

**SCOPING AND BASIC ASSESSMENT &
PUBLIC PARTICIPATION PROCESSES
FOR THE
75MW THERMAL DUEL FUEL FACILITY and 132KV POWER
LINE NEAR KATHU, NORTHERN CAPE PROVINCE**

**MEETING NOTES OF FOCUS GROUP MEETING HELD WITH AUTHORITIES
HELD ON FRIDAY, 20 NOVEMBER 2020 AT 10H00
VENUE: MS TEAMS PLATFORM**

Meeting notes prepared by:

Nicolene Venter
Savannah Environmental (Pty) Ltd
E-mail: publicprocess@savannahsa.com

*Please note that these notes are not verbatim, but a summary of the comments submitted at the meeting.
Please address any comments to Savannah Environmental at the above address*

DEVELOPMENT OF 75MW THERMAL DUAL FUEL FACILITY AND ASSOCIATED 132KV POWER LINE AT THE AUTHORISED HYPERION PV 1 & 2 SOLAR EENERGY FACILITY

LIST OF ABBREVIATIONS / ACRONYMS

BA	Basic Assessment	DAFF	Department of Agriculture, Forestry and Fisheries
EA	Environmental Authorisation	EIA	Environmental Impact Assessment
NC DAEARD&LR	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform		

MEETING ATTENDEES

Name	Organisation	Position
Elsabe Swart	NC DAEARD&LR	Scientific Manager: Research & Development Support Unit
Samantha De la Fontaine		Production Scientist Grade A: District Ecologist
Jacoline Mans	DAFF	Chief Forester: NFA Regulations
Mrs Arlene Singh	Savannah Environmental	Environmental Assessment Practitioner
Ms Jana de Jager		Environmental Assessment Practitioner
Ms Nicolene Venter		Public Participation and Social Consultant

Please refer to **Appendix A** for proof of attendance.

Nicolene Venter requested the attendees to introduce themselves, the Department they are representing and their position at the Department. They were also requested to please submit their names and roles on the chat function of MS Teams. The same introductory process was followed by the project team members.

Nicolene Venter welcomed all on the on-line platform and informed the attendees that comments can be submitted on the chat function and verbally during the meeting and advised that any additional comments after the meeting can be submitted via e-mail, WhatsApp or SMS to the public participation office.

Arlene Singh provided a summary of the presentation to the attendees and opened the floor for questions and comments.

A copy of the slides presented during the virtual meeting is attached as **Appendix B**.

DISCUSSION SESSION

Question / Comment	Response
75MW THERMAL DUAL FUEL FACILITY EIA: Comments and questions	
<p>Jacoline Mans informed the project team that the Farm Kathu 465 is part of the Kathu Protected Woodland, which has land-use restrictions.</p>	<p>Arlene Singh responded that the existing Kalbas Substation is located on the Farm Kathu 465. Only the proposed overhead power line will transverse the boundary of the Farm Kathu 465 to connect to the existing substation located on the property. The proposed thermal facility and access road will not intrude onto the property.</p>
<p>Jacoline Mans asked how many protected trees were encountered on the Farm Lyndoch within the development footprint.</p>	<p>Arlene Singh responded that the exact number of trees will have to be confirmed in the specialist ecological assessment however, it has been determined that there are several protected tree species on the property. It should also be noted that the development footprint of the thermal facility is located within the authorised Hyperion PV 1 and PV 2 facility footprint of approximately 5ha.</p> <p><u>Post-meeting note:</u> The number of protected tree species will be confirmed following the field investigations that will be undertaken for the EIA phase of the project.</p>
<p>Elsabe Swart requested that the technologies used for the dual fuel facility can be explained.</p>	<p>Arlene Singh responded that the authorised PV facility does not operate during night-time. Therefore, the proposed thermal facility will produce power during hours which the PV facility is non-operational, in line with the IPP's RMIPPPP specifications. The facility will consist of either gas turbines or reciprocating gas engines and will use either LPG or diesel as fuel sources. The assessment of the different technology and fuel alternatives will be further assessed during the EIA phase and will be incorporated into the Air Quality Impact Assessment and Climate Change Assessment.</p>
<p>Elsabe Swart informed the project team that it should be made clear during the EIA phase reporting that the thermal facility will be located within the already authorised PV facility footprint and EA reference numbers of the authorised facility should be included.</p>	<p>Arlene Singh noted this request for inclusion in EIA reporting and confirm that it will be included.</p>

132KV POWER LINE BA: Comments and questions	
Jacoline Mans asked what the locality of the power line is in relation to the access road is	Arlene Singh referred to the power line locality in the presentation. The proposed power line is indicated in green on the map and is within a 300m corridor that has been assessed. The proposed access route to the thermal facility will essentially follow the same route as the overhead power line
Elsabe Swart asked what mitigation measures are being proposed for the overhead power line.	Arlene Singh responded that there were several mitigation measures highlighted in the specialist studies and BA report. Chapter 6 of the BA report contains all the proposed specialist recommendations and mitigation measures.
GENERAL COMMENTS / QUESTIONS	
Jacoline Mans enquired regarding the construction timeframes of the PV 1 and PV2 facilities, should the project team have this information available.	Arlene Singh responded that power plant projects bidding into the RMIPPPP must be operational by December 2022. Therefore, construction of the PV facilities may possibly occur during 2021. However, exact dates of construction are yet to be confirmed by the client. Anticipated construction dates will be included in the EIA phase report.
Elsabe Swart requested that the EAs issued for PV facilities be distributed with the minutes of the meeting	Arlene Singh noted this request and confirm that it will be attached to the meeting minutes as an appendix. Post-meeting note: The EAs are included in Appendix C of the meeting minutes.

CLOSURE

Nicolene Venter thanked the attendees for their valuable inputs into the Scoping and Basic Assessment processes. The meeting was closed at 10h45.

APPENDIX A

AUTHORITY FOCUS GROUP MEETING

Attendance register for the Focus Group Meeting held on Friday, 20 November 2020 at 10h00

for the

Development of 75MW Thermal Dual Fuel Facility and Associated 132kV Power Line at the authorised Hyperion PV1 & PV2 Solar Energy Facility

The screenshot displays a Zoom meeting window titled "Hyperion 75MW Thermal Power Plant – Invitation to Focus Group Meeting". The main content is a slide with the following text:

CONDUCT OF THE MEETING

- Please stay on mute during the presentation
- Register attendance on Chat function (name, surname & affiliation)
- Please raise your hand to indicate comment/question to raise
- Questions submitted in Chat function will be responded to after the presentation
- Equal opportunity
- Recording of meeting
- Attendees welcome to switch video on

The slide also features a "savannah environmental" logo in the bottom right corner. The meeting interface includes a top toolbar with "Request control", "More actions", and "Leave" buttons. A notification bar states "You're recording". On the right, the "Participants" panel lists five attendees: Nicolene Venter (Organizer), Arlene Singh, elsabe.dtec (Outside your organization), Jacqueline Mans (Guest), and Jana de Jager. A sixth participant, mokhoantel@dws.gov.za, is listed under "Others invited (1)". The bottom of the screen shows the Windows taskbar with the time 10:06 AM on 11/20/2020.

