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Co-ordinates for the proposed powerline/grid connection line:

Start	33° 39' 31.51" South	18° 40' 33.48" East
Middle	33° 40' 19.79" South	18° 47' 41.55" East
End	33° 41' 07.80" South	18° 45' 52.50" 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.
 % Mr. N. Retief / Mr. N. Gates
 P.O. Box 30223
TOKAI
 7966

Tel: (021) 702 2884
 Email: 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 Section B above and 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 activities, 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 alternative described in section B above must be accepted or 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 information in order 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 **seven (7)** calendar days' notice, in writing, must be given to the Competent Authority before commencement of the development activity.
 - 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 18.1.

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 activity

8. The Environmental Management Programme ("EMPr") (compiled by in NCC Environmental Services (Pty) Ltd, 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 relevant contract documentation for the applicable 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) 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 must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate.
16. Surface, storm or 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, the following mitigation measures must be implemented:
 - 18.1. A 10m buffer area around all wetlands/watercourses, which will not be impacted by the proposed development must be established prior to the construction phase. The 10m buffer area must be maintained throughout the life-cycle of the development.

- 18.2. The rehabilitation and monitoring plan for wetlands 1, 3, 6, 7, 9 and 12, as included in the EMPr, must be implemented during the construction and/or operational phase of the proposed development.
19. In accordance with the recommendations provided in the Avifaunal Impact Assessment (compiled by Wildskies Ecological Services, dated July 2022), and as included in the EMPr, the following mitigation measures, *inter alia*, must be implemented during the construction phase:
 - 19.1. The powerline pylons must use a bird friendly design with sufficient phase-phase and phase-earth clearance must be implemented; and
 - 19.2. Line marking devices must be installed on the overhead cables of the powerlines to reduce the risk of collisions.
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 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 a 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 that 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 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 done 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 the 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 form/s must be submitted by means of one of the following methods:

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
8th Floor Utilitas Building
1 Dorp Street
CAPE TOWN
8001

By e-mail: 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 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

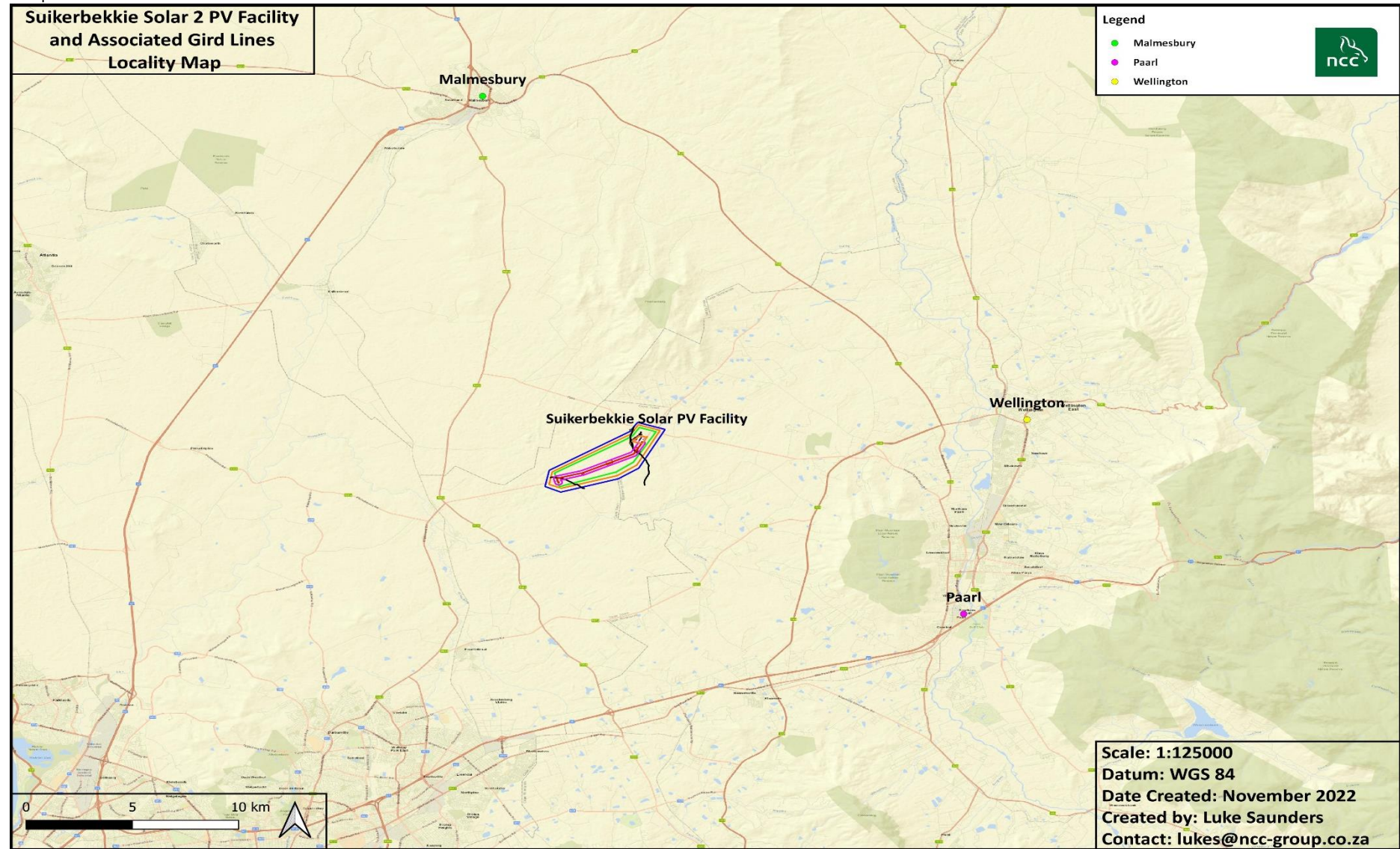
MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 03 JULY 2023

