



agriculture, rural development,  
land & environmental affairs

MPUMALANGA PROVINCE  
REPUBLIC OF SOUTH AFRICA

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LandelikeOntwikkeling,  
GrondenOngewing Sake

umNyangoweZelimo  
UkuThuthukiswakweeNdawozemaKhaya,  
iNarhaneeNdabazeBhoduluko

Enquiries : Okwethu-kuhle Fakude / Whitney Tshimbana  
Telephone : (013) 004 0766  
Reference : 1/3/1/16/1G-272  
NEAS No. : MPP/EIA/0001128/2022

Vhuvhili Solar RF (Pty) Ltd  
Suite 104, 1<sup>st</sup> 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 AND R985 (AS AMENDED) ASSOCIATED WITH THE DEVELOPMENT OF A 132 KV OVERHEAD POWER LINE AND SUPPORTING INFRASTRUCTURE FOR THE PROPOSED VHUVHILI SOLAR PHOTOVOLTAIC ENERGY (SEF) ON PORTION 20 OF THE FARM GROOTVLEI 293 IS, REMAINING EXTENT OF THE FARM GROOTVLEI 584 IS, PORTIONS 2, 3, 13, 14, 15, 16, 18 AND 19 AND THE REMAINING EXTENT OF THE FARM VLAKSPRUIT 292 IS, REMAINING EXTENT OF THE FARM KNOPPIES 314 IS, PORTION 3 OF THE FARM BRANDWACHT 316 IS, PORTIONS 6, 10, 11 AND 13 OF THE FARM BOSJESSPRUIT 291 IS AND PORTIONS 2 AND 12 OF THE FARM TONDERSHOEK 317 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 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 Appeals Regulations, 2014, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of receiving 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:** 22/03/23

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



## Environmental Authorisation

<b>Application number:</b>	1/3/1/16/1G-272
<b>Holder of Authorisation:</b>	Vhuvhili Solar RF (Pty) Ltd
<b>NEAS reference number:</b>	MPP/EIA/0001128/2022
<b>Location of activity:</b>	Portion 20 of the farm Grootvlei 293 IS, Remaining Extent of the farm Grootvlei 584 IS, Remaining Extent of the farm Vlakspruit 292 IS, Portions 2, 3, 13, 14, 15, 16, 18 and 19 of the farm Vlakspruit 292 IS, Remaining Extent of the farm Knoppies 314 IS, Portion 3 of the farm Brandwacht 316 IS, Portions 6, 10, 11 and 13 of the farm Bosjesspruit 291 IS and Portions 2 and 12 of the farm Tondershoek 317 IS, Secunda, Govan Mbeki Local Municipality.

## 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  
Tel: (021) 207 2185  
Email: Mercia.Grimbeek@enertrag.com

To undertake the following activities listed in Government Notices R983 and R985 of 4 December 2014 (as amended) associated with the development of a 132 kV overhead power line and supporting infrastructure for the proposed Vhuvhili Solar Photovoltaic Energy (SEF) on Portion 20 of the farm Grootvlei 293 IS, Remaining Extent of the farm Grootvlei 584 IS, Portions 2, 3, 13, 14, 15, 16, 18 and 19 and the Remaining Extent of the farm Vlakspruit 292 IS, Remaining Extent of the farm Knoppies 314 IS, Portion 3 of the farm Brandwacht 316 IS, Portions 6, 10, 11 and 13 of the farm Bosjesspruit 291 IS and Portions 2 and 12 of the farm Tondershoek 317 IS, Secunda, Govan Mbeki Local Municipality (hereafter referred to as "the activity"):

