



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 14/12/16/3/3/1/2020

Enquiries: Azrah Essop

Telephone: 012-395-8529 **E-mail:** AEssop@environment.gov.za

Mr Robert Wagener
ABO Wind Aggeneys 2 PV (Pty) Ltd
Unit B1, Mayfair Square
Century Way
CENTURY CITY
7441

Tel: 021 418 2596

Email: Robert.wagener@abo-wind.com

PER E-MAIL / MAIL

Dear Mr Wagener

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/983/984/985, AS AMENDED: PROPOSED CONSTRUCTION OF AGGENEYS 2, A 100MW SOLAR PHOTOVOLTAIC (PV) FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR AGGENEYS WITHIN THE KHÂI-MA LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

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

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 14 (fourteen) days of the date of the EA, of the Department's 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 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 abuses or compromises 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.

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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: appealsdirector@environment.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.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appealsdirector@environment.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 25/07/2019

CC:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Tel: 011 656 3237	Email: joanne@savannahsa.com
	Mr. Bryan Fisher	Northern Cape Department of Environment and Nature Conservation	Tel: 053 807 7431	Email: BFisher@ncpg.gov.za / peter.denc87@gmail.com
	Edward Vries	Khâi-Ma Local Municipality	Tel: 054 933 1005	Email: mmsecretary@khaima.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

**CONSTRUCTION OF AGGENEYS 2, A 100MW SOLAR PHOTOVOLTAIC (PV) FACILITY AND
ASSOCIATED INFRASTRUCTURE, NEAR AGGENEYS WITHIN THE KHÂI-MA LOCAL MUNICIPALITY IN
THE NORTHERN CAPE PROVINCE**

Namakwa District Municipality

Authorisation register number:	<i>14/12/16/3/3/1/2020</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>ABO Wind Aggeneys 2 PV (Pty) Ltd</i>
Location of activity:	<i>NORTHERN CAPE PROVINCE: Within Ward 4 of Khâi-Ma Local Municipality</i>

This Environmental 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 –

ABO Wind Aggeneys 2 PV (Pty) Ltd

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

with the following contact details –

Mr Robert Wagener
ABO Wind Aggeneys 2 PV (Pty) Ltd
Unit B1, Mayfair Square
Century Way
CENTURY CITY
7441

Tel: (021) 418 2596
Cell: (064) 030 3633
E-mail: Robert.wagener@abo-wind.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, 2 and 3 of the EIA Regulations dated 04 December 2014, as amended

Listing Notice 1 of the EIA Regulation of 2014, as amended	Activity/Project description
<p><u>Activity 11(i):</u> <i>The development of facilities or infrastructure for the transmission and distribution of electricity-</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;</i></p>	<p>The proposed project involves the construction and operation an on-site substation with an extent of up to 1 hectare (ha) and capacity of up to 220kV and is located outside of an urban area.</p>
<p><u>Activity 12(ii)(a)(c):</u> <i>The development of—</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>where such development occurs—</i> <i>(a) within a watercourse;</i> <i>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p>	<p>The proposed development will require the construction of infrastructure with a physical footprint of up to ~250ha within ephemeral watercourses and within 32m of ephemeral watercourses located within the project site.</p>
<p><u>Activity 14:</u> <i>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic meters or more, but not exceeding 500 cubic meters.</i></p>	<p>Storage of dangerous goods with a combined capacity of ~80m³ will be required for the proposed development.</p>
<p><u>Activity 19:</u> <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse</i></p>	<p>During construction, material of ~10m³ will be moved in and within 32m of ephemeral watercourses.</p>

<p><u>Activity 28 (ii):</u> <i>Residential, mixed, retail, commercial, industrial, or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</i></p>	<p>The proposed development is considered as an industrial development, will be constructed and operated on land used for agricultural purposes, is located outside an urban area and will cover up to an extent of ~250ha.</p>
<p>Listing Notice 2 of the EIA Regulations 2014, as amended</p>	<p>Activity/Project description</p>
<p><u>Activity 1:</u> <i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more</i></p>	<p>The proposed PV facility will have a contracted capacity of up to 100MW</p>
<p><u>Activity 15:</u> <i>The clearance of an area of 20 hectares or more of indigenous vegetation</i></p>	<p>The proposed site will cover an approximate area of 250ha and will require clearance of indigenous vegetation.</p>
<p>Listing Notice 3 of the EIA Regulations 2014, as amended</p>	<p>Activity/Project description</p>
<p><u>Activity 4:</u> <i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i> <i>g. Northern Cape</i> <i>ii. Outside urban areas:</i> <i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p>	<p>The proposed development will require the development of access roads which includes internal access roads with a width of between 4m and 8m. The proposed development is also located within the Kamiesberg Bushmanland Augrabies National Protected Areas Expansion Strategy (NPAES) area. A CBA2 area is located within the eastern section of the project site as per the Northern Cape Conservation Plan (NCCP) (2017).</p>

