



# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

**DFFE Reference:** 14/12/16/3/3/2/2599

**Enquiries:** Ms Juliet Mahlangu

**Telephone:** (012) 399 9320 **E-mail:** jmmahlangu@dffe.gov.za

Ms Deidre Herbst  
Eskom Holdings SOC Ltd  
PO Box 1091  
**JOHANNESBURG**  
2001

**Telephone Number:** (011) 800 3501  
**Email Address:** Deidre.herbst@eskom.co.za

## **PER EMAIL / MAIL**

Dear Ms Herbst

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED DEVELOPMENT OF SERE SOLAR PHOTOVOLTAIC PLANT PHASE 1A AND ASSOCIATED INFRASTRUCTURE, MATZIKAMA LOCAL MUNICIPALITY, WESTERN CAPE PROVINCE**

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za)

By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083

or

By post: Private Bag X447  
Pretoria  
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za)

Yours faithfully



**Ms Millicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 24/11/2022.

|     |                                    |   |   |
|-----|------------------------------------|---|---|
| cc: | Ms Jacqui Davis                    | Nemai Consulting (Pty) Ltd  | Email: <a href="mailto:jacquid@nemai.co.za">jacquid@nemai.co.za</a>                         |
|     | Mr Adri La Meyer                   | Western Cape Department of Environmental Affairs and Development Planning | Email: <a href="mailto:Adri.LaMeyer@westerncape.gov.za">Adri.LaMeyer@westerncape.gov.za</a> |
|     | Mr Hermanus Johannes van der Hoven | Matzikama Local Municipality  | Email: <a href="mailto:johanv@matzikama.gov.za">johanv@matzikama.gov.za</a>                 |



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

Development of SERE Solar Photovoltaic Plant Phase 1A and associated infrastructure, Matzikama  
Local Municipality, Western Cape Province

West Coast District Municipality

|                                       |  |
|---------------------------------------|--|
| <b>Authorisation register number:</b> | 14/12/16/3/3/1/2599  |
| <b>Last amended:</b>                  | <i>First issue</i>   |
| <b>Holder of authorisation:</b>       | <i>Eskom Holdings SOC Ltd</i>  |
| <b>Location of activity:</b>          | <i>Lot 1862 Olifants River Settlement,<br/>Ward 8 of Matzikama Local Municipality,<br/>Western Cape Province</i> |

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.

## 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 specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

### **ESKOM HOLDINGS SOC LTD**

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Deidre Herbst  
Eskom Holdings SOC Ltd  
PO Box 1091  
**JOHANNESBURG**  
2001

Telephone Number: (011) 800 3501  
Cellphone Number: (083) 660 1147  
Email Address: Deidre.herbst@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 Listing Notice 3 of the EIA Regulations, 2014 as amended:

| Activity number  | Activity description  |
|--|---|
| <p><u>Listing Notice 1, Item 1:</u></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.</i></p>  | <p>Development of a solar PV plant consisting of approximately 20,000 – 65,000 solar PV modules and total installed power capacity of up to 19.9 MW.</p>  |
| <p><u>Listing Notice 1, Item 11:</u></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 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></p> <p><i>(b) 2 kilometres or shorter in length;</i></p> <p><i>(c) within an existing transmission line servitude; and</i></p> <p><i>(d) will be removed within 18 months of the commencement of development.</i></p> | <p>Electrical interconnection line(s), with capacity of 22kV – 33kV/132kV, for evacuation of power from the Solar PV facility to the 22/132 kV Skaapvlei Substation.</p>  |
| <p><u>Listing Notice 1, Item 27:</u></p> <p><i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p><i>(i) the undertaking of a linear activity; or</i></p> <p><i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>  | <p>Development of a solar PV plant and associated infrastructure (e.g. offices, maintenance buildings, guard house, inverters, construction laydown area and batching plant) with a footprint of more than 1 hectare but less than 20 hectares.</p> |

