



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 14/12/16/3/3/1/2369

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Siyanda Solar Power Plant (RF) (Pty) Ltd  
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### PER EMAIL / MAIL

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED 150MW SIYANDA PHOTOVOLTAIC SOLAR FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF PORTION 1 OF THE FARM GROOTDRAAI 468, REGISTRATION DIVISION VILJOENSKROON SITUATED WITHIN MOQHAKA LOCAL MUNICIPALITY AND THE GREATER FEZILE DABI DISTRICT MUNICIPALITY, FREE STATE PROVINCE**

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

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

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

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

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Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@environment.gov.za](mailto:appeals@environment.gov.za);

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

By post: Private Bag X447  
Pretoria  
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully



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

Date: 13/10/2021

cc:	Ms Christia van Dyk	Environamics CC	Cell: 083 450 0406	E-mail: <a href="mailto:christia@environamics.co.za">christia@environamics.co.za</a>
	Grace Mkhosana	Free State Department of Economic Development, Tourism and Environmental Affairs	Tel: 051 400 4817	E-mail: <a href="mailto:mkhosana@detea.fs.gov.za">mkhosana@detea.fs.gov.za</a>
	Mr Simon Moqwathi	Moqhaka Local Municipality	Tel: 056 216 9911	E-mail: <a href="mailto:mms@moqhaka.gov.za">mms@moqhaka.gov.za</a>

DFFE Reference: 14/12/16/3/3/1/2369

Environmental Authorisation for the Slyanda Photovoltaic Solar Facility and associated infrastructure on the remaining extent of Portion 1 of Farm Grootdraai 468, Registration Division Vrijoenkroon situated within Moqhaka Local Municipality of Greater Fezile Dabi District Municipality in Free State Province



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

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

**The Siyanda Photovoltaic Solar Facility and associated infrastructure on the Remaining Extent of Portion 1 of the Farm Grootdraai 468, Registration Division Villoenskroon situated within Moqhaka Local Municipality, Free State**

**Greater Fezile Dabi District Municipality**

<b>Authorisation register number:</b>	14/12/16/3/3/1/2369
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Siyanda Solar Power Plant (RF) (Pty) Ltd
<b>Location of activity:</b>	Photovoltaic Site: Remaining Extent of Portion 1 of Grootdraai No. 468; Portion 23, Portion 24 and Portion 27 of Pretorius Kraal No. 53 of Moqhaka Local Municipality within Greater Fezile Dabi District Municipality in Free State Province.

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

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## Decision

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

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on It by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

### **SIYANDA SOLAR POWER PLANT (RF) (PTY) LTD**

with the following contact details –

Mr Dick Berlijn

Siyanda Solar Power Plant (RF) (Pty) Ltd

2<sup>nd</sup> Floor West Tower, Maude Street, Nelson Mandela Square

P O Box 785553

**SANDTON**

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

Activity number	Activity description
<p><b>GN No. R.983 – Activity 11(i):</b>  <i>"The development of facilities or infrastructure for the transmission and distribution of electricity—                      (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;"</i></p>	<p>Activity 11(i) is triggered as the proposed photovoltaic solar facility will transmit and distribute electricity of 132 kilovolts outside an urban area. The infrastructure for the distribution of electricity will include a power line (132 kV), an on-site HV/MV substation (130 MVA, High Voltage: 88/132kV, Medium Voltage: 33kV) and switching station. It is expected that generation from the facility will tie in with Vaal Reefs Nine 132/6.6 kV Substation or using a loop in – loop out connection to either the Western Reef SWS / Jersey DS 1 88 kV HV Overhead Line or Western Reef SWS / Jersey DS 2 88 kV HV Overhead Line.</p>
<p><b>GN No. R.983 – Activity 14</b>  <i>"The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic meters or more but not exceeding 500 cubic meters."</i></p>	<p>Activity 14 is triggered since the proposed development will need to develop infrastructure for the storage and handling of dangerous goods (diesel) in containers with a capacity of 80 cubic metres.</p>
<p><b>GN No. R. 983 – Activity 24(ii):</b>  <i>"The development of a road                      (ii) with reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters;"</i></p>	<p>Activity 24(ii) is triggered as the internal roads will vary between 6 and 12 meters in width.</p>
<p><b>GN No. R.983 – Activity 28 (ii):</b>  <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:"</i></p>	<p>Activity 28(ii) is triggered as portions of the affected farm has been previously used for grazing and the property will be re-zoned to "special" use. The development footprint of the solar power plant will be 283 hectares.</p>