<p><u>Activity 10:</u> <i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland</i></p> <p><i>iii. Outside urban areas</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p>	<p>Storage of dangerous goods with a combined capacity of ~80m³ will be required for the proposed development. Storage of dangerous goods will be located within 100m of the ephemeral watercourses. The proposed development is also located within the Kamiesberg Bushmanland Augrabies National Protected Areas Expansion Strategy (NPAES) area. A CBA2 area is located within the eastern section of the project site as per the Northern Cape Conservation Plan (NCCP) (2017).</p>
<p><u>Activity 14:</u> <i>The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i></p> <p><i>where such development occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p>	<p>The proposed development will require the construction with a physical footprint of up to ~250ha within 32m of ephemeral watercourses and is located outside urban areas and within the Kamiesberg Bushmanland Augrabies National Protected Areas Expansion Strategy (NPAES) area. A CBA2 area is located within the eastern section of the project site as per the Northern Cape Conservation Plan (NCCP) (2017).</p>

as described in the Basic Assessment Report (BAR) dated May 2019 at:

Farm Name: Remaining Extent Farm Bloemhoek 61

21 Digit SG code:

C	0	5	3	0	0	0	0	0	0	0	0	0	0	0	6	1	0	0	0	0	0
Corner point coordinates (Project Site): Coordinates																					
		Latitude (S)										Longitude (E)									
01 (Northern most point (moving in a clockwise direction))		29° 16' 27,188" S										18° 56' 45,613" E									
02		29° 16' 42,366" S										18° 57' 14,342" E									
03		29° 17' 12,600" S										18° 57' 15,632" E									
04		29° 17' 12,597" S										18° 57' 26,833" E									
05		29° 16' 57,361" S										18° 57' 43,547" E									
06		29° 17' 17,004" S										18° 58' 19,548" E									
07		29° 17' 31,512" S										18° 57' 45,387" E									
08		29° 17' 25,462" S										18° 56' 34,968" E									
09		29° 17' 8,346" S										18° 56' 35,475" E									
10		29° 17' 8,449" S										18° 56' 44,752" E									
Centre Point		29°17'18.55"S										18°57'19.97" E									
Substation Alternative 1																					
Centre Point		29° 17' 23,916" S										18° 56' 36,268" E									

the location indicated in the locality plan, attached as Annexure 2 of this authorisation.

- for the construction of the 100MW solar photovoltaic (PV) facility as well as associated infrastructure, to be known as Aggeneys 2, near Aggeneys in the Khâi-Ma Local Municipality within the Northern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Project site extent of approximately 250Ha.
- Arrays of PV panels with a contracted capacity of up to 100MW.
 - Height: ~3.5m from ground level (installed).
 - Up to a maximum of 233ha
 - Between 300 000 – 400 000 panels required.
 - Fixed-tilt, single-axis tracking, and/or double-axis tracking systems.

- Mounting structures to support the PV panels.
- Cabling between the project components, to be laid underground where practical.
- On-site inverters to convert the power from a direct current (DC) to an alternating current (AC).
- An on-site substation to facilitate the connection between the solar PV facility and the Eskom electricity grid.
 - Up to a maximum of 1ha
 - Stepping up from 22kV or 33kV to 132kV or 220kV
- Other infrastructure such as Gate House and Security Office; Control Centre; Office Building; Warehouses and storage under roof; Rainwater Tank; Perimeter Fences.
- Temporary laydown areas up to an extent of approximately 5Ha.
- Internal access roads (up to width of 5m) and fencing around the project site.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed site with on-site substation Alternative 1 (preferred alternative) using PV solar panels and its associated infrastructure, to be located on the remaining extent of Farm Bloemhoek 61, as per the abovementioned geographic coordinates is approved (See Annexure 2 for Approved Layout)
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 five (05) 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. Commencement with one activity listed in terms of this Environmental 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 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

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to.
13. The provisions of the approved EMPr including recommendations and mitigation measures in the BAR and specialist studies must be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA
14. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:

Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Environment House
473 Steve Biko Road
Arcadia
Pretoria,
0083

For Attention: Mr Muhammad Essop
Integrated Environmental Authorisations
Strategic Infrastructure Developments

Telephone Number: (012) 399 9406
Email Address: MEssop@environment.gov.za

Frequency and process of updating the EMPr

15. 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.
16. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
17. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 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.
18. 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 GN R982 of 04 December 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.
19. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, as amended.

