



## GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

Reference: Gaut 002/22-23/E3528

Enquiries: Thivhadini Netshiozwi

Tel: +27 (0)11 240 3388

Email: [Thivhadini.Netshiozwi@gauteng.gov.za](mailto:Thivhadini.Netshiozwi@gauteng.gov.za)

### Soventix South Africa (Pty) Ltd

Portion Number 2

Farm Number 78

#### Devon Valley

Stellenbosch Road

7600

Email: [jp.devilliers@soventix.com](mailto:jp.devilliers@soventix.com)

Telephone Number: 021 852 7333

Dear Mr. Jean-Paul De Villiers,

GDARD  
Office of the HOD  
07 JUL 2023  
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### **ENVIRONMENTAL AUTHORISATION GRANTED: THE PROPOSED DEVELOPMENT OF A GROUND-MOUNTED 1.8MWP SOLAR PHOTO VOLTAIC (PV) PLANT WITHIN THE ELEMENT SIX FACILITY ON ERF 256 NUFFIELD TOWNSHIP, CITY OF EKURHULENI METROPOLITAN MUNICIPALITY.**

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

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended, you must notify all registered interested and affected parties, in writing, within 14 days of the date of this EA, of the Department's decision in respect of your application as well as the provisions that are contained on the Appeal Regulations regarding the submission of appeals. A copy of this EA must also be appended to the letter of notification to the interested and affected parties.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014, which prescribes the appeal procedure to be followed. Should any person wish to lodge an appeal against this decision or any aspect of 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 on 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. The appeal(s) must be submitted in writing by any of the following means:

#### **Postal Address:**

The Appeals Administrator  
Department of Agriculture, Rural Development and Environment  
P.O. Box 8769  
**Johannesburg**  
2000

**Physical Address**

The Appeals Administrator  
Department of Agriculture, Rural Development and Environment  
56 Eloff Street, Umnotho House, 23<sup>rd</sup> Floor  
**Johannesburg**  
2000

Fax No: 011 240 3158/2700

Email Address: [appeals@gauteng.gov.za](mailto:appeals@gauteng.gov.za)

Your appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere, at telephone number 011 240 3204 or email address [tsholofelo.mere@gauteng.gov.za](mailto:tsholofelo.mere@gauteng.gov.za). The appeal form is also available from our website: [www.gauteng.gov.za](http://www.gauteng.gov.za). Should you have any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kindly take note that in terms of Section 43(7) of the National Environmental Management Act, 1998 (NEMA), as amended, the lodging of appeal suspends environmental authorisation as well as its associated Environmental Management Programme. This means that the activity authorised by this EA must not commence until such time that the appeal is finalised.

Kind regards,



**MS. MATILDA GASELA**  
**HEAD OF DEPARTMENT: AGRICULTURE, RURAL DEVELOPMENT AND ENVIRONMENT**  
**DATE:**

07 July 2023

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Office of the HOD  
07 JUL 2023  
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**GAUTENG PROVINCE**  
 AGRICULTURE AND RURAL DEVELOPMENT  
 REPUBLIC OF SOUTH AFRICA

## ENVIRONMENTAL AUTHORISATION

<b>Reference Number:</b>	GAUT 002/22-23/E3528	
<b>Holder of Authorisation:</b>	Soventix South Africa (Pty) Ltd	
<b>Location of Activity / Activities:</b>	Erf 256 Nuffield Township	
<b>Coordinates</b>	<b>Latitude (S)</b>	<b>Longitude (E)</b>
	26°17'46.79" S	28°27'31.00" E
<b>21 Digit SG Number</b>	T0IR04850000025600000	

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 Office of the HOD  
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**1. Decision**

The Department is satisfied, on the basis of the 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.