75MW THERMAL DUAL FUEL FACILITY AND ASSOCIATED 132KV POWER LINE INFRASTRUCTURE NEAR KATHU

Public Participation Presentation
November 2020



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ADGENDA

- Welcome and Introduction
- Meeting Conduct
- Introduction and Project Overview
- Environmental Studies & Findings
- Discussion
- Way Forward



2

CONDUCT OF THE MEETING

- Please stay on mute during the presentation
- Register attendance on Chat function (name, surname & affiliation)
- Please raise your hand to indicate comment/question to raise
- Questions submitted in Chat function will be responded to after the presentation
- Equal opportunity
- Recording of meeting
- Attendees welcome to switch video on



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PURPOSE OF THE MEETING

- Provide stakeholders & I&APs with an overview of the 75MW Thermal dual fuel facility and the associated 132kV power line infrastructure
- Summary of the **Environmental Impact Assessment (EIA)**, **Basic Assessment (BA)** & **Public Participation** being undertaken
- Present summary of key environmental findings as documented in the **Scoping Report and BA Report**
- Provide stakeholders the opportunity to seek clarity regarding the project and environmental studies
- Opportunity to provide valuable input into/to inform the EIA and BA processes
- Obtain and record comments for inclusion in the **Final Scoping Report** and **Final BA Report** to be submitted to the DEFF



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PROJECT BACKGROUND & INFORMATION (Arlene Singh)

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PROJECT OVERVIEW

- **Applicant** – Hyperion Solar Development (Pty) Ltd
- **Location** – The Thermal Dual Fuel Facility and associated 132kV power line infrastructure is to be constructed within the project site which comprises the following land titles:
 - Remainder of Farm Lyndoch 432
 - Portion 1 of Farm Selsden 464
 - Remainder of the Farm Kathu 465
- **Project proposal – 1)** development of a 75MW thermal dual fuel facility and associated 132kV power line infrastructure (separate BA process).
- **Need and desirability** – South Africa is currently experiencing electricity supply challenges, which in turn is leading to periodic periods of load shedding. As part of South Africa's long term energy security planning, as outlined in the Integrated Resource Plan 2019 ("IRP2019"), 2000 to 3000MW of new generation capacity is required from technologies to be determined. The Project site and chosen technology solution is ideally located to meet the IPP Office's objectives. In addition to the introduction of much needed new electricity generation capacity onto the grid, the project will also provide much needed direct investment into the Kathu area and will stimulate additional business in and around the power station in support of its operations.

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PROJECT DESCRIPTION

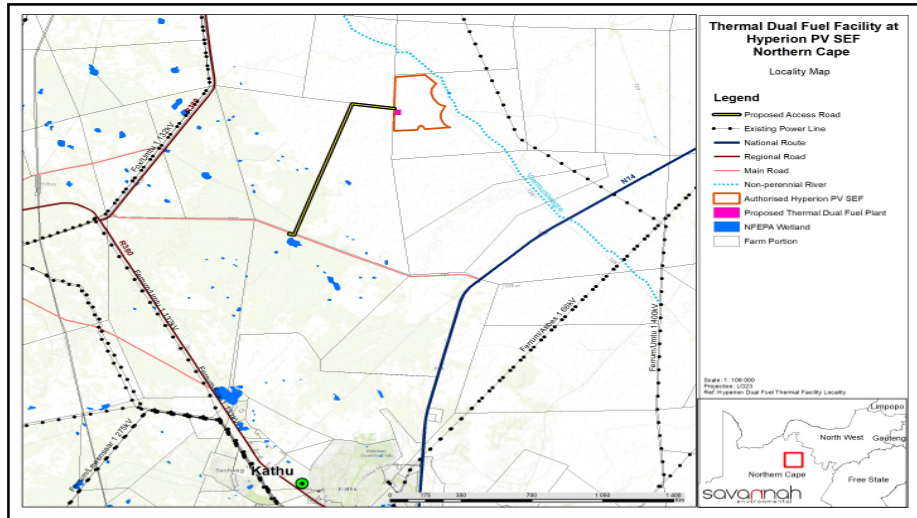
- **The 75MW Thermal Dual Fuel Facility will comprise the following key infrastructure and components and will be undertaken as a separate EIA process:**
 - Either open cycle gas turbines or reciprocating gas engine technologies.
 - Regasification plant and fuel preparation plant
 - Dry cooling system for operating oils/chemicals
 - Fuel off-loading facility
 - Fuel storage facility
 - Water demineralisation plant

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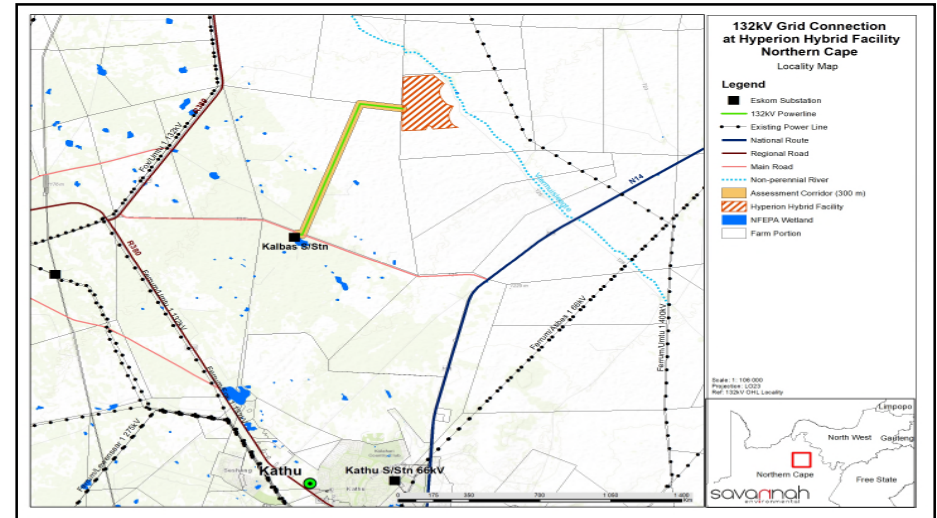
PROJECT DESCRIPTION

- **The 132kV Hyperion-Kalbas power line will comprise the following key infrastructure and components and will be undertaken as a separate BA process:**
 - A single- or double-circuit 132kV overhead power line
 - 300m wide and 8km long corridor
 - Associated infrastructure:
 - Laydown areas.
 - Servitude road

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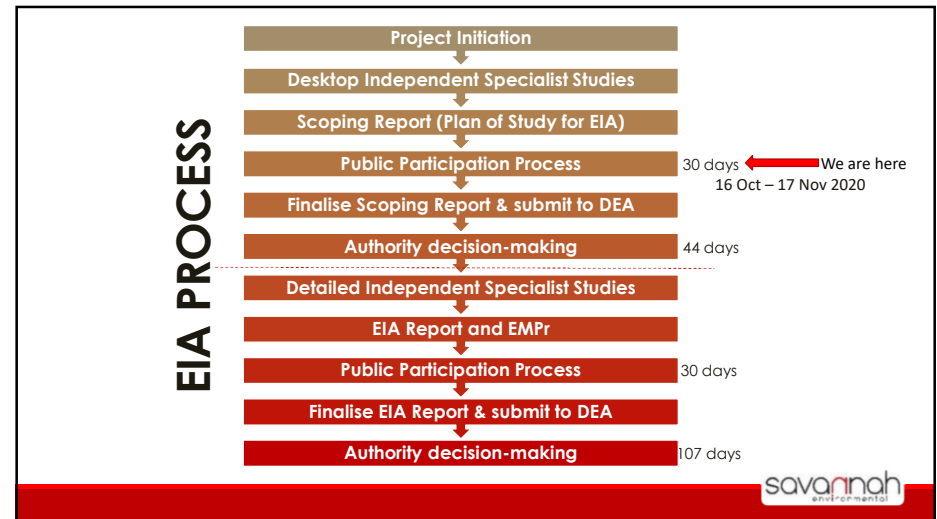
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EIA, BA & Public Participation Processes and Summary of environmental studies

