



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: 14/12/16/3/3/2/2068

Enquiries: Ms Mahlatse Shubane

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Mr Keobakile Sedupane
Dreamworks Haven Investments (Pty) Ltd
P.O. Box 32836
KYALAMI
1685

Telephone Number: (083) 254 5210
Email Address: keo@k-energy.co.za

PER E-MAIL / MAIL

Dear Mr Sedupane

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR THE PROPOSED HALFGEWONNEN SOLAR PHOTOVOLTAIC (PV) FACILITY ON PORTIONS 7, 8, 9 AND 16 OF THE FARM HALFGEWONNEN 190 IS, IN THE GOVAN MBEKI LOCAL MUNICIPALITY OF THE GERT SIBANDE DISTRICT MUNICIPALITY, MPUMALANGA PROVINCE

With reference to the above application, please be advised that the Competent Authority 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 EIA Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (Act no. 4 of 2013) which stipulates that the Competent Authority should conduct itself in a responsible manner when collecting, processing, storing, and sharing an individual or another entity's personal information by holding the Competent Authority accountable should the Competent Authority abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (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 Competent Authority, whichever is applicable.

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

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

By email: appealsdirector@environment.gov.za

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

By post: Private Bag X447
Pretoria
0001

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

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

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries, and the Environment
Date: 31/10/2022.

cc:	Ms Lelani Classen	Cabanga Environmental	Tel: 011 794 7534	Email: lelani@cabangaenvironmental.co.za
	Surgeon Marebane	Mpumalanga DARDLEA	Tel: 017 811 4830	Email: stmarebane@mpg.gov.za
	Hendrick van der Merwe	Govan Mbeki Local Municipality	Tel: 017 620 6000	Email: Hendrik.vd@govanmbeki.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

Halfgewonnen solar photovoltaic (PV) facility on Portions 7, 8, 9 and 16 of the Farm Halfgewonnen 190 IS, in the Govan Mbeki Local Municipality of the Gert Sibande District Municipality, Mpumalanga Province

Gert Sibande District Municipality

Application Register Number:	<i>14/12/16/3/3/2/2068</i>
Applicant:	<i>DreamWorks Haven Investments (Pty) Ltd</i>
Location of activity:	<i>Portions 7, 8, 9 and 16 of the Farm Halfgewonnen 190 IS, Ward 15 of Govan Mbeki Local Municipality within Gert Sibande District Municipality in Mpumalanga Province</i>

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 –

DREAMWORKS HAVEN INVESTMENTS (PTY) LTD

with the following contact details –

Mr Keobakile Sedupane

P.O. Box 32836

KYALAMI

1685

Cell phone number: (083) 254 5210

Email Address: keo@k-energy.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
<p><u>Listing Notice 1, Item 11:</u></p> <p><i>“The development of facilities or infrastructure for the transmission and distribution of electricity—</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;</i></p> <p><i>or</i></p> <p><i>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more</i></p>	<p>While the proposed development site is within the Halfgewonnen Coal Mine Mining Right Area, the entire site including the route of the high-voltage powerline to connect the Halfgewonnen PV Project to the Ysterkop Substation (or alternative) is not considered an industrial complex. The 88KV powerline and on-site substation will thus trigger this activity.</p>
<p><u>Listing Notice 1, Item 12:</u></p> <p><i>“The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more, where such development occurs—</i></p> <p><i>(a) within a watercourse; or</i></p> <p><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p>	<p>The proposed infrastructure will have a physical footprint exceeding 100m². Parts of the proposed PV development infrastructure fall within 32m of delineated wetlands on site. A portion of PV1 overlaps a Seep Wetland 2 (largely modified, low ecological importance and sensitivity).</p>
<p><u>Listing Notice 2, Item 1:</u></p> <p><i>“The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs —</i></p> <p><i>(a) within an urban area; or</i></p> <p><i>(b) on existing infrastructure</i></p>	<p>The proposed project will result in the generation of approximately 80MW of electricity once complete, and the proposed development site is not located in an urban area.</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>PV 2 infrastructure (about 60ha) is located on “indigenous vegetation” as per the definition provided</p>

	in the EIA Regulations. PV1 affects approximately 3ha of indigenous vegetation.
<p>Listing Notice 3, Item 12</p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation,</i></p> <p><i>(f) in Mpumalanga</i></p> <p><i>(ii) Within critical biodiversity areas identified in bioregional plans”</i></p>	Approximately 30 to 35ha of the proposed development footprint overlaps with a Critical Biodiversity Area (CBA) identified in terms of the Mpumalanga Biodiversity Sector Plan. The full 30 to 35ha will not require vegetation clearance but vegetation clearance in this portion of the development footprint will likely exceed 300m ² .
<p>Listing Notice 3, Item 14</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; or</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><i>(f) in Mpumalanga,</i></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>	The proposed development footprint will exceed 10m ² and portions of the proposed development site overlap with a (CBA) identified in terms of the Mpumalanga Biodiversity Sector Plan as mentioned above. More than 10m ² of the PV 1 facility affects the Seep Wetland 2 (largely modified, low ecological importance and sensitivity). Portions of PV 2 (within the CBA) are within 32m of the delineated channelled valley bottom wetland that forms the northern border of the proposed development site.

