



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: 14/12/16/3/3/2/2186

Enquiries: Ms Azrah Essop

Telephone: (012) 399 8529 **E-mail:** AEssop@dffe.gov.za

Mr Thomas Condesse
energyTEAM (Pty) Ltd
60 Hennie Winterbach
PANORAMA
7500

Telephone Number: 0033 6 22 66 59 32
Email Address: thomas.condesse@energyteam.co.za

PER EMAIL / MAIL

Dear Mr Condesse

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PARADISE 100MW SOLAR PHOTOVOLTAIC (PV) & 40MW BATTERY ENERGY STORAGE SYSTEMS (BESS) PROJECT, SOUTH OF BLOEMFONTEIN, 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.

M. S.

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

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

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

By email: appeals@dffe.gov.za

By hand: Environment House
473 Steve Biko Road
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.dffe.gov.za/documents/forms#legal> authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment
Date: *02/01/2023*

cc:	Grace Mkhosana	Free State DESTEA	Email: mkhosana@destea.gov.za
	Mpolokeng Ramongalo	Mangaung Metropolitan Municipality	Email: Mpolokeng.Ramongalo@mangaung.co.za
	Donavan Henning	Nemai Green (Pty) Ltd	Email: donavanh@nemai.co.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 PARADISE 100MW SOLAR PHOTOVOLTAIC (PV) & 40MW BATTERY ENERGY STORAGE SYSTEMS (BESS) PROJECT, SOUTH OF BLOEMFONTEIN, FREE STATE PROVINCE

MANGAUNG METROPOLITAN MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/2186
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>energyTEAM (Pty) Ltd</i>
Location of activity:	<i>PV Facility: Portions 0 of Paradys 2832 Powerline: Portion 0, 1, 7 and 8 of Paradys 2832, Ward 51 within the Mangaung Metropolitan Municipality, Bloemfontein within the Free State Province.</i>

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

M.S

Decision

The Department is satisfied, based on 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 –

energyTEAM (Pty) Ltd

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

with the following contact details –

Mr Thomas Condesse

energyTEAM (Pty) Ltd

60 Hennie Winterbach

PANORAMA

7500

Telephone Number: 0033 6 22 66 59 32

Email Address: thomas.condesse@energyteam.co.za

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
Listing Notice 1	
<p><u>Listing Notice 1, Item 11(i):</u> <i>“The development of facilities or infrastructure for the transmission and distribution of electricity-</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; ”</i></p>	<p>Proposed 132kV overhead power line outside an urban area, of approximately 4km in length, linking the proposed solar facility to the existing Eskom Substation. The capacity of proposed on-site substation is 132kV/33kV or 132kV/22kV (100MW).</p>
<p><u>Listing Notice 1, Item 12(ii):</u> <i>The development of—</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>where such development occurs—</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</i></p>	<p>Crossing of watercourses by infrastructure (access road, power line, medium voltage AC cabling, and boundary fence) associated with the Project, as well as Solar PV infrastructure within 32m of a watercourse and drainage lines. Wetland rehabilitation measures are also proposed.</p>
<p><u>Listing Notice 1, Item 19:</u> <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p>	<p>Crossing of watercourses by infrastructure (access road, power line, medium voltage AC cabling, and boundary fence) associated with the Project, as well as Solar PV infrastructure within 32m of a watercourse and drainage lines. Wetland rehabilitation measures are also proposed.</p>
<p><u>Listing Notice 1, Item 24(ii):</u> <i>The development of a road—</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres</i></p>	<p>New roads required for the Project (construction and operational phases). With regard to the roads, the internal roads will vary from 4m to 7m wide and will be gravel.</p>