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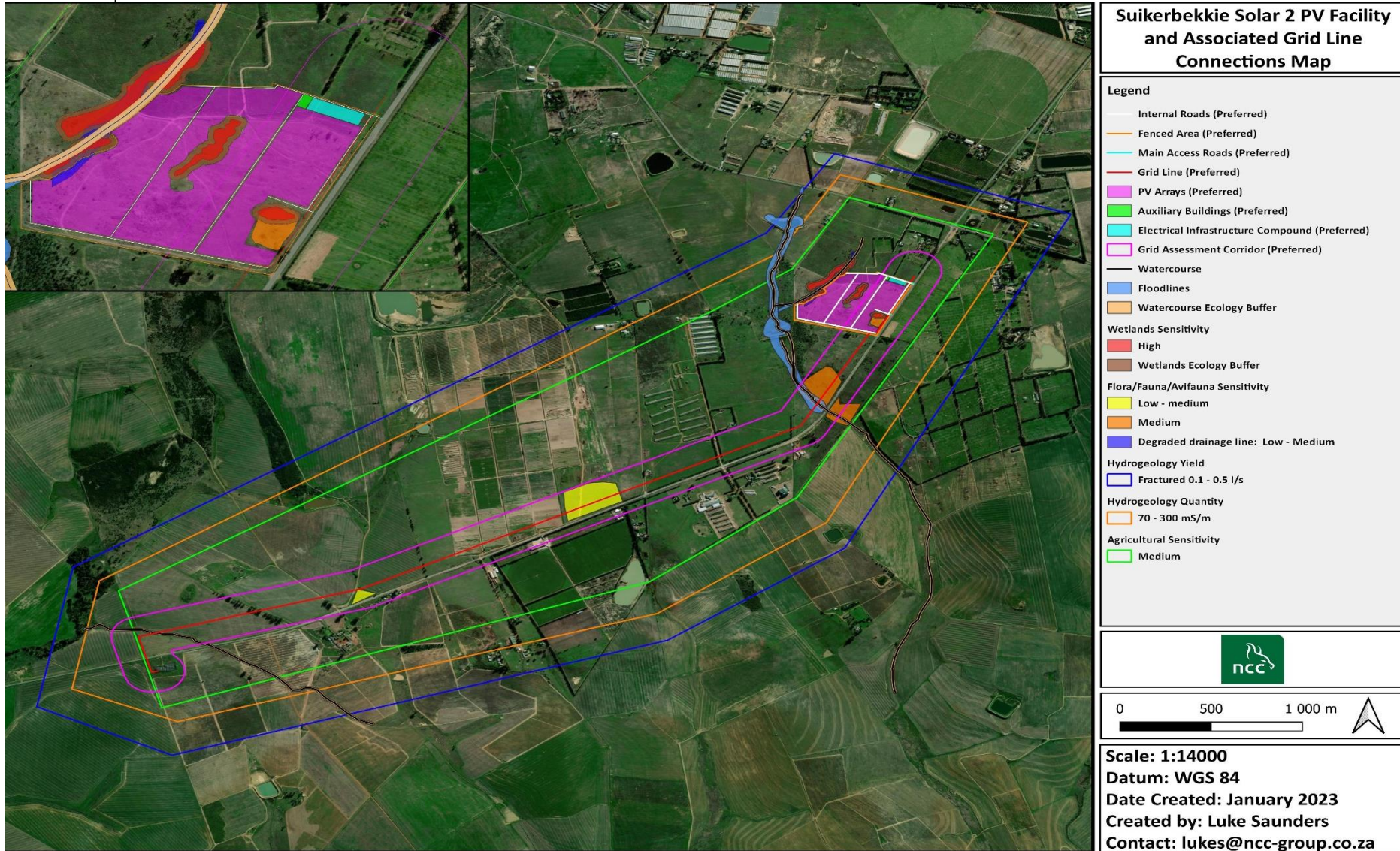
ANNEXURE 1: LOCALITY PLAN