Monitoring

20. The holder of the authorisation must appoint an experienced independent 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.
 - 20.1. The ECO must be appointed before commencement of any authorised activities.

- 20.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 20.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 20.4. 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

21. 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 at Directorcompliance@environment.gov.za.
22. 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 at Directorcompliance@environment.gov.za.
23. 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 GN R982 of 04 December 2014, as amended.
24. The holder of the authorisation must, in addition, submit an 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.
25. 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.
26. 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

27. 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

28. 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

29. 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

30. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species, and assist in identifying the areas that require protection.
31. Vegetation clearing must only commence after a walk-through has been conducted and necessary permits have been obtained. The permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping and included into the EMPr.
32. All construction vehicles must adhere to clearly defined and demarcated roads. No off-road driving to be allowed outside of the construction area.
33. Any fauna threatened by the construction activities must be removed to safety by an appropriately qualified environmental officer.
34. Before construction commences, all sensitive habitats, such as wetlands, protected trees must be clearly demarcated with fencing or orange mesh netting. Barricading measures to be utilised should not restrict the movement of fauna in the area.

35. Search and Rescue of all protected species and species of biodiversity concern must be conducted with an Ecologist before areas are cleared.
36. All species listed in terms of TOPs and Red Data list must not be disturbed or removed without a permit from relevant authorities.
37. Alien invasive plant species in and around the proposed development area must be removed in terms of Conservation of Agricultural Resources Act (CARA), and follow up-actions for at least five years need to take place.
38. Concurrent rehabilitation and alien vegetation control program within all sensitive areas must be implemented.
39. The red sand dunes to the south of the project site should be considered a no-go area apart from where there are already existing access roads through this area.
40. If holes or trenches need to be dug, these must not be left open for extended periods of time. Holes must only be dug when they are required and should be used and filled shortly thereafter.
41. Only mounting structures for the construction of the PV panels will be allowed within the 15m buffer of the ephemeral watercourses.
42. No activities, except the mounting structures within the buffer areas of the ephemeral watercourses, will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
43. No laydown areas, operation and maintenance buildings are allowed in the watercourse areas and associated buffer zones.
44. Where in-stream vegetation is to be cleared, vegetation is not to be completely removed. Rather, vegetation should be trimmed to 300mm height above ground level to ensure surface roughness is maintained.
45. No construction in the watercourses are to take place over the two rain peak periods associated with the watercourses (i.e. during November & between February – March). Suitable crossings through the water crossings must be implemented i.e. use of gravel rather than culverts.
46. Where mounting structures are within the buffer zone of the ephemeral watercourses, these areas need to be temporarily bunded using an appropriate structure (i.e. silt nets, sand bags, pegged wooden planks) until construction is complete at each point.
47. All soil stockpiles on the project site that are within 100m of a watercourse must be bunded using an appropriate structure (i.e. silt nets, sand bags, pegged wooden planks).
48. Ensure a 100m setback from the road is maintained.
49. Ensure that the rocky hills in the area with their archaeological features (including graves) are not disturbed and are considered a no-go area.

50. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
51. The holder of the authorisation is required to inform the Department of Environment and Nature Conservation (DENC), Department of Agriculture, Forestry and Fisheries (DAFF) and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
52. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.
53. 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).
54. If the site must be lit at night for security purposes, this should be done with downward-directed low-UV type lights (such as most LEDs), which do not attract insects.
55. During fencing, no electrified strands must be placed within 30cm of the ground to allow movement of small fauna.

General

56. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 56.1. at the site of the authorised activity;
 - 56.2. to anyone on request; and
 - 56.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
57. 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: 25/07/2019



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

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 BAR dated May 2019;
- b) The comments received from interested and affected parties as included in the BAR dated May 2019;
- c) Site inspection conducted on the 11 July 2019;
- d) Mitigation measures as proposed in the BAR dated May 2019; and the EMPr;
- e) The information contained in the specialist studies contained within Appendix D, E, F, G, H, I, J, K of the BAR; and
- f) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act No.107 of 1998, as amended.