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ENVIRONMENTAL IMPACTS/SENSITIVITIES IDENTIFIED

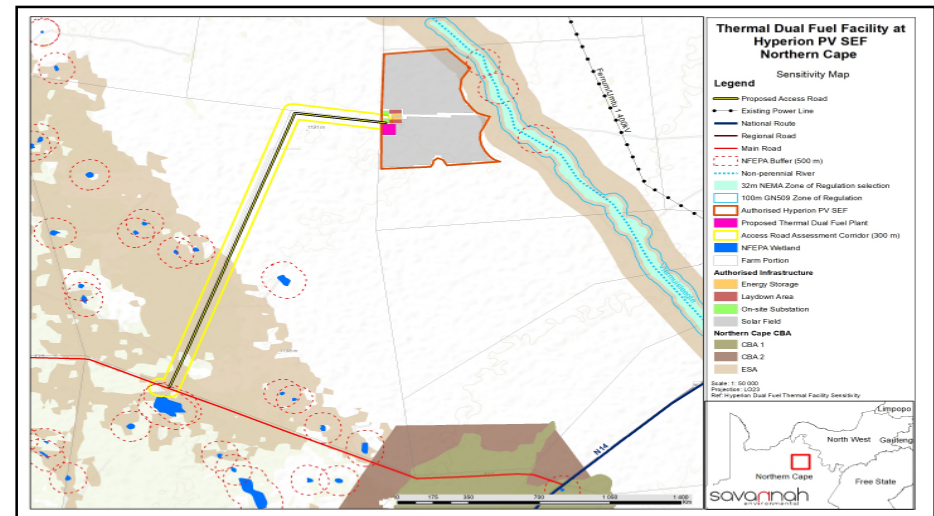
- Understanding the nature of the proposed Thermal dual fuel facility and the impacts associated with the project (as identified in the Scoping phase), the following has been considered and assessed within the Scoping phase:
 - Ecological Impacts (fauna & flora);
 - Wetland and Freshwater Impacts;
 - Soil & Agricultural Impacts;
 - Palaeontological & Archaeological Impacts;
 - Air Quality & Climate Change Impacts;
 - Noise Impacts;
 - Visual Impacts;
 - Positive & Negative Socio- Economic Impacts.

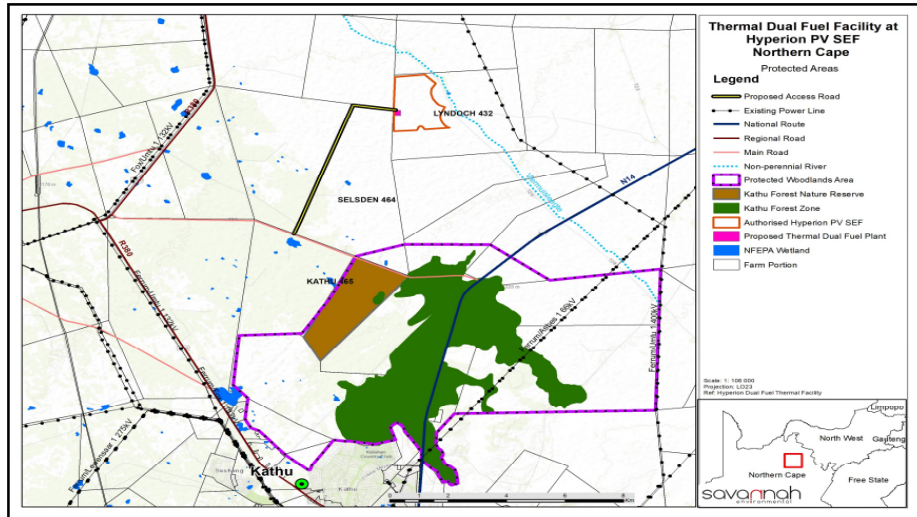
ENVIRONMENTAL IMPACTS/SENSITIVITIES IDENTIFIED

Scoping Report Specialist Studies	Scoping of issues
Ecological Assessment (fauna & flora);	<ul style="list-style-type: none"> • Habitat fragmentation • Loss of floral and faunal communities • Alteration, degradation, loss, or destruction of faunal and floral habitat • Loss of protected and/or SCC plant species • Loss of a poorly protected ecosystem • Loss of ESA areas • Loss of areas within a centre of plant endemism • Loss of a developmental corridor • Soil and water contamination
Wetland and Freshwater Assessment	<ul style="list-style-type: none"> • Disturbance of watercourse habitat • The decrease of watercourse habitat integrity • Alteration of runoff patterns • Altered hydrology of the watercourses • Altered stream and baseflow patterns • Contamination of surface water bodies
Soil & Agricultural Assessment	<ul style="list-style-type: none"> • Soil compaction • Soil erosion • Loss of soil fertility through disturbance of in situ horizon organisation • Soil chemical pollution

ENVIRONMENTAL IMPACTS/SENSITIVITIES IDENTIFIED

Scoping Report Specialist Studies	Scoping of issues
Paleontological & Archaeological	<ul style="list-style-type: none"> • Potential impacts to fossils (palaeontological impacts) • Potential impacts to Archaeological stone artefacts (archaeological impacts) • Potential impacts to graves
Air Quality Assessment	<ul style="list-style-type: none"> • Potential to impact on the ambient air quality of the area through elevated daily PM10 concentrations • Contribute NOX, CO, SOX and VOCs to the existing baseline concentrations
Noise Assessment	<ul style="list-style-type: none"> • Increased the noise levels in the vicinity of the plant
Visual Assessment	<ul style="list-style-type: none"> • Intensification of existing industrial impacts
Socio-Economic Assessment	<ul style="list-style-type: none"> • Increase in the production and GDP-R • temporary employment opportunities





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PLAN OF STUDY FOR EIA PHASE ASSESSMENTS

- » Based on the findings of the Scoping assessment, the following issues were identified as not requiring further investigation within the EIA, and no further or detailed assessment is required:
 - Impacts on noise
- » Based on the findings of the Scoping assessment, the following further investigation within the EIA phase are required:
 - Ecological Assessment (Terrestrial);
 - Wetland and Aquatic Assessments;
 - Air Quality Impact Assessment;
 - Climate Change Impact Assessment;
 - Visual Impact Assessment;
 - Socio-Economic Impact Assessment;
 - Soil and Agricultural Potential Assessment
 - Heritage Impact Assessment
 - Traffic Impact Assessment
 - Risk Assessment

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ENVIRONMENTAL IMPACTS/SENSITIVITIES IDENTIFIED

- Understanding the nature of the proposed 132kV powerline and the impacts associated with the project (as identified in the Basic Assessment), the following has been considered and assessed within the BA:
 - Ecological Impacts (fauna & flora);
 - Avifauna Impacts
 - Wetland and Freshwater Impacts;
 - Soil & Agricultural Impacts;
 - Palaeontological & Archaeological Impacts;
 - Visual Impacts;
 - Positive & Negative Socio- Economic Impacts.

