



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: 14/12/16/3/3/2/843/2

Enquiries: Ms Bathandwa Ncube

Telephone: 012 399 9368 **E-mail:** BNcube@dffe.gov.za

Mr Warren Morse
Mulilo Total Coega (Pty) Ltd
PO Box 548
HOWARD PLACE
7450

Telephone Number : 021 685 3240
Email Address : warren@mulilo.com

PER EMAIL / MAIL

Dear Mr Morse

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE INFRASTRUCTURE AND STRUCTURES FOR THE GRID CONNECTION OF THE 75MW GEMSBOK PV5 SOLAR ENERGY FACILITY NEAR KENHARDT, WITHIN THE !KHEIS LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above-mentioned application by this Competent Authority on 19 November 2018, the EA amendments dated 19 July 2019 and 05 May 2021, your application for amendment to split the EA received on 19 June 2023, the acknowledgement thereof dated 30 June 2023 and the additional information received by this Competent Authority on 05 July 2023, refer.

Based on a review of the reason for requesting an amendment to Split the above EA, this Competent Authority, in terms of Chapter 5, Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 19 November 2018 by issuing a new EA.

The attached EA replaces the previous EA (DFFE reference: 14/12/16/3/3/2/843) dated 19 November 2018 as amended. All further amendments must be lodged on the attached EA with the new above-mentioned reference number.

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.

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@dfef.gov.za

By hand: Environment House
473 Steve Biko Road
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.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfef.gov.za.

Yours faithfully



Mr Vusi Skosana
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment
Date: 04 August 2023

cc:	Ms S. De la Fontaine	Northern Cape DAEARDLR	Email: sdelafontaine@gmail.com
	Mr Scheepers	!Kheis Local Municipality	Email: teresascheepers@vodamail.co.za
	Mr Paul Lochner	CSIR	Email: plochner@csir.co.za / rabed@csir.co.za



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.

**THE INFRASTRUCTURE AND STRUCTURES FOR THE GRID CONNECTION OF THE 75MW GEMSBOK
PV5 SOLAR ENERGY FACILITY NEAR KENHARDT, WITHIN THE !KHEIS LOCAL MUNICIPALITY,
NORTHERN CAPE PROVINCE**

ZF MGCAWU DISTRICT MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/843/2
Last amended:	<i>Splitting and Re-Issue</i> <i>First Issue: 19 November 2018</i>
Holder of authorisation:	<i>Mulilo Total Coega (Pty) Ltd</i>
Location of activity:	<i>The Remaining Extent of Portion 8 (Rooidam) (a Portion of Portion 3) of the Farm Gemsbok Bult No. 120; Remaining Extent of Portion 3 (Rooidam) of the Farm Gemsbok Bult No. 120; Portion 18 of the Farm Gemsbok Bult No. 120; Portion 19 of the Farm Gemsbok Bult No. 120; !Kheis Local Municipality; ZF Mgcawu District Municipality; Northern 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 –

MULILO TOTAL COEGA (PTY) LTD

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

with the following contact details –

Mr Warren Morse

Mulilo Total Coega (Pty) Ltd

PO Box 548

HOWARD PLACE

7450

Telephone number : 021 685 3240

Email address : warren@mulilo.com

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 (GN R. 983, 984 & 985):

Activity number	Activity description
<p><u>GN R. 983 Item 9:</u> <i>“The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water:</i></p> <p>(i) <i>With an internal diameter of 0,36 metres or more; or</i></p> <p>(ii) <i>With a peak throughput of 120 litres per second or more,</i></p> <p><i>Excluding where:</i></p> <p>(a) <i>Such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve; or</i></p> <p>(b) <i>Where such development will occur within an urban area.”</i></p>	<p>The proposed project will take place outside of an urban area and will entail the construction of storm water channels. These structures will extend approximately 3000m in length (i.e. will exceed 1000m), will have an internal diameter of more than 0,36m and a peak throughput of more than 120l/s.</p>
<p><u>GN R. 983 Item 11:</u> <i>“The development of facility of 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 kV.”</i></p>	<p>The proposed project will entail the construction and installation of an on-site substation (i.e. 132kV 6 bay double busbar Switching Station (i.e. Skeerhok Switching Station) to be constructed by the Independent Power Producer (IPP) and handed over to Eskom for operations) and an overhead 132 kV transmission line which will connect the project to the Eskom Nieuwehoop Main Transmission Substation, via the Gemsbok Solar PV2 project, which is outside an urban area. An additional 132 kV Feeder Bay at the Gemsbok Solar PV2 Switching Station (i.e. Gemsbokbult Switching Station) will also be constructed for this project. The project will also entail the construction of additional 132kV feeder bay(s), busbar(s), a new 400/132kV</p>

