



1 ENVIRONMENTAL IMPACT ASSESSMENT (EIA) METHODOLOGY

The Environmental Impact Assessment (EIA) Methodology assists in evaluating the overall effect of a proposed activity on the environment. Determining of the significance of an environmental impact on an environmental parameter is determined through a systematic analysis.

1.1 Determination of Significance of Impacts

Significance is determined through a synthesis of impact characteristics which include context and intensity of an impact. Context refers to the geographical scale (i.e. site, local, national or global), whereas intensity is defined by the severity of the impact e.g. the magnitude of deviation from background conditions, the size of the area affected, the duration of the impact and the overall probability of occurrence. Significance is calculated as shown in **Table 1**.

Significance is an indication of the importance of the impact in terms of both physical extent and time scale, and therefore indicates the level of mitigation required. The total number of points scored for each impact indicates the level of significance of the impact.

1.2 Impact Rating System

The impact assessment must take account of the nature, scale and duration of effects on the environment and whether such effects are positive (beneficial) or negative (detrimental). Each issue / impact is also assessed according to the various project stages, as follows:

- Planning;
- Construction;
- Operation; and
- Decommissioning.

Where necessary, the proposal for mitigation or optimisation of an impact should be detailed. A brief discussion of the impact and the rationale behind the assessment of its significance has also been included.

The significance of Cumulative Impacts should also be rated (As per the Excel Spreadsheet Template).

1.2.1 Rating System Used to Classify Impacts

The rating system is applied to the potential impact on the receiving environment and includes an objective evaluation of the possible mitigation of the impact. Impacts have been consolidated into one (1) rating. In assessing the significance of each issue the following criteria (including an allocated point system) is used:

Table 1: Rating of impacts criteria



ENVIRONMENTAL PARAMETER		
A brief description of the environmental aspect likely to be affected by the proposed activity (e.g. Surface Water).		
ISSUE / IMPACT / ENVIRONMENTAL EFFECT / NATURE		
Include a brief description of the impact of environmental parameter being assessed in the context of the project. This criterion includes a brief written statement of the environmental aspect being impacted upon by a particular action or activity (e.g. oil spill in surface water).		
EXTENT (E)		
This is defined as the area over which the impact will be expressed. Typically, the severity and significance of an impact have different scales and as such bracketing ranges are often required. This is often useful during the detailed assessment of a project in terms of further defining the determined.		
1	Site	The impact will only affect the site
2	Local/district	Will affect the local area or district
3	Province/region	Will affect the entire province or region
4	International and National	Will affect the entire country
PROBABILITY (P)		
This describes the chance of occurrence of an impact		
1	Unlikely	The chance of the impact occurring is extremely low (Less than a 25% chance of occurrence).
2	Possible	The impact may occur (Between a 25% to 50% chance of occurrence).
3	Probable	The impact will likely occur (Between a 50% to 75% chance of occurrence).
4	Definite	Impact will certainly occur (Greater than a 75% chance of occurrence).
REVERSIBILITY (R)		
This describes the degree to which an impact on an environmental parameter can be successfully reversed upon completion of the proposed activity.		
1	Completely reversible	The impact is reversible with implementation of minor mitigation measures
2	Partly reversible	The impact is partly reversible but more intense mitigation measures are required.
3	Barely reversible	The impact is unlikely to be reversed even with intense mitigation measures.
4	Irreversible	The impact is irreversible and no mitigation measures exist.
IRREPLACEABLE LOSS OF RESOURCES (L)		
This describes the degree to which resources will be irreplaceably lost as a result of a proposed activity.		
1	No loss of resource.	The impact will not result in the loss of any resources.
2	Marginal loss of resource	The impact will result in marginal loss of resources.
3	Significant loss of resources	The impact will result in significant loss of resources.
4	Complete loss of resources	The impact is result in a complete loss of all resources.
DURATION (D)		
This describes the duration of the impacts on the environmental parameter. Duration indicates the lifetime of the impact as a result of the proposed activity.		



1	Short term	The impact and its effects will either disappear with mitigation or will be mitigated through natural process in a span shorter than the construction phase (0 – 1 years), or the impact and its effects will last for the period of a relatively short construction period and a limited recovery time after construction, thereafter it will be entirely negated (0 – 2 years).
2	Medium term	The impact and its effects will continue or last for some time after the construction phase but will be mitigated by direct human action or by natural processes thereafter (2 – 10 years).
3	Long term	The impact and its effects will continue or last for the entire operational life of the development, but will be mitigated by direct human action or by natural processes thereafter (10 – 50 years).
4	Permanent	The only class of impact that will be non-transitory. Mitigation either by man or natural process will not occur in such a way or such a time span that the impact can be considered transient (Indefinite).

INTENSITY / MAGNITUDE (I / M)

Describes the severity of an impact (i.e. whether the impact has the ability to alter the functionality or quality of a system permanently or temporarily).

1	Low	Impact affects the quality, use and integrity of the system/component in a way that is barely perceptible.
2	Medium	Impact alters the quality, use and integrity of the system/component but system/ component still continues to function in a moderately modified way and maintains general integrity (some impact on integrity).
3	High	Impact affects the continued viability of the system/component and the quality, use, integrity and functionality of the system or component is severely impaired and may temporarily cease. High costs of rehabilitation and remediation.
4	Very high	Impact affects the continued viability of the system/component and the quality, use, integrity and functionality of the system or component permanently ceases and is irreversibly impaired (system collapse). Rehabilitation and remediation often impossible. If possible rehabilitation and remediation often unfeasible due to extremely high costs of rehabilitation and remediation.

SIGNIFICANCE (S)

Significance is determined through a synthesis of impact characteristics. Significance is an indication of the importance of the impact in terms of both physical extent and time scale, and therefore indicates the level of mitigation required. This describes the significance of the impact on the environmental parameter. The calculation of the significance of an impact uses the following formula:

Significance = (Extent + probability + reversibility + irreplaceability + duration) x magnitude/intensity.



The summation of the different criteria will produce a non-weighted value. By multiplying this value with the magnitude/intensity, the resultant value acquires a weighted characteristic which can be measured and assigned a significance rating.

Points	Impact Significance Rating	Description
5 to 23	Negative Low impact	The anticipated impact will have negligible negative effects and will require little to no mitigation.
5 to 23	Positive Low impact	The anticipated impact will have minor positive effects.
24 to 42	Negative Medium impact	The anticipated impact will have moderate negative effects and will require moderate mitigation measures.
24 to 42	Positive Medium impact	The anticipated impact will have moderate positive effects.
43 to 61	Negative High impact	The anticipated impact will have significant effects and will require significant mitigation measures to achieve an acceptable level of impact.
43 to 61	Positive High impact	The anticipated impact will have significant positive effects.
62 to 80	Negative Very high impact	The anticipated impact will have highly significant effects and are unlikely to be able to be mitigated adequately. These impacts could be considered "fatal flaws".
62 to 80	Positive Very high impact	The anticipated impact will have highly significant positive effects.

The table below is to be represented in the Impact Assessment section of the report. The excel spreadsheet template can be used to complete the Impact Assessment.

**SCREENING REPORT FOR AN ENVIRONMENTAL AUTHORIZATION OR
FOR A PART TWO AMENDMENT OF AN ENVIRONMENTAL AUTHORISATION
AS REQUIRED BY THE 2014 EIA REGULATIONS – PROPOSED SITE
ENVIRONMENTAL SENSITIVITY**

EIA Reference number: TBA

Project name: Droogfontein 3 BESS

Project title: Droogfontein 3 BESS

Date screening report generated: 11/10/2020 08:47:35

Applicant: Mainstream

Compiler: SiVEST

Compiler signature: *Scott Shaw*

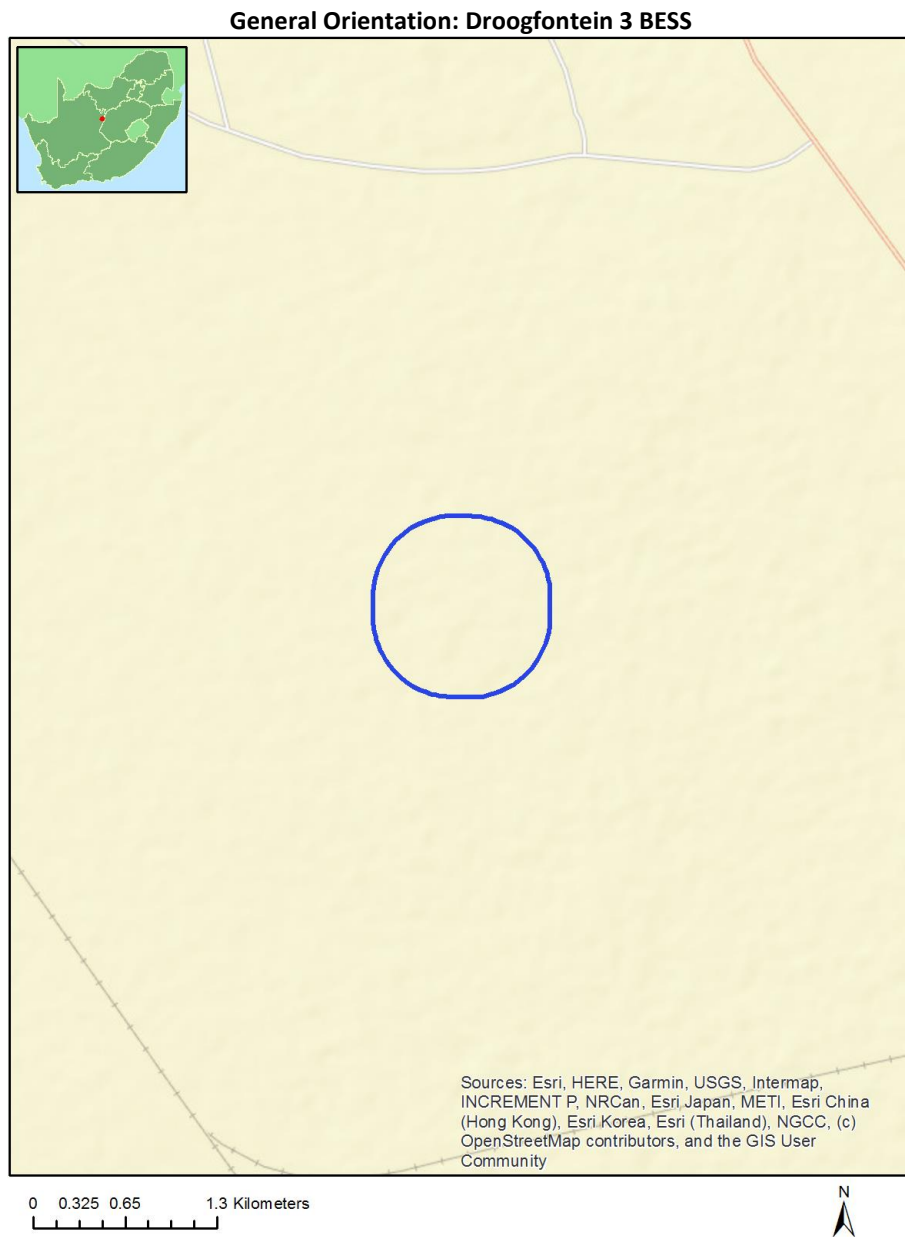
.....

