



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: 14/12/16/3/3/2/2052

Enquiries: Mmamohale Kabasa

Telephone: (012) 399 9420 E-mail: MKabasa@environment.gov.za

Mr Dick Berlijn
Kgalalelo Solar Power Plant (RF) (Pty) Ltd.
PO Box 785553
SANDTON
2146

Telephone Number: (001) 500 3680
Email Address: berlijn@subsolar.co.za

PER EMAIL / MAIL

Dear Mr Berlijn

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE CONSTRUCTION OF THE 150MW KGALALELO PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ASSOCIATED 132KV POWER LINE NEAR THE TOWN OF OLIFANTSHOEK WITHIN THE TSANTSABANE 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 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: appeals@environment.gov.za;

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

By post: Private Bag X447
Pretoria
0001

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

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

Yours faithfully



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

Date: 09/09/2021

cc:	Mrs. Carli Steenkamp	Environamics Environmental Consultants	Email: carli@environamics.co.za
	Mrs. Doreen Werth	Northern Cape Department of Environmental Affairs and Nature Conservation	Email: dwerth@ncpg.gov.za
	Mr. G.H. Mathobela	Tsantsabane Local Municipality	Email: mm@tsantsabane.gov.za



**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 150MW KGALALELO PHOTOVOLTAIC SOLAR ENERGY FACILITY AND ITS ASSOCIATED 132KV
POWER LINE NEAR THE TOWN OF OLIFANTSHOEK WITHIN THE TSANTSABANE LOCAL
MUNICIPALITY IN THE NORTHERN CAPE PROVINCE**

ZF Mgcawu District Municipality

Authorisation register number:	14/12/16/3/3/2/2052
Last amended:	First issue
Holder of authorisation:	Kgalalelo Solar Power Plant (RF) (Pty) Ltd
Location of activity:	The Remaining extent of Portion 2 of Farm Ruby Vale No. 266, Tsantsabane Local Municipality, ZF Mgcawu District Municipality, Northern Cape 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 –

KGALALELO SOLAR POWER PLANT (RF) (PTY) LTD

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

with the following contact details –

Mr Dick Berlijn

Kgalalelo Solar Power Plant (RF) (Pty) Ltd

PO Box 785553

SANDTON

2146

Telephone Number: (001) 500 3680

Cell Number: (076) 941 8927

Email Address: berlijn@subsolar.co.za

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11 (i)</u></p> <p><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 since the proposed photovoltaic solar facility will transmit and distribute electricity of 132 kilovolts outside an urban area.</p>
<p><u>Listing Notice 1, Item 28 (ii):</u></p> <p><i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 1998 and where such development (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."</i></p>	<p>Activity 28(ii) is triggered since the farm has been previously cultivated and the property will be rezoned to "special".</p>
<p><u>Listing Notice 2, Item 1:</u></p> <p><i>"The development of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more."</i></p>	<p>Activity 1 is triggered since the proposed photovoltaic solar facility will generate up to 150MW megawatts electricity.</p>
<p><u>Listing Notice 2, Item 15:</u></p> <p><i>"The clearance of an area of 20 hectares or more of indigenous vegetation."</i></p>	<p>In terms of vegetation type the preferred site falls within the Gordonia Plains Shrubland (SVk16) which is described by Mucina and Rutherford (2006) as 'least threatened'. 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.</p>

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as described in the Environmental Impact Assessment Report (EIAR) dated May 2021 at:

SG 21 Code

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Alternative (preferred site)	Latitude	Longitude
North-West Corner (A)	28°12'51.46"S	22°32'34.27"E
North-East Corner (B)	28°13'9.97"S	22°33'41.94"E
South-West Corner (D)	28°13'43.14"S	22°32'6.04"E
South-East Corner (C)	28°13'59.72"S	22°32'53.13"E
Facility step up substation (on-site facility substation corner points)		
A	28°13'8.13"S	22°33'35.41"E
B	28°13'8.85"S	22°33'37.90"E
C	28°13'11.04"S	22°33'37.11"E
D	28°13'10.32"S	22°33'34.64"E
Ruby Vale Switching Substation (corner points)		
A	28°12'47.85"S	22°34'37.95"E
B	28°12'47.81"S	22°34'41.91"E
C	28°12'52.43"S	22°34'41.93"E
D	28°12'52.44"S	22°34'37.93"E
Battery Energy Storage System (BESS) (corner points)		
A	28°13'6.25"S	22°33'27.90"E
B	28°13'8.19"S	22°33'34.90"E
C	28°13'11.25"S	22°33'33.82"E
D	28°13'9.33"S	22°33'26.82"E
Power Lines:		
Power line from facility substation to the Ruby Vale Substation (bend points)		
1	28°13'09.72"S	22°33'37.54"E
2	28°13'10.59"S	22°33'40.62"E
3	28°12'35.67"S	22°34'14.86"E
4	28°12'46.49"S	22°34'38.75"E
5	28°12'47.78"S	22°34'38.78"E

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Power line from the Ruby Vale Substation to Lewensaar Substation (bend points)		
1	28°12'47.93"S	22°34'40.18"E
2	28°12'46.43"S	22°34'40.26"E
3	28°12'47.09"S	22°34'51.37"E
4	28°12'33.27"S	22°34'59.96"E
5	28°12'44.71"S	22°35'31.31"E
6	28°12'39.00"S	22°35'37.18"E
7	28°12'42.04"S	22°35'42.97"E
Access to site (access road bend points)		
A	28°12'27.31"S	22°34'12.68"E
B	28°12'28.29"S	22°34'12.20"E
C	28°12'30.01"S	22°34'18.33"E
D	28°13'12.46"S	22°33'36.84"E

- for the 150 MW Kgalalelo Photovoltaic Solar Energy Facility located on the Remaining Extent of Portion 2 of the farm Ruby Vale No. 266, south-south-west of the town of Olifantshoek and west of the town of Postmasburg within the Tsantsabane Local Municipality in the Northern Cape Province, hereafter referred to as "the property".

The Kgalalelo Photovoltaic Solar Energy Facility will comprise the following:

- Photovoltaic panels with a height of up to 5m, with a generation capacity of up to 150MW;
- Mounting structure (either be fixed to a single-axis horizontal tracking structure or tilted at a fixed angle) for the PV arrays and related foundations;
- Internal electrical reticulation network to be laid underground (where practical);
- Inverter transformer station and inverters;
- 132kV on-site facility substation;
- 132kV Ruby Vale Switching Substation;
- 132kV Power Line from the on-site facility substation to the Ruby Vale Substation and then a 132kV Power Line from Ruby Vale Substation to Lewensaar Substation;
- Battery Energy Storage System (BESS);
- Auxiliary buildings and supporting infrastructure including offices, switch gear and relay room, staff lockers and changing room, laydown areas and security control building;
- Internal access road; and
- Fencing.

Technical details for the proposed facility:

Component	Description/ Dimensions
Location of the site	35km south-south-west of the town of Olifantshoek and 46km west of the town of Postmasburg
PV Panel area	300 Ha
SG Codes	<u>Solar Facility:</u> <ul style="list-style-type: none"> • C02800000000026600002 <u>Power Lines:</u> <ul style="list-style-type: none"> • C02800000000026600002
Preferred Site access	Access will be obtained from the N14 National Road onto a provincial gravel road (DR3300) where the farm portion will be accessed via the provincial gravel road (MN11632/OG213), the new facility access road will be directly from the provincial gravel road (MN11632/OG213).
Export capacity	150 MW
Proposed technology	Photovoltaic panels - either be fixed to a single-axis horizontal tracking structure or tilted at a fixed angle equivalent to the latitude at which the site is located.
Height of installed panels from ground level	5 meters
Width and length of internal roads	Between 7m and 12m wide and approximately 20km long

Conditions of this Environmental Authorisation

Scope of authorisation

1. The 150MW Kgalalelo Photovoltaic Solar Energy Facility located on the Remaining Extent of Portion 2 of the farm Ruby Vale No. 266, south-south-west of the town of Olifantshoek and west of the town of Postmasburg within the Tsantsabane Local Municipality in the Northern Cape Province is approved as per the geographic coordinates cited in the table 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 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 by 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 biodiversity 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. Position of solar field, all associated and supporting onsite infrastructure e.g. roads (existing and proposed);
 - 13.2. The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;

