



# 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:** 14/12/16/3/3/2/2099

**Enquiries:** Mr Lunga Dlova

**Telephone:** (012) 399 8524 **E-mail:** [LDlova@dff.gov.za](mailto:LDlova@dff.gov.za)

Mr Ernest Jordaan Burger  
URSA Energy (Pty) Ltd  
P.O. Box 5  
**BRITS**  
0250

Cellphone Number: (082) 449 7626

Email Address: [development@lewton.co.za](mailto:development@lewton.co.za); [planwise@telkomsa.net](mailto:planwise@telkomsa.net)

## PER EMAIL / MAIL

Dear Mr Burger

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED RENEWABLE ENERGY GENERATION PROJECT ON THE FARM BLOMSKRAAL 216, VENTERSBURG RD, MATJHABENG LOCAL MUNICIPALITY, LEJWELEPUTSWA DISTRICT MUNICIPALITY, FREE STATE PROVINCE (VIRGINIA 1 SOLAR PARK).**

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 stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

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 prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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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@dffe.gov.za](mailto:appeals@dffe.gov.za).

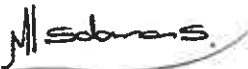
By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083; or

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%20authorisations) or request a copy of the documents at [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za).

Yours faithfully



**Ms Millicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 19/05/2022.

|     |                           |  |   |
|-----|---------------------------|--|---|
| cc: | Ms Engela Grobler         | AGES Limpopo (Pty) Ltd   | Email: <a href="mailto:egrobler@ages-group.com">egrobler@ages-group.com</a>               |
|     | Mr Mothusi Frank Lepheana | Matjhabeng Local Municipality  | Email: <a href="mailto:tshidi.lenong@matjhabeng.co.za">tshidi.lenong@matjhabeng.co.za</a> |
|     | Dr Sandile Fuku           | Free State Department of Economic, Small Business Development, Tourism & Environmental Affairs | Email: <a href="mailto:fuku@destea.gov.za">fuku@destea.gov.za</a>                         |



## 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 renewable energy generation project on the Farm Blomskraal 216, Ventersburg Road, within the Matjhabeng Local Municipality in the Free State Province (Virginia 1 Solar Park)

Lejweleputswa District Municipality

|                                |  |
|--------------------------------|--|
| Authorisation register number: | 14/12/16/3/3/2/2099  |
| Last amended:                  | First issue  |
| Holder of authorisation:       | URSA Energy (Pty) Ltd  |
| Location of activity:          | Blomskraal 216 Ventersburg RD, Portion 0<br>(Remainder) within the Matjhabeng Local<br>Municipality, Lejweleputswa District<br>Municipality, in the 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 –

### **URSA ENERGY (PTY) LTD**

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

with the following contact details –

Mr Ernest Jordaan Burger  
URSA Energy (Pty) Ltd  
P.O. Box 5  
**BRITS**  
0250

Cellphone Number: (082) 449 7626  
Email Address: [development@lewton.co.za](mailto:development@lewton.co.za), [planwise@telkomsa.net](mailto:planwise@telkomsa.net)

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  |
|---|---|
| <b><u>GN R.983 Item 11 (i)</u></b><br><i>The development of facilities or infrastructure for the transmission and distribution of electricity -</i><br><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i>  | The on-site substation of Virginia 1 Solar Park will be a 132 kV step-up substation and switching station located outside urban areas or industrial complexes.  |
| <b><u>GN R.983 Item 12(xii)(c)</u></b><br><i>The development of –</i><br><i>(xii) infrastructure or structures with a physical footprint of 100m<sup>2</sup> or more;</i><br><i>(c) within 32m of a watercourse, measured from the edge of a watercourse,</i>   | The proposed Virginia 1 Solar Park will be located within 32 metres from the edge of watercourses.  |
| <b><u>GN R.983 Item 19</u></b><br><i>The infilling or depositing of any material of more than 10 cubic meters into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of 10 cubic metres from a watercourse</i>   | The proposed Virginia 1 Solar Park will be located near the edge of watercourses and some of the watercourses (drainage lines) will have to be crossed to gain access to the site and this will lead to the removal of material from the watercourse.             |
| <b><u>GN R.983, Item 24 (ii)</u></b><br><i>The development of -</i><br><i>(ii) a road with a reserve wider than 13,5m, or where no reserve exists where the road is wider than 8m</i>   | During construction phase, access road will have a reserve wider than 13.5m to allow the transportation of abnormal goods (e.g. power transformers, etc.).  |
| <b><u>GN R.983, Item 28 (ii)</u></b><br><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><br><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 ha</i> | <p>The Virginia 1 Solar Park can be regarded as an industrial development, where the total area to be transformed (footprint) will be bigger than 1 ha (up to 245 ha).</p> <p>The project site is currently being used for livestock grazing and agriculture.</p> |