Activity number	Activity description
	The entrance road to the project site from the regional road will be tarred and this width will exceed 7m and be 7.4m.
<p><u>Listing Notice 1, Item 28(ii):</u> <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> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p>	Footprint of Project on land that was previously used for agricultural purposes, outside of an urban area.
Listing Notice 2	
<p><u>Listing Notice 2, Item 1:</u> <i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more,"</i></p>	The proposed Project involves the development of a PV facility with a total generation capacity of 100MW renewable solar energy with 40MW BESS.
<p><u>Listing Notice 2, Item 15:</u> <i>"The clearance of an area of 20 hectares or more of indigenous vegetation"</i></p>	Cumulative area to be cleared for entire Project (except linear components) will exceed 20 hectares.
Listing Notice 3	
<p><u>Listing Notice 3, Item 4(b)(i)(ee):</u> <i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i> <i>b. Free State</i> <i>i. Outside urban areas:</i> <i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	Access road along power line within Critical Biodiversity Area (CBA) 1 in terms of the Free State Biodiversity Plan.
<p><u>Listing Notice 3, Item 12(b)(i)(ii)(iv):</u> <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>	Clearance of areas of indigenous vegetation as part of the development footprint within the following sensitive areas:

Activity number	Activity description
<p><i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>b. Free State</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>iv. Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland</i></p>	<ul style="list-style-type: none"> • Areas consisting of threatened ecosystems; • CBA 1; and • 100 m from the edge of a watercourse or wetland.
<p><u>Listing Notice 3, Item 14(ii)(a)&(c); (b)(i)(ff):</u></p> <p><i>The development of-</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs-</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p>b. Free State</p> <p><i>i. Outside urban areas:</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>Development footprint within watercourse(s) / within 32m from watercourse(s) within CBA 1. Wetland rehabilitation measures are also proposed.</p>

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as described in the Final Environmental Impact Assessment Report (FEIAR) dated February 2023 at:

SG 21 Code

F	0	0	3	0	0	0	0	0	0	0	0	2	8	3	2	0	0	0	0	0
F	0	0	3	0	0	0	0	0	0	0	0	2	8	3	2	0	0	0	0	0
F	0	0	3	0	0	0	0	0	0	0	0	2	8	3	2	0	0	0	0	7
F	0	0	3	0	0	0	0	0	0	0	0	2	8	3	2	0	0	0	0	1
F	0	0	3	0	0	0	0	0	0	0	0	2	8	3	2	0	0	0	0	8

Paradise PV Facility (Option C):

Location	Latitude (S)	Longitude (E)
North-Western Corner	29°14' 36.9834"S	26°12' 00.85"E
South-Western Corner	29°15' 47.6683"S	26°12' 12.6688"E
South-Eastern Corner	29°15' 36.981"S	26°12' 43.4297"E
North-Eastern Corner	29°14' 32.8412"S	26°12' 45.7114"E

Power line Route Option A:

Location	Latitude (S)	Longitude (E)
A1 (START)	29°14' 45.72"S	26°12' 42.65"E
A2 (BEND POINT)	29°14' 31.1752"S	26°12' 42.8504"E
A3 (BEND POINT)	29°14' 28.0154"S	26°12' 44.7786"E
A4 (BEND POINT)	29°13' 19.416"S	26°12' 47.0401"E
A5 (BEND POINT)	29°13' 2.0226"S	26°12' 47.7508"E
A6 (BEND POINT)	29°12' 58.0849"S	26°12' 43.8437"E
A7 (END)	29°12' 57.0391"S	26°12' 28.5149"E

- for the Paradise 100MW Solar Photovoltaic (PV) & 40MW Battery Energy Storage Systems (BESS) Project, south of Bloemfontein, Free State Province, hereafter referred to as "the property".

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The facility will comprise the following:

- PV panel arrays;
- Mounting structures to support the PV panels;
- On-site inverters to convert direct current (DC) to facilitate alternating current (AC) connection between the solar energy facility and electricity grid;
- Lithium-Ion BESS;
- New 132kV power lines between the on-site substation and the grid connection point;
- Cabling between the Project's components, to be laid underground (where practical);
- Administration Buildings (Offices);
- Workshop areas for maintenance and storage;
- Temporary laydown areas;
- Internal access roads and perimeter fencing of the footprint;
- High Voltage (HV) Transformers; and
- Security Infrastructure

Technical details of the Solar Facility:

Component	Description/ Dimensions
Location of the site	14km to the south of Bloemfontein's central business district (CBD) on Portions 0, 1, 7 and 8 of the Farm Paradys 2832, in the Mangaung Metropolitan Municipality in the Free State Province
SG Codes	PV Facility: <ul style="list-style-type: none"> • F00300000000283200000 Power Line <ul style="list-style-type: none"> • F00300000000283200000 • F00300000000283200007 • F00300000000283200001 • F00300000000283200008
Site access	The site can be accessed via the N6, which runs along the eastern boundary of the site
Height of PV panels	± 2m
Area of PV Array	± 152 ha

