



agriculture, rural development,
land & environmental affairs

MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

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LitikoLetekulima, Kutufukiswa
KwetindzawoTasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
LandelikeOntwikkeling,
GrondenOngewing Sake

umNyangoweZelimo
UkuThuthukiswakweeNdawozemaKhaya,
iNarhaneeNdabazeBhoduluko

Enquiries : Okwethu-kuhle Fakude
Telephone : (017) 811 4830
Reference : 1/3/1/16/1G-253
NEAS No. : MPP/EIA/0001063/2022

Vhuvhili Solar RF (Pty) Ltd
Suite 104, 1st Floor, Albion Springs
183 Main Road, Rondebosch
Cape Town
7708

Attention: Mercia Grimbeek
Email: Mercia.Grimbeek@enertrag.com

Dear Madam,

ENVIRONMENTAL AUTHORISATION FOR ACTIVITIES LISTED IN GOVERNMENT NOTICES R983, R984 AND R985 (AS AMENDED) ASSOCIATED WITH THE DEVELOPMENT OF THE VHUVHILI SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF THE FARM GROOTVLEI 584 IS, PORTIONS 18, 20, AND 21 OF THE FARM GROOTVLEI 293 IS, THE REMAINING EXTENT OF POVERTY ACRES 585 IS AND PORTION 21 OF THE FARM VLAKSPRUIT 292 IS, SECUNDA, GOVAN MBEKI LOCAL MUNICIPALITY

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to notify all registered interested and affected parties in writing, and within 14 (fourteen) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulation 4(2) and 4(3) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014.

Your attention is drawn to the National Appeal Regulations, 2014, which regulate appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge your appeal with the MEC, within 20 days of the date of receipt of this letter, by means of one of the following methods:



By facsimile: (013) 766 8295

By post: Private Bag x 11219
Nelspruit
1200

By hand: Samora Machel Building, No. 7 Government Boulevard
Riverside Park Extension 2
Nelspruit
1200

Should you decide to appeal, you must also serve a copy of your appeal on all registered interested and affected parties and any organ of state with interest in the matter.

Yours faithfully,



MR. C.M. CHUNDA
HEAD: AGRICULTURE, RURAL DEVELOPMENT,
LAND AND ENVIRONMENTAL AFFAIRS

DATE: 29/03/23

cc: Mr. Paul Lochner
Council for Scientific and Industrial Research (CSIR)
Email: plochner@csir.co.za
WAdonis@csir.co.za



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iNarhaneeNdabazeBhoduluko

Environmental Authorisation

Application number: 1/3/1/16/1G -253

Holder of Authorisation: Vhuvhili Solar RF (Pty) Ltd

NEAS reference number: MPP/EIA/0001063/2022

Location of activity: The Remaining Extent of the farm Grootvlei 584 IS, Portions 18, 20 and 21 of the farm Grootvlei 293 IS, the Remaining Extent of Poverty Acres 585 IS and Portion 21 of the farm Vlakspruit 292 IS, Secunda, Govan Mbeki Local Municipality, Mpumalanga Province.



1. Decision

The Department is satisfied on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2014 (as amended), the Department hereby authorises:

Vhuvhili Solar RF (Pty) Ltd
Suite 104, 1st Floor, Albion Springs
183 Main Road, Rondebosch
Cape Town
7708

Attention: Mercia Grimbeek
Cell: 078 299 3515
Email: Mercia.Grimbeek@enertrag.com

To undertake the following activities listed in Government Notices R983, R984 and R985 of 4 December 2014 (as amended) associated with the development of Vhuvhili Solar Energy Facility and associated infrastructure on the Remaining Extent of the farm Grootvlei 584 IS, Portions 18, 20 and 21 of the farm Grootvlei 293 IS, the Remaining Extent of the farm Poverty Acres 585 IS, and Portion 21 of the farm Vlakspruit 292 IS, Secunda, Govan Mbeki Local Municipality at 26°34'15.5784"S 29°15'39.3984"E (hereafter referred to as "the activity"):

