



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/1/1472

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 E-mail: HAlberts@environment.gov.za

Mr Carlo Amadeo Buonajuti  
BBEntropie (Pty) Ltd  
PO Box 786012  
**SANDTON**  
2146

Telephone Number: (087) 150 8874  
Email Address: ab@entropie.co.za

### PER E-MAIL / MAIL

Dear Mr Buonajuti

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983 FOR THE 10 MW HARMONY NYALA SOLAR ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE WITHIN THE REMAINING EXTENT OF THE FARM RIETPAN 17 WITHIN THE MATJHABENG LOCAL MUNICIPALITY IN THE FREE STATE PROVINCE

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

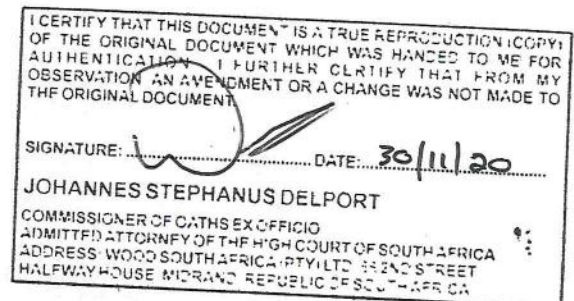
In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application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

Your attention is drawn to Chapter 2 of Government Notice No. R. 993, which prescribes the appeal procedure to be followed. 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 registered interested and affected parties by the applicant.

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

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

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.



## Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this environmental authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 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 No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

### **BBENTROPIE (PTY) LTD**

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

with the following contact details –

Mr Carlo Amadeo Buonajuti

BBEntropie (Pty) Ltd

PO Box 786012

**SANDTON**

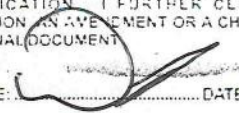
2146

Telephone Number: (087) 150 8874

Cell phone Number: (072) 265 0687

Fax Number: (011) 706 6931

Email Address: ab@entropie.co.za

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF CATS EX OFFICIO ADMITTED ATTORNEY FOR THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOODSOUTH AFRICA PTY. LTD AREND STREET HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	



**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

## Environmental Authorisation

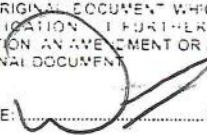
In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014

**THE 10 MW HARMONY NYALA SOLAR ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE  
WITHIN THE REMAINING EXTENT OF THE FARM RIETPAN 17 WITHIN THE MATJHABENG LOCAL  
MUNICIPALITY IN THE FREE STATE PROVINCE**

**LEJWELEPUTSWA DISTRICT MUNICIPALITY**

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/1472</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>BBEntropie (Pty) Ltd</i>
<b>Location of activity:</b>	<i>Remaining Extent of Farm Rietpan 17 Odendaalsrus Matjhabeng Local Municipality Lejweleputswa District Municipality Free State Province</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: <i>30/11/20</i>
JOHANNES STEPHANUS DELPORT COMMISSIONER OF OATHS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOOD SOUTH AFRICA PTY LTD 662ND STREET HALEWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	

**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](https://www.environment.gov.za/documents/forms#legal_authorisations)).

Kindly include a copy of this document with the letter of notification to interested and affected parties.

Yours faithfully




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

Date: 23/03/2016

cc:	Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannahsa.com
-----	----------------	----------------------------------	-----------------------------

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

**JOHANNES STEPHANUS DELPORT**  
COMMISSIONER OF CATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOODS SOUTH AFRICA PTY LTD 62ND STREET  
HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA

J

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983):

Activity number	Activity description
<p><u>GN R. 983 Item 1:</u></p> <p><i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where –</i></p> <p><i>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare."</i></p>	<p>The proposed PV Solar Facility will generate up to 10 MW of power and will cover an area of 14.4 hectares.</p>

as described in the Basic Assessment Report (BAR) dated December 2015 at:

**21 SG Code:**

F	0	3	9	0	0	0	0	0	0	0	0	0	0	0	1	7	0	0	0	0	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---


**Site:**

Preferred Site	Latitude	Longitude
A	27°55'24.22"S	26°40'50.69"E
B	27°55'8.32"S	26°41'2.40"E
C	27°55'14.13"S	26°41'7.36"E
D	27°55'16.93"S	26°41'5.84"E
E	27°55'19.88"S	26°41'6.42"E
F	27°55'22.11"S	26°41'7.34"E
G	27°55'27.93"S	26°40'55.85"E