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ENVIRONMENTAL IMPACTS/SENSITIVITIES IDENTIFIED

BA Report Specialist Studies	Impacts Assessed
Ecological Assessment (fauna & flora);	<ul style="list-style-type: none"> • Impact on Floral Habitat and Diversity, and Floral species of concern • Impact on Faunal Habitat and Diversity, and Faunal species of concern <p>With mitigation: low to very low impact significance</p>
Avifauna Assessment	<ul style="list-style-type: none"> • Impact on avifaunal diversity and habitat <p>With mitigation: low impact significance</p>
Wetland and Freshwater Assessment	<ul style="list-style-type: none"> • Impacts on the hydrology and sediment balance of the wetlands; • Changes to the socio-cultural and service provision; and • Impacts on water quality. <p>With mitigation: low impact significance</p>
Soil & Agricultural Assessment	<ul style="list-style-type: none"> • Loss of capability and soils <p>Without mitigation: medium to low impact significance</p>

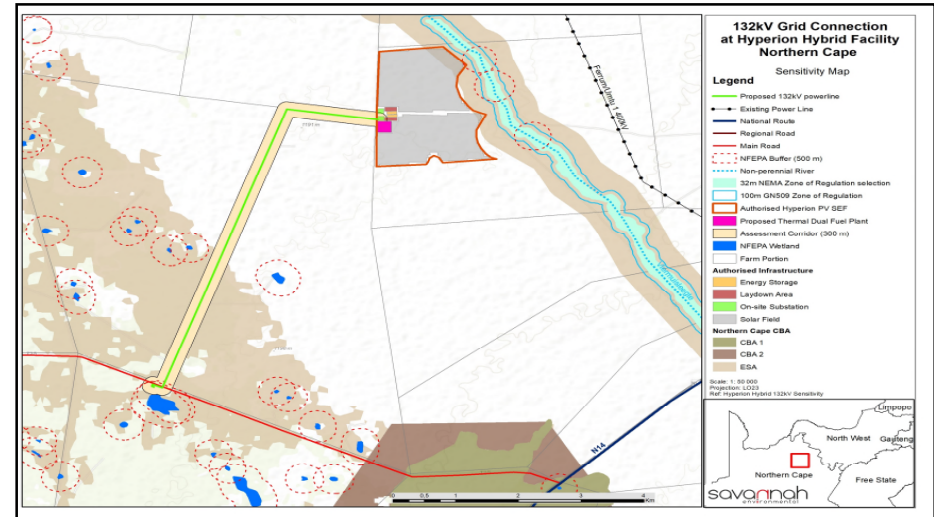
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ENVIRONMENTAL IMPACTS/SENSITIVITIES IDENTIFIED

Scoping Report Specialist Studies	Scoping of issues
Paleontological & Archaeological	<ul style="list-style-type: none"> Potential impacts to fossils (palaeontological impacts) Potential impacts to Archaeological stone artefacts (archaeological impacts) Potential impacts to graves Potential impacts to cultural landscapes and scenic routes
Visual Assessment	<p>With mitigation: low impact significance</p> <ul style="list-style-type: none"> Visual impact of construction and operational activities on sensitive visual receptors in close proximity to the proposed power line infrastructure. The potential impact on the sense of place of the region.
Socio-Economic Assessment	<p>With mitigation: low impact significance</p> <ul style="list-style-type: none"> Socio-economic stimulation Temporary employment opportunities Transformation of sense of place <p>With mitigation/ enhancement: low to medium impact significance</p>

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DISCUSSIONS

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WAY FORWARD

- » Meeting notes will be distributed for verification
- » Presentation will be distributed
- » Review and comment period for Scoping phase ending **17 November 2020**
- » Review and comment period for Basic Assessment ending **26 November 2020**
- » Final Scoping Report submission to DEFF envisaged **25 November 2020**
- » Final Basic Assessment Report submission to DEFF envisaged **2 December 2020**
- » Notification of commencement of impact phase for the Thermal dual fuel facility

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**WHO TO CONTACT FOR FURTHER
INFORMATION**

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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: 14/12/16/3/3/2/1109

Enquiries: Mr Dakalo Netshiombo

Telephone: (012) 399 8877 **E-mail:** DNetshiombo@environment.gov.za

Matteo Brambilla
Cyranguard (Pty) Ltd
Postnet Suite 150
Private Bag X3
ROGGEBAAI
8012

Cellphone number: (060) 605 2848
Email address: d.pasi@buildingenergy.it

PER E-MAIL / MAIL

Dear Sir/ Madam

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, GN R982, GN R983 AND GN R984 AS AMENDED: FOR THE CONSTRUCTION OF HYPERION SOLAR DEVELOPMENT 1 WITHIN THE GAMAGARA LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

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

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

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

M.S

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
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: 30/08/2018

Cc	Ms Jo-anne Thomas	Savannah Environmental (Pty) Ltd	Tel: (011) 656 3237	Email: joanne@savannahsa.com
	Bryan Fisher	Northern Cape(DENC)	Tel: (053) 807 7431	Email: BFischer@ncpg.gov.za
	Thusoeng Itumeleng	Gamagara Local Municipality	Tel: (053) 723 6000	Email: clementi@gamagara.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

The construction of Hyperion Solar Development 1 within Gamagara Local Municipality in the Northern
Cape Province

John Taolo Gaetsewe District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/1109</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Cyraguard (Pty) Ltd</i>
Location of activity:	<i>Remaining Extent of the Farm Lyndoch 432, Portion 1 of the Farm Cowley 457, Portion 2 of the Farm Cowley 457 Remaining extent of the Farm Cowley 457 within ward 7 of Gamagara Local Municipality, John Taolo Gaetsewe District Municipality, Northern Cape Province</i>

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

M.S

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 –

CYRAGUARD (PTY) LTD

with the following contact details –

Matteo Brambilla
Cyranguard (Pty) Ltd
Postnet Suite 150
Private Bag X3

ROGGEBAAI

8012

Cellphone number: (060) 605 2848

Email address: d.pasi@buildingenergy.it

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 2 as amended (GN R. 983 and 984 as amended):

Listed activities	Activity/Project description
<p><u>GN R. 983 Listing Notice 1: Activity 11(i)</u></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity–</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV"</i></p>	<p>The project entails the construction of a new 132kV on-site substation to evacuate electricity generated by the project into the national electricity grid. The on-site substation will have a capacity of 132kV and is located outside an urban area.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 12(ii)(a)(c)</u></p> <p><i>"The development of-</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100m² or more;</i></p> <p><i>where such development occurs-</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) If no development setback line occurs within 32 metres of a watercourse, measured from the edge of the watercourse"</i></p>	<p>The upgrade of the access road Alternative 1 will be directly within the Vlermuisleegte watercourse and will be over 100 square metres.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 19</u></p> <p><i>"The infilling or depositing of any material of more than 10 cubic metres into, or dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 10 cubic metres from a watercourse"</i></p>	<p>Access road Alternative 1 will be required to route into the Vlermuisleegte River and watercourse crossing will be required to be upgraded and or constructed.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 24(ii)</u></p> <p><i>"The development of a road–</i></p> <p><i>(ii) with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres"</i></p>	<p>The construction of the solar energy facility will require the construction and upgrading of an existing two-tyre track to provide access to the facility as well as the construction of new access roads up to 9m in width.</p>

<p>GN R. 983- Listing Notice 1: Activity 28(ii)</p> <p><i>“Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 ha;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes”</i></p>	<p>The total area of land to be developed for the solar energy facility is larger than 1 hectare. The site is currently used for agricultural purposes. The total extent of the development footprint is 180ha.</p>
<p>GN R. 983- Listing Notice 1: Activity 48(i)(a)(c)</p> <p><i>“The expansion of–</i></p> <p><i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more;</i></p> <p><i>where such expansion occurs–</i></p> <p><i>(a) within a watercourse</i></p> <p><i>(c) If no development setback line occurs within 32 metres of a watercourse, measured from the edge of the watercourse”</i></p>	<p>The upgrading of Access Road Alternative 1 within 32m and within the Vlermuisleegte River will require the widening of the road by 4m for approximately 2.5km.</p>
<p>GN R. 984- Listing Notice 2: Activity 1</p> <p><i>“The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more”</i></p>	<p>The project comprises a renewable energy generation facility, which will utilise photovoltaic (PV) technology and will have a generation capacity of up to 75MW. The development is located outside of an urban area and is proposed to be ground-mounted.</p>
<p>GN R. 984-Listing Notice 2: Activity 15</p> <p><i>“The clearance of an area of 20ha or more of indigenous vegetation”</i></p>	<p>The project requires the clearance of an area of up to 180 ha (equivalent to the development footprint) of vegetation. The project is proposed on an agricultural property where the predominant</p>

	land use is livestock grazing, and is therefore likely to compromise indigenous vegetation. The project would therefore result in the clearance of an area of land greater than 20ha of indigenous vegetation.
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This EA does not include activities listed under Listing Notice 3: Activity 4(g)(ii)(ee), Activity 12(g)(ii) and Activity 18(g)(ii)(ee) as they are applicable to Alternative 2 and 3. Alternative 1 for the access road is approved for this development.