as described in the Environmental Impact Assessment (EIAR) dated October 2021:

21 Digit SG Codes

T	0	I	S	0	0	0	0	0	0	0	0	0	1	9	0	0	0	0	0	7
T	0	I	S	0	0	0	0	0	0	0	0	0	1	9	0	0	0	0	0	8
T	0	I	S	0	0	0	0	0	0	0	0	0	1	9	0	0	0	0	0	9
T	0	I	S	0	0	0	0	0	0	0	0	0	1	9	0	0	0	0	1	6

Central coordinate of the project site	Latitude	Longitude
	26°12'20.24"S	29°31'46.22"E

BESS	Latitude	Longitude
	26°12'5.55"S	29°32'3.84"E

Substation	Latitude	Longitude
	26°12'11.10"S	29°31'53.32"E

Powerline	Latitude	Longitude
Start	26°12'11.10"S	29°31'53.32"E
Powerline turn 1	26°12'20.80"S	29°31'54.66"E
Powerline turn 2 (mid)	26°13'35.99"S	29°31'28.80"E
Powerline turn 3 (mid)	26°13'54.44"S	29°31'36.31"E
Powerline turn 4 (mid)	26°13'58.49"S	29°31'34.71"E
Powerline turn 5 (mid)	26°14'3.71"S	29°31'38.19"E
Powerline turn 6 (mid)	26°14'10.70"S	29°31'39.41"E
Powerline turn 7 (mid)	26°14'18.70"S	29°31'37.15"E
Powerline turn 8 (mid)	26°14'38.00"S	29°32'33.51"E
Powerline turn 9 (mid)	26°14'30.92"S	29°32'47.41"E
Powerline End (Forzando North Mine known as Ysterkop substation))	26°14'37.85"S	29°32'33.49"E

- for the proposed Halfgewonnen solar photovoltaic (PV) facility on Portions 7, 8, 9 and 16 of the Farm Halfgewonnen 190 IS, in ward 15 of the Govan Mbeki Local Municipality within the Gert Sibande District Municipality in the Mpumalanga Province, hereafter referred to as "the property".

The proposed Halfgewonnen Solar PV project comprises of two components:

- Solar PV 1 will generate approximately 20MW. Construction is expected to take approximately 10 months. The total development footprint will not exceed 30ha.
- Solar PV 2 will generate approximately 60MW. Construction is expected to take approximately 12 months. The total development footprint is expected to comprise of about 60ha.

The total proposed Halfgewonnen Solar PV facility will generate approximately 80 Mega-watts (MW) of power.

Technical details of the proposed facility:

Component	Description/ Dimensions
Height of PV panels	Approximately 5m
Area of PV array	PV 1(20MW): Module area: ~11.6ha Cell area: ~10.7ha PV 2 (60MW): Module area: ~36.8ha Cell area: ~34ha
Number of inverters required	PV 1 (20MW): 6 units PV 2 (60MW): 19 units
Area occupied by inverter / transformer stations / substations	~3ha Inverter dimensions: Area = 7.74 per sqm Dimensions (W*H*D): 2991*2591*2438 mm
Capacity of on-site substation	22/132kV
Capacity of the powerline	88kV
Length of the powerline corridor	Approximately 7km
Width of the powerline corridor	Approximately 31m (15.5m on either side of the centre line).
Area occupied by BESS	Approximately 700m ² (up to 1ha) A 20MW Battery Energy Storage System (BESS) will generate 80MWh for 4 - 6 hours during peak energy demands by the mines. Both Vanadium Redox Flow technology and Lithium-Ion technology are currently being considered for the project, depending on which is most feasible technically and financially at the time of implementation.
Area occupied by both permanent and construction laydown areas	Up to 5ha. The occupied area will include a laydown area, makeshift temporary offices, construction yard and a concrete batching facility.
Area occupied by buildings	<ul style="list-style-type: none"> • Laydown Area (North) for PV 1 array (20MW):1050m² • Laydown Area (West) for PV 1 array (20MW):2200m² • Laydown Area (South) for PV 2 array (60MW): 10350m² • Site Offices for PV 1 array (20MW): 625m² • Site Offices for PV 2 array (60MW): 1200 m² • O&M Building for PV 1 array (20MW): 625 m²