Component	Description/ Dimensions
Number of inverters required	Approximately 40
Area occupied by inverter / transformer stations / substations	<ul style="list-style-type: none"> • Inverter stations (19 inverter stations) = $0.1 \times 19 = \pm 1.9$ ha • Control room = Up to 1 ha • Facility (step-up) substation = ± 1 ha
Capacity of on-site substation	100MW, 132 kV/33 kV & 132 kV/22 kV
Area occupied by laydown area	± 3.12 ha
Area occupied by buildings	<ul style="list-style-type: none"> • Area occupied by Control room = Up to 1 ha • Area occupied by BESS = Up to 1.1 ha • Operation and Maintenance Building = ± 3.12 ha
Length of internal roads	± 15 km
Width of internal roads	The internal roads will vary from 4m to 7m wide and will be gravel.
Proximity to grid connection	Length of proposed 132kV power line between on-site substation and grid connection point is ± 3.5 km and 2km for Route Option A and Option B, respectively.
Height of fencing	1.8m - 2.4m
Type of fencing	Type will vary around the site, welded mesh, palisade and electric fencing

Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of the 100 MW Paradise Solar PV Facility and associated infrastructure in the Mangaung Metropolitan Municipality near Bloemfontein in the Free State Province is approved as per the geographic coordinates cited in the table above.
2. The preferred layout alternative (Option C) and the preferred grid option A is hereby approved as per the FEIAR dated February 2023.
3. 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.
4. 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.

5. The activities authorised must only be conducted at the property as described above.
6. 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 affected. 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.
7. 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.
8. 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 for the activity to be undertaken.
9. Construction must be completed within five (05) years of the commencement of the activity on site.
10. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

11. 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.
12. The notification referred to must –
 - 12.1. specify the date on which the authorisation was issued;
 - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request;
and
 - 12.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

13. The authorised activity must 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

14. The facility Environmental Management Programme (EMPr) submitted as part of the FEIAR dated February 2023 (Appendix H) is not approved.
15. The facility EMPr 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 facility EMPr must be made available for comments to registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the EMPr must be submitted to the Department for written approval prior to commencement of the activity. The EMPr must be amended to include the following:
 - 15.1. Measures as dictated by the final site lay-out map and micro-siting;
 - 15.2. Alien Invasive Plant Management Plan;
 - 15.3. Fire management plan;
 - 15.4. Risk Assessment for the BESS facility;
 - 15.5. A finalised Wetland Rehabilitation Plan (the plan must be approved by Department of Water and Sanitation (DWS));
 - 15.6. 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 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;
 - 15.7. The requirements and conditions of this Environmental Authorisation;
 - 15.8. All recommendations and mitigation measures recorded in the FEIAR and the specialist reports as included in the FEIAR dated February 2023; and
 - 15.9. The final site layout plan.

16. The final site layout plan for the 100MW Paradise Solar PV facility and associated infrastructure, as determined by the detailed engineering phase and micro-siting of the power line route and pylon structures, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final layout map must be made available for comments to registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the final development layout plan 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 plan. Existing infrastructure must be used as far as possible e.g., roads. The layout plan must indicate the following:
 - 16.1. The position of the substation;
 - 16.2. The final delineation of the centreline of the power line within the assessed corridor;
 - 16.3. The specific position of the pylon structures and foundation footprints;
 - 16.4. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 16.5. All sensitive features e.g. Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 16.6. All existing infrastructure on the site, such as roads; and
 - 16.7. All "no-go", 1:100 year flood line and buffer areas.
17. Part C of the Generic Environmental Management Programmes (GEMPr's) submitted as part of FEIAR dated February 2023 (Appendix H) are approved and must be implemented and adhered to.
18. The EMPr 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.
19. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
20. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the FEIAR be discovered.

Frequency and process of updating the EMPr

21. 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.

22. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
23. 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.
24. In assessing whether to grant approval of an EMPr which has been updated because 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.
25. 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

26. 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.
 - 26.1. The ECO must be appointed before commencement of any authorised activities.
 - 26.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 26.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 26.4. 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

27. 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.
28. 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.
29. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
30. 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.
31. 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.
32. 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

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

34. 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

35. 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

36. Where possible, pylon towers must be placed outside the valley - bottom wetland and its buffer to decrease impacts on the wetland and associated avifauna.
37. Structures associated with the PV facility are to be developed outside of the 1:100 year floodline of any watercourse.
38. Small stands of *Eucalyptus camaldulensis* considered important for small raptor nesting, must be avoided where feasible.
39. In areas where the development infringes on the wetland zone, the edge of the PV footprint must be clearly demarcated and wetland areas beyond that must be signposted as environmentally sensitive "no-go" areas
40. The Wetland Rehabilitation Plan, included under Appendix E of the FEIAR dated February 2023, must be finalised and approved by DWS, prior to construction.
41. Existing roads must be used as far as possible and no new roads must be created in wetland areas.
42. Eskom approved flappers or coils must be installed at the crossing point over the valley-bottom wetland and if feasible, along the entire grid connection route.
43. Bird deterrent devices must be installed around panels and on transmission line poles, pylons and / or monopoles to limit time spent around infrastructure and therefore collision and electrocution risk.
44. An SACNASP qualified aquatic and avifaunal specialist, must do a walkdown survey to confirm suitable tower locations.
45. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Specialist Studies contained in the FEIAR dated February 2023 must be implemented to reduce the risk of erosion and the invasion of alien species.
46. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
47. Should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made. The appropriate steps to take are indicated in section 9 of the Phase 1 Cultural Heritage Assessment contained in Appendix

E, as well as in the Management Plan: Burial Grounds and Graves, with reference to general heritage sites, in the Addendum, Section 12.4 of the aforementioned study, must be conducted.

48. If Palaeontological Heritage is uncovered during surface clearing and excavations the Chance find Protocol attached should be implemented immediately. Fossil discoveries ought to be protected and the ECO/site manager must report to South African Heritage Resources Agency (SAHRA).
49. 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

50. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 50.1. at the site of the authorised activity;
 - 50.2. to anyone on request; and
 - 50.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
51. 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: 02/04/2023



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries & 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 amended application form received on 16 September 2022.
- b) The information contained in the FEIAR dated February 2023
- c) The comments received from interested and affected parties as included in the FEIAR dated February 2023
- d) Mitigation measures as proposed in the FEIAR dated February 2023.
- e) The information contained in the specialist studies contained within the appendices of the FEIAR dated February 2023 and as appears below:

Study	Specialist	Date
Wetland Delineation and Risk Assessment	The Biodiversity Company – Tyron Clark and Andrew Husted	December 2022
Wetland Rehabilitation Strategy	The Biodiversity Company – Andrew Husted	February 2023
Terrestrial Biodiversity Compliance Statement	The Biodiversity Company – Jan Jacobs and Andrew Husted	July 2022
Avifaunal Baseline and Impact Assessment	The Biodiversity Company – Tyron Clark and Andrew Husted	November 2022
Agricultural Impact Assessment	Index - Dr Andries Gouws	October 2022
Phase 1 Cultural Heritage Impact Assessment	J A van Schalkwyk	November 2022
Paleontological Impact Assessment	Banzai Environmental	2022
Socio-Economic Impact Assessment Report	Caroline Tanhuke and Ntando Myeni - NEMA Consulting (Pty) Ltd	4 January 2023
Visual Impact Assessment	Eco Elementum (Pty) Ltd - Nakéla Naidoo	20 October 2022

2. Key factors considered in making the decision

All information presented to the Department was considered 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 FEIAR dated February 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed solar energy facility.
- e) The methodology used in assessing the potential impacts identified in the FEIAR dated February 2023 and the specialist studies have been 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 FEIAR dated February 2023 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 FEIAR dated February 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed curtails the identified impacts.
- e) The facility EMPr measures for the pre-construction, construction, operation and rehabilitation phases of the development were proposed and included in the FEIAR dated February 2023, however, the facility EMPr and layout require further revision prior to the competent authority approving this document.

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