Proposed site.



ANNEXURE 2: SITE DEVELOPMENT PLAN

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, the 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 and Exemptions;
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from interested and affected parties and the responses to these, included in the BAR dated March 2023 and subsequent additional information on 19 June 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' 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;
- 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

Initially, the proposed development would have Layout Alternative 1 (the Preferred Alternative), Layout Alternative 2 and the "no-go" alternative were assessed as part of the Basic Assessment process. Both layout alternatives took cognisance of the medium to high environmental sensitivities on the proposed site as well as the shortest grid connection to the Prospect Hill sub-station.

The difference between Layout Alternatives 1 and 2 is the location of the electrical infrastructure compound and auxiliary buildings as well as the number of access roads off Slent Road. Both alternatives will result in the same environmental impacts. However Layout Alternative 1 is the Preferred Alternative and is preferred from a technical perspective.

Layout Alternative 1 (the Preferred Alternative - herewith authorised)

Layout Alternative 1 entails the development of the 19.9MW solar photovoltaic facility and associated infrastructure on the Remainder of Portion 2 of the Farm Kersboslaagte No. 921, the Remaining Extent of Farm No. 928, the Remaining Extent of Portion 5 of Farm Graafwater No. 931, the Remaining Extent of Farm Olyphants Fontein No. 935, the Remaining Extent of Portion 1 Farm Olyphants Fontein No. 935 and Portion 3 of Farm Olyphants Fontein No. 935, 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 a height limited to approximately 3.5m.

- Powerlines:

A 132kV overhead powerline will be developed. The powerline will be approximately 5.7km in length and will connect the development to the existing Eskom 132kV Prospect Hill Substation by loop-in-loop out connection into the Perdeberg/Prospect Hill 66kV overhead line. Existing towers/poles will be used where possible. However, where new towers/poles are required, the development footprint of each tower/pole will not exceed 2.25m² in extent.

- Associated infrastructure:

- Access:

Existing farm roads will be used as far as possible. Internal access roads with a road width of up to 5m will be developed, where required. Two main access points with a width of approximately 8m will be developed off Slent Road.

- Auxiliary services:

On site electrical infrastructure such as a substations, step-up infrastructure and battery storage will be established on site. Internal underground electrical infrastructure of up to 11/22kV will be developed. 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 was deemed the Preferred Alternative as the development avoids the medium to high environmentally sensitive areas, and is the Preferred Alternative from a freshwater, terrestrial biodiversity, visual and technical perspective.

"No-Go" Alternative

The "No-Go" alternative entails maintaining the "status quo", i.e. not developing the 19.9MW solar photovoltaic facility and associated infrastructure. The "no-go" alternative is not preferred as the proposed development 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. Since the Preferred Alternative will not result in unacceptable environmental impacts and in consideration of the demonstration of the application of the Section 2 NEMA principles and implementation of the mitigation hierarchy, the "No-Go" alternative was not preferred.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

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 or 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 the mining activities have ceased and a closure certificate has been issued.

3.2. Agricultural Impacts

According to the Screening Report (dated 08 February 2020), the proposed site is located within areas of high and medium sensitivity areas from an agricultural perspective. A site sensitivity verification and Agricultural Compliance Statement (compiled by Johann Lanz, dated 17 June 2020) was therefore undertaken. The land capability of the site was disputed by the specialist. The dispute was based on the fact that the soils on the site have limited potential for crop production and the land size places limitations on the economic viability of crop production. The outcome of the site sensitivity verification by the specialist deemed the site to have a land capability value of 7, which indicates that the site has a medium agricultural sensitivity. An Agricultural Compliance Statement was therefore required in terms of the Protocols.