as described in the final Environmental Impact Assessment Reports (EIAR) dated May 2019 at:

Hyperion Solar Development 1:

Remaining Extent of the Farm Lyndoch 432;

Portion 1 of the Farm Cowley 457;

Portion 2 of the Farm Cowley 457; and

Remaining Extent of the Farm Cowley 457

21 SG Code:

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C	0	4	1	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	1
C	0	4	1	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	2
C	0	4	1	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	0

M.S

Bend points coordinates (Development Area):

	Latitude (S)	Longitude (E)
Starting at the most northern point and moving clockwise	27° 32' 19,710" S	23° 4' 29,705" E
	27° 32' 22,586" S	23° 4' 32,645" E
	27° 32' 23,316" S	23° 4' 33,636" E
	27° 32' 25,435" S	23° 4' 36,174" E
	27° 32' 26,973" S	23° 4' 37,678" E
	27° 32' 31,879" S	23° 4' 41,875" E
	27° 32' 38,771" S	23° 4' 45,593" E
	27° 32' 45,451" S	23° 4' 47,449" E
	27° 32' 55,728" S	23° 4' 51,517" E
	27° 33' 2,185" S	23° 4' 56,734" E
	27° 33' 3,178" S	23° 4' 56,777" E
	27° 33' 5,780" S	23° 3' 48,438" E

Preferred (Access Road) Alternative 1 Co-ordinates:

	Latitude (S)	Longitude (E)
Start (intersection to the N14)	27°35'47.55"S	23°07'19.27"E
Middle	27°34'59.28"S	23°06'39.12"E
End (perimeter road)	27°34'11.15"S	23°05'58.79"E

- for the proposed construction of the Hyperion Solar Development 1 within Gamagara Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Arrays of PV panels (static or tracking PV system) with a contracted capacity of up to 75MW;
- Mounting structures to support the PV panels;
- On-site inverters (to convert the power from Direct Current (DC) to Alternating Current (AC) and distribution power transformers;
- An on-site substation to facilitate the connection between the project and the Eskom electricity grid;
- Cabling between the project's components (to be laid underground where practical);
- Battery storage mechanism with a storage capacity of up to 300MWh;
- Water purification plant;

- Site offices and maintenance buildings, including workshop areas for maintenance and storage;
- Temporary laydown area up to 1ha in extent;
- Batching plant;
- Internal access roads, perimeter road and fencing around the development area; and
- Main access road to the site development area utilising Access Road Alternative 1.

Planned infrastructure proposed as part of Hyperion Solar Development 1:

Infrastructure	Dimensions/ Details
Solar Facility	<ul style="list-style-type: none"> - Photovoltaic (PV) technology. - Solar panels up to 6m in height. - Fixed-tilt, single-axis tracking, or dual-axis (double-axis) tracking systems. - On-site inverters (to convert the power from DC to AC), and power transformers. - PV structures / modules up to 156ha in extent (depending on the type of support structure selected for implementation (i.e. static vs tracking).
Energy Storage	<ul style="list-style-type: none"> - Up to 1ha in extent. - Storage capacity of up to 300MWh. - Batteries will be stored in battery storage units.
Supporting Infrastructure	<ul style="list-style-type: none"> - On-site buildings and structures, including a maintenance building and office building, ablutions and guard house and security building to occupy an area up to 0.05ha in extent. - Perimeter security fencing and access gates up to 3m in height. - Temporary laydown area up to 1.6ha in extent, for the storage of materials during the construction. - Batching plant, to be located within the laydown area.
On-site substation	<ul style="list-style-type: none"> - On-site substation with a 132kV capacity. - Will occupy an area up to 1ha in extent

<p>Access road</p>	<ul style="list-style-type: none"> - Main access road – four access road alternatives are being considered: <ul style="list-style-type: none"> o Alternative 1 – The upgrade of approximately 3.6km of the existing T26 gravel road situated between the project site and the N14. The existing road will be upgraded from approximately 5m to 9m in width. - Internal access road – 6m wide and approximately 19.5km in length (to be gravel). - Perimeter road – The use of the existing perimeter road 6m in width and approximately 7.4km in length.
<p>Water Supply</p>	<ul style="list-style-type: none"> - Approximately 10 000m³ of water is required over a 12 month period during construction. o Approximately 50 000m³ of water per year is required for operation (25 years). Water will be sourced from three existing boreholes located on the property during construction and operation. - The following water supply option is currently being considered: <ul style="list-style-type: none"> o Water will be sourced from three existing boreholes located on the property during construction and operation. A water purification plant may be installed to purify the borehole water to potable standards. The purification plant will be located adjacent to the existing boreholes.
<p>Services required.</p>	<ul style="list-style-type: none"> - Refuse material disposal - all refuse material generated from the proposed development will be collected by a private contractor and will be disposed of at a licensed waste disposal site off site. This service will be arranged with the municipality when required. - Sanitation – during construction chemical toilets will be used and will be emptied by the municipality. During operation, the facility will utilise conservancy tanks. A contractor will be appointed to empty the tanks and to dispose of the sewage at a licensed waste disposal site. - Water supply – water will be sourced from up to three existing boreholes located on the property. If required,

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	<p>these boreholes will be licensed with the Department of Water and Sanitation (DWS) post preferred bidder status.</p> <p>Electricity supply – agreements with the Gamagara Local Municipality will be established for the supply of electricity to the PV facility.</p>
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Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed construction of the Hyperion Solar Development 1 within Gamagara Local Municipality in the Northern Cape Province is hereby approved as per the geographic coordinates indicated above.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised 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. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

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

Management of the activity

12. The layout plan titled "Hyperion Solar Development 1, Northern Cape Environmental Sensitivity and Combined Layout Map" and appended to the final EIAr dated May 2019 as Appendix N is hereby approved.
13. The EMPr compiled by Savannah Environmental (Pty) Ltd and appended to the final EIAr dated May 2019 as Appendix K is hereby approved and must be implemented and adhered to.
14. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also

be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:

Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Environment House
473 Steve Biko
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

15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.
17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the

- undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
 19. 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.
 20. 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.
 21. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of GN R.982. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

22. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 22.1. The ECO must be appointed before commencement of any authorised activities.
 - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 22.4. 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

23. 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.
24. 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.
25. 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.
26. 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.
27. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
28. 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

29. 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

30. 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

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

Specific conditions

32. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
33. A minimum of a 50m no-go buffer zone around the Vlermuisleegte River must be adhered to.
34. A minimum of a 30m no-go buffer zone must be adhered to around the identified heritage built structures and graves.
35. Permits in terms of Section 35(4) of the National Heritage Resources Act and Chapter II and IV of the Regulations must be applied for and granted prior to commencement, if any of the buildings older than 60 years are altered.
36. An archaeologist must be appointed to conduct test excavations and sampling of the archaeological sites in areas where *in situ* gravel will be intersected by foundations, cable trenches and/or access roads.
37. A Heritage Management Plan (HMP) inclusive of a Chance Finds Procedure must be developed to manage and protect *in-situ* heritage resources within the development area. This HMP must be submitted to SAHRA prior to the construction phase.
38. 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.
39. 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 made available to this Department on request.
40. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options. Where solid waste is 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).