	<p>transformer bay and a 500MVA 400/132kV transformer at the Eskom Nieuwehoop Main Transmission Substation. Furthermore, there will be extensions of existing infrastructure at the Eskom Nieuwehoop Main Transmission Substation, specifically extensions of the 132kV busbars, 400kV busbars, 132kV yard, 400kV yard, control building, roads and fencing infrastructure.</p>
<p><u>GN R. 983 Item 12:</u> <i>“The development of:</i> (x) <i>buildings exceeding 100 square metres in size;</i> (xii) <i>infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>where such development occurs-</i> (a) <i>within a watercourse;</i> (c) <i>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.”</i></p>	<p>The proposed project will take place outside an urban area and will entail the construction of various buildings, infrastructure and structures which are expected to exceed a footprint of 100m² with some likely to occur within 32m of the watercourses or within minor drainage lines identified during the EIA Phase.</p>
<p><u>GN R. 983 Item 19:</u> <i>“The infilling or depositing of any material of more than 5m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5m³ from –</i> (i) <i>a watercourse.”</i></p>	<p>The proposed project may entail the excavation, removal and moving of more than 5m³ of soil, sand, pebbles or rock from the nearby watercourses identified during the EIA Phase. The proposed project may also entail the infilling of more than 5m³ of material into the nearby watercourses identified during the EIA Phase.</p>
<p><u>GN R. 983 Item 24:</u> <i>“The development of –</i> (ii) <i>a road with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres.”</i></p>	<p>An internal gravel road may be constructed from the Transnet Service Road or the unnamed farm road to the proposed site. The internal gravel road would be ~8m wide (without a road reserve). The length of the internal gravel road is ~10km.</p>

<p><u>GN R. 983 Item 28:</u> <i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectares.”</i></p>	<p>It is understood that the land is currently used for agricultural purposes (mainly grazing). The proposed electrical grid infrastructure to support the proposed solar facility which is considered to be a commercial/industrial development will comprise an area of approximately 30 ha.</p>
<p><u>GN R. 984 Item 15:</u> <i>“The clearance of an area of 20 hectares or more of indigenous vegetation.”</i></p>	<p>The total area of the proposed grid connection and associated infrastructure is expected to be ~ 30 ha. More than 20 ha of indigenous vegetation could possibly be cleared for the construction of the proposed grid connection and associated infrastructure.</p>
<p><u>GN R. 985 Item 18:</u> <i>“The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i> <i>(a) In Northern Cape province:</i> <i>(ii) outside urban areas; and</i> <i>(ii) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.”</i></p>	<p>In terms of access, the proposed project site can be accessed via an existing gravel road and the existing Transnet Service Road (private). Discussions are being held with Transnet and the project applicant regarding the potential use of the Transnet Road and associated specific requirements. However, should the Transnet Service Road not be used for access, then the unnamed farm gravel road will be used. This farm road, however, will need to be upgraded and widened by more than 4m (where required).</p>

as described in the Environmental Impact Assessment Report (EIAr) dated March 2015 at:

Farm Name

- The Remaining Extent of Portion 8 (Rooidam) (a Portion of Portion 3) of the Farm Gemsbok Bult No. 120
- Remaining Extent of Portion 3 (Rooidam) of the Farm Gemsbok Bult No. 120
- Portion 18 of the Farm Gemsbok Bult No. 120
- Portion 19 of the Farm Gemsbok Bult No. 120

21 Digit SG Code

C	0	3	6	0	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	8
C	0	3	6	0	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	3
C	0	3	6	0	0	0	0	0	0	0	0	0	1	2	0	0	0	0	1	8
C	0	3	6	0	0	0	0	0	0	0	0	0	1	2	0	0	0	0	1	9

