



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: 14/12/16/3/3/2/2099/2

Enquiries: Azrah Essop

Telephone: (012) 399 8529 E-mail: AEssop@dffe.gov.za

Mr Matteo Giulio Luigi Maria Brambilla
Norma Energy (Pty) Ltd
14th Floor, Pier Place
Heerengracht Street
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CAPE TOWN
8001

Tel: +27 (0)72 212 1531
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PER E-MAIL

Dear Mr Brambilla

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION (SPLITTING AND REISSUE OF EA) ISSUED ON 19 MAY 2022 IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR THE PROPOSED 132KV SWITCHING STATION LOCATED ON THE FARM BLOMSKRAAL 216, VENTERSBURG ROAD, MATJHABENG LOCAL MUNICIPALITY, LEJWELEPUTSWA DISTRICT MUNICIPALITY, FREE STATE PROVINCE

The Environmental Authorisation (EA) for the abovementioned application issued by this Department on 19 May 2022, your application for amendment of the EA received by the Department on 03 August 2023, the acknowledgement letter dated 11 August 2023 and the additional information received on 15 August 2023, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5, Regulation 27(2)(a) of the NEMA EIA Regulations, 2014 as amended, has decided to amend the EA dated 19 May 2022 by issuing a new EA.

The applicant applied for the following amendments:

- 1) Splitting of the existing EA for the authorised PV Facility and grid infrastructure into two separate EAs, as follows:
 - The Virginia 1 Solar Park and 132kV step up substation under the current applicant; and
 - The 132kV switching station under its own applicant/Special purpose vehicle (SPV).
- 2) Change of the EA holder details with respect to company name for the Switching Station EA only.

Reason for the amendment is as follows:

The Virginia 1 Solar PV Facility is part of a cluster of the Virginia 1, 2 and 3 Solar Parks and will connect to the 132kV step-up substation on site. The project was awarded Preferred Bidder Status under the Round 6 of the Renewable Independent Power Producer Programme (REIPPP). The facility is a SIP 8 project. The amendments

being applied for are for the purposes of splitting the authorised switching substation infrastructure from the PV facility infrastructure. Both the PV facility infrastructure and the on-site substation will remain with the current holder of the Authorisation (URSA Energy (RF) (Pty) Ltd), however the 132kV switching substation component will be transferred to Norma Energy (Pty) Ltd. The details of the contact person will remain the same. The application is strictly of an administrative nature to meet the internal commercial, technical and contractual requirements for the Applicant, and to transfer ownership of the 132kV switching station only.

The attached EA will replace the EA dated 19 May 2022. All further amendments must be lodged on the attached EA.

General

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, of the Department's decision, as well as of 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 stipulates 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 prescribe 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@dfpe.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@dffe.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment
Date: 11/09/2023

cc:	Mr Fabio Venturi	Terramanzi Group (Pty) Ltd	E-mail: environmental@terramanzi.co.za
	Grace Mkhosana	Free State DETEA	E-mail: mkhosana@detea.fs.gov.za
	Mr Mothusi Frank Lepheana	Matjhabeng Local Municipality	E-mail: tshidi.lenong@matjhabeng.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 PROPOSED 132KV SWITCHING STATION LOCATED ON THE FARM BLOMSKRAAL 216,
VENTERSBURG ROAD, MATJHABENG LOCAL MUNICIPALITY, LEJWELEPUTSWA DISTRICT
MUNICIPALITY, FREE STATE PROVINCE

LEJWELEPUTSWA DISTRICT MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/2099/2
Last amended:	<i>Splitting and Re-issue</i> <i>First Issue 19 May 2022</i>
Holder of authorisation:	<i>Norma Energy (Pty) Ltd</i>
Location of activity:	<i>Blomskraal 216 Ventersburg RD, Portion 0</i> <i>(Remainder) within the Matjhabeng Local</i> <i>Municipality, Lejweleputswa District</i> <i>Municipality, in the Free State 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.

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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 –

NORMA ENERGY (PTY) LTD

with the following contact details –

Mr Matteo Giulio Luigi Maria Brambilla

Norma Energy (Pty) Ltd

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Heerengracht Street

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CAPE TOWN

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Tel: (0)72 212 1531

Email: m.logan@redrocket.energy

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
GN R.983 Item 11 (i) <i>The development of facilities or infrastructure for the transmission and distribution of electricity - (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i>	The on-site 132kV switching station of the Virginia 1 Solar Park is located outside an urban area or industrial complex.