Activity number	Activity Description	Extent to which activity is authorised Where activities are authorised in accordance with the revised site layout map (Figure 19.3 of Chapter 19 and Appendix C of the EIAR dated Dec 2022)
GN R984 Activity 1	The development of facilities or infrastructure for the generation of electricity from a renewable resource when the electricity output is 20MW or more.	<ul style="list-style-type: none"> ▪ The development of a Solar Energy Facility with an electrical output of up to 300MW. ▪ The development of a substation and Battery Energy Storage System Complex (Alternative 1: SS and BESS complex (A-B)) at 26°33'52.1244"S 29°15'47.664"E and associated infrastructure required to connect the respective electrical components related to the project, and the onsite substation, including cabling (buried or overhead) with a capacity ranging between 33kV and 132kV. The on-site substation will be rated 33/132kV whereas internal cabling will be up to 33kV.
GN R983 Activity 11(i)	The development of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV.	

GN R983 Activity 14	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80m ³ or more but not exceeding 500m ³ .	The development and related operation of facilities for the storage and handling of dangerous goods on site, including fuel, cement, and chemicals, with a combined capacity of 499m ³ .
GN R983 Activity 28(ii)	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 will occur outside an urban area, where the total land to be developed is bigger than 1ha.	The clearance and transformation of not more than 694ha of indigenous vegetation for the purpose of developing Vhuvhili Solar Energy Facility, which will entail the construction of various structures and infrastructure, including solar fields, offices, warehouses/workshops, ablution facilities, guard houses, an Operational and Maintenance Control Centre, inverter/transformer stations, an on-site substation complex, laydown areas and a Battery Energy Storage System.
GN R984 Activity 15	The clearance of an area of 20ha or more of indigenous vegetation.	
GN R985 Activity 12(ii)	The clearance of an area of 300m ³ or more of indigenous vegetation within critical biodiversity areas identified in bioregional plans.	
GN R983 Activity 12(ii)	The development of infrastructure or structures with a physical footprint of 100m ² or more; where such development occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	The development of infrastructure and structures associated with the Vhuvhili Solar Energy Facility with a footprint exceeding 10m ² within the vicinity of Klipspruit, minor watercourses, drainage features and within 32m of aquatic features, which will entail infilling, excavation, and movement of soil of up to 100m ³ into, out of and within watercourses for the purpose of the expansion of existing access and/or internal roads, culverts, or similar drainage crossings.
GN R985 Activity 14(ii)	The development of infrastructure or structures with a physical footprint of 10m ² or more; where such development occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse, Outside urban areas in critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GN R983 Activity 19	The infilling or depositing of any material of more than 10m ³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m ³ from a watercourse.	

GN R983 Activity 48(i)	The expansion of infrastructure or structures where the physical footprint is expanded by 100m ² or more, where such expansion occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	
GN R985 Activity 23(ii)	The expansion of infrastructure or structures where the physical footprint is expanded by 10m ² or more, where such expansion occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse. outside urban areas in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GN R985 Activity 4(i)	The development of a road wider than 4m with a reserve less than 13.5m outside an urban area in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	<p>The development and upgrading of existing access roads with a width of 10m; The widening of access or internal roads by 16m to 20m to allow for larger component transport; The upgrading and widening of existing gravel roads by more than 16m and/or lengthened by more than 20km. Access roads are as follows:</p> <p>D823 (Access point to site). • Start: 26°36'17.86"S 29°14'13.84"E • End: 26°33'44.16"S 29°14'18.82"E</p> <p>D619 (Access point to site). • Start: 26°36'17.86"S 29°14'13.84"E End: 26°35'10.49"S 29°16'34.51"E</p>

The granting of this environmental authorisation includes the conditions set out below.

3. Conditions of Authorisation

Scope of authorisation

- 3.1. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2. Commencement for the purposes of all conditions of this authorisation means the start of any physical implementation in furtherance of the activity, including site preparation, clearance of vegetation, and any other action on the site.