Coordinates

Assessed Grid Connection Corridor	Latitude	Longitude
Point 1	29° 06' 21.65042880" S	24° 37.70902800" E
Point 2	29° 06' 21.68158320" S	21° 24' 48.22427160" E
Point 3	29° 06' 30.81192480" S	21° 24' 47.87147160" E
Point 4	29° 06' 30.65772240" S	21° 23' 38.34952800" E
Point 5	29° 06' 44.28455040" S	21° 23' 32.85080520" E
Point 6	29° 06' 59.62890960" S	21° 23' 25.76888880" E
Point 7	29° 06' 58.96582920" S	21° 23' 11.30665560" E
Point 8	29° 08' 25.94995440" S	21° 21' 50.55485400" E
Point 9	29° 09' 01.01776320" S	21° 21' 09.09150840" E
Point 10	29° 09' 05.38356240" S	21° 20' 28.00747680" E
Point 11	29° 09' 06.04325520" S	21° 20' 06.93639240" E
Point 12	29° 08' 47.73671520" S	21° 20' 06.49065120" E
Point 13	29° 08' 19.37412600" S	21° 20' 37.04797320" E
Point 14	29° 08' 20.10682680" S	21° 21' 32.36480640" E
Point 15	29° 07' 49.23716880" S	21° 22' 01.14305160" E
Point 16	29° 06' 48.34787760" S	21° 23' 02.68026000" E
Point 17	29° 06' 51.44086800" S	21° 23' 10.52415240" E
Point 18	29° 06' 24.83806320" S	21° 23' 35.99981520" E
Point 19	29° 06' 24.36768720" S	21° 24' 37.71242640" E
Access Road	Latitude	Longitude
Start Point	29° 05' 42.15969208" S	21° 24' 13.14983803" E
Point 1	29° 05' 53.93754454" S	21° 24' 41.93563558" E
Point 2	29° 06' 25.93023205" S	21° 24' 42.03156447" E
End Point	29° 06' 25.83858322" S	21° 24' 55.48669607" E

- for the Electricity Grid Infrastructure to support the proposed 75MW Gemsbok PV5 Solar Energy Facility and its associated infrastructure on the Remaining Extent of Portion 8 (Rooidam) (a Portion of Portion 3) of the Farm Gemsbok Bult No. 120; Remaining Extent of Portion 3 (Rooidam) of the Farm Gemsbok Bult No. 120 and Portions 18 and 19 of the Farm Gemsbok Bult No. 120 near Kenhardt within the Kheis Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The connection infrastructure and structures for the Photovoltaic (PV) Power Plant will comprise of the following:

- Building infrastructure;
- 132 kV overhead transmission line;
- On-site substation (i.e. 132kV 6 bay double busbar Switching Station (i.e. Skeerhok Switching Station) to be constructed by the Independent Power Producer (IPP) and handed over to Eskom for operations);
- Additional 132kV Feeder Bay at the Gemsbok Solar PV2 Switching Station (i.e. Gemsbokbult Switching Station);
- Additional 132 kV feeder bay(s), busbar(s), and a new 400/132kV transformer bay and extensions of the existing infrastructure (i.e. extensions to the control building, fencing, roads, 400kV yard and 132kV yard) at the Eskom Nieuwehoop Main Transmission Substation;
- Additional 500MVA 400/132kV transformer at the Eskom Nieuwehoop Main Transmission Substation;
- Extension of the 132kV busbars at the Eskom Nieuwehoop Main Transmission Substation;
- Extension of the 400kV busbars at the Eskom Nieuwehoop Main Transmission Substation;
- Access roads and internal gravel roads;
- Fencing;
- Storm water infrastructure including storm water channels exceeding 1 km in length;
- Water pipelines;
- Temporary work area during the construction phase (i.e. laydown area);
- Main access gate and guard house for access control;
- Parking area;
- Canteen, dining area and workers construction camp;
- Chemical based portable ablutions for construction;
- Water storage tanks (Jo-Jo type).

Technical details for the proposed grid infrastructure:

Component	Description/ Dimensions
Location of the site	<ul style="list-style-type: none"> ▪ The Remaining Extent of Portion 8 (Rooidam) (a Portion of Portion 3) of the Farm Gemsbok Bult No. 120; ▪ Remaining Extent of Portion 3 (Rooidam) of the Farm Gemsbok Bult No. 120; ▪ Portion 18 of the Farm Gemsbok Bult No. 120; ▪ Portion 19 of the Farm Gemsbok Bult No. 120.
SG Codes	<ul style="list-style-type: none"> ▪ C0360000000012000008 ▪ C0360000000012000003 ▪ C0360000000012000018 ▪ C0360000000012000019
Site access	The National Road, the R27, and an existing Transnet Service Road leading to the site or the unnamed farm road accessed by the R383
Width of internal roads	Width: Between 6m – 8m
Length of power line	Approximately 8 km (to Gemsbok PV2 Switching Station i.e. Gemsbokbult Switching Station)
Capacity of the power line	Up to 132 kV
Powerline parameters	132 kV Overhead Power Line, single circuit, steel monopole structure, and twin tern conductor
Height of pylons	Maximum of 25 m high
Powerline corridor	200 m corridor (i.e., 100 m on either side of the proposed Overhead Power Line)
Area occupied by pylon servitude	Approximately 31 m wide (132 kV)