Due to the soil type on the proposed site, the soil is limited by low water and nutrient holding capacity and by limited drainage. The specialist therefore indicated that the site has low to medium agricultural potential.

The proposed site currently has no agricultural activities and has limited capacity for future agricultural production. The specialist indicated that the potential cumulative impact on the loss of agricultural land will not have an unacceptable negative impact on agricultural production capability of the area. The potential agricultural impacts were therefore assessed to be of low negative significance. The specialist concluded that the proposed development will not have an unacceptable impact on the agricultural capability of the site.

The Western Cape Government: Department of Agriculture indicated (in their correspondence dated 06 April 2023) that they are in support of the proposed development.

3.3. Terrestrial Biodiversity Impacts

A Terrestrial Biodiversity Compliance Statement (compiled by Nick Helme Botanical Surveys, dated 08 March 2023) was undertaken in accordance with the Protocols. The site was visited by the specialist in August 2021, which is the optimal winter to spring flowering season.

The specialist noted that the City of Cape Town's Biodiversity Network does not indicate any Critical Biodiversity Areas or other priority conservation planning categories in the study area. Historically, the proposed site would have contained Atlantis Flats Sand Fynbos, which is classified as an endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – The Revised National List of Threatened Terrestrial Ecosystems, 2022. However, the site has been noted to be degraded or completely transformed from a botanical perspective. The total indigenous plant cover was estimated to be approximately 0.6ha in extent. No plant species of conservation concern were recorded. The specialist concluded that the proposed site was deemed to be of low botanical sensitivity. In terms of the powerline corridor, the proposed route would have historically contained Atlantis Flats Sand Fynbos and Swartland Shale Renosterveld. The proposed route is largely degraded from a botanical perspective. Although areas of medium botanical sensitivity have been noted, these areas have all been previously disturbed. No species of conservation concern were recorded along the proposed route. The specialist concluded that the proposed route was deemed to be of low botanical sensitivity, except three mapped areas of medium botanical sensitivity and two areas of low to medium botanical sensitivity. Overhead powerlines were preferred in the medium and low to medium sensitivity areas from a botanical perspective. The faunal diversity of the proposed site was deemed to be low by the specialist. No animal species of conservation concern were recorded. Faunal sensitivity was therefore deemed low on a regional scale.

The overall ecological significance of the proposed development was deemed to be of low negative significance. Mitigation measures have been included in the EMPr.

3.4. Faunal Impacts

A Faunal Compliance Statement (compiled by Biodiversity Africa, dated February 2022) was undertaken in accordance with the Protocols. Amphibians, reptiles and mammals were considered in the faunal assessment.

In terms of amphibians, the specialist indicated that five western cape endemic frog species have a distribution within the project area. Two species (i.e. the Cape Rain Frog and the Cape Caco) were anticipated to have a high likelihood of occurrence within the proposed site based on available habitat and its ability to survive in disturbed sites. The Cape Caco species is the only species to be of conservation concern. In terms of reptiles, four species of conservation concern that have a distribution within the project area were identified by the specialist. No reptile species were rated as having a high likelihood of occurring, one species was rated as having a moderate likelihood of occurring and three species were rated as having a low likelihood of occurring. Some mammals were noted on the proposed site by the specialist. Five mammal species were rated to have a moderate likelihood of occurrence and seven species were rated to have a low likelihood of occurrence. The specialist indicated that since critically endangered, endangered, vulnerable or near threatened species of conservation importance were not confirmed or likely to occur on the site, the site was deemed to be of low sensitivity. The overall site ecological importance was deemed to be very low.

Since some aquatic areas will be avoided and that no threatened species are anticipated to be impacted, the proposed development was deemed acceptable from a faunal perspective. The specialists' mitigation measures have been included in the EMPr.

3.5. Avifaunal Impacts

An Avifaunal Impact Assessment (compiled by Wildskies Ecological Services, dated July 2022) was undertaken to determine the potential avifaunal impacts associated with the proposed development. The specialist indicated that the natural habitat of the area has been subjected to disturbance and is unlikely to support sensitive red list species. Based on a site visit and a desktop analysis, the specialist indicated that the proposed site has a low sensitivity for avifauna.