**2. Activities Authorised**

Under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby authorises-


**Soventix South Africa (Pty) Ltd** (hereafter referred to as the Applicant)

with the following contact details-

Portion Number 2  
 Farm Number 78  
**Devon Valley**  
 Stellenbosch Road  
 7600

Tel No.: 021 852 7333  
 Email: [jp.devilliers@soventix.com](mailto:jp.devilliers@soventix.com)

to undertake the activities (hereafter referred to as “activity”) listed in the table below:

<b>Activity No and description</b>	<b>Description of the development related to the listed activity</b>
<p><b>Activity 1 of Listing Notice 1 of GNR 327:</b></p> <p>The development of facilities or infrastructure for the generation of electricity from a renewable resource where—</p> <p>(i) the electricity output is more than 10 megawatts but less than 20 megawatts; or</p> <p>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare; excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs—</p> <p>(a) within an urban area; or</p> <p>(b) on existing infrastructure</p>	<p>The activity is for renewable energy generating facility with a capacity to generate 1.8MWp on a development footprint of approximately 1.5 hectares in extent.</p> <div style="text-align: right; margin-top: 20px;">  </div>
<p><b>Activity 12 (c) of Listing Notice (LN) 3 of GNR 324:</b></p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p><b>In Gauteng</b></p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area</p>	<p>The site is not within a CBA or ESA in terms of the Gauteng C-Plan or Ekurhuleni Bioregional Plan, but it is within an area designated as Endangered Ecosystem because of presence/suitable habitat of Tsakane Clay Grassland.</p>

that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;  
 ii. Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or  
 iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.

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- for the proposed ground-mounted 1.8MWp solar PV plant facility within the Element Six facility on the above-mentioned site.

## **Scope of Environmental Authorisation.**

### **3. Specific Conditions**

- 3.1 Environmental Authorisation is granted for the proposed ground-mounted 1.8MWp solar PV plant within the Element Six facility with a development footprint of approximately 1.5 hectares in extent. This proposed 1.8MWp solar PV plant will include associated infrastructure, inverters, transformers, fencing and lighting with a sub-surface 6.6kV cable connecting the solar PV plant to the Element Six Electrical Ring Main Unit (RMU).
- 3.2 The development area must be clearly demarcated before any commencement of the activity takes place and signage must be displayed during the development phase to inform the public about potential dangers on the site.
- 3.3 In the event that hazardous substances such as solvents, lubricants, fuels and oils will be used, the storage and handling such materials must happen on an impervious surface that can contain 110% of substance should a spillage occur.

### **4. Commencement and/or completion of the activities**

- 4.1 The construction of the authorised activities, including post development/construction rehabilitation must be concluded within a period of 10 years from the date of signature of this environmental authorisation. If the authorised activity/activities has not been concluded within that period, the authorisation lapses.
- 4.2 Continuation of the authorised activities after the lapsing period of this EA and where such continuation will meet the threshold of any listed activity or activities, will constitute an offense.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.

### **5. Management of the activities**

The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is also authorised in terms of this EA and must be implemented. In addition, the following is considered part of the subject EMPr:

- 5.1 Induction of the contractors, subcontractors, agents and other people working on the site about the contents of the EMPr and its objectives must be done.
- 5.2 If any soil contamination occurs during the construction phase of the proposed activities, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated. The opportunity for the on-site remediation and re-use of contaminated soil must be investigated prior to disposal and this Department must be informed in this regard.
- 5.3 Vehicles delivering material to the site must be in good condition to minimise noise, exhaust emissions, and soil contamination risk through the leakage of lubricants and hydraulic fluids.

- 5.4 On completion of the project, all litter and construction debris must be removed from the site immediately.
- 5.5 The disturbed area during construction phase must be rehabilitated and landscaped where necessary to assist in the reduction of the effect of climate change.
- 5.6 All waste streams to be generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill or waste disposal site must be the last option. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 5.7 The Applicant must submit recommendations to amend the EMPr where the findings of the environmental audit reports indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or the EMPr and where applicable, the closure plan.
- 5.8 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 5.9 The recommendation to amend the EMPr must be submitted to the Department for approval together with the environmental audit report in accordance with the regulations. Such updated EMPr must have been subjected to public participation process, which has been agreed to by the competent authority prior submission.
- 5.10 In assessing whether to grant approval of an amended EMPr because of an audit report, the competent authority may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr or closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activities.