|  |   |
|--|---|
| <p><u>Listing Notice 1, Item 28:</u></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>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> | <p>The current Wind Farm site is zoned as Agriculture and has been used on an ad hoc basis for grazing of sheep. Therefore, this activity may be applicable as an area larger than 1 ha will be converted to a Solar PV Plant and no longer be available for ad hoc grazing.</p>  |
| <p><u>Listing Notice 3, Item 4</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><i>i. Western Cape</i></p> <p><i>ii. Areas outside urban areas;</i></p> <p><i>(aa) Areas containing indigenous vegetation;</i></p>   | <p>A number of roads will be constructed as unsurfaced roads in association with the development across indigenous vegetation:</p> <ul style="list-style-type: none"> <li>• Access road alternative 2 = 30m (permanent) / 110m (construction)</li> <li>• Internal roads to inverter stations = approximately 2km (alternative 2)</li> <li>• Perimeter road = approximately 1.8km</li> </ul> <p>The internal and perimeter roads fall under clearance of indigenous vegetation under Activity 27 above. Only the access roads will constitute a new footprint outside the PV site.</p> |
| <p><u>Listing Notice 3, Item 10</u></p> <p><i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p><i>i. Western Cape</i></p> <p><i>ii. All areas outside urban areas;</i></p>                             | <p>Information on the actual amount of diesel that will be stored on site during construction by the contractor is unknown. There is a potential for the 30m<sup>3</sup> threshold to be exceeded, but not 80m<sup>3</sup>.</p>   |
| <p><u>Listing Notice 3, Item 12</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance</i></p>  | <p>More than 300m<sup>3</sup> of indigenous vegetation will be cleared within a CBA1 according to the Western Cape Biodiversity Spatial Plan 2017:</p>  |

*purposes undertaken in accordance with a maintenance management plan.*

*i. Western Cape*

*ii. Within critical biodiversity areas identified in bioregional plans;*

- Alternative 2 – a small portion of the southern section of the PV site (458m<sup>3</sup>) and the access road and interconnection cable fall within a CBA1.

as described in the Basic Assessment Report (BAR) dated September 2022 at:

### SG 21 Code

|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

| Corner coordinates of the Site Boundaries for Alternative 2 |                |                 |
|---|----------------|-----------------|
| Fixed Technology  |                |                 |
| Site Boundary   | Latitude       | Longitude       |
| NW corner   | 31°30'59.73"S  | 18° 6'21.70"E   |
| NE corner   | 31°30'60.00"S  | 18° 6'33.60"E   |
| NE bend   | 31°31'18.68"S  | 18° 6'24.97"E   |
| SE corner   | 31°31'18.61"S  | 18° 6'21.33"E   |
| S corner  | 31°31'22.04"S  | 18° 6'17.49"E   |
| SW corner   | 31°31'18.41"S  | 18° 6'13.07"E   |
| Tracking Technology   |                |                 |
| Site Boundary   |                |                 |
| NW corner   | 31°31'0.23"S   | 18° 6'20.77"E   |
| NE corner   | 31°31'0.50"S   | 18° 6'32.62"E   |
| NE bend   | 31°31'2.34"S   | 18° 6'32.57"E   |
| SE corner   | 31°31'18.77"S  | 18° 6'24.98"E   |
| SE bend   | 31°31'18.69"S  | 18° 6'21.25"E   |
| S corner  | 31°31'22.03"S  | 18° 6'17.49"E   |
| SW corner   | 31°31'18.51"S  | 18° 6'13.17"E   |
| SW bend   | 31°31'16.55"S  | 18° 6'13.23"E   |
| Site Centre Point   |                |                 |
| Centre Coordinates  | 31°31'9.5918"S | 18° 6'22.1182"E |
| Coordinates of the Project's Power Line/Cable               |                |                 |

