



# 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:** 14/12/16/3/3/2/2436

**Enquiries:** Mr Lunga Dlova

**Telephone:** (012) 399 8524 **E-mail:** [LDlova@dffe.gov.za](mailto:LDlova@dffe.gov.za)

Mr Dale Holder  
Cape Environmental Assessment Practitioners (Pty) Ltd  
PO Box 2070  
**GEORGE**  
6530

**Telephone Number:** 044 874 0365  
**E-mail Address:** [dale@cape-eaprac.co.za](mailto:dale@cape-eaprac.co.za)

## PER E-MAIL

Dear Mr Holder

### **ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE**

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated 26 October 2023 and received by the Department on 27 October 2023, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated 26 October 2023 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The final SR is hereby accepted by the Department in terms of Regulation 22(1)(a) of the EIA Regulations, 2014, as amended.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.

In addition, the following additional information is required for the Environmental Impact Assessment Report (EIAR):

#### **(a) Listed Activities**

- (i) Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.
- (ii) Please ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.
- (iii) If the activities applied for in the application form differ from those mentioned in the draft EIAR, an amended application form must be submitted.
- (iv) Please note that the Department's application form template has been amended and can be downloaded from the following link [www.environment.gov.za/index.php/forms-and-permits](http://www.environment.gov.za/index.php/forms-and-permits).

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- (v) The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.

**(b) Public Participation**

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the Department of Environmental Affairs and Development Planning (Western Cape); Department of Water and Sanitation; Berg River Municipality; Western Cape Department of Transport and Public Works; South African National Roads Agency Limited; South African Heritage Resources Agency; South African National Roads Agency Limited; Department of Minerals and Energy; Department of Forestry, Fisheries and the Environment: Biodiversity Conservation Directorate; Provincial Department of Agriculture; Endangered Wildlife Trust; Department of Mineral Resources; Birdlife South Africa; Affected Land Owners; and Interested and Affected Parties.
- (ii) It is noted that figure 31 on page 45 of the final SR depicts the proposed development site within the West Coast Biosphere Reserve and the nearby Berg River Ramsar site. You are requested to obtain comments from the Department's Protected Areas, Planning and Management Effectiveness section ([Tnethononda@dffe.gov.za](mailto:Tnethononda@dffe.gov.za)).
- (iii) Please ensure that all issues raised, and comments received during the circulation of the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr.
- (iv) Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- (v) A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.
- (vi) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- (vii) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
- (viii) The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAr.

**(c) Alternatives**

- (i) Please provide a description of each of the preferred alternative type and provide detailed motivation on why it is preferred.
- (ii) The EAP must ensure that all relevant alternatives and/or alternative combinations are adequately assessed in the EIAr.

**(d) Layout & Sensitivity Maps**

- (i) The EIAr must provide coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- (ii) A copy of the final layout map must be submitted with the final EIAr. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible, e.g. roads. The layout map must indicate the following:
  - a) The panel positions and its associated infrastructure;
  - b) All supporting onsite infrastructure such as laydown area, guard house, control room, and buildings, including accommodation etc.

- c) All necessary details regarding all possible locations and sizes of the proposed BESS, the main substation and internal power lines.
- d) All existing infrastructure on the site, especially internal road infrastructure.
- (iii) Please provide an environmental sensitivity map which indicates the following:
  - a) The location of sensitive environmental features on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
  - b) Buffer areas; and
  - c) All “no-go” areas.
- (iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.

**(e) Specialist assessments**

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
  - a) A detailed description of the study’s methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.
  - b) Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.
  - c) Please note that the Department considers a ‘no-go’ area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the ‘no-go’ areas.
  - d) Should the specialist definition of ‘no-go’ area differ from the Department’s definition; this must be clearly indicated. The specialist must also indicate the ‘no-go’ area’s buffer if applicable.
  - e) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.
  - f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.
- (iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”) and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.
- (iv) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.
- (v) The following Specialist Assessments will form part of the EIAR:
  - Visual – Mr Stephen Stead of Visual Resource Management Africa (VRMA)
  - Botanical – Ms Tarryn Martin of Biodiversity Africa
  - Terrestrial Biodiversity – Mr Tarryn Martin and Ms Amber Jackson of Biodiversity Africa
  - Animal Species (excluding Invertebrates and Avifauna) – Ms Amber Jackson of Biodiversity Africa
  - Avifauna (including Black Harrier Habitat Modelling) – Mr Albert Froneman with Black Harrier habitat suitability modelling undertaken by Robin Colyn.
  - Invertebrate – Dr Jonathan Colville.
  - Aquatic Biodiversity – Ms Toni Belcher
  - Heritage – Dr Jayson Orton.