Conditions of this Environmental Authorisation

Scope of authorisation

1. The infrastructure and structures for the grid connection of the 75MW Gemsbok PV5 Solar Energy Facility near Kenhardt, within the !Kheis Local Municipality in the Northern Cape Province is approved as per the above geographic coordinates.
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 on 19 November 2018 (i.e., the EA lapses on 19 November 2028). 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. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

9. 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.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. 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

12. The amended Generic Environmental Management Programme (GEMPr) dated June 2023 is hereby approved. This EMPr must be implemented and adhered to.
13. 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.
14. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
15. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.

Frequency and process of updating the EMPr

16. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
17. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
18. 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.
19. 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.
20. 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

21. 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.
 - 21.1. The ECO must be appointed before commencement of any authorised activities.
 - 21.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 21.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 21.4. 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

22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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

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

29. 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

30. 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

31. All equipment and infrastructure must comply with the Radio Astronomy Protection Levels Regulations. Transmitters established for the purposes of voice and data communication must also comply with the relevant regulations concerning the restriction of use of the radio frequency spectrum that applies in the area concerned.
32. The footprint of the development must be limited to the areas required for actual construction works and operational activities. Vegetation clearing must be limited to the required footprint.
33. Vegetation clearing must be limited to the required footprint for actual construction works and operational activities. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
34. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
35. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
36. The ECO must ensure that any double fencing associated with the development allows for free movement of small mammals and avifauna.
37. Any fauna directly threatened by the construction activities must be removed to a safe location by a qualified person.
38. Watercourses outside the approved footprint/layout must be treated as "no-go" areas and demarcated as such. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be

allowed into these areas without the express permission of and supervision by the ECO, except for rehabilitation work in these areas.

39. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction, work in the immediate vicinity of the find must be stopped, SAHRA must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources to be made.
40. 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.
41. Any solid waste, which will not be recycled, 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). No waste material may be left on site after construction.
42. The recommendations of the EAP in the final EIAR dated May 2016 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

General

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 43.1. at the site of the authorised activity;
 - 43.2. to anyone on request; and
 - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
44. 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: 04 August 2023



Mr Vusi Skosana

Acting Chief Director: Integrated Environmental 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 information contained in the application form submitted on 28 October 2015 and acknowledged by the Department on 30 October 2015.
- b) The information contained in the Environmental Impact Assessment Report (EIAR) dated May 2016 and received by this Department on 18 May 2016.
- c) The comments received during the Scoping and EIA phases of the application and submitted as part of the EIAR dated May 2016.
- d) Mitigation measures as proposed in the EIAR dated May 2016 and the EMPr submitted as part of the EIAR dated May 2016.
- e) Specialist studies submitted as part of the EIAR dated May 2016 and received by this Department on 18 May 2016.
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- g) The information contained in the specialist studies contained in the EIAR dated May 2016 and as appears below:

Title	Prepared by
Visual Impact Assessment	Henry Holland
Ecological (Ecology & Freshwater) Impact Assessment	Kyllinga Consulting (sub-contracted by Pachnoda Consulting CC)
Terrestrial Fauna Impact Assessment	Pachnoda Consulting CC and associates
Avifaunal Impact Assessment	Pachnoda Consulting CC and associates
Heritage Impact Assessment	ASHA Consulting (Pty) Ltd
Paleontological Impact Assessment	Natura Viva cc
Socio-Economic Impact Assessment	CSIR
Soils & Agricultural Potential Assessment	Johann Lanz

- h) The appeal decision dated 28 July 2017.