41. 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.
42. 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.
43. 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.
44. The washing of panels during maintenance must be done with biodegradable soaps to avoid soil contamination and poisoning of small animals.
45. All disturbed, exposed earth and cleared areas must be rehabilitated with indigenous perennial shrubs and grasses from the local area.
46. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
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. A firebreak must be maintained around the development footprint to avoid potential fires occurring within the facility from spreading into the surrounding grasslands, subsequently posing a threat to faunal species occurring within the surrounding environment.
49. Road borders must be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak. No unsupervised open fires for cooking or heating must be allowed on site
50. An ecological and faunal walk-through (micro-siting) must be conducted prior to construction to identify species requiring permits for their removal, ensure that the infrastructure does not impact any areas of irreplaceable habitats.

General

51. The recommendations of the EAP in the EIAR dated May 2019 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.
-

52. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 52.1. at the site of the authorised activity;
 - 52.2. to anyone on request; and
 - 52.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
53. 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: 30/08/2019


Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 26 October 2018.
- b) The information contained in the final EIAr dated May 2019.
- c) The comments received from interested and affected parties as included in the final EIAr dated May 2019.
- d) Mitigation measures as proposed in the final EIAr and the EMPr dated May 2019.
- e) The information contained in the specialist studies contained within the appendices of the final EIAr dated May 2019.

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 to the national grid.
- c) The final EIAr dated May 2019 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated May 2019 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, as amended for public involvement.

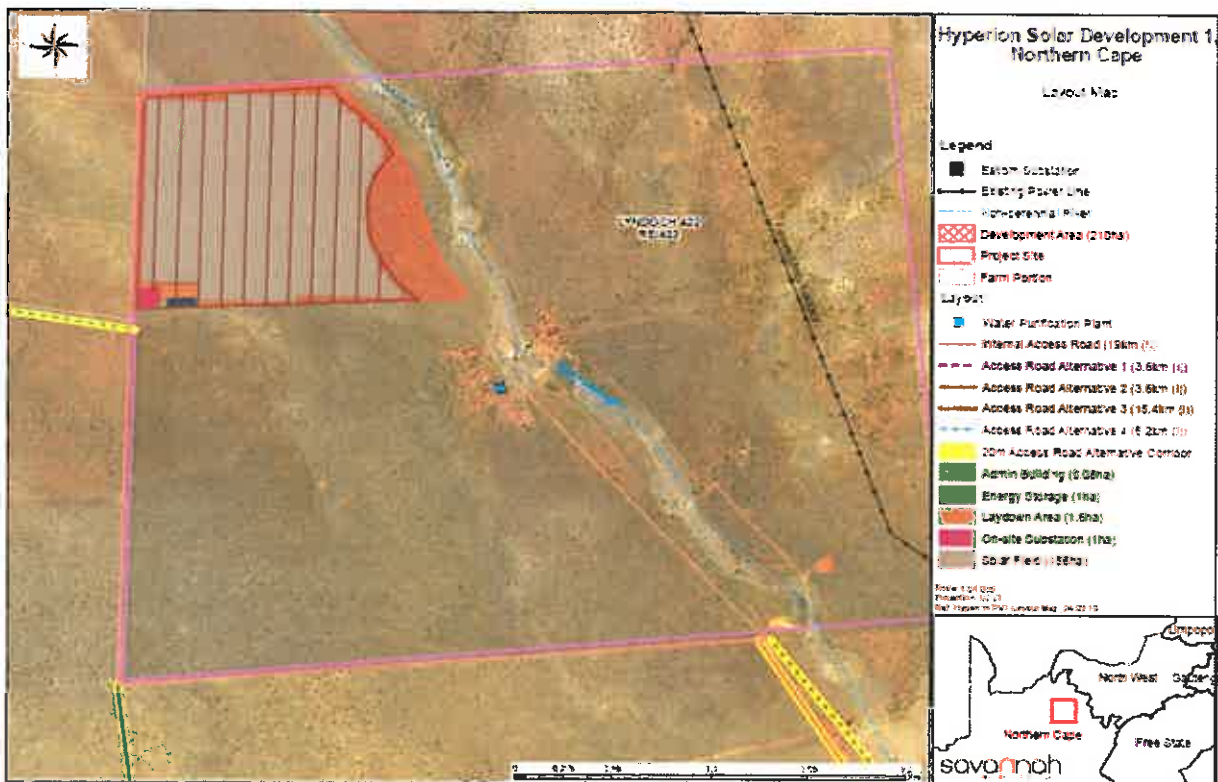
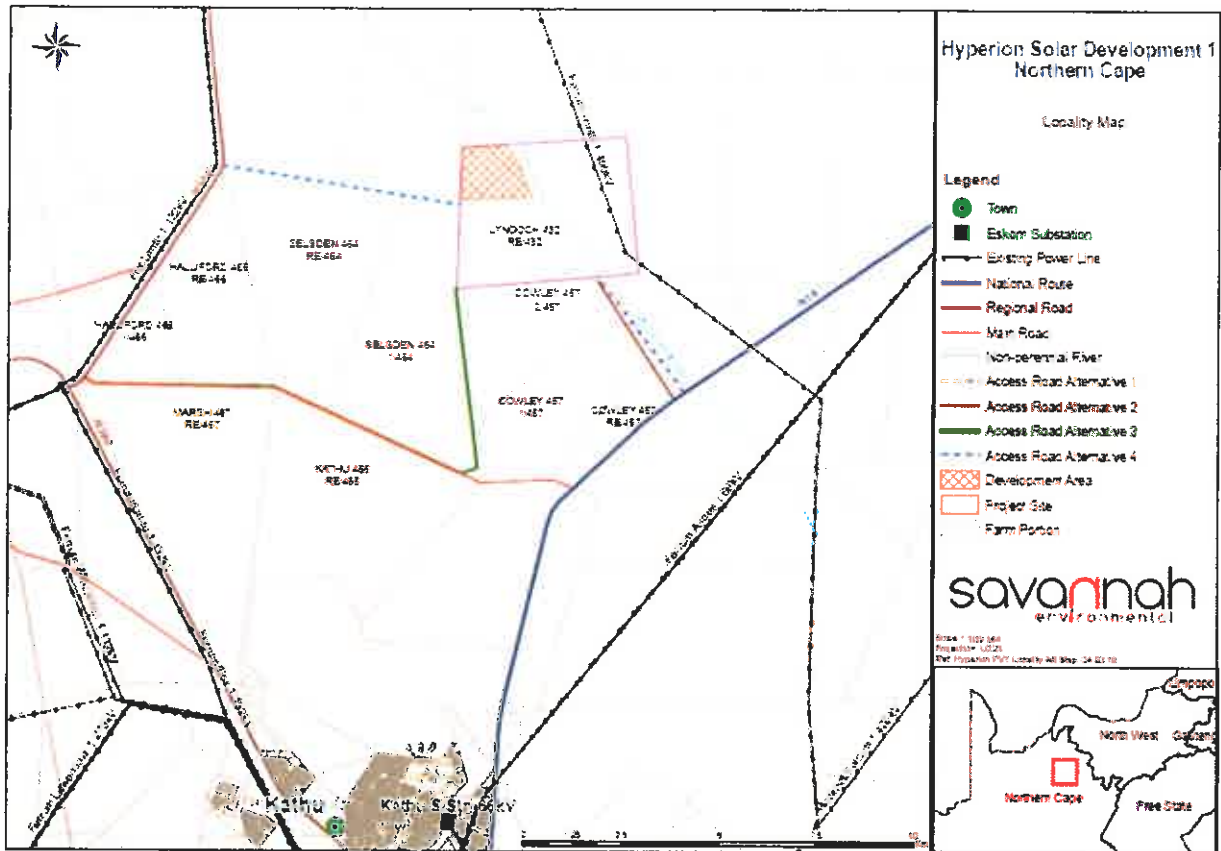
3. Findings

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

- a) The identification and assessment of impacts are detailed in the EIAr dated May 2019 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction phase.