## **6. Monitoring and Reporting**

- 6.1 This Department (GDARDE) must be informed of any environmental and pollution incidents relating to the proposed activities within twenty-four (24) hours of such incidents occurring.
- 6.2 An Environmental Control Officer (ECO) or site manager must oversee the development activities and ensure compliance with the conditions of environmental authorisation and EMPr.
- 6.3 A compliance report post development rehabilitation phase to mark completion of development must be submitted to the Department.
- 6.4 If an ECO will be appointed, this must be done prior to any commencement of the authorised activity or activities.
- 6.5 Once appointed, the name and contact details of the ECO must be submitted to the Department's Compliance Monitoring Section in the Department; documentation such as audit/monitoring/compliance reports and notifications, required to be submitted, must be submitted thereto.
- 6.6 The applicant/ECO/site manager must keep record of all activities on the site, problems identified, transgressions identified / noted, and a task schedule of the functions undertaken on the site.
- 6.7 Records relating to monitoring and auditing must be kept on the site and made available to any authorised person(s) acting on behalf of the relevant competent authority in respect of the development.

## **7. Notification of commencement of activity**

- 7.1 A written notification of commencement of the activity, including site preparation, must be given to the Department 14 days prior to commencement of the activity on the site. The notice must include the date on which it is anticipated that the activity will commence as well as the EA reference number and be submitted to Director: Compliance Monitoring Ms Sasa Sekhotha, the official of the Department at the email address: [Sasa.Sekhotha@gauteng.gov.za](mailto:Sasa.Sekhotha@gauteng.gov.za).

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07 JUL 2023  
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## 8. General Conditions

- 8.1 The conditions of this EA are binding on the applicant ("Holder of EA"), including 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 applicant.
- 8.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 8.3 Any changes to, or deviation from, the activity or activities' description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are affected. In assessing whether to approve such changes, 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 applicant to apply for further authorisations in terms of the Regulations.
- 8.4 Where any of the applicant's contact details changes, including the name of the applicant, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 8.5 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 8.6 This EA and EMPr must be kept at the property or site where the activity or activities will be undertaken. The documents must be produced to any authorised official of the Department who requests to inspect them and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 8.7 Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations.
- 8.8 If the Department has reason to believe that the EA was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the EA and direct the holder of such EA forthwith, to cease any activities that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

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Date of the Environmental Authorisation:

*07 July 2023*

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Office of the HOD  
07 JUL 2023  
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## **ANNEXURE 1: REASON FOR DECISION.**

### **1. Information considered in making the decision**

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

- 1.1 The information contained in the Basic Assessment Report received by the Department on 09 June 2023.
- 1.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3 and the Gauteng Provincial Environmental Management Framework (GPEMF), 2015.
- 1.3 The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- 1.4 Screening tool report dated 01/11/2022.
- 1.5 The findings of the site inspection undertaken by Maropeng Mamabolo, the official of the Department on 10 May 2023.

### **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.

- 2.1 Impact of the proposed development on the environment.
- 2.2 The need and desirability of the proposed development.
- 2.3 Public participation process undertaken for the proposed development.

### **3. Findings**

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

- 3.1 The development area has little remaining natural vegetation due to anthropogenic activities that have taken place on the site.
- 3.2 The proposed activities will not have any direct impact on sensitive environment located further from the proposed development site.
- 3.3 The landscape and visual impacts are expected to have a low significance given the existing structures already having introduced such impact in the area.
- 3.4 Generation of "green" energy is being implemented at the Element Six facility to reduce greenhouse gas emissions, reduce their environmental footprint, and improve electricity supply assurance and reduce disruptive impact of load shedding during operation hours and assist in reducing the country's dependency on coal as a source of energy. The proposed development is in an industrial area and will assist in maintaining job security for the workers at Element Six facility. Additionally, temporary jobs will also be created during the construction phase as well as during the operation.
- 3.5 The Public Participation process carried out for this project is in accordance with the minimum requirements of Chapter 6, Public Participation, GN. R326, of the EIA Regulations 2014.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the activities will not conflict with the general objectives of integrated environmental management laid down in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The Environmental Authorisation **is accordingly granted.**