**Powerline:**

Preferred Powerline Route	Latitude	Longitude
Starting point	27°55'9.73"S	26°41'1.43"E
250m	27°55'1.74"S	26°41'2.08"E
500m	27°54'53.59"S	26°41'2.76"E
750m	27°54'45.43"S	26°41'3.40"E
1000m	27°54'37.24"S	26°41'4.05"E

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION/COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

JOHANNES STEPHANUS DELPORT  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOODSOUTH AFRICA PTY. LTD. BAARD STREET  
HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA

1250m	27°54'29.09"S	26°41'4.71"E
1500m	27°54'20.91"S	26°41'5.36"E
1750m	27°54'13.29"S	26°41'2.49"E
2000m	27°54'5.88"S	26°40'58.80"E
2250m	27°53'58.72"S	26°40'54.85"E
End point	27°53'58.30"S	26°40'41.82"E

**Water pipeline:**


Preferred Water Pipeline Route	Latitude	Longitude
Starting point	27°55'8.91"S	26°41'2.09"E
250m	27°55'0.81"S	26°41'2.37"E
500m	27°54'52.69"S	26°41'2.75"E
750m	27°54'44.58"S	26°41'3.08"E
1000m	27°54'36.47"S	26°41'3.44"E
1250m	27°54'28.36"S	26°41'3.75"E
1500m	27°54'20.24"S	26°41'4.12"E
1750m	27°54'12.57"S	26°41'1.70"E
2000m	27°54'5.09"S	26°40'58.14"E
2250m	27°54'0.54"S	26°40'52.61"E
End point	27°53'58.30"S	26°40'41.82"E

- for the 10 MW Harmony Nyala Solar Energy Facility and its associated infrastructure within the Remaining Extent of The Farm Rietpan 17 within the Matjhabeng Local Municipality in the Free State Province, hereafter referred to as "the property".

The proposed 10 MW Harmony Nyala solar energy facility will comprise the following:

- Photovoltaic (PV) panels of up to 4m in height (fixed-tilt/static technology) with a generating capacity of up to 10MW;
- Mounting structures to be either rammed steel piles or piles with pre-manufactured concrete footings to support the PV panels;
- Cabling between the project components, to be lain in trenches ~ 1-2m deep;
- Power inverters between the PV arrays;
- Transformers with a step-up of 11kV;
- A mini-substation;

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT UNDER MY OBSERVATION NO AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

**JOHANNES STEPHANUS DELPORT**  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOOD SOUTH AFRICA PTY LTD 442ND STREET  
HALFWAYHOUSE MIDRAND REPUBLIC OF SOUTH AFRICA

- An 11kV overhead distribution power line for the distribution of the generated power to the Freguls Five Substation;
- A main external access road (5 meters in width) that leads to the development site and minor internal roads between the PV arrays;
- Office, workshop area for maintenance and storage;
- A water pipeline, of 35cm in diameter that will transport water from the Harmony Nyala Mine to the PV facility;
- Lighting and fencing in and around the facility for security; and
- During construction (temporary infrastructure) such as laydown areas will also be required.

Technical details of the proposed facility:


Component	Description/ Dimensions
Location of the site	Remaining extent of the farm Rietpan 17
SG Code	F03900000000001700000 & F03900000000044300000
Footprint of the activity	14.4 ha
Site access	A main access road of up to 5 meters in width and will connect to an existing secondary road which lies parallel with the R30
Export capacity	10 MW
Proposed technology	Photovoltaic panels
Width of internal roads	5 meters in width

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The 10 MW Harmony Nyala Solar Energy Facility and its associated infrastructure within the Remaining Extent of The Farm Rietpan 17 within the Matjhabeng Local Municipality in the Free State Province as described above, is approved.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

JOHANNES STEPHANUS DELPORT  
 COMMISSIONER OF OATHS EX OFFICIO  
 ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
 ADDRESS: WOODSOUTH AFRICA PTY. LTD 42ND STREET  
 HALFWAYHOUSE MIDRAND REPUBLIC OF SOUTH AFRICA


*M*

not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.