|  |                |               |
|--|----------------|---------------|
| <b>Cable Route Alternative 2</b>                   |                |               |
| Start point (PV Site):                             | 31°31'20.57"S  | 18° 6'18.74"E |
| Bend point   | 31°31'21.65"S; | 18° 6'18.64"E |
| Bend point   | 31°31'22.15"S  | 18° 6'18.73"E |
| Bend point   | 31°31'23.59"S  | 18° 6'20.50"E |
| Bend point   | 31°31'25.33"S  | 18° 6'18.97"E |
| End point (Substation)                             | 31°31'26.89"S  | 18° 6'20.56"E |
| <b>Tracking Technology</b>                         |                |               |
| <b>Cable Route Alternative 2</b>                   |                |               |
| Start point (PV Site)                              | 31°31'20.57"S  | 18° 6'18.74"E |
| Bend point   | 31°31'21.65"S  | 18° 6'18.64"E |
| Bend point   | 31°31'22.15"S  | 18° 6'18.73"E |
| Bend point   | 31°31'23.59"S  | 18° 6'20.50"E |
| Bend point   | 31°31'25.33"S  | 18° 6'18.97"E |
| End point (Substation):                            | 31°31'26.89"S  | 18° 6'20.56"E |
| <b>Coordinates of the Project's Access Roads</b>   |                |               |
| <b>Fixed Technology</b>                            |                |               |
| <b>Access Road Route (permanent) Alternative 2</b> |                |               |
| Start point (PV Site)                              | 31°31'21.20"S  | 18° 6'18.42"E |
| End point (Existing Road)                          | 31°31'21.88"S  | 18° 6'19.18"E |
| <b>Construction Road (Temp) Alternative 2</b>      |                |               |
| Start point (PV Site):                             | 31°31'19.92"S  | 18° 6'19.87"E |
| End point (Existing Road):                         | 31°31'22.47"S; | 18° 6'22.75"E |
| <b>Tracking Technology</b>                         |                |               |
| <b>Access Road (Permanent) Alternative 2</b>       |                |               |
| Start point (PV Site)                              | 31°31'21.20"S  | 18° 6'18.42"E |
| End point (Existing Road):                         | 31°31'21.88"S  | 18° 6'19.18"E |
| <b>Construction Road (Temp) Alternative 2</b>      |                |               |
| Start point (PV Site)                              | 31°31'19.92"S  | 18° 6'19.87"E |
| End point (Existing Road):                         | 31°31'22.47"S  | 18° 6'22.75"E |

- for the development of SERE Solar Photovoltaic Plant Phase 1A and associated infrastructure, Western Cape Province, hereafter referred to as "the property".



The facility will comprise the following:

- PV Construction.
- Photovoltaic Panel Structures.
- 22kV – 33kV/132kV powerline to evacuate power from the Solar PV facility to the 22/132 kV Skaapvlei Substation.
- Access Roads and Laydown Areas.
- Office Buildings.

Technical details of the PV Plant:

| Component   | Description/ Dimensions  |
|---|--|
| Height of PV panels.  | Between 3 m to 6 m (1.5m deep excavations for supports).   |
| Area of PV Array.   | Around 16 ha to 18 ha.   |
| Number of inverters required.                                   | Up to 20 inverter stations between the PV modules.   |
| Area occupied by inverter / transformer stations / substations. | <ul style="list-style-type: none"> <li>• Area occupied by Inverter stations (20 Inverter stations 30m<sup>2</sup> each) = 0.003 x 20 = 0.09 ha (within the PV site)</li> <li>• Area occupied by Control room/offices = 0.4 ha</li> <li>• Area occupied by security house = 0.001 ha</li> </ul> |
| Capacity of existing substation.                                | 1 x 40 MVA, 22-33kV/132 kV.  |
| Area occupied by both permanent and construction areas.         | Less than 20 ha.   |
| Length of roads.  | <ul style="list-style-type: none"> <li>• Access road alternative 2 = 30m (permanent) / 110m (construction).</li> <li>• Internal roads to inverter stations = approximately 2km (alternative 2).</li> <li>• Perimeter road = approximately 1.8km.</li> </ul>                                    |
| Length of interconnection cable between PV site and substation. | Alternative 2 = 244m (tracking/fixed).   |
| Width of roads.   | <p>Internal roads = 2.5 m to 5 m.</p> <p>Access road = 6m (alternative 2).</p>   |
| Proximity to grid connection                                    | Approximately 200m from existing Skaapvlei Substation (alternative 2).   |
| Height and type of fencing;                                     | To be determined   |

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. Alternative 2 for proposed development of SERE Solar Photovoltaic Plant Phase 1A and associated infrastructure, Western Cape Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. 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 Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of Ten (10) years from the date of issue of this Environmental Authorisation. 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.
8. Construction must be completed within Five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
  - 11.1. specify the date on which the authorisation was issued;
  - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 11.4. give the reasons of the Competent Authority for the decision.

### **Commencement of the activity**

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

### **Management of the activity**

13. The site layout plans as attached as Appendix A (Site maps) of the BAR dated September 2022 is approved.
14. The Environmental Management Programme (EMPr) submitted as part of the BAR dated September 2022 is approved and must be implemented and adhered to.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.

17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

### **Frequency and process of updating the EMPr**

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

### **Monitoring**

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 23.1. The ECO must be appointed before commencement of any authorised activities.

- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

### **Recording and reporting to the Department**

- 24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
- 25. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
- 26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
- 27. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
- 28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
- 29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

### **Notification to authorities**

- 30. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site

preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

### **Operation of the activity**

31. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

### **Site closure and decommissioning**

32. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

### **Specific conditions**

#### Conditions for Non-operational aspects

33. A site walk through must be conducted by a suitably qualified ecologist prior to any construction activities, preferably during the wet season and any SSC should be noted. In situations where the threatened and protected plants must be removed, the proponent may only do so after the required permission/permits have been obtained in accordance with national and provincial legislation. In the abovementioned situation the development of a search, rescue and recovery program is suggested for the protection of these species.
34. A qualified independent heritage/archaeological specialist must undertake a pre-construction walkthrough of the approved site to confirm the results of the 2007 Heritage Impact Assessment (HIA) undertaken. Recommendations from the walkthrough must be implemented prior to commencing with construction.
35. Bird monitoring must continue at the Wind Farm and incorporate the Solar PV site in said monitoring.
36. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.
37. All archaeological sites identified in the surrounding area must be avoided.
38. In accordance with good practice (in the event that tracking technology is used), the tracking panels must remain at the full 60° tilt to the west for 15 minutes after the sun has set in order to mitigate the yellow glare that could impact receptors.
39. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.

40. The holder of the authorisation is required to inform the Department of Environmental Affairs and Development Planning (Western Cape Government), Department of Agriculture, and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
41. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated September must be implemented to reduce the risk of erosion and the invasion of alien species.
42. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
43. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

#### **General**

44. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 44.1. at the site of the authorised activity;
  - 44.2. to anyone on request; and
  - 44.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
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 holder of the authorisation or his/her 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 holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 24/11/2020.



**Ms Milicent Solomons**

**Acting Chief Director: National Integrated Authorisations**

**Department of Forestry, Fisheries and the Environment**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 29 July 2022.
- b) The information contained in the BAR dated September 2022.
- c) The comments received from Department of Forestry Fisheries and the Environment Biodiversity Section, Eskom, SACAA, Transnet, DAFF, DWS, Department of Environmental Affairs and Development Planning Western Cape Government and interested and affected parties as included in the BAR dated September 2022.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated September 2022 and as appears below:

| Title                          | Prepared by                               | Date           |
|--------------------------------|---|----------------|
| Terrestrial Ecology Assessment | The Biodiversity company                  | September 2022 |
| Avifaunal Assessment           | The Biodiversity company                  | September 2022 |
| Paleontological Assessment     | Banzai Environmental (Pty) Ltd            | 2022           |
| Visual Impact Assessment       | Eco Elementum (Pty) Ltd                   | September 2022 |
| Soil and Agricultural Study    | ARC-Institute for Soil, Climate and Water | January 2008   |
| Heritage Impact Assessment     | Tim Hart                                  | December 2007  |
| EMPR                           | Nemai Consulting                          | September 2022 |

### 2. 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) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid. The hybridisation of the existing Sere Wind Farm with the installation of PV capacity was identified as one of the Renewable initiatives in the Eskom Corporate Plan. This project is applicable for the first phase (Phase



1A) of the Sere PV project. Phase 1A aims to address Eskom's urgent need for additional generating capacity

- c) The BAR dated September 2022 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed PV facility.
- e) The methodology used in assessing the potential impacts identified in the BAR dated September 2022 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the BAR Regulations, 2014 as amended for public involvement.

### 3. Findings

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

- a) The identification and assessment of impacts are detailed in the BAR dated September 2022 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated September 2022 is deemed to be accurate and credible.
- d) The findings of the site inspection held on 01 November 2022.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

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## forestry, fisheries & the environment

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Forestry, Fisheries and the Environment  
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Ms. Milicent Solomons  
Director: Prioritised Infrastructure Projects

Dear Ms. Solomons

### APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 01 NOVEMBER 2022 – 16 DECEMBER 2022

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorizations, for the period of 01 November 2022 – 16 December 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms. Devinagie Bendeman

Deputy Director-General: RSCM (Regulatory Compliance and  
Sector Monitoring)

Date: 31 October 2022

#### ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~  
appointment as Acting Chief  
Director: Integrated Environmental  
Authorisations

Signed:

Date: 21/10/2022.