- Agriculture – Mr Johann Lanz
- BESS Risk – Ms Debbie Mitchell of ISHECON

- (vi) The list of specialist studies to be undertaken on pages 56-57 of the final SR are noted, as well as the Traffic Impact and Transportation Assessment referred to on page 13 of the final SR.
- (vii) Specialist studies related to biodiversity assessment must be amended to assess impacts related to the West Coast Biosphere Reserve and the Berg River Ramsar site.

**(f) Cumulative Assessment**

- (i) If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to indicate the following:
  - a) Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
  - b) Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
  - c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
  - d) A cumulative impact environmental statement on whether the proposed development must proceed.

**(g) Specific comments**

- (i) The EAP must provide details of the specific locations (including GPS coordinates) in the EIAR, and not provide vague locations of the proposed developments. All associated infrastructure must be clearly indicated in the EIAR and its associated layout plans.
- (ii) The EAP must identify and provide a map which shows this development and its associated infrastructure in relation to the other proposed facilities in the area.
- (iii) The EAP must clearly identify and provide a final list of all applicable listed activities. If any activities are to be removed, motivation for their removal must be included in the EIAR.
- (iv) When submitting the EIAR and future documents kindly name each of the documents and attachments according to the information it contains. E.g., instead of only naming it Appendix A, it must be Appendix A: Maps, Appendix B: EAP Declaration etc.

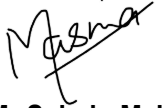
**(h) General**

- (i) The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions (Annexure 2).
- (ii) The EAP must provide landowner consent for all non-linear infrastructure proposed on the farm portions affected by the proposed project.
- (iii) A construction and operational phase EMP that includes mitigation and monitoring measures must be submitted with the final EIAR.
- (iv) The final EIAR must include a list providing a clear description of the infrastructure associated with the development.
- (v) The EAP must provide an outline of where in the final EIAR each of this Department's comments are addressed. This must be a separate document and must be submitted as an appendix to the EIAR.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

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

**Signed by: Ms Masina Morudu**

**Designation: Environmental Officer Control A: National Integrated Authorisation Projects**

**Date: 08/12/2023.**

cc:	Mr Marshall Mabin	Sunveld Energy (Pty) Ltd	Email: <a href="mailto:marshall@merchant.energy">marshall@merchant.energy</a>
	Mr Zaahir Toefy	Western Cape Department of Environmental Affairs and Development Planning.	Email: <a href="mailto:Zaahir.toefy@westerncape.gov.za">Zaahir.toefy@westerncape.gov.za</a> / <a href="mailto:DEADPEIAAdmin@westerncape.gov.za">DEADPEIAAdmin@westerncape.gov.za</a>
	Ms Angila Joubert	Bergriver Municipality	Email: <a href="mailto:JoubertA@bergmun.org.za">JoubertA@bergmun.org.za</a>

**Annexure 1:**

Format for Comments and Response Trail Report:

Date of comment, format of comment name of organisation/I&AP	Comment	Response from EAP/Applicant/Specialist
27/01/2016 Email Department of Forestry, Fisheries and the Environment: Priority Infrastructure Projects (John Doe)	Please record C&R trail report in this format  Please update the contact details of the provincial environmental authority	EAP: (Noted) The C&R trail report has been updated into the desired format, see Appendix K  EAP: Details of provincial authority have been updated, see page 16 of the Application form

**Annexure 2: Sample of technical details for the proposed facility**

Component	Description / dimensions
Height of PV panels	
Area of PV Array	
Number of inverters required	
Area occupied by inverter / transformer stations / substations	
Capacity of on-site substation	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Length of internal roads	
Width of internal roads	
Proximity to grid connection	
Height of fencing	
Type of fencing	

## Dale Holder

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**From:** EIA Applications <EIAApplications@dffe.gov.za>  
**Sent:** Friday, 23 June 2023 09:37  
**To:** Lunga Dlova  
**Cc:** Masina Morudu; Dale Holder  
**Subject:** 2023-06-0016  
**Attachments:** BER799.01 Request for pre-application meeting Sunveld Energy.docx; 2023-06-0016 DB Output.pdf

Dear Lunga

Please note that you have been allocated an application:

**Type of Application:** Pre-Application Meeting Request;  
**Reference Number:** 2023-06-0016;  
**Date Received:** 21/06/2023;  
**Action Required:** Decide on meeting request.