4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this environmental authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further environmental authorisation in terms of the regulations.
6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within 5 years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

#### Notification of authorisation and right to appeal

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

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF OATHS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOOD SOUTH AFRICA PTY. LTD 32ND STREET HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	

M.



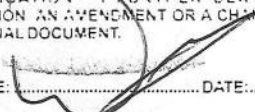
- 12.2. informing interested and affected parties where the decision can be accessed; and
- 12.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in terms of the National Appeal Regulations, 2014.

### Commencement of the activity

13. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

### Management of the activity

14. The preferred layout plan titled "Harmony Nyala PV Solar Facility Preferred Site Layout" submitted as part of the BAR is hereby approved.
15. The Environmental Management Programme (EMPr) submitted as part of the application for EA is hereby approved. This EMPr must be implemented and adhered to.
16. The EMPr must be implemented and strictly enforced during all phases of the project. It must be seen as a dynamic document and must be included in all contract documentation for all phases of the development when approved.
17. Should the holder of this environmental authorisation propose any changes to the EMPr, the holder of this environmental authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.
18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.
19. A shapefile of the development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 or specify if an alternative scale was used. The metadata must include a

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CLARIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF OATHS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS WOODSOUTH AFRICA PTY LTD 662ND STREET HALFWAY HOUSE MORONG REPUBLIC OF SOUTH AFRICA	

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

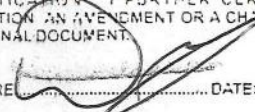
**Physical address:**

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

**Frequency and process of updating the EMPr**

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
22. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CLARIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF CATS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOOD SOUTH AFRICA PTY. LTD. 62ND STREET HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	

*M*


23. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
24. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

### Monitoring

25. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 25.1. The ECO must be appointed before commencement of any authorised activities.
  - 25.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 25.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 25.4. 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

26. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
27. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CLIFY THAT FROM MY OBSERVATION AN AVENMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF CATS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOOD SOUTH AFRICA PTY LTD 332ND STREET HALFWAYHOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	

M.

28. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
29. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
30. The environmental audit reports must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
31. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

#### Notification to authorities

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


#### Operation of the activity

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

#### Site closure and decommissioning

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

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDS TO ME FOR AUTHENTICATION. I FURTHER CLARIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20


JOHANNES STEPHANUS DELPORT  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOODSOUTH AFRICA PTY. LTD. HEND STREET  
HALFWAY HOUSE, MIDRAND, REPUBLIC OF SOUTH AFRICA

JK

**Specific conditions**

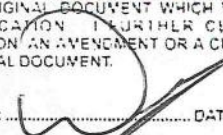
Non-operational aspects

35. A 32 meter buffer must be placed around all wetlands on site and must be treated as "no-go" areas.
36. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
37. Areas outside of the footprint, including sensitive areas and buffer areas, must be clearly demarcated (using fencing and appropriate signage) before construction commences and must be regarded as "no-go" areas.
38. Contractors and construction workers must be clearly informed of the no-go areas.
39. 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.
40. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
41. Construction activities must be restricted to demarcated areas to restrict the impact on sensitive environmental features.
42. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the rehabilitation plan to be included in the final EMPr.
43. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
44. Wetlands, rivers and river riparian areas must be treated as "no-go" areas and appropriately demarcated as such. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be allowed into these areas without the express permission of and supervision by the ECO, except for rehabilitation work in these areas.
45. No discharge of effluents or polluted water must be allowed into any rivers or wetland areas.
46. No spoil material, including stripped topsoil, must be temporarily stockpiled within 30 m of freshwater ecosystems identified to be of low or moderate conservation importance and 50 m of freshwater ecosystems identified to be of high conservation importance.
47. Underground cables and internal access roads must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
48. Anti-erosion measures such as silt fences must be installed in disturbed areas.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF OATHS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOOD SOUTH AFRICA (PTY) LTD 552ND STREET HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	