Table of Contents

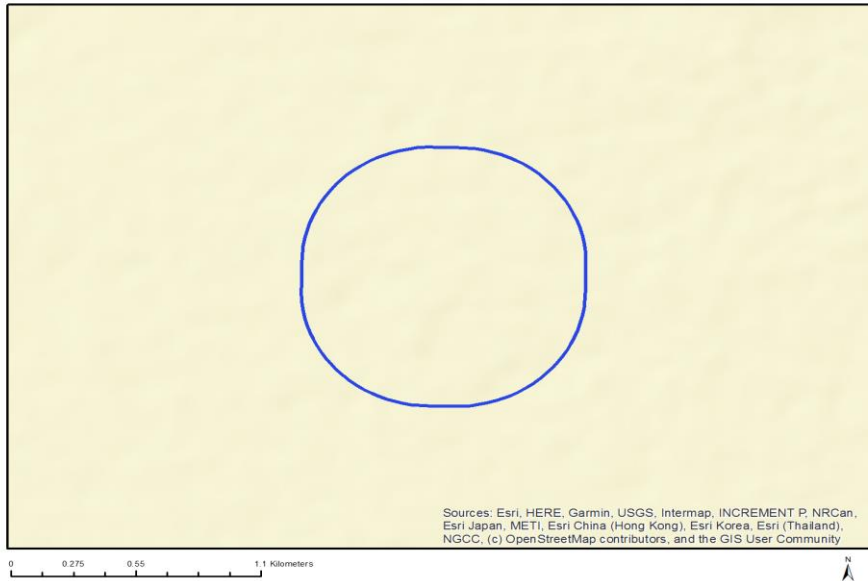
Proposed Project Location	3
Orientation map 1: General location	3
Map of proposed site and relevant area(s)	4
Cadastral details of the proposed site	4
Wind and Solar developments with an approved Environmental Authorisation or applications under consideration within 30 km of the proposed area	4
Environmental Management Frameworks relevant to the application	5
Environmental screening results and assessment outcomes	5
Relevant development incentives, restrictions, exclusions or prohibitions	5
Map indicating proposed development footprint within applicable development incentive, restriction, exclusion or prohibition zones	6
Proposed Development Area Environmental Sensitivity	6
Specialist assessments identified	7
Results of the environmental sensitivity of the proposed area	9
MAP OF RELATIVE AGRICULTURE THEME SENSITIVITY	9
MAP OF RELATIVE ANIMAL SPECIES THEME SENSITIVITY	10
MAP OF RELATIVE AQUATIC BIODIVERSITY THEME SENSITIVITY	11
MAP OF RELATIVE ARCHAEOLOGICAL AND CULTURAL HERITAGE THEME SENSITIVITY	12
MAP OF RELATIVE CIVIL AVIATION THEME SENSITIVITY	13
MAP OF RELATIVE DEFENCE THEME SENSITIVITY	14
MAP OF RELATIVE PALEONTOLOGY THEME SENSITIVITY	15
MAP OF RELATIVE PLANT SPECIES THEME SENSITIVITY	16
MAP OF RELATIVE TERRESTRIAL BIODIVERSITY THEME SENSITIVITY	17

Proposed Project Location

Orientation map 1: General location



Map of proposed site and relevant area(s)



Cadastral details of the proposed site

Property details:

No	Farm Name	Farm/ Erf No	Portion	Latitude	Longitude	Property Type
1	DROOGFONTEIN	62	0	28°34'59.14S	24°43'8.21E	Farm
2	DROOGFONTEIN	62	1	28°35'29.12S	24°41'50.24E	Farm Portion

Development footprint¹ vertices:
No development footprint(s) specified.

Wind and Solar developments with an approved Environmental Authorisation or applications under consideration within 30 km of the proposed area

No	EIA Reference No	Classification	Status of application	Distance from proposed area (km)
1	14/12/16/3/3/1/505	Solar PV	Approved	13.7
2	12/12/20/2024/1/1	Solar PV	Approved	0
3	12/12/20/2138	Solar PV	Approved	21.6
4	12/12/20/2024/2	Solar PV	Approved	2.1
5	12/12/20/2148	Solar PV	Approved	29
6	12/12/20/2251/2	Solar CSP	Approved	6.6
7	12/12/20/2124	Solar PV	Approved	10.6

¹ “development footprint”, means the area within the site on which the development will take place and includes all ancillary developments for example roads, power lines, boundary walls, paving etc. which require vegetation clearance or which will be disturbed and for which the application has been submitted.

8	12/12/20/2024	Solar CSP and PV	Approved	0
9	12/12/20/2251/1	Solar PV	Approved	10.8
10	14/12/16/3/3/2/307	Solar PV	Approved	14.6
11	14/12/16/3/3/1/429	Solar PV	Approved	21.5
12	12/12/20/2024/1A	Solar PV	Approved	0
13	12/12/20/2024/1A	Solar PV	Approved	0

Environmental Management Frameworks relevant to the application

No intersections with EMF areas found.

Environmental screening results and assessment outcomes

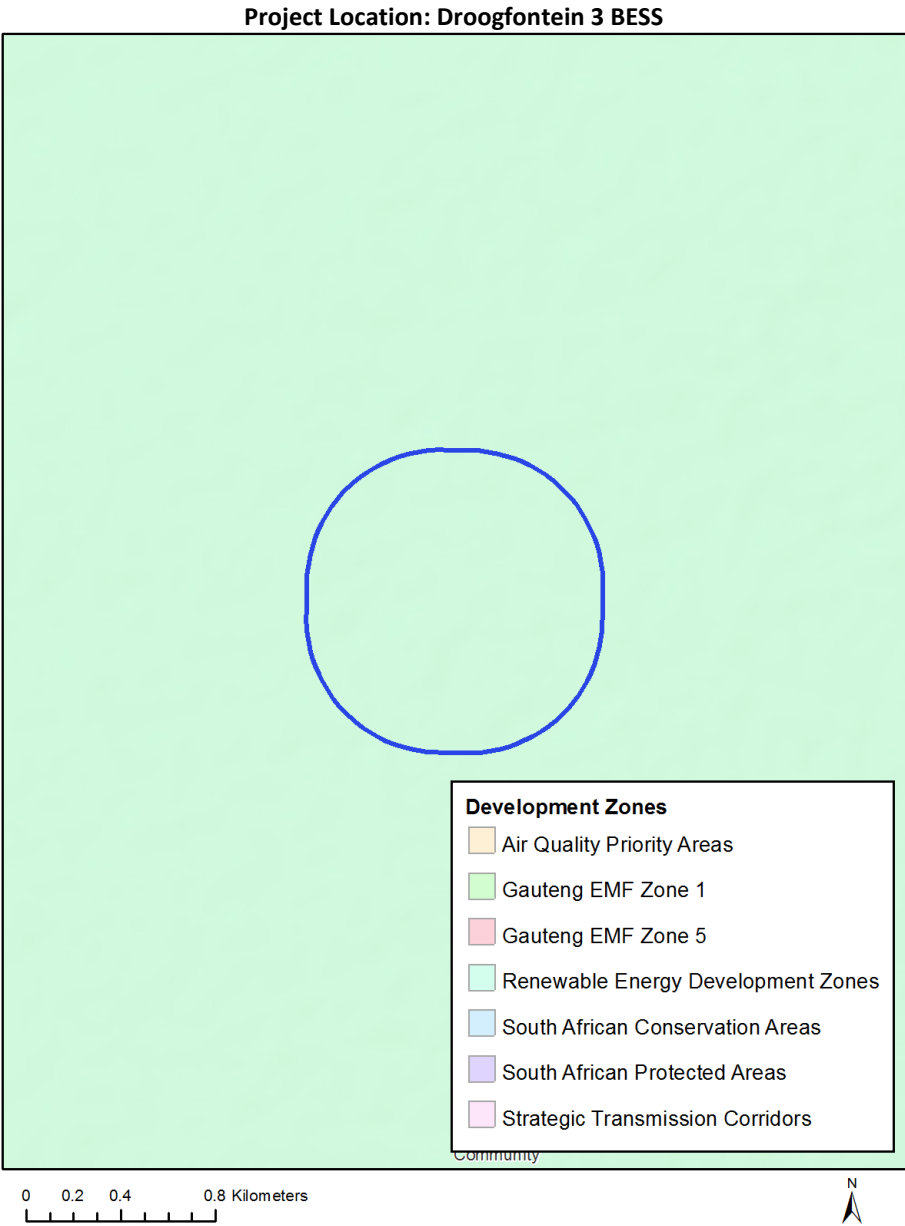
The following sections contain a summary of any development incentives, restrictions, exclusions or prohibitions that apply to the proposed development site as well as the most environmental sensitive features on the site based on the site sensitivity screening results for the application classification that was selected. The application classification selected for this report is: Infrastructure | Localised infrastructure | Storage | Dangerous Goods | Chemicals | Storage_Chemicals.

Relevant development incentives, restrictions, exclusions or prohibitions

The following development incentives, restrictions, exclusions or prohibitions and their implications that apply to this site are indicated below.

Incentive, restriction or prohibition	Implication
Renewable energy development zones 5- Kimberley	https://screening.environment.gov.za/ScreeningDownloads/DevelopmentZones/GNR_350_of_13_April_2017.pdf

Map indicating proposed development footprint within applicable development incentive, restriction, exclusion or prohibition zones



Proposed Development Area Environmental Sensitivity

The following summary of the development site environmental sensitivities is identified. Only the highest environmental sensitivity is indicated. The footprint environmental sensitivities for the proposed development footprint as identified, are indicative only and must be verified on site by a suitably qualified person before the specialist assessments identified below can be confirmed.