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) Details provided of the qualifications of the Environmental Assessment Practitioner (EAP).
- b) The findings of all the specialist studies conducted and their recommended mitigation measures.
- c) The need for the proposed project stems from the provision of electricity to the national grid.
- d) The EIAr dated May 2016 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- e) The description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity.
- f) The methodology used in assessing the potential impacts identified in the EIAr dated May 2016 and the specialist studies have been adequately indicated.
- g) The location of the proposed development within the Karoo Central Astronomy Area and the significance of identified impacts to the Square Kilometre Array South Africa (SKA-SA) now SARAO (South African Radio Astronomy Observatory).
- h) The cumulative impacts the proposed development will have in the area due to other Renewable Energy Facilities being authorised.
- i) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 for public involvement.
- j) The appeal decision dated 28 July 2017.

3. Findings

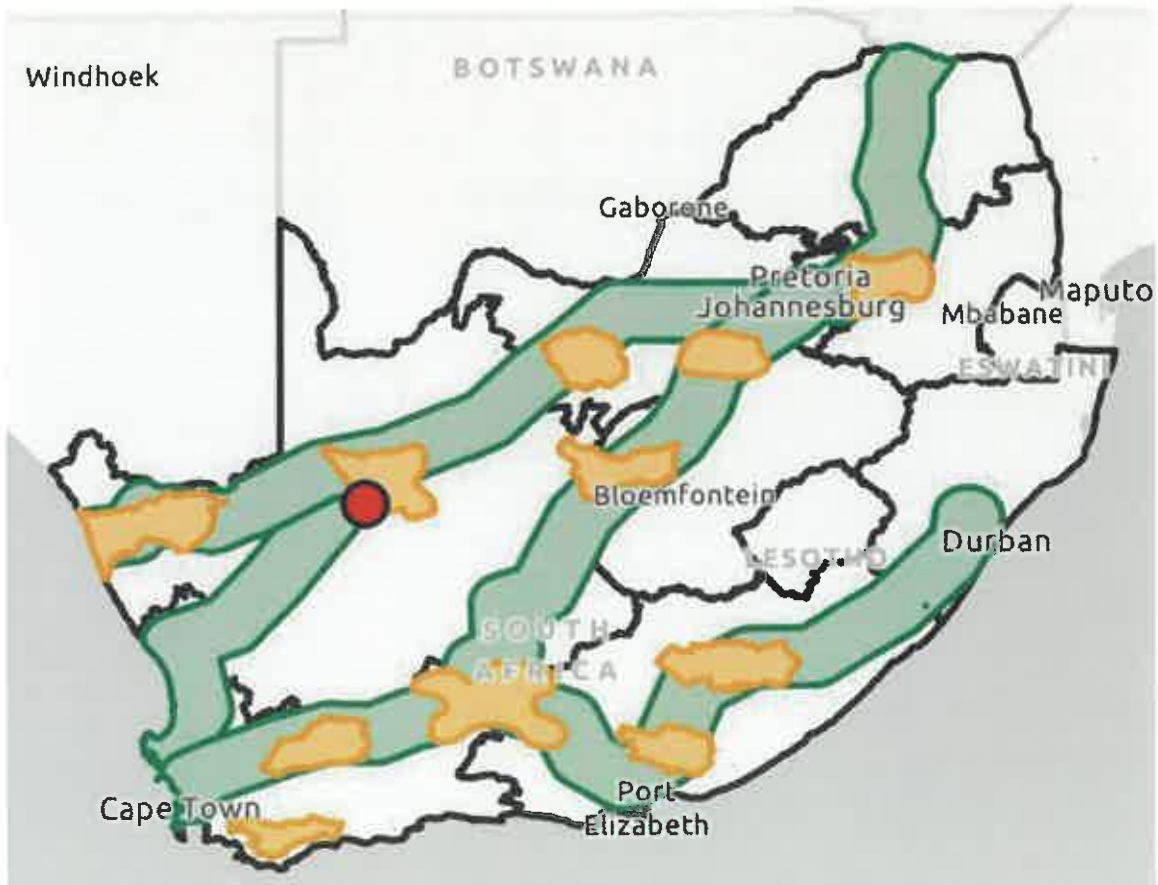
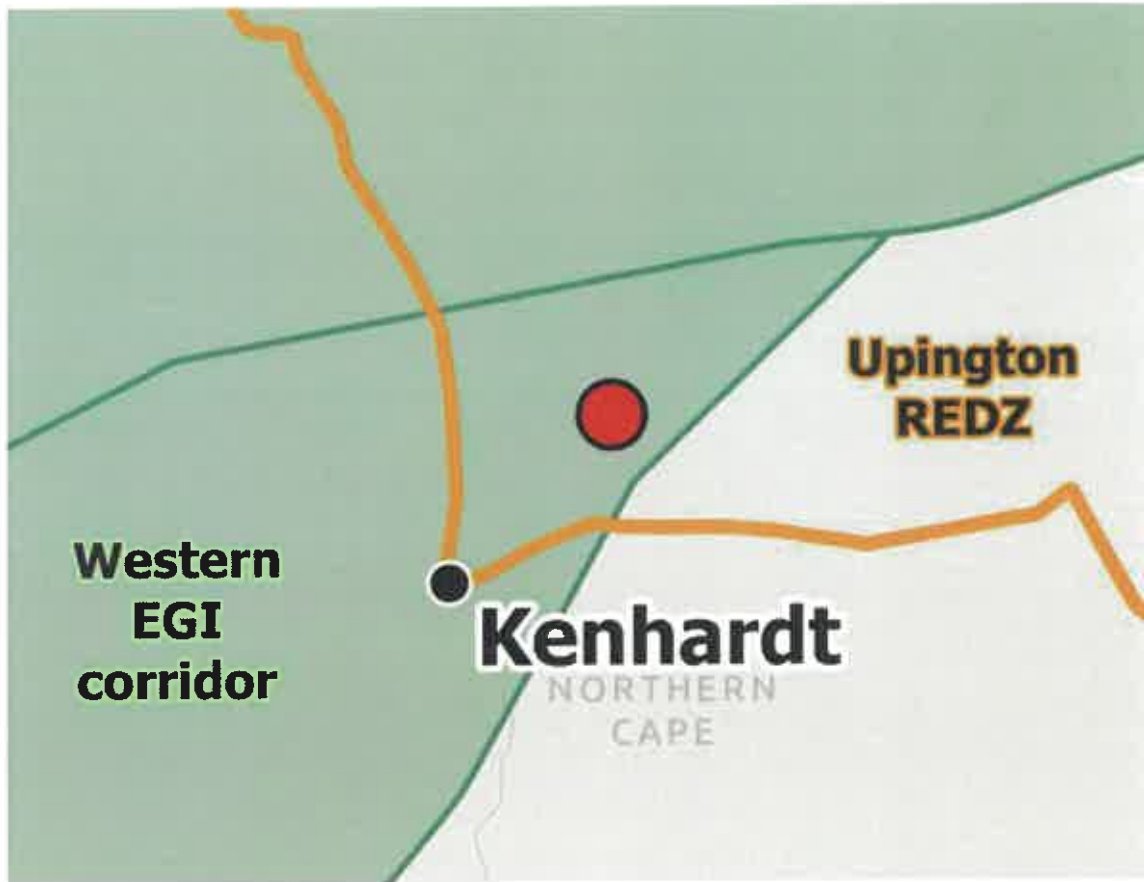
After consideration of the information and factors listed above, the Department made the following findings -