Priority species were identified by the specialist, which included eight regional red list species and twenty species that are endemic or near endemic. The specialist indicated that most of the priority species are unlikely to occur on the proposed site due to the unsuitability of available micro habitats. The specialist indicated that although Boland Mountains Important Bird and Biodiversity Area ("IBA") is located approximately 24km east of the proposed site and the Cape Winelands Biosphere Reserve is located approximately 10km further east of the proposed site, due to the fact that the site is transformed and is lower lying than the IBA, it is unlikely to attract the avifaunal community found in the IBA.

It is anticipated that some water-dependent species could be at risk of collision with overhead powerlines and possible electrocution. However, this risk can be mitigated. The specialist took cognisance of two solar photovoltaic projects located 18.6km and 27.5km from the proposed site. The specialist also took cognisance of the proposed Suikerbekkie 1 solar photovoltaic facility proposed on the same property. According to the specialist, the cumulative impact of most concern is bird fatality on overhead powerlines through collision or electrocution. The overall cumulative impact has been deemed to be moderate without mitigation and with mitigation, the risk could be considered as low negative. The recommendations of the specialist have been included as a condition set in this Environmental Authorisation and in the EMPr.

3.6. Freshwater Impacts

A Freshwater Ecosystems Report (compiled by The Freshwater Consulting Group, dated July 2022) was undertaken to determine the potential freshwater impacts associated with the proposed development. Although the Screening Tool Report indicated that the proposed site is located within a low sensitivity area, there are a number of wetlands and an ephemeral watercourse flowing offsite into a seasonal tributary of the Klapmuts River.

The specialist indicated that seventeen (17) wetlands (i.e. four (4) seep wetlands and thirteen (13) depression wetlands) were identified and delineated on the proposed site. Most of the wetlands are isolated and not linked to a river network. The proposed development will impact on a number of wetlands in the south-eastern portion of the site, while the proposed powerlines will cross over a seasonal tributary of the Klapmuts River to the west and south of the site and a second small watercourse further south.

The specialist indicated that most of the wetlands were found to be moderately modified and has a Present Ecological Status ("PES") category C. The specialist further indicated that the wetlands were assessed as providing the regulating or supporting services of stream flow regulation and erosion control. In terms of ecological importance and sensitivity, wetlands 1, 6 and 12 achieved the highest scores. Wetlands 3, 6, 7 and 15 were rated as high sensitivity in terms of overall local importance. The seasonal tributary located west and south of the proposed site was deemed to be moderately modified (i.e. PES category C) and the smaller tributary located further south (where the powerlines will cross) was deemed to be largely modified (i.e. PES category D).

The proposed development will impact wetlands 4, 5, 8, 10, 11 and 17. Approximately 0.27ha of wetland area would be lost as a result of the proposed development. The remaining wetland areas will be rehabilitated. The total gain on the proposed site that can be achieved will be approximately 0.3ha in extent. Road crossings may affect wetlands 5, 8 and 10.

The potential freshwater impacts can be reduced from low/medium negative significance to low negative significance with the implementation of mitigation measures. A rehabilitation and monitoring plan for the remaining wetlands has been developed by the specialist. The aforementioned plan has been included as a condition set in this Environmental Authorisation and in the EMPr. The specialist confirmed that no wetland offsets will be required.

CapeNature indicated (in their correspondence dated 09 March 2023) that the botanical, faunal, avifaunal and aquatic assessments are supported and that all mitigation measures and recommendations must be implemented. The Department of Water and Sanitation confirmed (in their comment dated 09 February 2023) that a Water use Application in terms of the National Water Act, 1998 (Act No. 36 of 1998) is underway.

3.7. Stormwater considerations

A Baseline Hydrological Study and Stormwater Management Guidelines (compiled by Peter Wium Consulting Engineers, dated 30 June 2022) was undertaken to determine the floodlines associated with the watercourse on the proposed site and the stormwater considerations to be included in the proposed development.

The specialist indicated that the proposed development has been designed around the 1:100 year floodline of the tributary located on the property. A stormwater control facility is not required to manage the quantity and quality of stormwater runoff events. Localised stormwater controls will be required. Stormwater management measures have been recommended by the specialist and have been included in the EMPr.