Theme	Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
Agriculture Theme			X	
Animal Species Theme		X		

Aquatic Biodiversity Theme				X
Archaeological and Cultural Heritage Theme			X	
Civil Aviation Theme		X		
Defence Theme				X
Paleontology Theme		X		
Plant Species Theme				X
Terrestrial Biodiversity Theme				X

Specialist assessments identified

Based on the selected classification, and the environmental sensitivities of the proposed development footprint, the following list of specialist assessments have been identified for inclusion in the assessment report. It is the responsibility of the EAP to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist study including the provision of photographic evidence of the site situation.

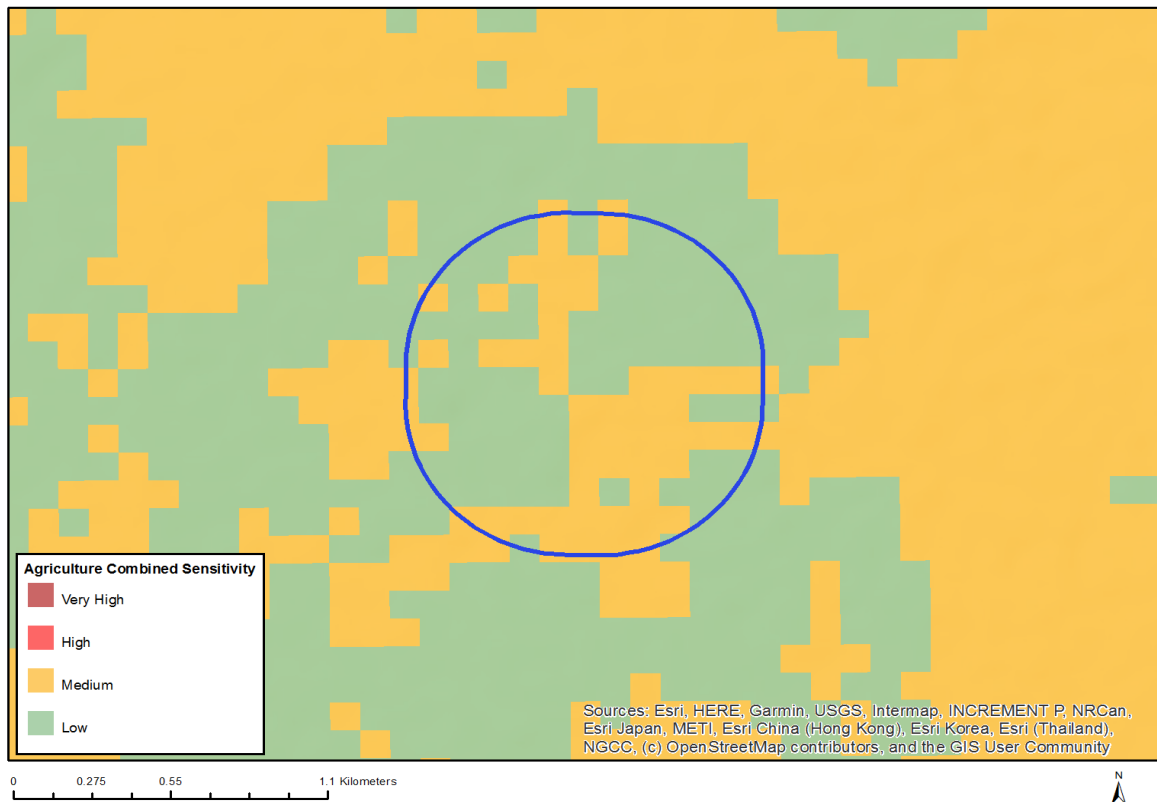
N o	Specialist assessment	Assessment Protocol
1	Agricultural Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Agriculture_Assessment_Protocols.pdf
2	Archaeological and Cultural Heritage Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf
3	Palaeontology Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf
4	Terrestrial Biodiversity Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Terrestrial_Biodiversity_Assessment_Protocols.pdf
5	Aquatic Biodiversity Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Aquatic_Biodiversity_Assessment_Protocols.pdf
6	Hydrology Assess	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf

	ment	
7	Noise Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Noise_Impacts_Assessment_Protocol.pdf
8	Traffic Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf
9	Geotechnical Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf
10	Socio-Economic Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf
11	Plant Species Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf
12	Animal Species Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf

Results of the environmental sensitivity of the proposed area.

The following section represents the results of the screening for environmental sensitivity of the proposed site for relevant environmental themes associated with the project classification. It is the duty of the EAP to ensure that the environmental themes provided by the screening tool are comprehensive and complete for the project. Refer to the disclaimer.

MAP OF RELATIVE AGRICULTURE THEME SENSITIVITY



Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
		X	

Sensitivity Features:

Sensitivity	Feature(s)
Low	Land capability;01. Very low/02. Very low/03. Low-Very low/04. Low-Very low/05. Low
Medium	Land capability;06. Low-Moderate/07. Low-Moderate/08. Moderate

MAP OF RELATIVE ANIMAL SPECIES THEME SENSITIVITY

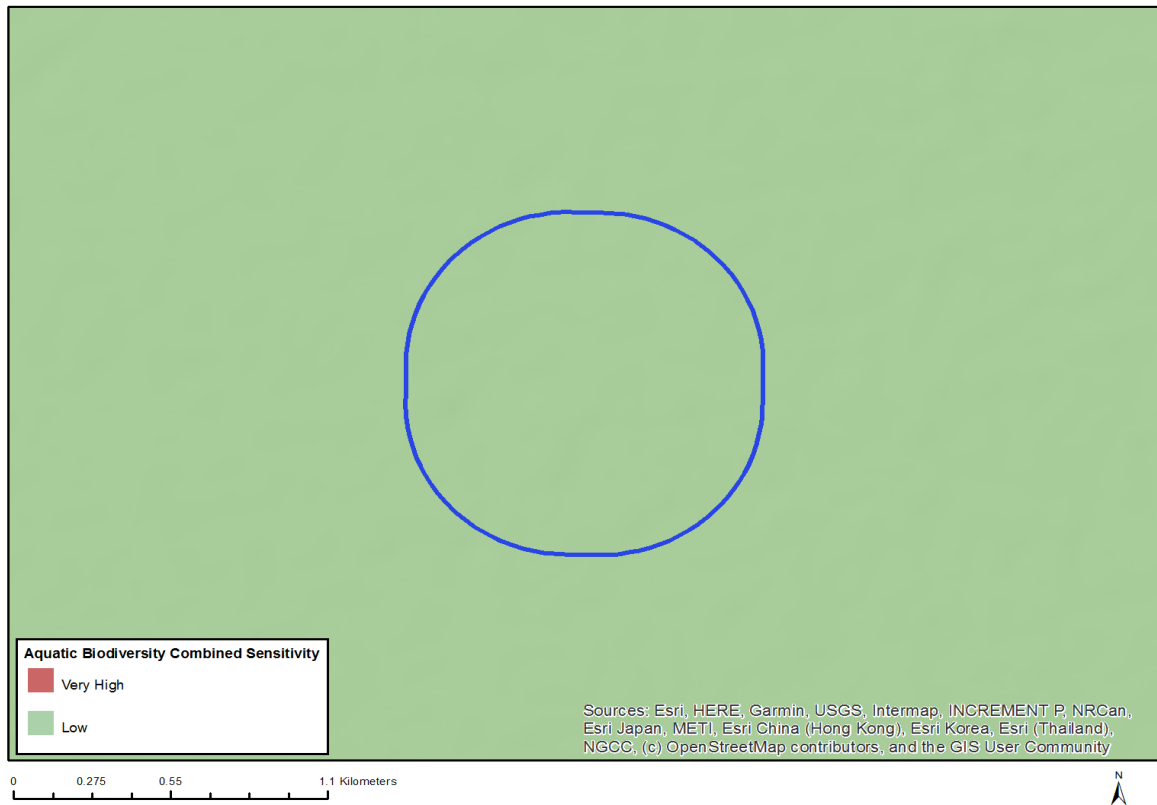


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
	X		

Sensitivity Features:

Sensitivity	Feature(s)
High	Aves-Neotis ludwigii
Medium	Aves-Sagittarius serpentarius

MAP OF RELATIVE AQUATIC BIODIVERSITY THEME SENSITIVITY

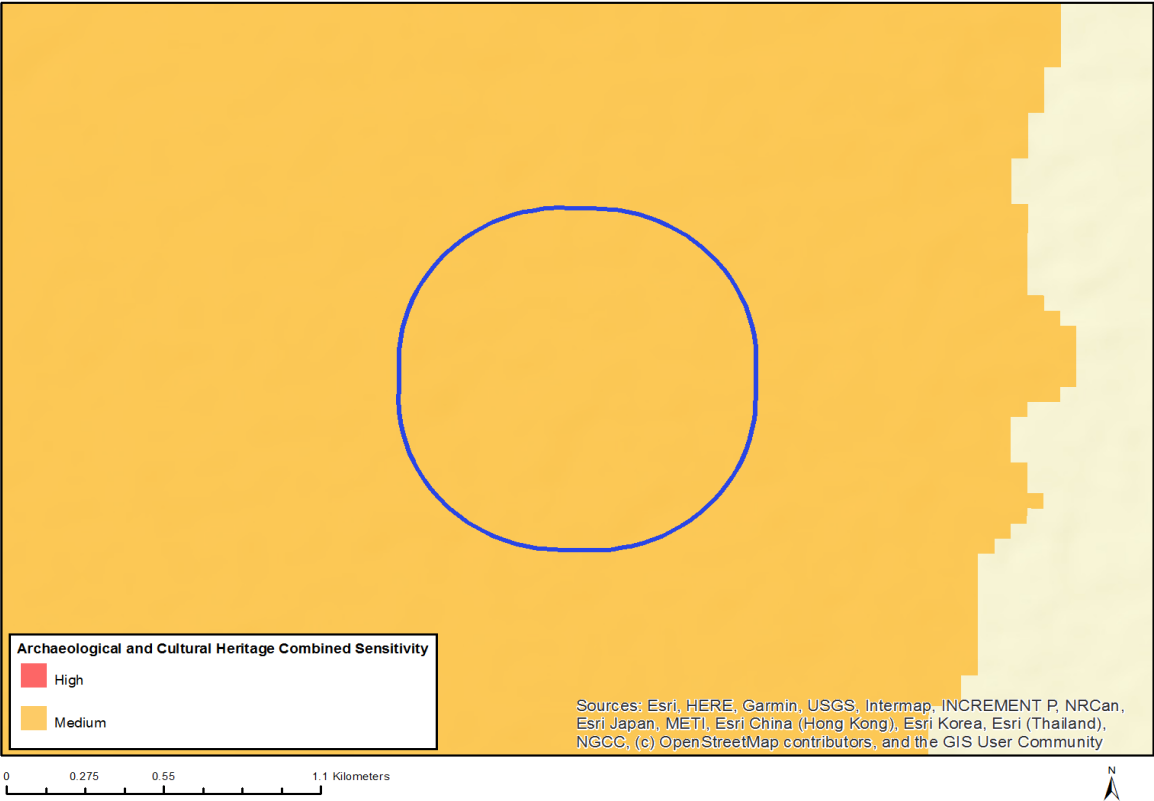


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
			X

Sensitivity Features:

Sensitivity	Feature(s)
Low	Low sensitivity

MAP OF RELATIVE ARCHAEOLOGICAL AND CULTURAL HERITAGE THEME SENSITIVITY

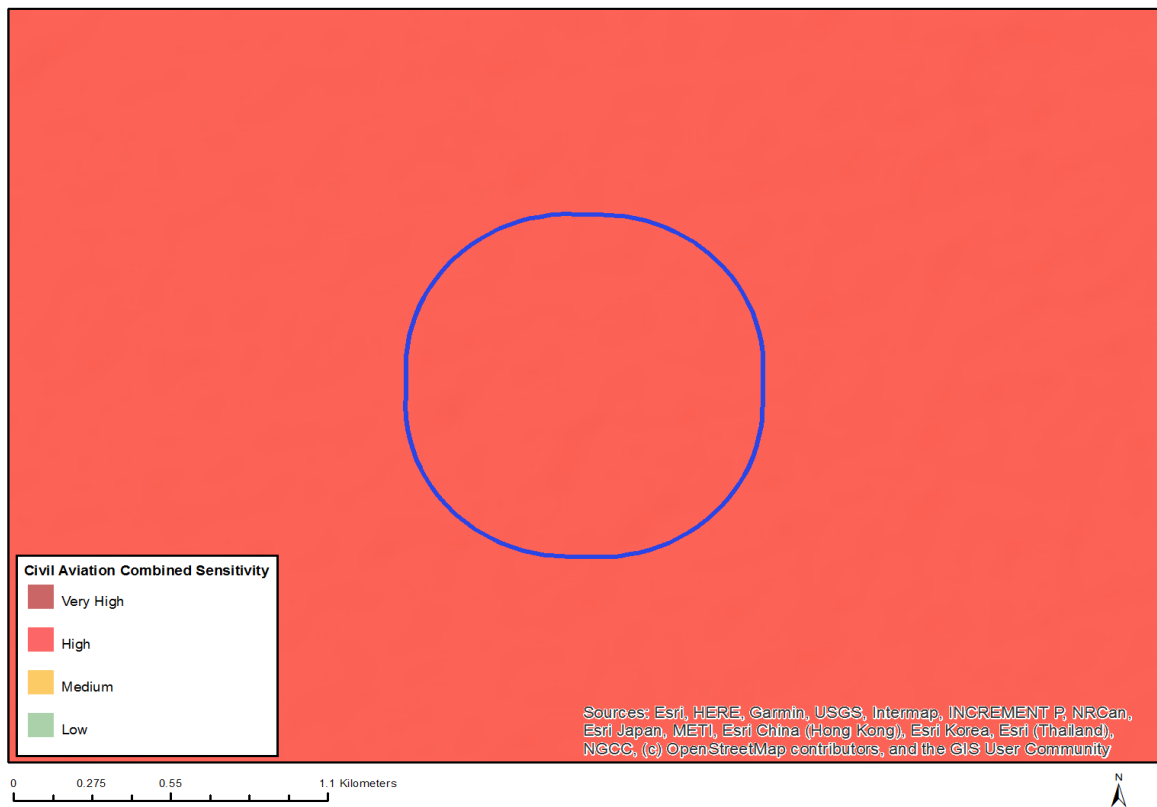


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
		X	

Sensitivity Features:

Sensitivity	Feature(s)
Medium	Mountain or ridge

MAP OF RELATIVE CIVIL AVIATION THEME SENSITIVITY



Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
	X		

Sensitivity Features:

Sensitivity	Feature(s)
High	Within 8 km of other civil aviation aerodrome
High	Dangerous and restricted airspace as demarcated

MAP OF RELATIVE DEFENCE THEME SENSITIVITY

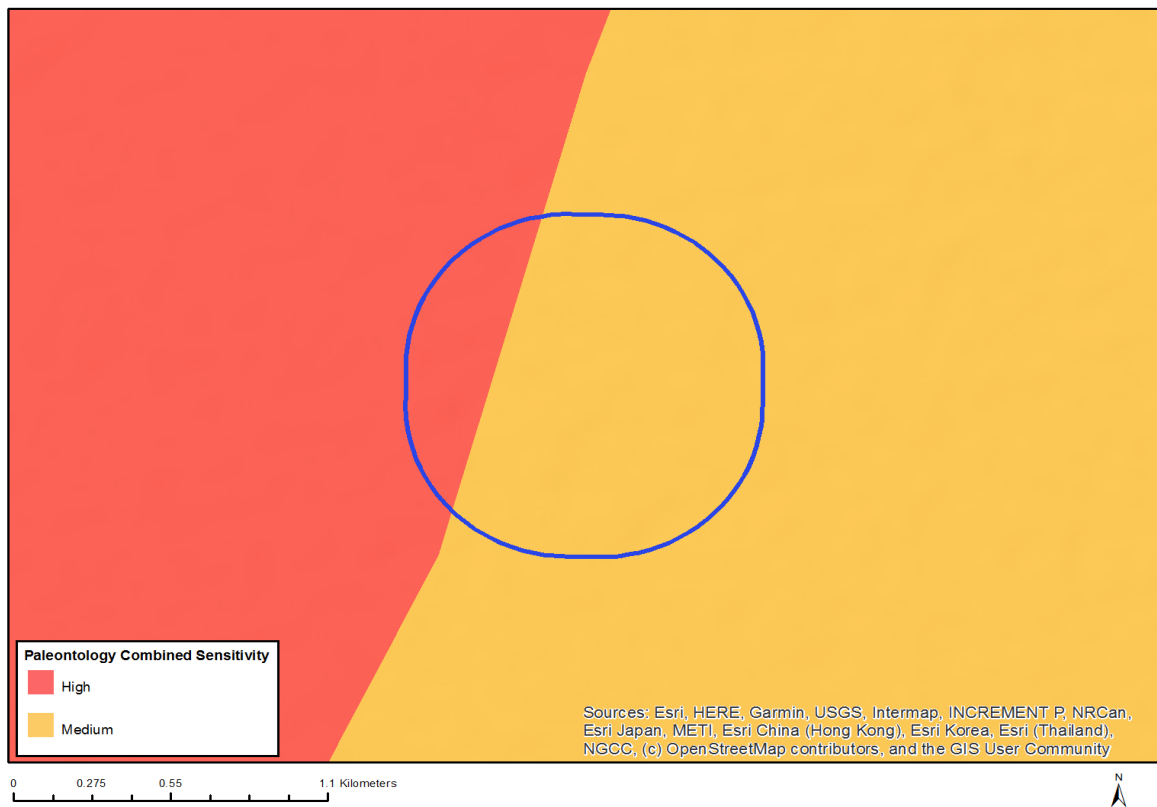


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
			X

Sensitivity Features:

Sensitivity	Feature(s)
Low	Low sensitivity

MAP OF RELATIVE PALEONTOLOGY THEME SENSITIVITY



Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
	X		

Sensitivity Features:

Sensitivity	Feature(s)
High	Rock units with a high paleontological sensitivity
Medium	Rock units with a medium paleontological sensitivity

MAP OF RELATIVE PLANT SPECIES THEME SENSITIVITY

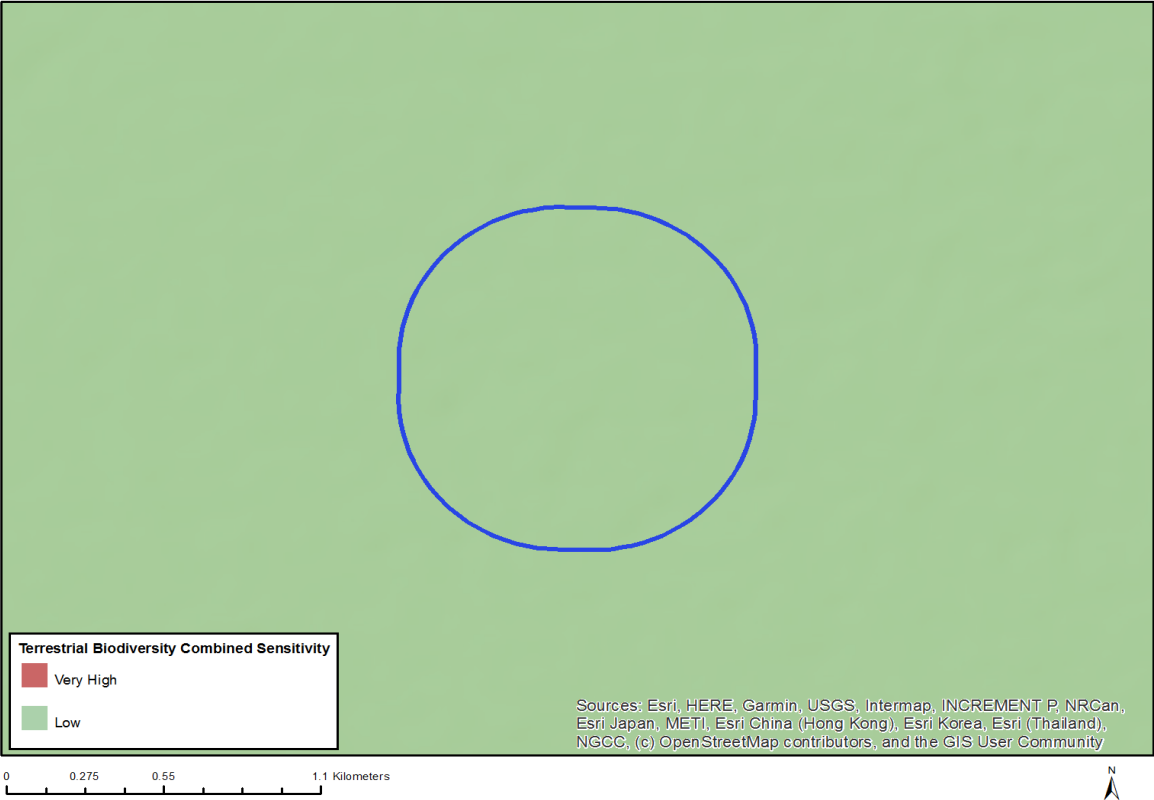


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
			X

Sensitivity Features:

Sensitivity	Feature(s)
Low	Low sensitivity

MAP OF RELATIVE TERRESTRIAL BIODIVERSITY THEME SENSITIVITY



Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
			X

Sensitivity Features:

Sensitivity	Feature(s)
Low	Low Sensitivity



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

NEAS Reference: DEA/EIA/0001335/2012

DEA Reference: 14/12/16/3/3/1/508/2

Enquiries: Mahlatse Shubane

Telephone: 012-395-1781 **Fax:** 012-320-7539 **E-mail:** mshubane@environment.gov.za

Ms Andrea van Gensen
Eskom Holdings SOC Limited
PO Box 356
BLOEMFONTEIN
9300

Fax: (086) 539 5177

Tel: (051) 404 2040

PER FACSIMILE / MAIL

Dear Ms Van Gensen.

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543, 544 AND 546: PROPOSED CONSTRUCTION OF A 132KV POWER LINE, THE PROPOSED DROOGFONTEIN PHOTOVOLTAIC (PV) 3 SUBSTATION AND THE EXTENSION OF THE HOMESTEAD SUBSTATION WITHIN THE SOL PLAATJIE 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 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

- By facsimile: 012-320-7561;
- By post: Private Bag X447,
Pretoria, 0001; or
- By hand: 2nd Floor, Fedsure Building, North Tower,
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets,
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

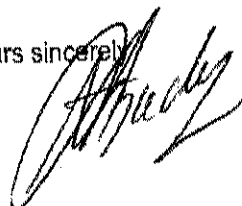
Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012-310-3271

Email: AppealsDirectorate@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely,



Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

Department of Environmental Affairs

Date: 16/04/2014

CC:	Ms A Gibb	SIVEST (EAP)	Tel: 011-798-0638	Fax: 011-803-7272
	Mr J Mutyorauta	Provincial Department: DENC	Tel: 053-807-7300	Fax: 053-807-7328
	Mr G Akhwaray	Sol Plaitjie Local Municipality	Tel: 053-830-6100	Fax: 053-833-1005



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

Construction of a 132kV power line, the proposed Droogfontein Photovoltaic (PV) 3 Substation and the extension of the Homestead Substation within the Sol Plaatjie Local Municipality in the Northern Cape Province

Frances Baard District Municipality

Authorisation register number:	14/12/16/3/3/1/508/2
NEAS reference number:	DEA/EIA/0001335/2012
Last amended:	First issue
Holder of authorisation:	ESKOM HOLDINGS SOC LIMITED
Location of activity:	NORTHERN CAPE PROVINCE: Within Sol Plaatjie Local Municipality

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 authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

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, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

ESKOM HOLDINGS SOC LIMITED

with the following contact details –

Ms Andrea van Gensen
Eskom Holdings SOC Limited
PO Box 356

BLOEMFONTEIN

9300

Tel: (051) 404 2040
Fax: (086) 539 5177
E-mail: vgenseal@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1 & 3 (GN R. 544 and GN R. 546):

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10 (i):</u> The construction 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</p>	<p>The proposed development is for construction of a 132kV power line.</p>
<p><u>GN R. 544 Item 11:</u> The construction of: (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>	<p>Final alignment of the power line is within 32m of a watercourse.</p>
<p><u>GN R. 544 Item 18 (i):</u> The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from: (i) a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving; (a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or (b) occurs behind the development setback line.</p>	<p>Excavation will occur within wetlands.</p>
<p><u>GN R. 544 Item 23 (ii):</u> The transformation of undeveloped, vacant or derelict land to - (ii) residential, retail, commercial, recreational, industrial or</p>	<p>The proposed substation will be located outside an urban area and will cover an area of approximately</p>

Listed activities	Activity/Project description
<p>institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; - except where such transformation takes place - (i) for linear activities; or (ii) for purposes of agriculture or afforestation, in which case Activity 16 of Notice No. R545 applies</p>	<p>1.2 hectares.</p>
<p><u>GN R. 546 Item 4:</u> The construction of a road wider than 4 meters with a reserve less than 13,5 meters. (a) In Northern Cape: ii. Outside urban areas, in: (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve.</p>	<p>Two lane gravel roads which are 8m wide will be constructed (during construction for trucks to turn) and the proposed power line will be located 3.6 kilometres of the protected Dronfield Nature Reserve.</p>
<p><u>GN R. 546 Item 16:</u> The construction of: (iv) infrastructure covering 10 square meters or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line. a) In Northern Cape: ii. Outside urban areas, in: (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	<p>Final alignment of the power line will be located within 32m of a watercourse and will be located within 5 kilometres of the protected Dronfield Nature Reserve.</p>

as described in the Basic Assessment Report (BAR) dated 12 November 2013 at:

Preferred Site Alternative A (Substation)	Latitude	Longitude
North-West Corner	28° 33.517" S	24° 41.268" E
North-East Corner	28° 33.518" S	24° 41.329" E
Centre Point	28° 33.550" S	24° 41.298" E
South-West Corner	28° 33.582" S	24° 41.267" E
South-East Corner	28° 33.583" S	24° 41.328" E
Preferred Power line Route Alternative A	Latitude	Longitude
Starting Point	28° 33.576" S	24° 41.082" E
Middle Point	28° 37.779" S	24° 42.171" E
End Point	28° 41.550" S	24° 44.247" E

- for the proposed construction of a 132kV power line, the Droogfontein PV 3 Substation and the extension of the Homestead Substation within the Sol Plaatjie Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The project infrastructure will consist of the following components:

- Construction of 1 x 132 kV overhead power line from the proposed Droogfontein PV 3 Substation to the existing Homestead Substation;
- Construction of 1 x 132kV feeder bay within the boundary of the Homestead Substation to accommodate new incoming power lines; and
- Construction of an access track (8m wide and 16.7km) along the power line servitude.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred site alternative (Alternative A) and route alternative (Alternative A) with the abovementioned coordinates is hereby approved.
 2. Authorisation of the activity is subject to the conditions contained in this 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 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 authorisation in terms of the regulations.
6. This activity must commence within a period of five (5) years from the date of issue of this 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.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

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 12 (twelve) 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 Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
 - 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.
 11. The holder of the authorisation must publish a notice –
 - 11.1. informing interested and affected parties of the decision;
-

- 11.2. informing interested and affected parties where the decision can be accessed; and
- 11.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

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 adhered to.

Monitoring

13. The applicant must appoint a suitably 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr.
 - 13.1. The ECO shall be appointed before commencement of any authorised activities.
 - 13.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 13.3. The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 13.4. The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
 - 13.5. 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.

Recording and reporting to the Department

14. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at the Department.
15. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
16. The environmental audit report 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 EMPr.
17. 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.

Commencement of the activity

18. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
19. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
20. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.

Notification to authorities

21. Fourteen (14) days written notice must be given to the Department that the activity will commence. 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. This notification period may coincide with the Notice of Intent to Appeal period.
-

Operation of the activity

22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

Site closure and decommissioning

23. Should the activity ever cease or become redundant, the applicant shall 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

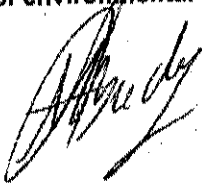
24. Once final pylon positions are pegged, an avifaunal "walk through" must be undertaken by a qualified avifauna specialist to identify sensitive zones and the exact spans of the power line to be marked with anti-collision devices.
25. The power lines must be fitted with bird's perches in order to draw birds away from the insulators.
26. Concrete mixing on site during construction (if mixed on the ground) must be conducted on plastic sheeting.
27. The site manager must ensure that drinking and cleansing water is available on site for all workers.
28. A community liaison officer must be appointed by the contractor to ensure that, as far as possible, labourers from the local area are appointed.
29. The Rehabilitation Plan must include the management and control of alien invasive plants.
30. A Heritage specialist must be appointed to perform a final walkthrough of the alignment to identify heritage resources and assist in identifying the areas that require protection.
31. Prior to construction, the avifaunal specialist must be appointed to conduct a site visit during summer in order to determine whether there are faunal species present on site. The findings of the site visit must be submitted to the Northern Cape Department of Environment and Nature Conservation and this Department (Environmental Affairs) for record purposes. The EMPr must be amended should additional mitigation measures be required.
32. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.

33. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

General

34. A copy of this authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
35. The holder of the authorisation must notify both the *Director: Integrated Environmental Authorisations* and the *Director: Compliance Monitoring* at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
36. 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 applicant or his 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 applicant 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: 16 April 2014



Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

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 12 November 2013;
- b) The comments received from the organs of state and interested and affected parties as included in the BAR dated 12 November 2013;
- c) Mitigation measures as proposed in the BAR dated 12 November 2013 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the BAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

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 was well explained and the Department has taken the need of the project into consideration;
- c) The BAR dated 12 November 2013 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated 12 November 2013 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 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 12 November 2013 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 12 November 2013 is accurate and credible.
- e) 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 process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity 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 proposed activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.



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: 14/12/16/3/3/1/508/2/AM1

Enquiries: Ms Azrah Essop

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

Mr Eugene Marais
South African Mainstream Droogfontein PV3 (Pty) Ltd
P O Box 45063
CLAREMONT
7735

Tel: (021) 657 4040
Fax: (021) 671 5665
Email: Eugene.marais@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Marais

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 16 APRIL 2014 FOR THE PROPOSED CONSTRUCTION OF A 132kV POWERLINE, THE PROPOSED DROOGFONTEIN PHOTOVOLTAIC (PV) 3 SUBSTATION AND THE EXTENSION OF THE HOMESTEAD SUBSTATION WITHIN THE SOL PLAATJIE LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 16 April 2014 and your application for amendment to the EA received by this Department on 11 April 2019 and the acknowledgement letter issued by the Department on the 23 April 2019 refer.