<p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;”</i></p>	
<p><b>GN No. R.983 – Activity 56(II):</b>  <i>“The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (ii) where no reserve exists, where the existing road is wider than 8 metres...”</i></p>	<p>Activity 56 (ii) is triggered as the existing access to the affected property does not have a reserve and will need to be widened by more than 6 metres.</p>
<p><b>GN No. R.984 – Activity 1:</b>  <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, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs -                  (a) within an urban area; or                  (b) on existing infrastructure.”</i></p>	<p>Activity 1 is triggered since the proposed photovoltaic solar facility will generate up to 150 megawatts electricity through the use of a renewable resource.</p>
<p><b>GN No. R.984 – Activity 15:</b>  <i>“The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-                  (i) the undertaking of a linear activity; or                  (ii) maintenance purposes undertaken in accordance with a maintenance management plan.”</i></p>	<p>In terms of vegetation type the preferred site falls within the Dry Highveld Grassland Bioregion, more precisely the Vaal-Vet Sandy Grassland (Gh10) and Vaal Reefs Dolomite sinkhole (Gh12) which is described by Mucina and Rutherford (2006) respectively as ‘endangered’ and ‘vulnerable’. Activity 15 is triggered since portions of the site has not been lawfully disturbed during the preceding ten years; therefore, more than 20 hectares of indigenous vegetation will be removed. The development footprint of the solar power plant will be 283 hectares.</p>
<p><b>GN No. R.985 – Activity 12:</b>  <i>“The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for</i></p>	<p>Activity 12(b)(l) is triggered since the proposed development is located in the Free State province and the vegetation on site is classified as being ‘endangered’ or ‘vulnerable’. Portions of the site has</p>

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*maintenance purposes undertaken in accordance with a maintenance management plan.*

*(b) in the Free State*

*(l) within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004."*

not been lawfully disturbed during the preceding ten years. The development footprint of the project will be 283 hectares and therefore, more than 300 square meters of indigenous vegetation will be removed.

as described in the Basic Assessment Report (BAR) dated 19 August 2021 at:

**SG 21 Code:**

Solar Power Plant																				
F	0	3	6	0	0	0	0	0	0	0	0	0	0	4	6	8	0	0	0	1
Power Line																				
F	0	3	6	0	0	0	0	0	0	0	0	0	0	4	6	8	0	0	0	1
F	0	3	6	0	0	0	0	0	0	0	0	0	0	5	3	0	0	0	2	3
F	0	3	6	0	0	0	0	0	0	0	0	0	0	5	3	0	0	0	2	4
F	0	3	6	0	0	0	0	0	0	0	0	0	0	5	3	0	0	0	2	7

**Coordinates of the 75MW Beaufort West Photovoltaic (PV) Project**

Points		Latitude	Longitude
Project Site (PV Site):	A	27° 0'48.56"S	26°44'28.48"E
	B	27° 0'41.44"S	26°44'37.49"E
	C	26°58'43.70"S	26°43'0.55"E
	D	26°58'54.11"S	26°42'48.75"E
	E	26°59'8.49"S	26°42'39.33"E
Power line Corridor	1	27° 0'8.92"S	26°43'56.15"E
	2	27° 0'8.86"S	26°43'59.26"E
	3	27° 0'2.67"S	26°43'59.55"E