- 3.3. The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.4. The activity which is authorised may only be carried out at the property indicated above.
- 3.5. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be affected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 3.6. If the impacts exceed the significance as predicted in the environmental impact assessment report, the authorisation may be suspended and/or withdrawn after proper procedures have been followed.
- 3.7. In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.8. The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.9. This activity must commence within a period of ten (10) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken, unless the holder of this environmental authorisation has lodged a valid application to amend the validity period of this authorisation before this authorisation lapses, in which case, this authorisation will remain valid. However, the activity, including site preparation, may not commence prior to the amendment application being decided.
- 3.10. The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.11. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity, including, *inter alia*, the National Forests Act, 1998 (Act 84 of 1998), the National Water Act, 1998 (Act No. 36 of 1998), the National Environmental Management: Waste Act (Act 59 of 2008), the National Forests Act, 1998 (Act 84 of 1998) and the provisions of all relevant SABS and SANS standards.

Appeal of authorisation

- 3.12. The applicant must, in writing, within fourteen days of the date of the decision on the application ensure that-
 - a) All registered interested and affected parties are provided with access to the decision and the reasons for such decision.
 - b) The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations 2014, if such appeal is available in the circumstances of the decision.
 - c) The decision includes the complete environmental authorisation granted or refused.

Management and monitoring of the activities

- 3.13. The Environmental Management Programme (EMPr) submitted as part of the environmental impact assessment report dated December 2022 is hereby approved and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.14. Prior to commencement, plant species of conservation importance (endemic, protected, Red Data) must be identified and marked, and may not be disturbed, or, where required, the relevant permits for their relocation or removal must be obtained from the relevant authority.
- 3.15. Any plant species categorized as Endangered or Critically Endangered in terms of the Red List of South African Plants must be conserved *in situ*.
- 3.16. Plant species of conservation concern that are identified for relocation must be relocated to areas of similar habitat that will not be transformed, unless otherwise stipulated by the relevant permitting authority. Such species must be monitored and managed until such time that they have, in consultation with the ECO, been determined to be successfully re-established
- 3.17. The disturbance of nests or breeding activities of birds, reptiles, or any other wildlife, is strictly prohibited.
- 3.18. All vertebrates, including slow moving reptiles and smaller mammals, must be allowed to move unharmed, or be assisted and relocated in consultation with the ECO, to the areas of the property that will not be transformed.
- 3.19. All cropland as identified in Figures 2 and 3 of the Agricultural Agro-Ecosystem Specialist Assessment dated, 28 October 2022 as included in the environmental impact assessment report must be excluded from the development footprint.
- 3.20. The establishment of photovoltaic structures within a wetland or watercourse or any associated buffer is prohibited.
- 3.21. Activities, or associated activities, are prohibited from taking place within a wetland or watercourse, or within 37m from the edge of Floodplain Wetlands, or within 56m from the edge of Channelled Valley Bottom Wetlands, or within 50m from the edge of Unchannelled Valley Bottom Wetlands, or within the 54m from the edge of Seepage Wetlands (refer to Page 38 of the Aquatic Specialist Report dated December 2022 as included in the environmental impact assessment report), unless such activities are for the purpose of establishing access infrastructure specifically approved herein.
- 3.22. Before site clearing activities may commence, all buffer zones referred to above must be surveyed in consultation with the Environmental Control Officer (ECO) and relevant specialists, and must be clearly demarcated on site for the duration of site clearing and construction.
- 3.23. All buffers zones referred to above must be maintained as ecological corridors which must be kept intact throughout the life cycle of the project, and must be managed in such a way to prevent erosion and alien species invasion, and maintain connectivity to untransformed habitat.
- 3.24. The pushing of spoil material into the surrounding natural environment or into any watercourse or into any of the buffer zones referred to above, is prohibited.
- 3.25. The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr.
 - 3.25.1. The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.