Activity number	Activity Description	Extent to which Activity is Authorised Where activities authorized are in accordance with the Layout Map included in Appendix C of the BAR dated January 2023
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.	The clearance and transformation of not more than 19ha of indigenous vegetation for the purpose of developing a 132Kv overhead transmission power line at Preferred Alternative 1 Route as follows:
GN R983 Activity 12(ii)	The development of infrastructure or structures with a physical footprint of 100m <sup>2</sup> 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.	<ul style="list-style-type: none"> <li>▪ Start: 26°33'58.7256"S 29°15'49.1269"E</li> <li>▪ Middle: 26°36'31.3116"S 29°14'31.1615"E</li> <li>▪ End: 26°36'57.9875"S 29°11'25.7604"E</li> </ul> And the development of power line infrastructure and associated access and maintenance roads within and adjacent to watercourses, and the construction of

GN R983 Activity 19	The infilling or depositing of any material of more than 10m <sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m <sup>3</sup> from a watercourse.	<p>pylons within Critical Biodiversity Areas, where built infrastructure and structures with a physical footprint of up to 2000m<sup>2</sup> will occur within small drainage features and within 32m of watercourses, and across watercourses at:</p> <ul style="list-style-type: none"> <li>▪ 26°34'31.80"S 29°15'38.21"E</li> <li>▪ 26°34'40.12"S 29°15'34.79"E</li> <li>▪ 26°35'26.71"S 29°15'7.96"E</li> <li>▪ 26°36'21.13"S 29°14'38.81"E</li> <li>▪ 26°36'44.31"S 29°14'27.17"E</li> <li>▪ 26°36'52.08"S 29°13'58.43"E</li> <li>▪ 26°36'53.42"S 29°13'37.31"E</li> </ul> <p>Which will entail the excavation, removal, moving and infilling of up to 100m<sup>3</sup> of soil, sand, pebbles or rock from, within or into a watercourse. The internal access and service roads will be 10m and 15km in length.</p>
GN R983 Activity 24(ii)	The development of a road with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.	
GN R985 Activity 4(i)(ee)	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.	
GN R985 Activity 18	The widening of a road by more than 4m, or the lengthening of a road by more than 1km outside urban areas in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
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.	
GN R985 Activity 12(ii)	The clearance of an area of 300m <sup>3</sup> or more of indigenous vegetation within critical biodiversity areas identified in bioregional plans.	
GN R985 Activity 14(ii)(a)(c)	The development of infrastructure or structures with a physical footprint of 10m <sup>2</sup> 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 an 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.	

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 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 authorisation in terms of the regulations.
- 3.6. In the event that the impacts exceed the significance as predicted in the basic 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 environmental authorisation is granted for a period of forty (40) years from the date of authorisation. The activity must commence and be concluded within ten (10) years from the date of this environmental authorisation.
- 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) and the National Water Act, 1998 (Act No. 36 of 1998), and the provisions of all relevant SABS and SANS standards.

#### **Appeal of authorisation**

- 3.12. The applicant must, in writing, within fourteen (14) 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 basic assessment report dated January 2023 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 concern (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 Environmental Control Officer, to areas of similar habitat that will not be transformed.
- 3.19. 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 final EMPr.
- 3.19.1. The ECO must be appointed before commencement and the Department must be notified of such an appointment for communication purposes.
- 3.19.2. The ECO must oversee the identification, and relocation or removal of plant species of conservation importance.
- 3.19.3. 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*.
- 3.19.4. The ECO must oversee faunal search and rescue prior to and during site clearing activities.
- 3.19.5. The ECO must oversee all surveying and demarcation activities.
- 3.19.6. The ECO must monitor contractors' entry into sensitive habitat.
- 3.19.7. The ECO must monitor the restriction of vegetation clearance and construction to designated areas.
- 3.19.8. The ECO must oversee the implementation of an alien plant control program.
- 3.19.9. 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.

- 3.19.10. The ECO must oversee and monitor the success of all rehabilitation activities.
- 3.19.11. 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 public complaints and the remedies applied to such complaints
- 3.19.12. 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.
- 3.20. The holder of the authorisation must submit an environmental compliance audit report to the Department within 30 days of completion of the construction phase. The environmental audit report must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of this authorisation as well as the requirements of the EMPr.
- 3.21. The Department retains the right to monitor and/ or inspect the proposed project throughout its lifecycle.