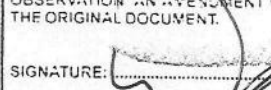
*M*

49. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water and Sanitation (DWS).
50. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
51. Disturbed areas must be rehabilitated as soon as possible after construction and local indigenous plants must be used to enhance the conservation of existing natural vegetation on site.
52. Workers must be made aware of the importance of not polluting rivers or wetlands and the significance of not undertaking activities that could result in such pollution, and this awareness must be promoted throughout the construction phase.
53. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuters, consideration must be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time.
54. Roads must be designed so that changes to surface water runoff are avoided and erosion is not initiated.
55. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
56. Signage must be erected at appropriate points warning of turning traffic and the construction site.
57. Construction vehicles carrying materials to the site must avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
58. Should abnormal loads have to be transported by road to the site, a permit must be obtained from the relevant Provincial Government.
59. All construction vehicles must adhere to a low speed limit to avoid collisions with susceptible species such as snakes and tortoises.
60. The holder of this authorisation 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 their original contour and vegetation.
61. The holder of this authorisation 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.
62. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
63. No unsupervised open fires for cooking or heating must be allowed on site.
64. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDLED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT	
COMMISSIONER OF OATHS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOODSOUTH AFRICA PTY. LTD. 42ND STREET HALFWAY HOUSE MIDRAND, REPUBLIC OF SOUTH AFRICA	

JN

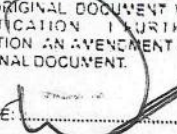
- disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
65. The holder of this authorisation must provide sanitation facilities within the construction area and along the road so that workers do not pollute the surrounding environment. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste disposal site.
  66. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations, 2014.
  67. 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.
  68. Borrow materials must be obtained only from authorized and permitted sites. Permits must be kept on site by the ECO.
  69. Dust abatement techniques must be used before and during surface clearing, excavation, or blasting activities.
  70. Appropriate dust suppression techniques must be implemented on all exposed surfaces 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.
  71. A pre-construction survey of the final development footprint must be conducted to ascertain the identity and exact number of individuals of protected species affected by the proposed development. Prior to the commencement of construction, a rescue and rehabilitation operation for these species which could survive translocation must be conducted.
  72. No construction activities can commence without having obtained the necessary permits for threatened or protected species (ToPS) listed and provincially protected species within the study area.
  73. Any vegetation clearing that needs to take place as part of maintenance activities, must be done in an environmentally friendly manner, including avoiding the use of herbicides and using manual clearing methods wherever possible.
  74. All construction vehicles must remain on properly demarcated roads. No construction vehicles must be allowed to drive over the vegetation except where no cleared roads are available. In such cases a single track must be used and multiple paths must not be formed. Where temporary access roads are created, they must be rehabilitated as outlined in the rehabilitation plan after completion of construction.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CLARIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
SIGNATURE: 	DATE: 30/11/20
JOHANNES STEPHANUS DELPORT COMMISSIONER OF CATS EX OFFICIO ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA ADDRESS: WOOD SOUTH AFRICA PTY LTD 52ND STREET HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA	


M

75. Regular monitoring for erosion must take place to ensure that no erosion problems are occurring at the site as a result of the roads and other infrastructure. All erosion problems observed must be rectified as soon as possible as outlined in the erosion management plan within the EMPr.
76. Excavations must be inspected regularly in order to rescue trapped animals.
77. An appropriately designed and effective stormwater management system must be implemented.
78. Kerbs and storm water channels must be designed in such a way that they can allow small animals and reptiles to move freely.
79. Top soil and subsoil must be stockpiled separately and replaced according to the correct profile i.e. topsoil replaced last. Stockpiles must not be situated such that they obstruct natural water pathways and drainage channels.
80. Top soil stockpiles must not exceed 2m in height, stockpiles older than 6 months must be enriched before they can be used to ensure the effectiveness of the topsoil.
81. Any fauna directly threatened by the construction activities must be removed to a safe location by a suitably qualified person.
82. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources must be made.
83. The collection, hunting, or harvesting of any plants or animals at the site is strictly forbidden.
84. Lighting for both the construction period and through the operation of the facility must be of low-pressure sodium type, preferably yellow. All perimeter and security lighting must be attached to motion detectors, and must be dark-sky friendly.
85. Electric fencing must not have any strands within 30cm of the ground, which must be sufficient to allow smaller mammals, reptiles and tortoises to pass through (tortoises retreat into their shells when electrocuted and eventually succumb from repeated shocks), but still remain effective as a security barrier.
86. All new power lines must be marked with bird flight diverters along their entire length. To create a net benefit, where possible, the new power lines must run parallel to existing marked lines so as to reduce the collision risk posed by the older lines.
87. The poles must be fitted with bird perches on top of the poles to draw birds, particularly vultures away from the potentially risky insulators.
88. All pylons to be constructed must make use of "bird friendly" monopole structures, fitted with a bird perch, as per Eskom standard guidelines.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION/COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDS TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