- a) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 for public involvement.
- b) The procedures followed for impact assessment is deemed adequate for the decision-making process.
- c) The appeal decision dated 28 July 2017 is content that the current draft EMC Control Plan can be completed and approved, and that it provides comfort to SARAO that the risk of RFI from the facility will be mitigated.

- d) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr 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.

Annexure 2: Locality Plan





forestry, fisheries & the environment

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

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Ref: Acting Arrangements
Enquiries: Devinagie Bendeman
Telephone: 012 399 9337 **E-mail:** vbendeman@dffe.gov.za

Mr Vusi Skosana
Director: IEA: National Integrated Authorisations

Dear Mr Skosana

APPOINTMENT AS CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING), FROM 04 AUGUST 2023 UNTIL 07 AUGUST 2023

I hereby inform you that you have been appointed to act in the post of Chief Director: Integrated Environmental Authorisations from **04 August 2023 until 07 August 2023**. Please note that acting arrangements may be terminated by any party giving 24 hours written notification.

All correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorisations must be signed under **Chief Director: Integrated Environmental Authorisations (Acting)** 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).

Yours sincerely

Ms Devinagie Bendeman
DDG: Regulatory Compliance & Sector Monitoring
Date: 01 August 2023

cc: Mr Sabelo Malaza
smalaza@dffe.gov.za



Batho pele- putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

ACKNOWLEDGEMENT

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

Signed:

Date: 03 August 2023