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

Annexure 2: Locality Map





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: 14/12/16/3/3/2/1110

Enquiries: Mr Thando Booï

Telephone: (012) 399 9387 **E-mail:** TBooi@environment.gov.za

Matteo Brambilla
Cyraguard (Pty) Ltd
Postnet Suite 150
Private Bag X3
ROGGEBAAI
8012

Cellphone number: (060) 605 2848
Email address: d.pasi@buildingenergy.it

PER E-MAIL / MAIL

Dear Sir/ Madam

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, GN R982, GN R983 AND GN R984 AS AMENDED, FOR THE CONSTRUCTION OF HYPERION SOLAR DEVELOPMENT 2 WITHIN THE GAMAGARA LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

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

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

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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
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: 30/05/2019

Cc	Ms Jo-anne Thomas	Savannah Environmental (Pty) Ltd	Tel: (011) 656 3237	Email: joanne@savannahsa.com
	Bryan Fisher	Northern Cape(DENC)	Tel: (053) 807 7431	Email: BFischer@ncpg.gov.za
	Thusoeng Itumeleng	Gamagara Local Municipality	Tel: (053) 723 6000	Email: clementi@gamagara.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

The construction of Hyperion Solar Development 2 within Gamagara Local Municipality in the Northern
Cape Province

John Taolo Gaetsewe District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/1110</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Cyraguard (Pty) Ltd</i>
Location of activity:	<i>Remaining Extent of the Farm Lyndoch 432, Portion 1 of the Farm Cowley 457, Portion 2 of the Farm Cowley 457 Remaining extent of the Farm Cowley 457 within ward 7 of Gamagara Local Municipality, John Taolo Gaetsewe District Municipality, Northern Cape Province</i>

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

Decision

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

Non-compliance with a condition of this environmental authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 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 –

CYRAGUARD (PTY) LTD

with the following contact details –

Matteo Brambilla
Cyraguard (Pty) Ltd
Postnet Suite 150
Private Bag X3
ROGGEBAAI
8012

Cellphone number: (060) 605 2848
Email address: d.pasi@buildingenergy.it

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 2 as amended (GN R. 983, and 984 as amended):

Listed activities	Activity/Project description
<p><u>GN R. 983 Listing Notice 1: Activity 11(i)</u></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity–</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV"</i></p>	<p>The project entails the construction of a new 132kV on-site substation to evacuate electricity generated by the project into the national electricity grid. The on-site substation will have a capacity of 132kV and is located outside an urban area.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 12(ii)(a)(c)</u></p> <p><i>"The development of-</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100m² or more;</i></p> <p><i>where such development occurs-</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) If no development setback line occurs within 32 metres of a watercourse, measured from the edge of the watercourse"</i></p>	<p>The upgrade of the access road Alternative 1 will be directly within the Vlermuisleegte watercourse and will be over 100 square metres.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 19</u></p> <p><i>"The infilling or depositing of any material of more than 10 cubic metres into, or dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 10 cubic metres from a watercourse"</i></p>	<p>Access road Alternative 1 will be required to route into the Vlermuisleegte River and watercourse crossing will be required to be upgraded and or constructed.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 24(ii)</u></p> <p><i>"The development of a road–</i></p> <p><i>(ii) with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres"</i></p>	<p>The construction of the solar energy facility will require the construction and upgrading of an existing two-tyre track to provide access to the facility as well as the construction of new access roads up to 9m in width.</p>
<p><u>GN R. 983- Listing Notice 1: Activity 28(ii)</u></p> <p><i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for</i></p>	<p>The total area of land to be developed for the solar energy facility is larger than 1 hectare. The site is currently used for agricultural purposes. The total extent of the development footprint is 180ha.</p>

Listed activities	Activity/Project description
<p><i>agriculture or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 ha; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes"</i></p>	
<p><u>GN R. 983- Listing Notice 1: Activity 48(i)(a)(c)</u></p> <p><i>"The expansion of-</i></p> <p><i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more;</i></p> <p><i>where such expansion occurs-</i></p> <p><i>(a) within a watercourse</i></p> <p><i>(c) If no development setback line occurs within 32 metres of a watercourse, measured from the edge of the watercourse"</i></p>	<p>The upgrading of Access Road Alternative 1 within 32m and within the Vlermuisleegte River will require the widening of the road by 4m for approximately 2.5km.</p>
<p><u>GN R. 984- Listing Notice 2: Activity 1</u></p> <p><i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more"</i></p>	<p>The project comprises a renewable energy generation facility, which will utilise photovoltaic (PV) technology and will have a generation capacity of up 75MW. The development is located outside of an urban area and is proposed to be ground-mounted.</p>
<p><u>GN R. 984-Listing Notice 2: Activity 15</u></p> <p><i>"The clearance of an area of 20ha or more of indigenous vegetation"</i></p>	<p>The project requires the clearance of an area of up to 180 ha (equivalent to the development footprint) of vegetation. The project is proposed on an agricultural property where the predominant land use is livestock grazing, and is therefore likely to compromise indigenous vegetation. The project would therefore result in the clearance of an area</p>

Listed activities	Activity/Project description
	of land greater than 20ha of indigenous vegetation.

This EA does not include activities listed under Listing Notice 3: Activity 4(g)(ii)(ee), Activity 12(g)(ii) and Activity 18(g)(ii)(ee) as they are applicable to Alternative 2 and 3. Alternative 1 for the access road is approved for this development.

- as described in the final Environmental Impact Assessment Reports (EIAR) dated May 2019 at:

Hyperion Solar Development 2:

Remaining Extent of the Farm Lyndoch 432;

Portion 1 of the Farm Cowley 457;

Portion 2 of the Farm Cowley 457; and

Remaining Extent of the Farm Cowley 457

21 SG Code:

C	0	4	1	0	0	0	0	0	0	0	0	0	4	3	2	0	0	0	0	0
C	0	4	1	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	1
C	0	4	1	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	2
C	0	4	1	0	0	0	0	0	0	0	0	0	4	5	7	0	0	0	0	0

Development Area Co-ordinates:

	Latitude (S)	Longitude (E)
Start at the northern most point and move clockwise	27°33'3,205" S	23°4'56,863" E
	27°33'4,700" S	23°4'54,737" E
	27°33' 6,459" S	23°4'53,128" E
	27°33'9,355" S	23° 4'51,086" E
	27°33'12,262" S	23°4'49,925" E
	27°33'18,744" S	23°4'48,650" E
	27°33'19,543" S	23°4'48,657" E
	27°33'20,742" S	23°4'48,676" E
	27°33'23,003" S	23°4'48,938" E
	27°33'25,986" S	23°4'49,765" E
	27°33' 30,074" S	23°4'52,041" E
	27°33'32,549" S	23°4'54,293" E
	27°33'34,375" S	23°4'57,085" E
	27°33'35,509" S	23°4'59,658" E
	27°33'40,808" S	23° 3' 47,048" E