#### **Commissioning and operation of the activity**

- 3.22. 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 ECO.
- 3.23. The perimeter of the area to be cleared must be defined and demarcation of material lay down areas must precede all activities on site.
- 3.24. If any faunal species are recorded during construction, activities must temporarily cease and allow for the species to move away.
- 3.25. The pylons must be located outside of or on the edges of cropland to minimize agricultural impacts and avoid interference with crop production. The pylon locations must be assessed and approved by an Agricultural Specialist as per the Agricultural Compliance Statement dated 1 November 2022.
- 3.26. The 500m zone of potential visual sensitivity that was delineated around the three potentially sensitive farmsteads located on Portions 2, 3 and 10 of the farm Vlakspruit 292 IS as per the Visual Impact Assessment dated 15 September 2022 must be implemented as a buffer and adhered to.
- 3.27. In the event where fossils are discovered on the surface and during drilling and/or excavation, the fossil chance find protocol must be implemented and adhered to as recommended on the Paleontology Impact Assessment dated 09 October 2022.
- 3.28. Pylons must be located outside wetlands, watercourses and their buffer zones as per the specifications of the aquatic specialist report included in the.
- 3.29. As per the Avifaunal Specialist Assessment Report dated September 2022 included in the basic assessment report dated January 2023, Bird Flight Diverters must be fitted to the entire power line in accordance with the applicable Eskom Engineering Instructions (Eskom Unique Identifier 240-93563150: The utilisation of Bird Flight Diverters on Eskom overhead lines).
- 3.30. The activities must not cause or result in the impediment of any watercourses.
- 3.31. The removal of material on site may not result in the destabilization of watercourse banks adjacent or downstream.
- 3.32. Topsoil must be stockpiled at a height not exceeding 1.5m at a pre-designated location for use during landscaping.
- 3.33. Topsoil stockpiles may not have slopes steeper than 1:2.5 and may not be compacted in any way or stockpiled for a period longer than 6 months.



- 3.34. No surface storm water generated as a result of the activity may be channeled directly into any wetland or watercourse.
- 3.35. Storm water management must be implemented to prevent the ingress of runoff into excavations and to prevent contaminated runoff into watercourses.
- 3.36. 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.
- 3.37. No fuels or contaminated water may be discharged into storm water pipes or sewers.
- 3.38. Increased runoff due to vegetation clearance and/or soil compaction and/or any hardened surfaces must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering watercourses.
- 3.39. Scouring, erosion or sedimentation of all watercourses must be prevented, and the stability of watercourses may not be detrimentally affected.
- 3.40. 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. Ablution facilities may not be located within 50m from any watercourse.
- 3.41. Chemical toilets must be maintained and cleaned regularly and effluent must be disposed of off-site into an approved municipal sewage system.
- 3.42. The storage and handling of fuel, lubricants and other chemicals must be in especially demarcated impervious and bunded areas.
- 3.43. The mixing of cement, asphalt, chemicals or other noxious materials must be undertaken in designated areas on, as far as practicable, an impermeable layer.
- 3.44. 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.
- 3.45. Pollution due to improper storage of construction materials or any hazardous substances is prohibited.
- 3.46. It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as underground water.
- 3.47. All general waste generated on the site must be disposed of in a registered landfill site or as directed by any other relevant authority, and hazardous waste must be disposed of at an official registered site, or be removed by registered hazardous waste contractors.
- 3.48. 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.
- 3.49. 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**

- 3.50. 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.