Amendment 1:

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to grant an extension of the validity period of the EA issued on 16 April 2014 by an additional five (5) years to 16 April 2024.

Condition 6 of the EA issued 16 April 2014 typed as:

"This activity must commence within a period of five (5) years from the date of issue of this 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."

Is amended to:

"This activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. the EA lapses on 16 April 2024). 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."

MS.

Amendment 2:

The details of the holder authorised as:

Ms Andrea van Gensen
Eskom Holdings SOC Limited
Box 356
BLOEMFONTEIN
9300

Tel: (051) 404 2040
Fax: (086) 539 5177
Email: vgenseal@eskom.co.za

Is amended to:

South African Mainstream Droogfontein PV3 (Pty) Ltd
Mr Eugene Marais
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4040
Fax Number: (021) 671 5665
Email Address: Eugene.marais@mainstreamrp.com

The reasons for the amendments are as follows:

The applicant intends to bid the Droogfontein Photovoltaic (PV) 3 Solar Energy Facility in the future Renewable Energy Independent Power Producer Procurement Program (REIPPPP) bidding rounds. Should the Droogfontein Photovoltaic (PV) 3 Solar Energy Facility be awarded preferred bidder status, the power line and substation EA will still need to be valid.

Further, Eskom Holdings SOC Limited will be responsible for the ownership and management of the proposed power line and substation during the operational phase. For the construction and development phase, they require an IPP to be responsible for the conditions of the EA. Therefore, they are requesting the amendments to change the holder of the EA and require an extension of a validity period.

This letter must be read in conjunction with the EA dated 16 April 2014.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (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.

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.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (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: appealsdirector@environment.gov.za;

By hand: Environment House
473 Steve Biko Road,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001;

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



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 06/05/2019

CC: Andrea Gibb	SiVEST SA (Pty) Ltd	Email: andreag@sivest.co.za
-----------------	---------------------	-----------------------------------------------------------------------



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X447 PRETORIA 0001 Environment House - 473 Steve Biko Road, Arcadia- PRETORIA
Tel(+27 12) 399 9372
Enquiries: Mr Ishaam Abader Telephone: 012 399 9330 E-mail: labader@environment.gov.za

Mrs. Milicent Solomons
Director: Strategic Infrastructure Development

Dear Mrs. Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 2 MAY 2019 UNTIL 6 MAY 2019

I hereby inform you that I have decided to appoint you as the Acting Chief Director: integrated environmental authorisations for the period 2 May 2019 until 6 May 2019 while Mr. Sabelo Malaza will be away on business attending the Conference in Australia.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorisations 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 this legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely


Mr. Ishaam Abader

DDG: LACE

Date: 15/04/2019

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT appointment
as Acting Chief Director: integrated
environmental authorisations

Signed: 

Date: 23/04/2019.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

NEAS Reference: DEA/EIA/AMEND/0000022/2012

DEA Reference: 12/12/20/2024/1/1

Enquiries: Ms Portia Leshilo

Telephone: 012-395 1769 **Fax:** 012-320-7539 **E-mail:** pleshilo@environment.gov.za

Ms Linda Thompson
South Africa Mainstream Renewable Power Droogfontein PV 3
P O Box 45063
CLAREMONT
7735

Fax no: 086-620-1937

PER FACSIMILE / MAIL

Dear Ms Thompson

AMENDMENT OF ENVIRONMENTAL AUTHORISATION: CONSTRUCTION OF A 75 MW PHOTOVOLTAIC (PV) PLANT ON PORTION 1 OF THE FARM DROOGFONTEIN NO. 62 IN KIMBERLEY, WITHIN SOL PLAATJIE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to issue an amended environmental authorisation, as requested in your amendment application dated 26 June 2012. The amended environmental authorisation (EA) is attached herewith. The previous EA issued on 02 November 2011 is hereby replaced by the attached amended environmental authorisation as from the date of signature of this letter.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By facsimile: 012 320 7561;

By post: Private Bag X447,
Pretoria, 0001; or

By hand: 2nd Floor, Fedsure Building, North Tower,
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets,
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

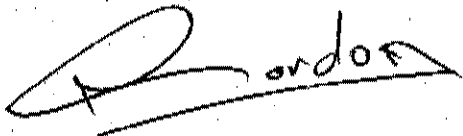
Mr T Zwane, Senior Legal Administration Officer (Appeals), of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: tzwane@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



Mr Mark Gordon
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 7 SEPTEMBER 2012

CC:	Ms. L. Koch	SIVEST Environmental	Tel: 011-798-0600	Fax: 011-803-7272
	Mr. J. Koen	NCDENC	Tel: 053-807-7481	Fax: 053-831-3530
	Mr. G. Akharwaray	Sol Plaatjie Local Municipality	Tel: 053-830-6100	Fax: 053-833-1005
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R.543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs (DEA)).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal against a decision must be lodged with:-**
 - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;

2. **An appeal lodged with:-**
 - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;

3. **An appeal must be:-**
 - a) submitted in writing;
 - b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

CONSTRUCTION OF A 75 MW PHOTOVOLTAIC (PV) PLANT

Frances Baard District Municipality

Authorisation register number:	12/12/20/2024/1/1
NEAS reference number:	DEA/EIA/AMEND/0000022/2011
Last amended:	Second issue
Holder of authorisation:	SOUTH AFRICA MAINSTREAM RENEWABLE POWER DROOGFONTEIN PV 3
Location of activity:	NORTHERN CAPE PROVINCE: Portion 1 of the farm Droogfontein no. 62 in Kimberley within the Sol Plaatjie Local Municipality

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 authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

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, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

SOUTH AFRICA MAINSTREAM RENEWABLE POWER DROOGFONTEIN PV 3

with the following contact details –

Ms Linda Thompson

South Africa Mainstream Renewable Power Droogfontein PV 3

P O Box 45063

CLAREMONT

7735

Tel: (011) 343 9160

Fax: (086) 620 1937

Cell: (078) 196 7097

E-mail: Linda.Thompson@mainstreamrp.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1 & 2 (GN R.544 & 545):

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 22 (ii):</u> The construction of a road, outside urban areas, where no reserve exists where the road is wider than 8 metres</p>	<p>A gravel road with a width of approximately 10m will be constructed to provide access to the proposed PV Field.</p>
<p><u>GN R. 545 Item 1:</u> The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more.</p>	<p>The proposed PV plant would generate more than 20 megawatts, as it would have a maximum output of 75MW.</p>
<p><u>GN R. 545 Item 15:</u> Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 ha or more. except where such physical alteration takes place for</p> <p>i) Linear development activities; or ii) Agriculture or afforestation where the activity 16 in this schedule will apply</p>	<p>The proposed development site is predominantly vacant and the entire area to be transformed is approximately 278 hectares.</p>

as described in the Motivation for Amendment Report dated June 2012 at:

Alternative	Latitude	Longitude
	28° 33' 52.156"S	24° 41' 19.038"E

- for the construction of a Photovoltaic (PV) plant with a generating capacity of 75MW. The project is located on Portion 1 of the farm Droogfontein no. 62, Kimberley, Northern Cape Province. The site is located within Sol Plaatjie Local Municipality of the Frances Baard District Municipality, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Photovoltaic (PV) panel arrays with maximum 320 000 panels.
- Concrete or screw pile foundations used to support the panel arrays.

- The panel arrays (between 5m and 10m high) footprint of approximately 15m x 4m in area.
- A single storey building with warehouse / workshop space & access (e.g. 8m high, 20m long, 20m wide).
- The distribution substation of approximately 90m x 120m in size and inverters between 75 and 93.
- An access road with a gravel surface from the public road onto the site.
- A 5m high permanent solar resource measuring station which will measure 100m² to measure incoming solar radiation levels on the site.
- A lay down area of a maximum of 10000m² adjacent to the site or access route and a contractors site offices which will require a maximum of 5 000m².

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred alternative layouts (Solar Field Alternative 1, Operation and Maintenance Building Alternative 1 and Laydown Area Site 1) are approved.
2. Authorisation of the activity is subject to the conditions contained in this 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 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 authorisation in terms of the regulations.
6. This activity must commence within a period of three (3) years from the date of issue of this 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.

7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

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 12 (twelve) 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 Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
 - 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.
11. The holder of the authorisation must publish a notice –
 - 11.1. informing interested and affected parties of the decision;
 - 11.2. informing interested and affected parties where the decision can be accessed; and
 - 11.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

12. The Environmental Management Programme (EMPr) submitted as part of Application for EA must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures recorded in the Motivation for Amendment Report dated June 2012 must be incorporated as part of the EMPr. Once approved, the EMPr must be implemented and adhered to.

Monitoring

13. The applicant must appoint 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr.
 - 13.1. The ECO must be appointed before commencement of any authorised activities.
 - 13.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 13.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 13.4. 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

14. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at the Department.
15. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
16. The environmental audit report 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 EMPr.
17. 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.

Commencement of the activity

18. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.

19. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
20. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.

Notification to authorities

21. Fourteen (14) days written notice must be given to the Department that the activity will commence. 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. This notification period may coincide with the notice of intent to appeal period.

Operation of the activity

22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

Site closure and decommissioning

23. Should the activity ever cease or become redundant, the applicant shall 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

24. All Species of Special Concern (SSC) must be identified and every effort must be made to rescue them.
25. Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
26. Critical available biodiversity information must be consulted for the final placement of solar panels and infrastructure.

27. The applicant must ensure that the continuous monitoring and removal of alien plant species is undertaken. An alien removal program must be developed and implemented.
28. A "Plant Rescue and Protection" plan which allows for the maximum transplant of conservation important species from areas to be transformed must be compiled by a vegetation specialist familiar with the site in consultation with the ECO. This plan must be implemented prior to commencement of the construction phase.
29. 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 submitted to the Department for record keeping.
30. Construction activities must be restricted to demarcated areas to restrict impact on vegetation and animals.
31. A comprehensive habitat rehabilitation plan must be developed for the site. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
32. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities should be undertaken as early as possible on disturbed areas.
33. All electrical collector lines must be buried in a manner that minimizes additional surface disturbance.
34. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
35. The applicant is required to inform the relevant provincial department and/or this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
36. All hard infrastructures should be located within existing areas of low sensitivity, as far as possible.
37. All solar plant and infrastructure must be located at least 100m from the edge of any highly sensitive areas.
38. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
39. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water Affairs.
40. Appropriate erosion mitigation must be implemented to prevent any potential erosion.

41. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but should be temporarily stored in a demarcated area.
42. Removal of alien invasive species or other vegetation must be in accordance with the Conservation of Agricultural Resources Act (Act 43 of 1983), and follow-up procedures for the duration of the project.
43. The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
44. Contractors and construction workers must be clearly informed of the no-go areas.
45. Where roads pass right next to major water bodies provision should be made for fauna such as toads to pass under the roads by using culverts or similar.
46. Existing road infrastructure must be used as far as possible for providing access to proposed solar plant. Where no road infrastructure exists, new roads should be placed within existing disturbed areas or environmental conditions must be taken into account to ensure the minimum amount of damage is caused to natural habitats.
47. A transportation plan must be developed, particularly for the transport of turbine components, main assembly cranes and other large pieces of equipment. A permit must be obtained from the relevant transport department for the transportation of all components (abnormal loads) to the sites.
48. A traffic management plan must be prepared for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted.
49. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuter, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
50. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
51. Internal access roads must be located away from drainage bottoms and avoid wetlands, if feasible.
52. Internal access roads must be located to minimize stream crossings. All structures crossing streams must be located and constructed so that they do not decrease channel stability or increase water velocity.
53. Existing drainage must not be altered, especially in sensitive areas.
54. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
55. Signage must be erected at appropriate points warning of turning traffic and the construction site.
56. Construction vehicles carrying materials to the site should avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.

57. Road borders should be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak.
58. Construction staff to be given training in actions to minimise noise impacts.
59. The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site are implemented.
60. The applicant must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA must wear ear protection equipment.
61. The applicant must ensure that all equipment and machinery are well maintained and equipped with silencers.
62. The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place.
63. All construction operations should only occur during daylight hours if possible.
64. The applicant must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to the original contour and vegetation.
65. A lighting engineer must be consulted to assist in the planning and placement of light fixtures in order to reduce visual impacts associated with glare and light trespass.
66. Commercial messages and graffiti on solar panels must be avoided.
67. The applicant must ensure that the paintings of the wind solar panels are in accordance with the Aviation Act, 1962, Thirteenth Amendment of the Civil Aviation Regulations, 1997.
68. Laydown areas and stockyards should be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.
69. Construction activities must be restricted to daylight hours in order to negate or reduce visual impacts associated with lighting.
70. Night lighting of the construction sites should be minimised within the requirements of safety and efficiency.
71. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the PV plant. The programme must establish a safety zone from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the solar plant.
72. Potentials interference with public safety communication systems (e.g. radio traffic related to emergency activities) must be avoided.

73. The applicant must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.
74. Liaison with land owners/farm managers is to be done prior to construction in order to provide sufficient time for them to plan agricultural activities. If possible, construction should be scheduled to take place within the post-harvest, pre planting season, when fields are lying fallow.
75. No open fires for cooking or heating must be allowed on site.
76. Areas around fuel tanks must be bunded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
77. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
78. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site.
79. An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances and measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or storm water system.
80. Evaporation ponds containing wastewater must be adequately maintained and regularly monitored for possible leaks or damage to the surface of the ponds. Measures accommodating overspill by the evaporation ponds must be incorporated into the design of the evaporation ponds.
81. No dumping or temporary storage of any materials may take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.
82. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water.
83. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Furthermore, no chemicals must be stored nor may any vehicle maintenance occur within 350 m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.
84. Temporary bunds must be constructed around chemical storage to contain possible spills.
85. Spill kits must be made available on-site for the clean-up of spills.
86. Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a

- registered/permitted waste site and must be removed from the site when the construction phase is completed.
87. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
 88. Borrow materials must be obtained only from authorized and permitted sites.
 89. Anti-erosion measures such as silt fences must be installed in disturbed areas.
 90. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
 91. Appropriate dust suppression techniques must be implemented on all exposed surface during periods of high wind. Such measures may include wet suppression, chemical stabilisation, the use of a wind fence, covering surfaces with straw chippings and re-vegetation of open areas.
 92. If there are any changes to the layout of the solar panels, then additional survey work will be required in order to ensure that no sites are directly impacted and/or to identify the need for an excavation.
 93. Should any graves be found, all construction activities must be suspended and an archaeologist be contacted immediately. The discovered graves must be cordoned off.
 94. A comprehensive storm water management plan must be developed for the site to ensure compliance with applicable regulations and to prevent off-site migration of contaminated storm water or increased soil erosion. The comprehensive storm water management plan should form part of the EMP.
 95. Construction must include appropriate 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.
 96. 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 shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

General

97. A copy of this authorisation and the approved EMP must be kept at the property where the activity/ will be undertaken. The authorisation and approved EMP must be produced to any authorised official of the Department who requests to see it and must be made available for

inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.

98. The holder of the authorisation must notify both the *Director: Integrated Environmental Authorisations* and the *Director: Compliance Monitoring* at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
99. 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 applicant or his 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 applicant 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: 7 SEPTEMBER 2012



Mr Mark Gordon

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 Motivation for Amendment Report dated June 2012;
- b) Mitigation measures as proposed in the Motivation for Amendment Report dated June 2012 and the EMPr;
- c) The information contained in the specialist studies contained in the Motivation for Amendment Report dated June 2012; and
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

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 EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- b) The findings of all the specialist studies conducted and recommended mitigation measures in the Motivation for Amendment Report dated June 2012.
- c) The main purpose of the facility is to generate electricity from renewable energy resources (i.e. solar) to provide power to the national electricity grid.
- d) The need for the proposed project stems from the need for clean and renewable energy sources to reduce the country's energy supply problems.
- e) The proposed Photovoltaic (PV) plant will utilise less water for cleaning of panels as compared to Concentrated Solar Plant (CSP) plant.
- f) The footprint of the proposed PV plant will not exceed that of the approved CSP plant and the panel height for PV is lower than that of CSP.

- g) The Motivation for Amendment Report dated June 2012 included a 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.
- h) The Motivation for Amendment Report dated June 2012 identified all legislation and guidelines that have been considered in the preparation of the motivation for amendment report dated June 2012.
- i) The methodology used in assessing the potential impacts identified in the Motivation for Amendment Report dated June 2012 and the specialist studies have been adequately indicated.

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 Motivation for Amendment Report dated June 2012 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) All legal and procedural requirements have been met.
- e) The information contained in the Motivation for Amendment Report dated June 2012 is accurate and credible.
- f) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the motivation for amendment report and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity 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 proposed activity can be mitigated to acceptable levels. The application is accordingly granted.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

DEA Ref: 12/12/20/2024/1/1

Enquiries: Ms Portia Leshilo

Tel: 012 395 1769 Fax: 012 320 7539 E-mail: pleshilo@environment.gov.za

Ms Linda Thompson
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
P.O. Box 45063
CLAREMONT
7735

Fax no: 086 620 1937

PER FACSIMILE / MAIL

Dear Ms Thompson

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 10 SEPTEMBER 2012 FOR THE PROPOSED CONSTRUCTION OF 75MW PHOTOVOLTAIC (PV) PLANT ON PORTION 1 OF THE FARM DROOGFONTEIN NO. 62 NEAR KIMBERLEY WITHIN SOL PLAATJIE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Department's decision on the above application issued on 10 September 2012 and your amendment application received on 15 August 2013 refers.

Based on a review of your motivation, the Department in terms of the powers vested in it by Regulation 45 of the Environmental Impact Assessment Regulations, 2010, has decided to amend the environmental authorisation (EA) dated 10 September 2012 as follows:

The details of the applicant are hereby amended:

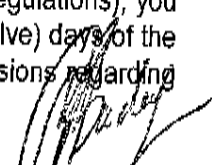
From:

Ms Linda Thompson
South Africa Mainstream Renewable Power Droogfontein PV 3
P O Box 45063
CLAREMONT
7735

To:

Ms Linda Thompson
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
P O Box 45063
CLAREMONT
7735

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.



Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By facsimile: 0123207561;

By post: Private Bag X447,
Pretoria, 0001; or

By hand: 2nd Floor, Fedsure Building, North Tower,
cnr. Van der Walt (Lilian Ngoyi) and Pretorius Streets,
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

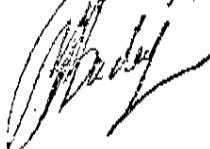
Mr Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012-310-3271

Email: AppealsDirectorate@environment.gov.za

The authorised activity/ies shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours faithfully



Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

Department of Environmental Affairs

Date: 19/09/2013

CC:	Ms. R Thomas	SIVEST Environmental	Tel: 011-798-0634	Fax: 011-803-7272
	Mr. J. Koen	NCDENC	Tel: 053-807-7481	Fax: 053-831-3530
	Mr. G. Akharwaray	Sol Plaatje Local Municipality	Tel: 053-830-6100	Fax: 053-833-1005

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs (DEA))	1. Receive EA from Applicant/Consultant
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal against a decision must be lodged with:-**
 - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
2. **An appeal lodged with:-**
 - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
3. **An appeal must be:-**
 - a) submitted in writing;
 - b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/2024/1/1/AM2

Enquiries: Mr Vincent Chauke

Telephone: (012) 399 9399 **E-mail:** VChauke@environment.gov.za

Mr Michael Mangnall
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4045
Email Address: Mike.Mangnall@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Mangnall

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 07 SEPTEMBER 2012 FOR THE CONSTRUCTION OF A 75MW PHOTOVOLTAIC (PV) PLANT ON PORTION 1 OF THE FARM DROOGFONTEIN NO. 62 NEAR KIMBERLEY, SOL PLAATJIE LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 07 September 2012, your application for amendment to the EA received by this Department on 29 May 2015 and receipt thereof acknowledged on 08 June 2015 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 07 September 2012 as follows:

Amendment 1: Amendment to the contact details of the holder of the EA

From:

Ms Linda Thompson
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (011) 343 9160
Fax Number: (086) 620 1937
Cell Number: (078) 196 7097
E-mail address: Linda.Thompson@mainstreamrp.com

To:

Mr Michael Mangnall
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4045
Fax Number: (021) 671 5665
Cell Number: (083) 785 1492
E-mail address: Mike.Mangnall@mainstreamrp.com

Amendment 2: Amendment to extend the validity period of the EA:

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 07 September 2012 (i.e. the EA lapses on 07 September 2017). 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.