Preferred (Access Road) Alternative 1 Co-ordinates:

	Latitude (S)	Longitude (E)
Start (intersection to the N14)	27°35'47.55"S	23°07'19.27"E
Middle	27°34'59.28"S	23°06'39.12"E
End (perimeter road)	27°34'11.15"S	23°05'58.79"E

- for the proposed construction of the Hyperion Solar Development 2 within Gamagara Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Arrays of PV panels (static or tracking PV system) with a contracted capacity of up to 75MW;
- Mounting structures to support the PV panels;
- On-site inverters (to convert the power from Direct Current (DC) to Alternating Current (AC) and distribution power transformers;
- An on-site substation to facilitate the connection between the project and the Eskom electricity grid;

- Cabling between the project's components (to be laid underground where practical);
- Battery storage mechanism with a storage capacity of up to 300MWh;
- Water purification plant;
- Site offices and maintenance buildings, including workshop areas for maintenance and storage;
- Temporary laydown area up to 1ha in extent;
- Batching plant;
- Internal access roads, perimeter road and fencing around the development area; and
- Main access road to the site development area utilising Access Road Alternative 1.

Planned infrastructure proposed as part of Hyperion Solar Development 2:

Infrastructure	Dimensions/ Details
Solar Facility	<ul style="list-style-type: none"> - Photovoltaic (PV) technology. - Solar panels up to 6m in height. - Fixed-tilt, single-axis tracking, or dual-axis (double-axis) tracking systems. - On-site inverters (to convert the power from DC to AC), and power transformers. - PV structures / modules up to 152ha in extent (depending on the type of support structure selected for implementation (i.e. static vs tracking).
Energy Storage	<ul style="list-style-type: none"> - Up to 1ha in extent. - Storage capacity of up to 300MWh. - Batteries will be stored in battery storage units.
Supporting Infrastructure	<ul style="list-style-type: none"> - On-site buildings and structures, including a maintenance building and office building, ablutions and guard house and security building to occupy an area up to 0.05ha in extent. - Perimeter security fencing and access gates up to 3m in height. - Temporary laydown area up to 1.6ha in extent, for the storage of materials during the construction. - Batching plant, to be located within the laydown area.
On-site substation	<ul style="list-style-type: none"> - On-site substation with a 132kV capacity. - Will occupy an area up to 1ha in extent

Infrastructure	Dimensions/ Details
Access road	<ul style="list-style-type: none"> - Main access road – four access road alternatives are being considered however alternative 1 is approved. o Alternative 1 – The upgrade of approximately 3.6km of the existing T26 gravel road situated between the project site and the N14. The existing road will be upgraded from approximately 5m to 9m in width. - Internal access road – 6m wide and approximately 19.5km in length (to be gravel). - Perimeter road – The use of the existing perimeter road 6m in width and approximately 7.4km in length.
Water Supply	<ul style="list-style-type: none"> - Approximately 10 000m³ of water is required over a 12 month period during construction. o Approximately 50 000m³ of water per year is required for operation (25 years). Water will be sourced from three existing boreholes located on the property during construction and operation. - The following water supply option is currently being considered: o Water will be sourced from three existing boreholes located on the property during construction and operation. A water purification plant may be installed to purify the borehole water to potable standards. The purification plant will be located adjacent to the existing boreholes.
Services required.	<ul style="list-style-type: none"> - Refuse material disposal - all refuse material generated from the proposed development will be collected by a private contractor and will be disposed of at a licensed waste disposal site off site. This service will be arranged with the municipality when required. - Sanitation – during construction chemical toilets will be used and will be emptied by the municipality. During operation, the facility will utilise conservancy tanks. A contractor will be appointed to empty the tanks and to dispose of the sewage at a licensed waste disposal site. - Water supply – water will be sourced from up to three existing boreholes located on the property. If required, these boreholes will be licensed with the Department of Water and Sanitation (DWS) post preferred bidder status.

Infrastructure	Dimensions/ Details
	- Electricity supply – agreements with the Gamagara Local Municipality will be established for the supply of electricity to the PV facility.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed construction of the Hyperion Solar Development 2 within Gamagara Local Municipality in the Northern Cape Province is hereby approved as per the geographic coordinates indicated above.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised 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. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

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

Management of the activity

12. The layout plan titled "Hyperion Solar Development 2, Northern Cape Environmental Sensitivity and Combined Layout Map" and appended to the final EIAr dated May 2019 as Appendix N is hereby approved.
13. The EMPr compiled by Savannah Environmental (Pty) Ltd and appended to the final EIAr dated May 2019 as Appendix K is hereby approved and must be implemented and adhered to.
14. Furthermore, a shapefile of the approved development layout/footprint must be submitted to this Department within two months from the date of this decision. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also

be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing. The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:

Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Environment House
473 Steve Biko
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

15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.
17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the

- undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
 19. 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.
 20. 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.
 21. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of GN R.982. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

22. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 22.1. The ECO must be appointed before commencement of any authorised activities.
 - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 22.4. 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

23. 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.
24. 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.
25. 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.
26. 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.
27. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
28. 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

29. 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

30. 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

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

Specific conditions

32. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
33. A minimum of a 50m no-go buffer zone around the Vlermuisleegte River must be adhered to.
34. A minimum of a 30m no-go buffer zone must be adhered to around the identified heritage built structures and graves.
35. Permits in terms of Section 35(4) of the National Heritage Resources Act and Chapter II and IV of the Regulations must be applied for and granted prior to commencement, if any of the buildings older than 60 years are altered.
36. An archaeologist must be appointed to conduct test excavations and sampling of the archaeological sites in areas where *in situ* gravel will be intersected by foundations, cable trenches and/or access roads..
37. A Heritage Management Plan (HMP) inclusive of a Chance Finds Procedure must be developed to manage and protect *in-situ* heritage resources within the development area. This HMP must be submitted to SAHRA prior to the construction phase.
38. 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.
39. 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 made available to this Department on request.
40. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options. Where solid waste is 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).

41. 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.
42. 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.
43. 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.
44. The washing of panels during maintenance must be done with biodegradable soaps to avoid soil contamination and poisoning of small animals.
45. All disturbed, exposed earth and cleared areas must be rehabilitated with indigenous perennial shrubs and grasses from the local area.
46. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
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. A firebreak must be maintained around the development footprint to avoid potential fires occurring within the facility from spreading into the surrounding grasslands, subsequently posing a threat to faunal species occurring within the surrounding environment.
49. Road borders must be regularly maintained to ensure that vegetation remains short and that they therefore serve as an effective firebreak. No unsupervised open fires for cooking or heating must be allowed on site
50. An ecological and faunal walk-through (micro-siting) must be conducted prior to construction to identify species requiring permits for their removal, ensure that the infrastructure does not impact any areas of irreplaceable habitats.

General

51. The recommendations of the EAP in the EIAR dated May 2019 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.
-

52. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 52.1. at the site of the authorised activity;
 - 52.2. to anyone on request; and
 - 52.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
53. 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: 30/08/2019



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 26 October 2018.
- b) The information contained in the final EIAr dated May 2019.
- c) The comments received from interested and affected parties as included in the final EIAr dated May 2019.
- d) Mitigation measures as proposed in the final EIAr and the EMPr dated May 2019.
- e) The information contained in the specialist studies contained within the appendices of the final EIAr dated May 2019.

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 to the national grid.
- c) The final EIAr dated May 2019 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated May 2019 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, as amended for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the EIAr dated May 2019 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction phase.

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

Annexure 2: Locality Map