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	4	27° 0'2.65"S	26°44'4.10"E
	5	26°59'42.46"S	26°44'38.98"E
	6	26°59'25.33"S	26°44'42.06"E
	7	26°59'3.15"S	26°44'58.58"E
	8	26°58'55.12"S	26°44'45.67"E
	9	26°58'59.13"S	26°44'42.31"E
	10	26°59'5.43"S	26°44'52.69"E
	11	26°59'24.09"S	26°44'38.58"E
	12	26°59'40.49"S	26°44'35.69"E
	13	26°59'59.40"S	26°44'3.03"E
	14	26°59'59.36"S	26°43'56.30"E
Substation	A	27° 0'8.91"S	26°43'56.44"E
	B	27° 0'5.79"S	26°43'56.45"E
	C	27° 0'5.71"S	26°43'50.97"E
	D	27° 0'8.88"S	26°43'50.99"
Battery Energy Storage System (BESS)	A	27° 0'19.16"S	26°43'57.01"E
	B	27° 0'9.56"S	26°43'57.56"E
	C	27° 0'9.52"S	26°43'50.57"E
	D	27° 0'13.36"S	26°43'50.59"E
Proposed Access		26° 59'8.97"S	26°42'40.09"E
Alternative Access:		26°58'44.17"S	26°43'0.61"E
Other associated infrastructure (temporary construction camp, laydown area, workshop, warehouse)	A	27° 0'5.59"S	26°43'41.59"E
	B	27° 0'5.66"S	26°43'50.34"E
*preliminary inates (final to be confirmed during micro-siting)	C	27° 0'13.67"S	26°43'50.34"E

- for the Siyanda Photovoltaic Solar Facility and associated infrastructure on the Remaining Extent of Portion 1 of Farm Grootdraai 468, Registration Division Vlijoenskroon situated within Mqohaka Local Municipality and the Greater Fezile Dabi District Municipality, Free State Province, hereafter referred to as "the property".



The key components of the proposed project are described below:

The solar facility will have a generating capacity of up to 150MW. The town of Viljoenskroon is located approximately 30km east-southeast and the town of Orkney is located approximately 3km north - northwest of the proposed development. The total footprint of the project will be approximately 283 hectares (including supporting infrastructure on site).

The project entails the following infrastructure to be developed:

- PV Panels and associated infrastructure (i.e. inverters, BESS, etc.);
- Power line – 132 kV;
- On- site Substation – 130 MVA (High Voltage – 132 kV; Medium Voltage – 33 kV);
- Battery Energy Storage Facility;
- Supporting Infrastructure (i.e. office buildings);
- Diesel storage container/s of approximately 80 cubic metres; and
- Roads.

The facility will comprise the following components:

Component	Description / Dimensions
Type of technology	Photovoltaic solar facility
Height of PV panels	6 meters
Number of inverters	Minimum 50
Generation capacity	Up to 150 MW
Expected production	320-360 GWh per annum (Expected production by 150MWdc modules Considering Bifacial and one-axis tracker)
Structure Height	<ul style="list-style-type: none"> <li>● Panels ~6 m</li> <li>● Buildings ~ 6 m</li> <li>● Power line pylon structures ~32 m</li> <li>● Battery storage facility ~8 m</li> </ul>
Area occupied by inverter/transformer stations/substations / BESS	Central inverters+ LV/MV trafo: 20 m <sup>2</sup> HV/MV substation with switching station: 15 000 m <sup>2</sup>  BESS: 4 000 m <sup>2</sup> footprint

Capacity of on-site sub- and switching station Minimum 130MVA in HV/MV substation High Voltage: 132kV Medium Voltage: 33kV	Capacity of on-site sub- and switching station Minimum 130MVA in HV/MV substation High Voltage: 132kV Medium Voltage: 33kV
Area occupied by both permanent and construction laydown areas Permanent Laydown Area: 283 Hectares Construction Laydown Area: ~2000 m <sup>2</sup>	Area occupied by both permanent and construction laydown areas Permanent Laydown Area: 283 Hectares Construction Laydown Area: ~2000 m <sup>2</sup>
Battery storage facility	Within 4ha area within the development footprint Maximum height: 8 m Maximum volume: 1740 m <sup>3</sup> Capacity: 500MW
Area occupied by buildings	Security Room: ~60 m <sup>2</sup> Office: ~200 m <sup>2</sup> Staff Locker and Changing Room: ~200 m <sup>2</sup> Switch gear and relay room: ~400 m <sup>2</sup>
Battery storage facility Maximum height: 8 m Maximum volume: 1740 m <sup>3</sup> Capacity: 500MW	Battery storage facility Maximum height: 8 m Maximum volume: 1740 m <sup>3</sup> Capacity: 500MW
Structure orientation	The panels will either be fixed to a single-axis horizontal tracking structure where the orientation of the panel varies according to the time of the day, as the sun moves from east to west or tilted at a fixed angle equivalent to the latitude at which the site is located in order to capture the most sun.
Laydown area dimensions (EIA footprint)	Assessed 283 hectares for the development of the solar power plant and a 3km long and 100m wide grid connection corridor for the placement of the proposed power line  Construction Laydown Area: ~2000 m <sup>2</sup>
Length of internal roads	Approximately 20 km
Width of internal roads	Between 6 & 12 meters
Proximity to grid connection	Approximately 3.5 kilometers
Height of fencing	Approximately 2.5 meters