3.8. Groundwater Impacts

A Baseline Groundwater Impact Assessment (compiled by GEOSS, dated 12 July 2022) was undertaken to determine the potential groundwater impacts associated with the proposed development. The specialist indicated that approximately forty-two (42) boreholes are located within 1.0km of the proposed site. The proposed site is located above a fractured aquifer. The primary risk for contamination of the groundwater resources relate to the cleaning agents, which may be used to clean the photovoltaic panels. The specialist recommended that only water or biodegradable products be used for the cleaning of the panels.

The cumulative impact was also considered by the specialist in light of the proposed Suikerbekkie 1 photovoltaic solar plant proposed on the same property. The specialist indicated that the cumulative groundwater impacts are anticipated to be of low negative significance provided that the recommended mitigation measures are implemented.

The specialist recommended that a groundwater monitoring program be developed. A groundwater monitoring program has been included in the EMPr.

3.9. Geotechnical impacts

A geotechnical desktop survey (compiled by Geotechnical Consult Services, dated August 2022) was undertaken and revealed that the proposed site is underlain with aeolian sand and sandstone. The potential for collapse of the side walls of deep excavations is moderate to high. Deep reinforced strip footings were recommended by the specialist for heavier structures. Rammed piles/screw piles were recommended for the founding of the photovoltaic support structures.

The specialist indicated that the proposed site is developable with the implementation of mitigation measures. The recommended mitigation measures have been included in the EMPr.

3.10. Heritage Impacts

A Heritage Impact Assessment ("HIA") that satisfied the provisions of Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) was required. A Heritage Impact Assessment ("HIA") (compiled by CTS Heritage, dated December 2021) was undertaken for the proposed development. The specialist noted the agricultural landscape within which the proposed development will be located. The specialist noted a Drakenstein Heritage Survey (dated 2012), which included the slopes of the Paardeberg which formed an interface between Bushmen, Khoekhoe and VOC stock traders and illegal sock freeburghers. The landscape zone stretches from Paarl Mountains to the Paardeberg and is characterised by open undulating slopes of Paarl Mountain and the Paardeberg, dispersed patterns of rural settlements, a pattern of cultivation, a high concentration of historical homesteads located in the mountain slopes and the enduring historical pattern of settlement in terms of the siting of homesteads, access alignments and planting patterns.

Two structures that have been graded IIIC are located on the property. These structures are surrounded by existing avenues of trees, which shield these structures from the rest of the farm. The specialist took cognisance of the Visual Impact Assessment ("VIA") (dated 2021) statements on the landscape in that the site has a rural informality that is consistent within its context. From a visual perspective, the landscape character of the local context is considered moderately sensitive, due to the vulnerability of agricultural land to the potential cumulative impact of proliferation of infrastructure. No direct archaeological impacts are anticipated within the development footprint. From a palaeontological perspective, it is unlikely that the proposed development will negatively impact on significant palaeontological heritage due the quaternary sand sediments that have low palaeontological sensitivity.

The assessment of impacts on heritage resources excluded the proposed route for the powerlines since it was not considered to have any adverse effect on heritage resources. Although the proposed site falls outside of the areas identified for the Agterpaarl/Paardeberg Cultural landscapes, the proposed site fits well into the cultural landscape context. The specialist indicated that the potential impact to the context of the historic farm werf Vryegunst and the existing farm structures within the property can be mitigated through the retention of the existing avenue of trees. The specialist took cognisance of the VIA specialists' findings pertaining to the proposed site within the broader context of a rural cultural landscape, visual quality and cultural landscape. The only anticipated impact to heritage resources resulting from the proposed development is the anticipated visual impact to the cultural landscape.

The specialist noted the VIA findings in that the proposed site has been planned to avoid areas of highest sensitivity, which has resulted in a footprint wrapped around the farmstead towards the west and south. By preserving the existing tree-lines (as far as possible) and minimising the length of the grid connection overhead lines, and by designing the proposed buildings in sympathy with the established vernacular of the area, the visual impact of the proposal can be mitigated to within acceptable levels. The specialist recommended mitigation measures, which have been included as a condition in this Environmental Authorisation and in the EMPr.

In accordance with correspondence from Heritage Western Cape (dated 06 May 2022) the findings and recommendations of the HIA have been included as a condition set in this Environmental Authorisation and in the EMPr.

The specialist indicated (in correspondence dated 22 June 2022) that minor amendments to the layout of the development has been made. It was further noted by the specialist that based on the findings of the HIA, it is not anticipated that the proposed amendments will have any additional impacts on heritage resources that were not previously assessed in the HIA.