- 13.3. Buffer areas; and,
 - 13.4. All “no-go” areas.
 - 13.5. The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
 14. The Environmental Management Programme (EMPr) submitted as part of the EIAr dated May 2021 is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this environmental authorisation. 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.
 15. The EMPr amendment must include the following:
 - 15.1. The requirements and conditions of this authorisation.
 - 15.2. All recommendations and mitigation measures recorded in the EIAr.
 - 15.3. All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented.
 - 15.4. The final site layout map.
 - 15.5. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
 - 15.6. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.
 - 15.7. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
 - 15.8. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
 - 15.9. A construction and operational avifauna and bat monitoring plan.
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- 15.10. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
- 15.11. An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
- 15.12. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- 15.13. A fire management plan to be implemented during the construction and operational phases.
- 15.14. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
- 15.15. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- 15.16. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the EIAr and this authorisation.
16. Once approved, the EMPr must be implemented and adhered to. It shall be seen as a dynamic document and shall be included in all contract documentation when approved.
17. Changes to the approved EMPr must be submitted in accordance with 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 EIAr 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 28 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.
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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. The holder of the EA must appoint a suitably qualified offset specialist to develop a Strategic Biodiversity Offset Report to investigate the most feasible solution available for promoting the conservation of protected trees that have been identified on site.
35. The draft Strategic Biodiversity Offset Report, including the outcome of the investigations conducted and the most feasible solutions available for promoting the conservation of protected trees on site must be presented to the Department of Forestry, Fisheries and the Environment, Chief Directorate Integrated Environmental Authorisations and the Forestry Branch, as well as the Northern Cape Department of Environment and Nature Conservation. Following the presentation, this report must be submitted for review and comment.
36. The final Strategic Biodiversity Offset Report together with the letters of endorsement from the Department of Forestry, Fisheries and the Environment, Forestry Branch and the Northern Cape Department of Environment and Nature Conservation must be submitted to the Department of Forestry, Fisheries and the Environment, Chief Directorate Integrated Environmental Authorisations for approval prior to construction commencing.
37. Should the holder of the EA fail to obtain approval of the Strategic Biodiversity offset report within one year of the issuance of this decision, the Environmental Authorisation will be regarded as having expired.
38. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species and assist in identifying the areas that require protection.
39. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
40. The EMPr must be amended to include a layout plan.
41. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
42. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.

43. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the EIAr dated May 2021 must be implemented to reduce the risk of erosion and the invasion of alien species.
44. 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.
45. 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

46. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 46.1. at the site of the authorised activity;
 - 46.2. to anyone on request; and
 - 46.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
47. 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: 09/09/2021



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 25 March 2020.
- b) The information contained in the EIAr dated May 2021.
- c) The comments received from Transnet; SANRAL; Department of Agriculture and Forestry; SKA; SAHRA; Department of Water and Sanitation; CAA and interested and affected parties as included in the EIAr dated May 2021.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated May 2021 and as appears below:

Title	Prepared by	Date
Avifaunal Study	Birds and Bats Unlimited	September 2020
Ecological Fauna and Flora Habitat Study	Environmental Research Consulting	January 2020
Heritage Impact Assessment	J van Schalkkwyk Heritage Consultants	January 2020
Paleontological Study	BM Geological Services	December 2019
Agricultural and Soils Impact Assessment	Johann Lanz	February 2020
Brief Geotechnical Study	Johann Lanz	March 2020
Visual Impact Assessment	Phala Environmental Consultants	March 2020
Social Impact Assessment	Leandri Kruger Research & SIA Consultant	January 2020
Traffic Impact Assessment	BVi Consulting Engineers Western Cape (Pty) Ltd	February 2020

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.

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- c) The EIAr dated May 2021 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed wind energy facility.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated May 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 EIAr dated May 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 information contained in the EIAr dated May 2021 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) 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.