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## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The Siyanda Photovoltaic Solar Facility and associated infrastructure on the Remaining Extent of Portion 1 of Farm Grootdraai 468, Registration Division Vlljoenskroon situated within Mqohaka Local Municipality and the Greater Fezile Dabi District Municipality, Free State Province is approved as per the geographic coordinates cited in the table above on page 05 and 06.
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 ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

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

### **Commencement of the activity**

12. The authorised activity 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**

13. A copy of the final site layout map must be made available for comments to the registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
  - 13.1. The position of the solar PV panels;
  - 13.2. All associated infrastructure;
  - 13.3. All sensitive features i.e. heritage features, habitat areas, etc;

13.4. All "no-go" and buffer areas.

14. The Environmental Management Programme (EMPr) submitted as part of the BAR is not approved and must be amended to include measures as dictated by the final site lay-out map. The EMPr must be made available for comments by registered interested and affected parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
15. The amended EMPr must include the final layout map.
16. The EMPr must be implemented (once approved) and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

**Frequency and process of updating the EMPr**

19. 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.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
22. 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 the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

23. The holder of the authorisation must 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 the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

### Monitoring

24. 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.
- 24.1. The ECO must be appointed before commencement of any authorised activities.
- 24.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 24.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 24.4. 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

25. 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.
26. 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.
27. 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 the EIA Regulations, 2014 as amended.

28. 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.
29. 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.
30. 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**

31. 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**

32. 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**

33. 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**

34. A walk-down survey must be conducted by a qualified archaeologist and palaeontologist prior to construction and must be submitted to SARHA for comment.
35. The footprint of the development must be limited to the areas required for actual construction works and operational activities.

36. 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.
37. Fuel (diesel) storage tanks must be bunded (110% of the proposed tank's capacity) to contain any possible spills and to prevent any infiltration of fuel into the ground.
38. Spill clean-up equipment and associated waste containers must be available at all times at the site.
39. The area surrounding the tank must be kept clean of flammable material and the required warning signs must be erected and be visible during the lifecycle of the proposed development.
40. Anti-collision devices such as bird flappers must be installed where power line cross avifaunal corridors, as recommended by the Ecological specialist.
41. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
42. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated 19 August 2021 must be implemented to reduce the risk of erosion and the invasion of alien species.
43. 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.
44. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

#### **General**

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

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46. 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: 13/10/2021



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment**

## **Annexure 1: Reasons for Decision**

### **1. Information considered in making the decision**

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

- a) The listed activities as applied for in the application form received on 13 July 2021.
- b) The information contained in the BAR dated 19 August 2021.
- c) The comments received from SAHRA, Heritage Free State, Department of Water and Sanitation, Eskom, Department of Forestry, Fisheries and the Environment and interested and affected parties as included in the BAR dated 19 August 2021.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated 19 August 2021 and as appears below:

### **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 BAR dated 19 August 2021 identified all legislations and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed solar facility within the Klerksdorp REDZ.
- e) The methodology used in assessing the potential impacts identified in the BAR dated 19 August 2021 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

### 3. Findings

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

- a) The identification and assessment of impacts are detailed in the BAR dated 19 August 2021 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 BAR and will be implemented to manage the identified environmental impacts during the construction phase.

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