3.11. Visual Impacts

A Visual Impact Assessment (compiled by David Gibbs, dated 15 July 2022) was undertaken to determine the potential visual impacts associated with the proposed development. The proposed site includes several tree-lines and fields within the north-eastern corner. The southern and western portions of the proposed site are open and visually exposed. The proposed development is anticipated to be of low intensity since the development will be single storey structures with 50% of the property remaining agricultural. The proposed site is not identified as a heritage protection overlay zone.

Visual resources were identified by the specialist. Due to the remoteness of the location of the proposed site, receptor sensitivity was reduced. The landscape character of the regional setting, local context and site was considered moderately sensitive. The visibility of the proposed development will be reduced from 1.5km distance. Beyond 5km, visibility is negligible. The area was therefore considered to have a medium/moderate visual sensitivity.

The development will partially fit into the surroundings but will be noticeable due to the transformed nature of the site. The development would have Moderate Visual Intrusion. The visual absorption capacity of the site is moderate due to the existing vegetation on the site. The sensitivity to visual change was therefore deemed to be of moderate significance. Mitigation measures were therefore required. Overall, the proposed development was assessed to have a visual impact of medium negative significance. The overall impact can be reduced to low negative significance with the implementation of mitigation measures.

A Glint and Glare Assessment for the Suikerbekkie 1 facility, which included the proposed development, was undertaken (compiled by Sivest, dated 20 June 2022). Building receptors and route receptors were identified by the specialist. The specialist indicated that since the proposed site is remote and located in an area surrounded by ridges and indigenous vegetation, the glare to be generated by the proposed developments will be absorbed by the surrounding environment. Single axis tracking modules, dual axis tracking modules and fixed mounting tilt modules were modelled. The single axis and dual axis tracking modules resulted in no after image glare. The fixed mounted tilt modules resulted in after image glare. The specialist, however, indicated that the after-image glare could be mitigated by the implementation of buffer zones and linear tree-lines between the proposed development and potential receptors. The specialist therefore concluded that no glint and glare impacts are anticipated provided that the recommended mitigation measure for the use of fixed mounted tilt modules be implemented.

3.12. Socio-Economic Impacts

A Socio-Economic Assessment (compiled by Urban-Econ Development Economists, dated 2022) was undertaken to determine the potential socio-economic impacts associated with the proposed development.

The specialist indicated that a temporary increase in production and gross domestic product is anticipated during the construction phase as temporary employment opportunities will be created. Permanent employment opportunities will arise during the operational phase. Many indirect opportunities are anticipated to result. Temporary increases in household income and indirect employment in related services are anticipated. The potential agricultural, visual and noise impacts were also considered by the specialist. The specialist concluded that the proposed development is anticipated to have a net positive impact on economic development, employment, household earnings and government revenue. The recommendations of the specialist have been included in the EMPr.

3.13. Traffic Impacts

A Transport Study (compiled by JG Afrika, dated June 2022) was undertaken to determine the potential traffic impacts associated with the proposed development. The specialist indicated that the location of the access points for the proposed development are deemed acceptable from a transport engineering perspective. The proposed access points will need to be upgraded in order to cater for construction and abnormal road vehicles to turn safely. The specialist recommended that the access points be surface and that the internal access roads remain gravel. The recommendations of the specialist have been included in the design of the proposed development and in the EMPr.

In terms of the number of trips anticipated during the construction phase, the specialist indicated that the number of heavy vehicles per 7MW installation is estimated between 200 and 300 trips depending on the site conditions and requirements. Therefore, the estimated total number of trips for the proposed development during the construction phase is between 569 and 853 over a 12-month construction period, resulting in 4 trips per day. When including the potential transport modes of staff and other considerations, the estimated number of trips during the construction phase is anticipated to be approximately 79.

The specialist indicated that the significance of the transport impact without mitigation measures during the construction phase can be rated as medium negative significance. However, considering that this is temporary and short term in nature, the impact can be mitigated to an acceptable level. General mitigation measures have been recommended by the specialist and have been included in the EMPr.

3.14. 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. Water for the washing of the panels and domestic use have been confirmed by the Perdeberg Irrigation Board on 08 May 2022.

3.15. Dust and Noise Impacts

Potential dust and noise impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr.

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;
- Transition to cleaner energy;
- Reduction in carbon derived energy – reduction in carbon taxes; and
- Economic gain for the applicant.

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.

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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