JOHANNES STEPHANUS DELPORT  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOODSOUTH AFRICA PTY LTD 15 2ND STREET  
HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA



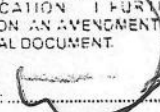


89. The recommendations of the EAP in the BAR dated December 2015 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

Operational aspects

90. A 32 meter buffer must be placed around all wetlands on site and must be treated as "no-go" areas.
91. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
92. Wetlands, rivers and river riparian areas must be treated as "no-go" areas and appropriately demarcated as such. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be allowed into these areas without the express permission of and supervision by the ECO, except for rehabilitation work in these areas.
93. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department and Sanitation.
94. All declared aliens must be identified and managed in accordance with the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983). There must be an alien species monitoring and eradication program to prevent encroachment of these problem plants for the duration of the operation. This must form part of the EMPr and must aim to address alien plant problems within the whole site, not just the development footprint. A rehabilitation strategy, with follow-up for at least two years after construction were completed, must also form part of the EMPr.
95. The collection, hunting, or harvesting of any plants or animals at the site is strictly forbidden.
96. The washing of panels during maintenance must be done with biodegradable soaps to avoid soil contamination and poisoning of small animals.
97. Lighting for both the construction period and through the operation of the facility must be of low-pressure sodium type, preferably yellow. All perimeter and security lighting must be attached to motion detectors, and must be dark-sky friendly.
98. During operation, any electrocution and collision events that occur must be recorded, including the species affected and the date. If repeated collisions occur within the same area, then, further mitigation and avoidance measures may need to be implemented.
99. The recommendations of the EAP in the BAR dated December 2015 and the specialist studies attached must be adhered to.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION / COPY OF THE ORIGINAL DOCUMENT WHICH WAS HANDS TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

JOHANNES STEPHANUS DELPORT  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOOD SOUTH AFRICA PTY LTD 82 2ND STREET  
HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA

100. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

**General**

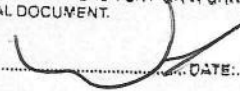
101. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 101.1. at the site of the authorised activity;
  - 101.2. to anyone on request; and
  - 101.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
102. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 23/03/2016

  
Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM MY OBSERVATION AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

JOHANNES STEPHANUS DELPORT  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOODSOUTH AFRICA (PTY) LTD 55 2ND STREET  
HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA

M

## 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 listed activities as applied for in the application form received on 14/09/2015;
- b) The information contained in the BAR dated December 2015;
- c) The comments received from the Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs, the Matjhabeng Local Municipality, the Lejweleputswa District Municipality, the Free State Department of Police, Roads and Transport, the Department of Mineral Resources, the Department of Energy, Eskom, Telkom, SKA, SAHRA and interested and affected parties as included in the BAR dated December 2015;
- d) Mitigation measures as proposed in the BAR and the EMPr;
- e) The information contained in the specialist studies contained within the appendices of the BAR dated December 2015 and as appears below:

Title	Prepared by	Date
Ecological Report	Gerhard Botha	March 2015
Archaeological Impact Assessment	Heritage Contracts and Archaeological Consulting	June 2015
Paleontological Impact Assessment	Prof Marion Bamford	July 2015
Responding Statement Regarding Wetland Delineation	Gerhard Botha	November 2015

### 2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity for exclusive use by the Harmony Gold Mining Company.

- c) The BAR dated December 2015 identified all legislation and guidelines that have been considered in the preparation of the report.
- d) The methodology used in assessing the potential impacts identified in the BAR dated December 2015 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, 2014 for public involvement.

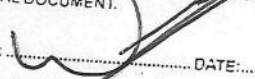
### 3. Findings

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 December 2015 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 December 2015 is deemed to be 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 phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT FROM OBSERVATION, AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

SIGNATURE:  DATE: 30/11/20

JOHANNES STEPHANUS DELPORT  
COMMISSIONER OF OATHS EX OFFICIO  
ADMITTED ATTORNEY OF THE HIGH COURT OF SOUTH AFRICA  
ADDRESS: WOOD SOUTH AFRICA (PTY) LTD 682ND STREET  
HALFWAY HOUSE MIDRAND REPUBLIC OF SOUTH AFRICA