The 132kV Switching Station is located within the Virginia 1 Solar Park on the Farm Blomskraal 216, Ventersburg RD, Matjhabeng Local Municipality, Lejweleputswa District Municipality, Free State Province. The switching station will connect the Virginia 1, 2, and 3 Solar Parks to the Virginia 132kV powerline and then via the powerline to the Eskom Theseus Substation.

- as described in the Environmental Impact Assessment Report (EIAR) dated 01 February 2022 at:

Attached is a locality plan for Virginia Solar Park projects as annexure 2 of this Environmental Authorisation.

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132kV Switching Station Coordinates	Latitude	Longitude
Northern Boundary	28°12'53.60"S	26°58'32.47"E
Eastern Boundary	28°12'55.82"S	26°58'36.34"E
Southern Boundary	28°12'58.21"S	26°58'34.60"E
Western Boundary	28°12'56.00"S	26°58'30.73"E

- for the development of the 132kV Switching Station located on the Farm Blomskraal 216, Ventersburg Road, Portion 0 (Remainder) within Matjhabeng Local Municipality, Lejweleputswa District Municipality, Free State Province.", hereafter referred to as "the property".

Project Name	132kV switching station located on the Virginia 1 Solar Park
Substation	132kV switching station (0.5 ha)

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed 132kV Switching Station located on the Farm Blomskraal 216, Ventersburg Road, Portion 0 (Remainder) within Matjhabeng Local Municipality, Lejweleputswa District Municipality, Free State Province, is approved as per the geographic coordinates in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised must only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

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

Management of the activity

13. The site layout plans attached as Appendix 8 – Maps dated July 2023 is approved.
14. The Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity submitted as part of the EIAr dated 01 February 2022 is approved and must be implemented and adhered to.
15. The Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.

16. Changes to the Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity must be submitted in accordance with the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity should any impacts that were not anticipated or covered in the EIAr be discovered.

Frequency and process of updating the EMPr

18. The Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
19. The updated Generic Environmental Management Programme (EMPr) for the development and expansion of substation for the transmission and distribution of electricity must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated Generic Environmental Management Programme (EMPr) for the development and expansion of substation for the transmission and distribution of electricity must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of a Generic Environmental Management Programme (EMPr) for the development and expansion of substation for the transmission and distribution of electricity 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 Generic Environmental Management Programme (EMPr) for the development and expansion of substation for the transmission and distribution of electricity, the Department may request such amendments to the Generic Environmental Management Programme (EMPr) for the development and expansion of substation for the transmission and distribution of electricity as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

22. The holder of the authorisation must apply for an amendment of a Generic Environmental Management Programme (EMPr) for the development and expansion of substation the transmission and distribution of electricity, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
- 23.1. The ECO must be appointed before commencement of any authorised activities.
- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
25. The holder of the environmental authorisation must, for the period during which the environmental authorisation and Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.

26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
27. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved Generic Environmental Management Programme (EMPr) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity.
29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

30. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

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

Site closure and decommissioning

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

Specific conditions

33. No activities must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
34. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
35. A pre-construction walk-through of the final development footprint must be undertaken in order to locate and identify Species of Conservation Concern that can be translocated.
36. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
37. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the SAHRA/PHRA must be informed, and the services of an accredited heritage professional obtained for an assessment of the heritage resources.
38. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

39. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 39.1. at the site of the authorised activity;
- 39.2. to anyone on request; and
- 39.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.

40. 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: 11/09/2023

Split and re-issue:



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries & 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 -

- The listed activities as applied for in the application form received on 01 September 2021 and a request for the split of the EA dated August 2023.
- The information contained in the EIAR dated 01 February 2022.
- The comments received from SAHRA, Eskom, the South African Astronomical Observatory, DWS and interested and affected parties as included in the EIAR dated 01 February 2022.
- Mitigation measures as proposed in the EIAR and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity.
- The information contained in the specialist studies contained within the appendices of the EIAR dated 01 February 2022 and as appears below:

Title	Prepared by	Date
Terrestrial Biodiversity, Plant and Animal Species Impact Assessment Report	Dr BJ Henning (Pri Sci Nat – Ecological Science and Soil Science)	August 2021
Agricultural Agro-Ecosystem Impact Assessment Report	Dr BJ Henning (Pri Sci Nat – Ecological Science and Soil Science)	August 2021
Avifaunal Impact Assessment	Tembele Ecological Services	April 2021
Archaeological Impact Assessment	Exigo Sustainability	02 October 2021
Palaeontological Impact Assessment	Prof. Bruce Rubidge and Dr. Marc Van den Brandt	05 October 2021
Radio frequency interference Assessment & Minimum Report	PF Smuts BEng (Hons) & Philip Francois Smuts	26 June 2021
Socio-Economic Assessment Report	Glen Steyn and Associates	September 2021
Aviation Assessment Report	Tappas Aviation Consultant (Pty) Ltd	25 May 2021
Visual Impact Assessment	Mitha Catharina Cilliers	22 November 2021
Traffic Impact Assessment	Siyazi Limpopo Consulting Services (Pty) Ltd	November 2021

Geotechnical And Geohydrological Desktop Study	Geotechnical Consult Services	September 2021
Final EMPr	AGES Limpopo (Pty) Ltd	January 2022
Additional information in support of Generic EMPr for the Virginia 1 PV Solar Park	AGES Limpopo (Pty) Ltd	January 2022

2. Key factors considered in making the decision

All information presented to the Department was considered 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.

- The findings of all the specialist studies conducted and their recommended mitigation measures.
- The need for the proposed project stems from the provision of electricity to the national grid.
- The EIAR dated 01 February 2022 identified all legislation and guidelines that have been considered in the preparation of the EIAR.
- The location of the proposed Virginia 1 Solar Park.
- The methodology used in assessing the potential impacts identified in the EIAR dated 01 February 2022 and the specialist studies have been adequately indicated.
- A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

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

- The identification and assessment of impacts are detailed in the EIAR dated 01 February 2022 and sufficient assessment of the key identified issues and impacts have been completed.
- The procedure followed for impact assessment is adequate for the decision-making process.
- The information contained in the EIAR dated 01 February 2022 is deemed to be accurate and credible.
- The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- 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 for Virginia Solar Park

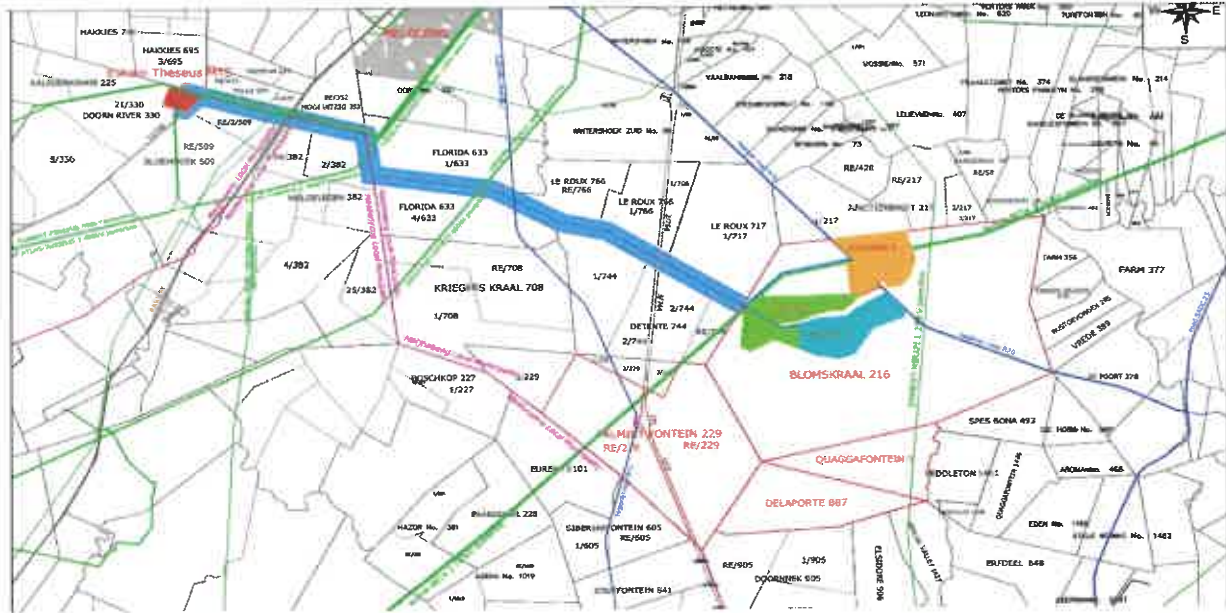


Figure 1: Locality plan for Virginia 1, 2 and 3 in near Virginia in the Free State Province.