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| <p><b>GN R.984 Item 1</b></p> <p><i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 MW or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs within an urban area.</i></p>   | <p>The project will consist of construction, operation, and maintenance of a Photovoltaic (PV) Power Plant with a Maximum Export Capacity up to 100 MW with associated infrastructure and structures, to be partially located outside an urban area.</p>  |
| <p><b>GN R.984 Item 15</b></p> <p><i>The clearance of an area of 20 ha or more of indigenous vegetation</i></p>  | <p>The PV Power Plant with associated infrastructure and structures will be constructed and operated on a footprint bigger than 20 ha (up to 245 ha). The required footprint should be cleared from the existing vegetation.</p>  |
| <p><b>GN R.985, Item 12 (i) (ii)</b></p> <p><i>The clearance of an area of 300 m<sup>2</sup> or more of indigenous vegetation:</i></p> <p><i>(a) In Free State province:</i></p> <p><i>(i) 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;</i></p> <p><i>(ii) Within critical biodiversity areas identified in bioregional plans</i></p> <p><i>(iii) Areas within a watercourse/wetland or within 100 m from the edge of a watercourse/wetland.</i></p> | <p>Virginia 1 Solar Park will affect an area of 300 square metres or more of indigenous vegetation, as endangered ecosystem (Vaal-Vet Sandy Grasslands) in terms of section 52 of the NEMBA and Critical Biodiversity areas identified in the Free State Biodiversity Conservation Plan (includes CBA1; CBA2 and ESA1 areas).</p> |

as described in the Environmental Impact Assessment Report (EIAr) dated 01 February 2022 at:

Attached is a locality plan for Virginia Solar Park projects as annexure 2 of this Environmental Authorisation.

**SG 21 Code**

|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| F | 0 | 3 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 6 | 0 | 0 | 0 | 0 | 0 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

| The corner co-ordinates of the proposed Virginia 1 Solar Park include the following - | Latitude      | Longitude     |
|---|---------------|---------------|
| 1   | 28°12'41.49"S | 26°58'42.75"E |
| 2   | 28°12'39.41"S | 27° 0'19.23"E |
| 3   | 28°12'41.69"S | 27° 0'13.49"E |
| 4   | 28°12'44.16"S | 27° 0'10.70"E |
| 5   | 28°12'47.42"S | 27° 0'8.34"E  |
| 6   | 28°12'54.15"S | 26°59'58.90"E |
| 7   | 28°12'53.34"S | 26°59'49.13"E |
| 8   | 28°12'59.65"S | 26°59'28.19"E |
| 9   | 28°13'1.20"S  | 26°59'25.64"E |
| 10  | 28°13'3.48"S  | 26°59'18.10"E |
| 11  | 28°13'5.16"S  | 26°59'5.63"E  |
| 12  | 28°13'7.77"S  | 26°58'57.46"E |
| 13  | 28°13'10.54"S | 26°59'2.33"E  |
| 14  | 28°13'8.15"S  | 26°59'17.85"E |
| 15  | 28°13'28.60"S | 26°59'17.84"E |
| 16  | 28°13'20.30"S | 26°58'56.68"E |
| 17  | 28°13'31.30"S | 26°58'33.11"E |
| 18  | 28°13'27.45"S | 26°58'24.86"E |
| 19  | 28°12'58.08"S | 26°58'27.77"E |
| 20  | 28°12'54.85"S | 26°58'27.08"E |

- for the renewable energy generation project on the Farm Blomskraal 216, Ventersburg Rd, Matjhabeng Local Municipality, Lejweleputswa District Municipality, Free State Province (Virginia 1 Solar Park), hereafter referred to as "the property".

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PV Power Plant Design Specifications and Connection to the Eskom Grid