	<ul style="list-style-type: none"> • O&M Building for PV2 array (60MW): 1200 m²
Length of internal roads	Will be confirmed as the detailed design and site layout are finalized, estimate: 10km to 20km. The internal roads are not authorised as part of this EA as it was confirmed in the email dated 25 October 2022 that none of the internal roads would trigger a listed activity and are not applied for.
Width of internal roads	Internal roads are 4m wide. Perimeter roads are 6m wide. Widening may be required on bends. The internal roads are not authorised as part of this EA as it was confirmed in the email dated 25 October 2022 that none of the internal roads would trigger a listed activity and are not applied for.
Proximity to grid connection	The main project sub-station is approximately 5km linear distance and 6.2km from the Ysterkop substation.
Height of fencing	2.4m
Type of fencing	Wired mesh/ chain link fence not electrified
Length and Width of access road	Different areas of the site can be accessed directly from the Halfgewonnen Road. PV 1 access roads will be 10m wide and 20m long. PV 2 access roads will be 10m wide and 45m long.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed Halfgewonnen solar photovoltaic (PV) facility on Portions 7, 8, 9 and 16 of the Farm Halfgewonnen 190 IS, in ward 15 of the Govan Mbeki Local Municipality within the Gert Sibande District Municipality in the Mpumalanga Province is approved as per the geographic coordinates cited in the table above. **The internal roads are not authorised as part of this EA as it was confirmed in the email dated 25 October 2022 that none of the internal roads would trigger a listed activity and are not applied for.**
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 for the activity to be undertaken.
8. Construction must be completed within five (10) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

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

Commencement of the activity

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

Management of the activity

13. A copy of the final site layout map must be made available for comments to the registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
 - 13.1. The position of the solar PV panels,
 - 13.2. All associated infrastructure,
 - 13.3. Powerline and the coordinates,
 - 13.4. Onsite Substation and the coordinates,

- 13.5. The BESS coordinates,
 - 13.6. The proposed internal road (length and width),
 - 13.7. Construction laydown areas, buildings and their coordinates,
 - 13.8. All sensitive features; and
 - 13.9. All “no-go” and buffer areas i.e., 10m from the wetlands and pans.
14. The Environmental Management Programme (EMPr) submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
 15. The amended EMPr must include the final layout map.
 16. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
 17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
 18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the 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 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
22. In assessing whether to grant approval of an EMPr which has been updated 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.

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, considering 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 footprint of the development must be limited to the areas required for actual construction works and operational activities.
35. A 10m buffer zone must be implemented around the unchannelled valley bottom (UCVB) wetland 1; channelled valley bottom (CVB) wetlands 1 and 2; depression wetlands (pans) 1, 2 and 3 and seep wetlands 1 and 2.
36. Avifaunal monitoring must be undertaken as recommended by an avifauna specialist to assess the mortality rate and recommend additional mitigation measures to avoid impacts on avifauna species where necessary.
37. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of protected or endangered plant or animal species.
38. The graves and burial sites must be retained in situ and must be fenced off, with a buffer zone of at least 20m.
39. All excavations into bedrock must be monitored by a suitably qualified palaeontologist and a report on the outcomes of the monitoring activities must be submitted to SAHRA on completion of the development of the facility.
40. Should any archaeological sites, artefacts, paleontological fossils, or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed, and the services of an accredited heritage professional obtained for an assessment of the heritage resources.
41. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
42. No vegetation clearance underneath the PV panels at PV 2, however, only where there will be supporting structure and internal roads.
43. A thorough walk down of the footprint areas must be conducted prior construction. At least a 10m buffer around the footprint area, where all protected floral species are marked for relocation to suitable habitat outside the direct footprint must be implemented.
44. Suitable bird repelling structures and bird diverters must be installed to avoid collision of birds with the infrastructure.
45. Hazardous substances must be stored in a bunded and designated area to avoid accidental leakage into the environment.
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. 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

48. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 48.1. at the site of the authorised activity,
 - 48.2. to anyone on request; and
 - 48.3. Where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
49. 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: 31/10/2022.



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 18 May 2021.
- b) The email dated 21 October 2022 confirming the coordinates of the associated infrastructure for the proposed development.
- c) The email dated 25 October 2022 confirming that internal roads does not trigger listed activity and are not applied for.
- d) The appeal decision by the Minister dated 10 August 2022.
- e) The Generic EMPr for the substation and powerline received on 19 August 2022.
- f) The information contained in the final EIAr dated August 2021 and resubmitted in August 2022.
- g) The comments received from all interested and affected parties as included in the final EIAr dated August 2021.
- h) Mitigation measures as proposed in the EIAr and the EMPr for the facility and the generic EMPrs.
- i) The information contained in the specialist studies contained within the appendices of the final EIAr.

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 ties in with the national government policies, plans, and programmes which have relevance to energy planning and production.
- c) The final EIAr dated August 2021 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated August 2021 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the final EIAr dated August 2021 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the 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.

5.



forestry, fisheries & the environment

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

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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 Malaza 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. Devinagie Bendeman
Deputy Director-General: RCSM (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