It must be noted that whilst you have applied for an extension of three (03) additional years, this Department is only granting an extension for two (02) additional years due to possible changes in the receiving environment.

Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two (2) months from the date of this letter. 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
Arcadia
Pretoria

For Attention: Mr Muhammad Essop
Integrated Environmental Authorisations
Strategic Infrastructure Developments
Telephone Number: (012) 399 9406
Email Address: MEssop@environment.gov.za

This proposed amendment letter must be read in conjunction with the EA dated 07 September 2012 as amended.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R. 993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

An appellant must submit an 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 applicant by the competent authority.

By post: Private Bag X447,
Pretoria,
0001; or
By hand: Environment House
473 Steve Biko,
Arcadia, Pretoria,
0083

Appeals must be submitted in writing to:

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356
Email: Appealsdirector@environment.gov.za

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act 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.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website:
(https://www.environment.gov.za/documents/forms#legal_authorisations).

Yours faithfully


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

Date: 19/06/2015

cc: Ms Rebecca Thomas	SiVest SA (Pty) Ltd	Email: reccat@sivest.co.za
-----------------------	---------------------	----------------------------



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/2024/1/1/AM5

Enquiries: Mr Muhammad Essop

Telephone: (012) 399 9406 **E-mail:** MEssop@environment.gov.za

Mr Michael Mangnall
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4045
E-mail Address: Mike.Mangnall@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Mangnall

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED 07 SEPTEMBER 2012 FOR THE CONSTRUCTION OF THE 75MW DROOGFONTEIN 3 PHOTOVOLTAIC (PV) PLANT ON PORTION 1 OF THE FARM DROOGFONTEIN NO. 62 NEAR KIMBERLEY, SOL PLAATJIE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 07 September 2012, the amendment to the EA issued on 19 June 2015 and your application for amendment of the EA received by this Department on 18 July 2017, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, as amended, has decided to amend the EA dated, 07 September 2012, as amended, as follows:

Amendment 1: Amendment to extend the validity period of the EA:

The activity must commence within a period of three (03) years from the date of expiry of the EA issued on 07 September 2012 as amended (i.e. the EA lapses on 07 September 2020). 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.

The applicant applied to extend the validity period of the EA for a second time as the above-mentioned project has been bid into the DoE REIPPPP and has not been awarded preferred bidder status, hence the construction of the facility cannot commence.

This amendment letter must be read in conjunction with the EA dated 07 September 2012, as amended.

In terms of Regulation 4(2) of the EIA Regulations, 2014, as amended, 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.

M.S

Your attention is drawn to Chapter 2 of GN R993 of 08 December 2014, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

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:

Mr Z Hassam, 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,
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: 11/08/2019



environment, forestry & fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 12/12/20/2024/1/1/AM9

Enquiries: Ms Bongeka Mtyana

Telephone: (072) 771 0107 E-mail: BMtyana@environment.gov.za

Mr Eugene Marais
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone number: (021) 657 4052
Email address: Eugene.Marais@mainstreamrp.com

PER MAIL / EMAIL

Dear Mr Marais

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 07 SEPTEMBER 2012 FOR THE CONSTRUCTION OF THE 75MW DROOGFONTEIN 3 PHOTOVOLTAIC (PV) PLANT ON PORTION 1 OF THE FARM DROOGFONTEIN NO. 62 NEAR KIMBERLEY, SOL PLAATJE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 07 September 2012 and the subsequent amendments thereto, your application for amendment of the EA received by the Department on 05 August 2020, and the acknowledgement letter dated 17 August 2020, refer.

Based on a review of the reason for requesting an amendment to the abovementioned EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended, has decided to amend the EA dated 07 September 2012 as amended, as follows:

Amendment 1: Extension of the validity period

The validity period of the EA issued on 07 September 2012 is hereby extended by an additional two years (02) years to **07 September 2022**. Condition 6 of the EA dated 07 September 2012, is thus amended as follows:

"6. This activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. the authorisation lapses on 07 September 2022). 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."

The reason for the amendment

The validity period of the EA is extended to ensure that the holder of the authorisation has a project that is compliant with the requirements of the Department of Mineral Resources and Energy ("DMRE") (previously the Department of Energy) Renewable Energy Independent Power Producer Procurement ("REIPPP") Programme. Due to various reasons, outside of the Applicant's control, the planned announcements and roll-out of bidding rounds have not occurred as previously planned for. As a result, the REIPPP Programme has been delayed, resulting in the project not yet being selected as a preferred bidder, necessitating the need for the EA's validity

M.S

period to be extended. The amendment will not change the scope of the existing EA, nor increase the level or nature of the impact, which impact was initially assessed and considered when the application was made for the EA.

The Department is conscious of the fact that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. For this reason, the Department is only granting an extension of two (02) additional years (i.e. to the maximum period of 10 years), instead of than the 5 years applied for. Failure to commence with construction activities within the maximum 10 year period, will result in the EA lapsing, and a new application for Environmental Authorisation will have to be lodged.

Amendment 2: Change of contact details of the holder of the authorisation on page 2 of the EA

From:

Mr Michael Mangnall
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone number: (021) 657 4045
Fax number: (021) 671 5665
Cell phone Number: (083) 785 1492
Email address: Mike.Mangnall@mainstreamrp.com

To:

Mr Eugene Marais
South Africa Mainstream Droogfontein PV 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone number: (021) 657 4052
Fax number: (021) 671 5665
Cell phone Number: (073) 871 5781
Email address: Eugene.Marais@mainstreamrp.com

The reason for the amendment

The contact person for the holder of the authorization has changed, necessitating the need for the amendment of the EA to reflect the details of the new contact person, Mr. Eugene Marais.

General

This EA amendment letter must be read in conjunction with the EA dated 07 September 2012, as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (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.

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 decisions, as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (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@environment.gov.za;

By hand: Environment House
473 Steve Biko,
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 appeals@environment.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries

Date: 02/09/2020

CC: Mr. T Mthombeni | DENC

E-mail: tmthombeni@ncpg.gov.za

M.S

PROPOSED DROOGFONTEIN 3 PV BESS

COORDINATES (DD MM SS.sss): CENTRE POINT OF ASSESSMENT AREA

SOUTH	EAST
S28° 33' 21.028"	E24° 40' 56.412"

From: [Liandra Scott-Shaw](#)
To: "IQ"
Subject: RE: IQ/20/0121: External Peer Reviewer/ Specialists
Date: Wednesday, 15 April 2020 12:08:46 PM
Attachments: [image001.png](#)
[image004.png](#)
[image003.png](#)

Dear Chantal

Thank you very much for the feedback and for the clarity.

Kind regards

Liandra Scott-Shaw (*Pr.Sci.Nat*)
Environmental Scientist
SiVEST Environmental Division



SiVEST is a Level 3 BBBEE Contributor

D +27 00 000 000 | **T** +27 33 347 1600 | **M** +27 73 658 7955 **E** liandras@sivest.co.za | **W** www.sivest.co.za
Engineering Consulting | Project Management | Environmental Consulting | Town & Regional Planning | Management Systems Consulting
Durban | Johannesburg | Pretoria | Pietermaritzburg | Richards Bay | Port Louis (Mauritius)

From: IQ [<mailto:IQ@environment.gov.za>]
Sent: Wednesday, 15 April 2020 11:55 AM
To: Liandra Scott-Shaw
Subject: IQ/20/0121: External Peer Reviewer/ Specialists

Dear Liandra

A specialist permanently employed by an EAP is regarded as independent, provided he has no vested interest in the project and receives fair and normal remuneration of the work. In this instance no external peer review of reports is required, unless the competent authority has reason to believe that the EAP or specialist is not complying or has not complied with the requirements of regulation 13 of the EIA regulations, as amended, in respect of the application.

For an example, where an engineering company has a vested interest in the final design or future engineering contracts for a particular project and the in-house EAPs and /or specialists are used for the environmental component of the project, then the EIA and specialist reports must be externally peer reviewed prior to the commencement of the public participation processes.

If there is reasonable suspicion that the objectivity of a specialist may be compromised, then the competent authority has the power to request that an external peer review of that particular study/studies be undertaken in terms of Regulation 14.

Further to the above, all specialists are required to sign a declaration of independence which must be submitted with their reports. Should the specialist is found not to be independent, then the process specified in Regulation 14 would apply, similar to when it relates to an EAP.

Kind regards
Chantal Engelbrect

From: Liandra Scott-Shaw [<mailto:LiandraS@sivest.co.za>]
Sent: Thursday, 09 April 2020 12:15
To: IQ <IQ@environment.gov.za>
Subject: External Peer Reviewer/ Specialists

Dear IQ

If an EAP uses internal specialists (specialists and EAP from the same company) to undertake specialist work according to Appendix 6 of the Regulations, can the EAP be forced to appoint a peer reviewer and / or external specialist in the absence of Regulation 14 being enforced?

Kind regards

Liandra Scott-Shaw (*Pr.Sci.Nat*)
Environmental Scientist
SiVEST Environmental Division



SIVEST is a Level 3 BBBEE Contributor

D +27 00 000 000 | **T** +27 33 347 1600 | **M** +27 73 658 7955 **E** ljandras@sivest.co.za | **W** www.sivest.co.za

Engineering Consulting | Project Management | Environmental Consulting | Town & Regional Planning | Management Systems Consulting
Durban | Johannesburg | Pretoria | Pietermaritzburg | Richards Bay | Port Louis (Mauritius)

'Please consider the environment before you print this email'

'Please consider the environment before you print this email'

This message and any attachments transmitted with it are intended solely for the addressee(s) and may be legally privileged and/or confidential. If you have received this message in error please destroy it and notify the sender. Any unauthorized usage, disclosure, alteration or dissemination is prohibited. The Department of Environmental Affairs accepts no responsibility for any loss whether it be direct, indirect or consequential, arising from information made available and actions resulting there from. The views and opinions expressed in this e-mail message may not necessarily be those of Management.