- 3.25.2. The ECO must ensure that contractors are aware of and implement procedures set out in the EMP, and that the placing of infrastructure adheres to the sensitivity mapping to avoid and reduce impacts on species and habitats of conservation concern.
- 3.25.3. The ECO must monitor contractors' entry into sensitive habitat.
- 3.25.4. The ECO must ensure the development footprint of all infrastructure is clearly demarcated.
- 3.25.5. The ECO must oversee the identification of endangered or critically endangered plant species, which must be reported to Mpumalanga Tourism and Parks Agency and conserved *in situ*.
- 3.25.6. The ECO must, prior to any site clearing activities, oversee the identification and marking of trees that may not be removed, and oversee their protection.
- 3.25.7. The ECO must oversee faunal search and rescue prior to and during site clearing activities.
- 3.25.8. The ECO must supervise vegetation clearing activities.
- 3.25.9. The ECO must ensure that any activity that takes place at the solar energy facility is managed to avoid any negative impacts on the Klipspruit River.
- 3.25.10. The ECO must maintain the following on site: A site diary; copies of all reports submitted to the Department; and a complaints' register of all environmental complaints regarding the proposed project.
- 3.25.11. During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted, and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
- 3.25.12. The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed, and the site is handed over to the applicant by the contractor for operation.
- 3.26. The holder of the authorisation must submit an environmental compliance audit report to the Department within 30 days of completion of the construction phase.
- 3.27. The results of operational audits must be used to determine the need for the improvement of existing, or the installation of additional, mitigation and monitoring measures.
- 3.28. Records of audits, inspections, tests and monitoring must be maintained and kept on site.
- 3.29. The Department retains the right to monitor and/or inspect the proposed project throughout its lifecycle.

Commissioning and operation of the activities

- 3.30. At least fourteen (14) days written notice must be given to the Department that the activity will commence. The notice must include a date on which it is anticipated that the activity will commence and must include the name and contact details of the appointed Environmental Control Officer (ECO).
- 3.31. Construction personnel must be made aware of the sensitivity of the area and their movements must be limited to the construction areas only.

- 3.32. An alien plant control program must be implemented at the inception of the site clearing phase.
- 3.33. Fencing must not cause erosion and must not impede the flow of any watercourse or natural drainage. Fencing must be monitored throughout the construction and operation phase, and any signs of erosion caused by it must be remedied immediately.
- 3.34. Removal of vegetation must be restricted to what is necessary and must remain within the approved development footprint.
- 3.35. The activity may not cause or result in the impediment of any watercourse, and the removal of material on site may not result in the destabilization of any watercourse.
- 3.36. No infrastructure must cut off ecological corridors or cause habitat fragmentation.
- 3.37. No activity adjacent to watercourses or any of the buffers referred to above, may impede the free movement of biota by the construction of any barrier that inhibits the continuity of the corridor function.
- 3.38. The removal of indigenous wetland or riparian vegetation is strictly prohibited, unless it is for purposes specifically approved herein.
- 3.39. The current flow regime of watercourses may not be altered.
- 3.40. Construction activities may not result in a damning or draining effect on the flow upstream.
- 3.41. Lowering the base level and increasing the gradient in any watercourse is prohibited.
- 3.42. The development footprint of all infrastructure is clearly demarcated.
- 3.43. Topsoil must only be stripped in areas that are excavated and must be stockpiled at a pre-designated location for use during rehabilitation.
- 3.24. Topsoil stockpiles must not exceed 1.5 m in height and must be protected by a mulch cover.
- 3.25. Stringent measures must be applied to suppress dust emanating from the construction site.
- 3.26. Storm water management must adhere to the following:
 - 3.26.1. All mechanisms for dissipating water energy must be implemented at the inception of the construction phase.
 - 3.26.2. No surface storm water generated as a result of the development may be channeled directly into any wetland or watercourse. All surface runoff generated during both construction and operation phases must be managed prior to entering any natural drainage system or wetland so as not to impact on the natural hydrology and morphology of the watercourse.
 - 3.26.3. Storm water management must be designed to promote infiltration and slow the release of runoff into wetlands and watercourses.
 - 3.26.4. Storm water attenuation and control works must be constructed at the inception of the construction phase and must be operated and maintained in a sustainable manner throughout the project.
 - 3.26.5. An efficient storm water drainage system must be installed around all structures and roads to effectively catch and drain surface water.
 - 3.26.6. Waste traps must be included at strategic points in the storm water design to trap litter picked up by surface runoff. These traps must be cleaned regularly to ensure their efficient functioning and prevention of downstream pollution.
 - 3.26.7. The Substation and Battery Energy Storage System complex must not be located in an area of storm water accumulation.
 - 3.26.8. No fuels, oils, or contaminated water may be discharged into the storm water system.