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) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the need for the country to expand its electricity generation capacity and ensure energy security.
- c) The BAR dated May 2019 identified all legislation and guidelines that have been considered in the preparation of the BAR dated May 2019.
- d) The location of the proposed development within a Renewable Energy Development Zone (Springbok REDZ).
- e) The methodology used in assessing the potential impacts identified in the BAR dated May 2019 and the specialist studies have been adequately indicated.

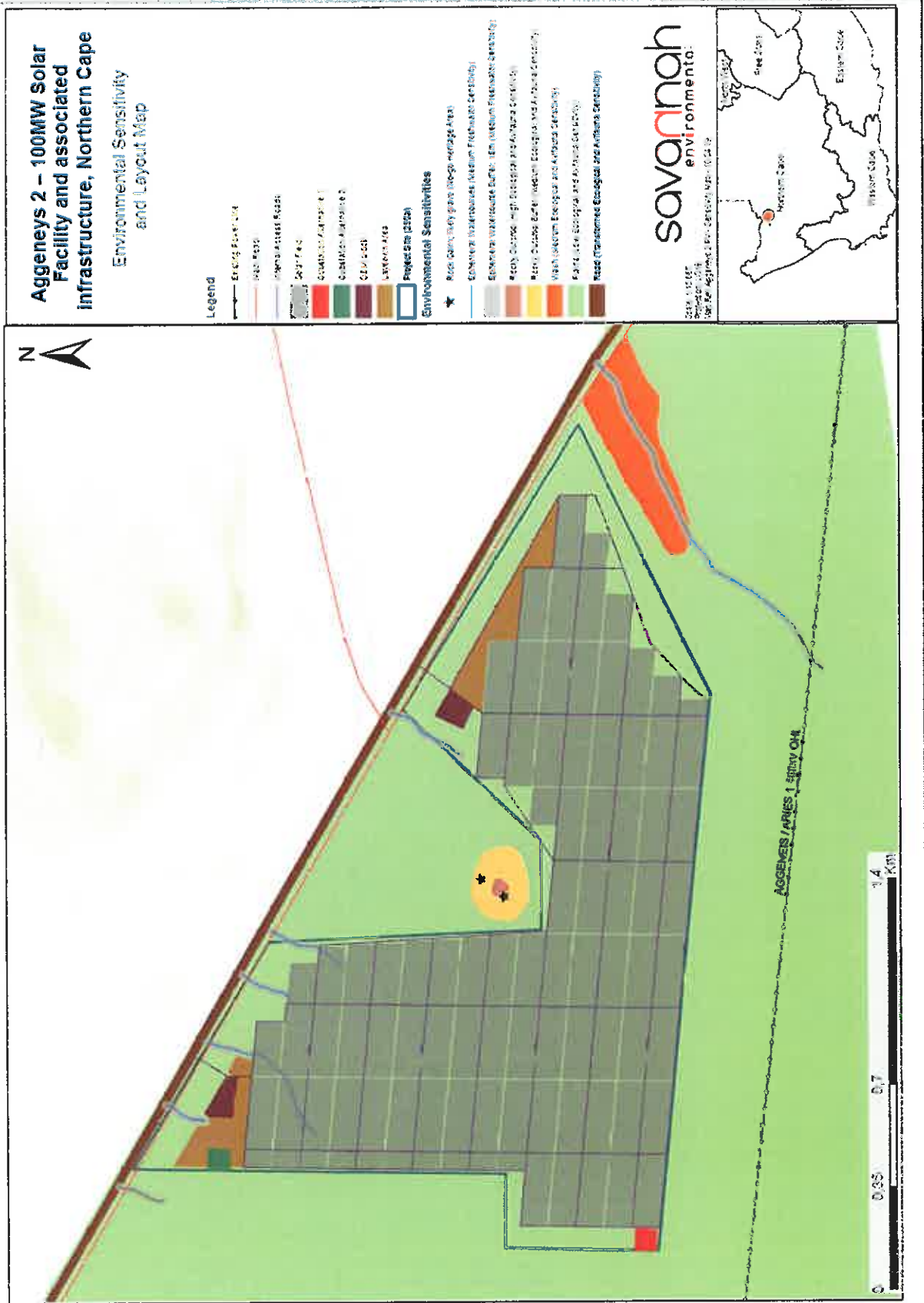
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended, for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the BAR dated May 2019 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the BAR dated May 2019 is accurate and credible.
- e) The location of the proposed project site within a REDZ is further motivation.
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR 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, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.



M.S