|  |   |
|--|---|
| Project name   | Virginia 1 Solar Park   |
| Technology   | Photovoltaic power plant  |
| Maximum generating capacity at the delivery point<br>(Export Capacity)         | up to 100 MW  |
| Type of PV modules   | Mono/Polycrystalline , mono-facial or bi-facial   |
| Type of mounting system  | fixed or horizontal single-axis trackers (SAT)  |
| Expected annual energy production  | up to 328.1 GWh/year with fixed mounting system<br>up to 382.8 GWh/year with trackers   |
| Expected Load factor   | 0.240 with fixed mounting system<br>0.280 with trackers   |
| Expected Full net equivalent hours (EOH)                                       | 2100 h/year (Wh/Wp/y) with fixed mounting systems<br>2300 h/year (Wh/Wp/y) with trackers  |
| Installed power capacity - AC side   | up to 125 MW  |
| Installed power capacity - DC side   | up to 156 MW  |
| Minimum – maximum structure height above ground<br>level                       | 1.0 m - 4.5 m   |
| Footprint, including internal roads  | Up to 245 hectares  |
| Surface area to be covered (including associated<br>infrastructure like roads) | Project footprint / fenced area is up to 245 ha. Surface<br>area (within the project footprint) covered by PV<br>modules, internal roads, MV stations, HV substation<br>and BESS is up to 122 ha (cover ratio up to 0.5)  |
| Additional infrastructure  | Battery Energy Storage System (BESS) up to 10 ha<br>within the Project footprint / fenced area  |
| Access roads   | The project footprint / development area will have<br>direct access from the regional road R70 which cross<br>the property along the North-Western to South-<br>Eastern direction.<br><br>The access road from the regional road R70 will be<br>460 m long and up to 8.0 m wide, with a road reserve<br>up to 13.5 m. – During construction phase, access<br>road may have a road reserve wider than 13.5 m (up |



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|  | to 16.0 m) to allow the transportation of abnormal goods (e.g. power transformers, etc.). |
|--|---|

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The renewable energy generation project on the Farm Blomskraal 216, Ventersburg Road, Matjhabeng Local Municipality, Lejweleputswa District Municipality, Free State Province (Virginia 1 Solar Park) 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.

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**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. The site layout plans as attached as Virginia Spark 1 - Annexure A - Maps of the EIAr dated 01 February 2022 is approved.
14. The Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity submitted as part of the EIAr dated 01 February 2022 is approved and must be implemented and adhered to.
15. The Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity must be implemented 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.

16. Changes to the approved Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity must be submitted in accordance to the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity should any impacts that were not anticipated or covered in the EIAR be discovered.

#### **Frequency and process of updating the EMPr**

18. The Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity 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.
19. The updated EMPr and Generic Environmental Management Programme (EMPR) for the development and expansion of substation for the transmission and distribution of electricity must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr and Generic Environmental Management Programme (EMPR) for the development and expansion of substation for the transmission and distribution of electricity 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.
21. In assessing whether to grant approval of an EMPr and Generic Environmental Management Programme (EMPR) for the development and expansion of substation for the transmission and distribution of electricity 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 and Generic Environmental Management Programme (EMPR) for the development and expansion of substation for the transmission and distribution of electricity, the Department may request such

amendments to the EMPr and Generic Environmental Management Programme (EMPR) for the development and expansion of substation for the transmission and distribution of electricity 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.

22. The holder of the authorisation must apply for an amendment of an EMPr and Generic Environmental Management Programme (EMPR) for the development and expansion of substation the transmission and distribution of electricity, 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**

23. 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.
  - 23.1. The ECO must be appointed before commencement of any authorised activities.
  - 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 23.4. 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**

24. 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.
25. The holder of the environmental authorisation must, for the period during which the environmental authorisation, Environmental Management Programme (EMPr) dated August 2021 and Generic

Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity 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.

26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
27. 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.
28. 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 Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity.
29. 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**

30. 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**

31. 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**

32. 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**

33. 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.
34. The footprint of the development must be limited to the areas required for actual construction works and operational activities.
35. A pre-construction walk-through of the final development footprint must be undertaken in order to locate and identify Species of Conservation Concern that can be translocated.
36. 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.
37. 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 SAHRA/PHRA must be informed, and the services of an accredited heritage professional obtained for an assessment of the heritage resources.
38. 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**

39. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 39.1. at the site of the authorised activity;
- 39.2. to anyone on request; and

- 39.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
40. 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: 19/05/2022.



**Ms Millicent Solomons**

**Acting 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 01 September 2021.
- b) The information contained in the EIAr dated 01 February 2022.
- c) The comments received from SAHRA, Eskom, the South African Astronomical Observatory, DWS and interested and affected parties as included in the EIAr dated 01 February 2022.
- d) Mitigation measures as proposed in the EIAr, the Environmental Management Programme (EMPr) dated August 2021 and Generic Environmental Management Programme (EMPR) dated January 2022 for the development and expansion of substation for the transmission and distribution of electricity.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated 01 February 2022 and as appears below:

| Title   | Prepared by   | Date             |
|---|---|------------------|
| Terrestrial Biodiversity, Plant and Animal Species Impact Assessment Report | Dr BJ Henning (Pri Sci Nat – Ecological Science and Soil Science) | August 2021      |
| Agricultural Agro-Ecosystem Impact Assessment Report                        | Dr BJ Henning (Pri Sci Nat – Ecological Science and Soil Science) | August 2021      |
| Avifaunal Impact Assessment   | Tembele Ecological Services                                       | April 2021       |
| Archaeological Impact Assessment  | Exigo Sustainability  | 02 October 2021  |
| Palaeontological Impact Assessment  | Prof. Bruce Rubidge and Dr. Marc Van den Brandt                   | 05 October 2021  |
| Radio frequency interference Assessment & Minimum Report                    | PF Smuts BEng (Hons) & Philip Francois Smuts                      | 26 June 2021     |
| Socio-Economic Assessment Report  | Glen Steyn and Associates   | September 2021   |
| Aviation Assessment Report  | Tappas Aviation Consultant (Pty) Ltd                              | 25 May 2021      |
| Visual Impact Assessment  | Mitha Catharina Cilliers  | 22 November 2021 |
| Traffic Impact Assessment   | Siyazi Limpopo Consulting Services (Pty) Ltd                      | November 2021    |
| Geotechnical And Geohydrological Desktop Study                              | Geotechnical Consult Services                                     | September 2021   |
| Final EMPr  | AGES Limpopo (Pty) Ltd  | January 2022     |



|   |                        |              |
|---|------------------------|--------------|
| Additional information in support of Generic<br>EMPr for the Virginia 1 PV Solar Park | AGES Limpopo (Pty) Ltd | January 2022 |
|---|------------------------|--------------|

## 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 EIAr dated 01 February 2022 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed Virginia 1 Solar Park.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated 01 February 2022 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 01 February 2022 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 01 February 2022 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.

## Annexure 2: Locality Plan for Virginia Solar Park

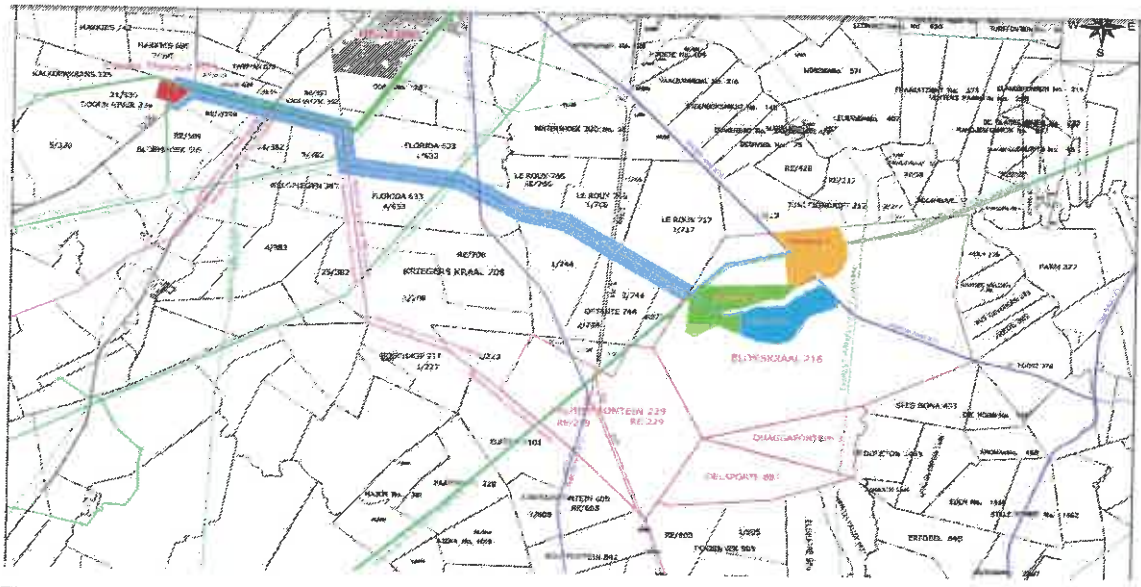


Figure 1: Locality plan for Virginia 1, 2 and 3 in near Virginia in the Free State Province.



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
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Ms. Millicent Solomons  
Director, Prioritized Infrastructure Projects

Dear Mrs Solomons

### APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malsza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

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

Yours sincerely

Ms. Devlinagie Bendeman  
Deputy Director-General: RSCM (Regulatory Compliance and  
Sector Monitoring)

Date 20 April 2022

#### ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~  
appointment as Acting Chief  
Director: Integrated Environmental  
Authorizations

Signed:

Date:

20/04/2022