- 3.51. 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.
- 3.52. 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.
- 3.53. 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 vegetation clearance 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: 20/03/23**

## 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 and R985 of 4 December 2014 (as amended) associated with the development of a 132 kV overhead power line and supporting infrastructure for the proposed Vhuvhili Solar Photovoltaic Energy (SEF) on Portion 20 of the farm Grootvlei 293 IS, Remaining Extent of the farm Grootvlei 584 IS, Portions 2, 3, 13, 14, 15, 16, 18 and 19 and the Remaining Extent of the farm Vlakspruit 292 IS, Remaining Extent of the farm Knoppies 314 IS, Portion 3 of the farm Brandwacht 316 IS, Portions 6, 10, 11 and 13 of the farm Bosjesspruit 291 IS and Portions 2 and 12 of the farm Tondershoek 317 IS, Secunda, Govan Mbeki Local Municipality:

Activity number	Activity Description	Extent to which Activity is Authorised Where activities authorized are in accordance with the Layout Map included in Appendix C of the BAR dated January 2023
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.	<p>The clearance and transformation of not more than 19ha of indigenous vegetation for the purpose of developing a 132Kv overhead transmission power line at Preferred Alternative 1 Route as follows:</p> <ul style="list-style-type: none"> <li>▪ Start: 26°33'58.7256"S 29°15'49.1269"E</li> <li>▪ Middle: 26°36'31.3116"S 29°14'31.1615"E</li> <li>▪ End: 26°36'57.9875"S 29°11'25.7604"E</li> </ul> <p>And the development of power line infrastructure and associated access and maintenance roads within and adjacent to watercourses, and the construction of pylons within Critical Biodiversity Areas, where built infrastructure and structures with a physical footprint of up to 2000m<sup>2</sup> will occur within small drainage features and within 32m of watercourses, and across watercourses at:</p> <ul style="list-style-type: none"> <li>▪ 26°34'31.80"S 29°15'38.21"E</li> <li>▪ 26°34'40.12"S 29°15'34.79"E</li> <li>▪ 26°35'26.71"S 29°15'7.96"E</li> <li>▪ 26°36'21.13"S 29°14'38.81"E</li> <li>▪ 26°36'44.31"S 29°14'27.17"E</li> <li>▪ 26°36'52.08"S 29°13'58.43"E</li> <li>▪ 26°36'53.42"S 29°13'37.31"E</li> </ul>
GN R983 Activity 12(ii)	The development of infrastructure or structures with a physical footprint of 100m <sup>2</sup> 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 R983 Activity 19	The infilling or depositing of any material of more than 10m <sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m <sup>3</sup> from a watercourse.	
GN R983 Activity 24(ii)	The development of a road with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.	
GN R985 Activity 4(i)(ee)	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.	

GN R985 Activity 18	The widening of a road by more than 4m, or the lengthening of a road by more than 1km outside urban areas in critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	Which will entail the excavation, removal, moving and infilling of up to 100m <sup>3</sup> of soil, sand, pebbles or rock from, within or into a watercourse. The internal access and service roads will be 10m and 15km in length.
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.	
GN R985 Activity 12(ii)	The clearance of an area of 300m <sup>3</sup> or more of indigenous vegetation within critical biodiversity areas identified in bioregional plans.	
GN R985 Activity 14(ii)(a)(c)	The development of infrastructure or structures with a physical footprint of 10m <sup>2</sup> 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 an 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.	

- 1.2. The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

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

Contact Person: Mr. Paul Lochner  
Tel: 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:

- a) The information contained in the application form received by the Department on 17 November 2022 and acknowledged on 25 November 2022.

- b) The information contained in the basic assessment report and the environmental management programme dated January 2023, received by the Department on 27 January 2023 and acknowledged on 31 January 2023.
- c) 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) Biophysical 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 basic assessment report, the proposed activity is considered to be environmentally, economically and socially sustainable.
- b) According to the basic assessment report, adequate mitigation measures will be implemented to reduce potential impacts to acceptable levels.
- c) Mitigation measures and recommendations outlined in the basic 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.