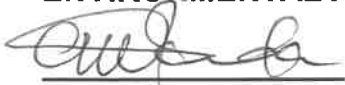
- 3.27. Where ablution facilities for construction personnel are required, dry chemical toilet facilities or e-loos must be provided on site at a ratio of 1:10 for construction staff.
- 3.28. Chemical toilets must be maintained and cleaned regularly, and effluent must be disposed of off-site into an approved municipal sewage system.
- 3.29. The storage and handling of fuel, lubricants and other chemicals must be in especially demarcated impervious and bunded areas.
- 3.30. The mixing of cement, chemicals or other noxious materials must be undertaken in designated areas on, as far as practicable, an impermeable layer.
- 3.31. Construction vehicles and equipment must be checked and maintained regularly to ensure that there is no environmental contamination as a result of oil, fuel or hydraulic fluid leakages.
- 3.32. Pollution due to improper storage of construction materials or any hazardous substances is prohibited.
- 3.33. Surface water rich in sediments and other pollutants must be prevented from entering any watercourse or wetland, and all mechanisms for dissipating water energy must be implemented at the inception of the construction phase.
- 3.34. Damage to adjacent farm infrastructure, stock theft and poaching is prohibited.
- 3.35. No construction material or any other waste material may be dumped into any watercourse or surrounding area.
- 3.36. All general waste generated on the site must be disposed of in a registered landfill site or as directed by any other relevant authority.
- 3.37. All hazardous waste must be disposed of at an official registered site or be removed by registered hazardous waste contractors.
- 3.38. All disturbed areas must be fully rehabilitated and protected from erosion.
- 3.39. All known confirmed and possible graves must be avoided, protected, and treated as no-go areas. Access must be provided for grave visitations and maintenance as recommended by Heritage Impact Assessment dated, December 2022 and with SAHRA Case Number: 18822.
- 3.40. Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately, and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.
- 3.41. Complaints received from the public during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.

General

- 3.42. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.43. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.44. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.

- 3.45. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:



MR. C.M. CHUNDA

**HEAD: AGRICULTURE, RURAL DEVELOPMENT,
LAND AND ENVIRONMENTAL AFFAIRS**

DATE: 29/3/03

Annexure 1: Reasons for the Decision

1. Background

- 1.1 The applicant, Vhuvhili Solar RF (Pty) Ltd, applied for authorisation to carry out the following activities listed in Government Notices R983, R984 and R985 of 4 December 2014 (as amended) associated with the development of Vhuvhili Solar Energy Facility and associated infrastructure on the Remaining Extent of the farm Grootvlei 584 IS, Portions 18, 20 and 21 of the farm Grootvlei 293 IS, the Remaining Extent of the farm Poverty Acres 585 IS, and Portion 21 of the farm Vlakspruit 292 IS, Secunda, Govan Mbeki Local Municipality at 26°34'15.5784"S 29°15'39.3984"E:

Activity number	Activity Description	Extent to which activity is authorised Where activities are authorised in accordance with the revised site layout map (Figure 19.3 of Chapter 19 and Appendix C of the EIAR dated Dec 2022)
GN R984 Activity 1	The development of facilities or infrastructure for the generation of electricity from a renewable resource when the electricity output is 20MW or more.	<ul style="list-style-type: none"> ▪ The development of a Solar Energy Facility with an electrical output of up to 300MW. ▪ The development of a substation and Battery Energy Storage System Complex (Alternative 1: SS and BESS complex (A-B)) at 26°33'52.1244"S 29°15'47.664"E and associated infrastructure required to connect the respective electrical components related to the project, and the onsite substation, including cabling (buried or overhead) with a capacity ranging between 33kV and 132kV. The on-site substation will be rated 33/132kV whereas internal cabling will be up to 33kV.
GN R983 Activity 11(i)	The development of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV.	
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GN R983 Activity 28(ii)	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 will occur outside an urban area, where the total land to be developed is bigger than 1ha.	The clearance and transformation of not more than 694ha of indigenous vegetation for the purpose of developing Vhuvhili Solar Energy Facility, which will entail the construction of various structures and infrastructure, including solar fields, offices, warehouses/workshops, ablution facilities, guard houses, an Operational and Maintenance Control Centre, inverter/transformer stations, an on-site substation complex, laydown areas and a Battery Energy Storage System.

GN R984 Activity 15	The clearance of an area of 20ha or more of indigenous vegetation.	The development of infrastructure and structures associated with the Vhuvhili Solar Energy Facility with a footprint exceeding 10m ² within the vicinity of Klipspruit, minor watercourses, drainage features and within 32m of aquatic features, which will entail infilling, excavation, and movement of soil of up to 100m ³ into, out of and within watercourses for the purpose of the expansion of existing access and/or internal roads, culverts, or similar drainage crossings.
GN R985 Activity 12(ii)	The clearance of an area of 300m ³ or more of indigenous vegetation within critical biodiversity areas identified in bioregional plans.	
GN R983 Activity 12(ii)	The development of infrastructure or structures with a physical footprint of 100m ² or more; where such development occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	
GN R985 Activity 14(ii)	The development of infrastructure or structures with a physical footprint of 10m ² or more; where such development occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse, Outside urban areas in critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GN R983 Activity 19	The infilling or depositing of any material of more than 10m ³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m ³ from a watercourse.	
GN R983 Activity 48(i)	The expansion of infrastructure or structures where the physical footprint is expanded by 100m ² or more, where such expansion occurs (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	
GN R985 Activity 23(ii)	The expansion of infrastructure or structures where the physical footprint is expanded by 10m ² or more, where such expansion occurs (a) within a watercourse;	

	(b) in front of a development setback; or (c) if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse. outside urban areas in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GN R985 Activity 4(i)	The development of a road wider than 4m with a reserve less than 13.5m outside an urban area in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	<p>The development and upgrading of existing access roads with a width of 10m; The widening of access or internal roads by 16m to 20m to allow for larger component transport; The upgrading and widening of existing gravel roads by more than 16m and/or lengthened by more than 20km. Access roads are as follows:</p> <p>D823 (Access point to site). • Start: 26°36'17.86"S 29°14'13.84"E • End: 26°33'44.16"S 29°14'18.82"E</p> <p>D619 (Access point to site). • Start: 26°36'17.86"S 29°14'13.84"E End: 26°35'10.49"S 29°16'34.51"E</p>

- 1.2. The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake an environmental impact assessment process:

Council for Scientific and Industrial Research (CSIR)
P O Box 320
Stellenbosch
7599

Contact Person: Mr. Paul Lochner
Cell: 084 442 3646
Email: plochner@csir.co.za; WAdonis@csir.co.za

2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- The information contained in the application form received by the Department on 13 June 2022 and acknowledged on 22 June 2022.
- The information contained in the scoping report received by the Department on 26 July 2022 and acknowledged and accepted on 27 July 2022.
- The information contained in the environmental impact assessment report received by the Department on 14 December 2022 and acknowledged on 11 January 2023.
- The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

3. Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Bio-physical impact
- b) Sustainability
- c) Need and desirability

4. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- a) According to the environmental impact assessment report, the development proposal is considered to be environmentally, economically and socially sustainable.
- b) According to the environmental impact assessment report, adequate mitigation measures will be implemented to reduce potential impacts to acceptable levels.
- c) Mitigation measures and recommendations outlined in the environmental impact assessment report and environmental management programme are appropriate and practical for implementation, and it is anticipated that they will reduce the significance of potential impacts.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down 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 proposed activities can be mitigated to acceptable levels. The application is accordingly granted.