Kindly let Ephron know which date the meeting is to be held, if it will be set

**EIA Applications**  
Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment

**Please note that this email is for the receipt and processing of online applications only, and is not monitored for responses. All queries must be directed to [EIAAdmin@dffe.gov.za](mailto:EIAAdmin@dffe.gov.za).**

**You are advised that this mailbox has a 48 hour response time.**

*Please note that this mailbox has a 5mb mail limit. No zip files are to be attached in any email.*

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**From:** Dale Holder <dale@cape-eaprac.co.za>  
**Sent:** Wednesday, June 21, 2023 3:16 PM  
**To:** EIA Applications <EIAApplications@dffe.gov.za>  
**Subject:** Request for Pre Application Meeting - Proposed Sunveld Energy PV Development near Velddrift in the Western Cape.

Dear EIA Applications.

Kindly find the attached request for pre application meeting for the proposed Sunveld Energy PV Facility near Velddrift in the Western Cape Province.

Kind regards/Vriendelike groete

**Dale Holder**  
**SENIOR ENVIRONMENTAL PRACTITIONER**  
Cape EAPrac  
NDip Nat.Con  
EAPASA Reg. 2019/301

**T: 044 874 0365**  
**17 Progress Street, George**





**PO Box 2070, George 6530**



**Reduce Reuse Recycle**

In the interest of resource conservation please reconsider printing this email.

Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Kindly view our Privacy Statement for more information.





## PRE - APPLICATION MEETINGS

Friday, 23 June 2023

09:35:41

<b>ID</b>	957
<b>CASE OFFICER</b>	Lunga Dlova
<b>REFERENCE NUMBER</b>	2023-06-0016
<b>PROJECT TITLE</b>	PROPOSED SUNVELD ENERGY 500MW PV DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF THE FARM KRUISPAD 120 AS WELL AS THE REMAINDER OF THE FARM DOORNFONTEIN A 118, BERGRIVIER LOCAL MUNICIPALITY, WESTERN CAPE PROVINCE
<b>PROVINCE</b>	Western Cape
<b>APPLICANT</b>	Sunveld Energy (Pty) Ltd
<b>EAP</b>	Cape Environmental Assessment Practitioners (Pty) Ltd – Cape EAPrac.
<b>DATE APPLICATION RECEIVED</b>	Wednesday, 21 June 2023
<b>MEETING HELD</b>	<input type="checkbox"/>
<b>DATE MEETING HELD</b>	
<b>NOTES</b>	



## Dale Holder

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**From:** Dale Holder  
**Sent:** Monday, 26 June 2023 13:34  
**To:** Lunga Dlova  
**Subject:** Accepted: FW: Sunveld Energy 500MW PV Development and associated infrastructure





# 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:** 14/12/16/3/3/2/2436

**Enquiries:** Mr Lunga Dlova

**Telephone:** (012) 399 8524 **E-mail:** [LDlova@dffe.gov.za](mailto:LDlova@dffe.gov.za)

Mr Dale Holder  
Cape Environmental Assessment Practitioners (Pty) Ltd  
PO Box 2070  
**GEORGE**  
6530

**Telephone Number:** 044 874 0365  
**Email Address:** [dale@cape-eaprac.co.za](mailto:dale@cape-eaprac.co.za)

## PER MAIL / E-MAIL

Dear Mr Holder

**COMMENTS ON THE DRAFT SCOPING REPORT FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF UP TO 600 MW SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE.**

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated 15 September 2023 and received by the Department on 15 September 2023, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

### **(a) Application form and draft SR**

- Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description.
- If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

### **(b) Layout & Sensitivity Maps**

- Please provide a layout map which indicates the following:
- The proposed Sunveld Solar PV Facility and BESS, overlain by the sensitivity map;
- All supporting onsite infrastructure e.g., roads (existing and proposed);
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All "no-go" areas.

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- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.

### **(c) Public Participation Process**

- Please ensure that all issues raised, and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (**including this Department's Biodiversity Section**) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.
- The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development.

### **(d) Specialist Assessments**

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in accordance with these protocols.**

### **(e) Cumulative Assessment**

- As there are other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
  - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
  - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.

- The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
- A cumulative impact environmental statement on whether the proposed development must proceed.

## **General**

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

*“If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority”*

You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisations being granted by the Department.

Yours sincerely



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

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

**Letter signed by: Ms Masina Morudu**

**Designation: Control Environmental Officer: National Integrated Authorisation Projects**

**Date: 16/10/2023.**

cc:	Marshall Mabin	Sunveld Energy (Pty) Ltd	Email: <a href="mailto:marshall@merchant.energy">marshall@merchant.energy</a>
	Mr Zaahir Toefy	Western Cape Department of Environmental Affairs and Development Planning.	Email: <a href="mailto:Zaahir.toefy@westerncape.gov.za">Zaahir.toefy@westerncape.gov.za</a>
	Angila Joubert	Bergriver Municipality	Email: <a href="mailto:JoubertA@bergmun.org.za">JoubertA@bergmun.org.za</a>