



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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NEAS Reference: DEA/EIA/0001090/2012

DEA Reference: 14/12/16/3/3/2/308

Enquiries: Ms Mpho Monyai

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Mr D Berlijn
DPS79 Solar Energy (Pty) Ltd
2nd Floor West Tower
Nelson Mandela Square
Maude Street
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2196

Fax no: 086 273 1614

Tel no: 074 240 0400

PER FACSIMILE / MAIL

Dear Mr D Berlijn

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/545/546: PROPOSED CONSTRUCTION OF THE 75MW PHOTOVOLTAIC SOLAR PLANT AND ASSOCIATED INFRASTRUCTURE ON PORTION OF THE FARM WATERLOO 992 IN, NALEDI LOCAL MUNICIPALITY OF THE NORTH WEST 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 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

By facsimile: 012 320 4431;
By post: Private Bag X447,

By hand: Pretoria, 0001; or
2nd Floor, Fedsure Building, North Tower,
Cnr. Lilian Ngoyi (Van der Walt) and Pretorius Streets,
Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Integrated Environmental Authorisations*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

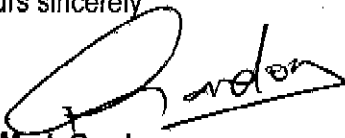
Mr Z Hassam, Director: Appeals and Legal Review of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012 310 3271

Email: AppealsDirectorate@environment.gov.za

The authorised activity/ies shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



Mr Mark Gordon
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 28/3/2013

CC:	Ms Carli Steenkamp	Environamics	Tel: 018-299-1505	Fax: 018-299-1580
	Ms O Skhosana	North West DEDECT	Tel: 018-389-5156	Fax: 018-389-5006
	Mr Segapo	Naledi Local Municipality	Tel: 053-963-1331	Fax: 053-963-2474
	Mr S Malaza	Compliance Monitoring (DEA)	Tel: 012-310-3397	Fax: 012-320-5744

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A.
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> • a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

1. **An appeal against a decision must be lodged with:-**
 - a) the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - b) the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;

2. **An appeal lodged with:-**
 - a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - b) the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;

3. **An appeal must be:-**
 - a) submitted in writing;
 - b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

**CONSTRUCTION OF THE 75MW PHOTOVOLTAIC SOLAR PLANT AND ASSOCIATED
INFRASTRUCTURE ON A PORTION OF THE FARM WATERLOO 992 IN, NALEDI LOCAL
MUNICIPALITY OF THE NORTH WEST PROVINCE**

Dr. Ruth Segomotsi Mompati District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/308</i>
NEAS reference number:	<i>DEA/EIA/0001090/2012</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>DPS79 SOLAR ENERGY (PTY) LTD</i>
Location of activity:	<i>NORTH WEST PROVINCE: Within the Naledi Local Municipality</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.

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 authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

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, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

DPS79 SOLAR ENERGY (PTY) LTD

with the following contact details –

Mr D Berlijn

DPS79 Solar Energy (Pty) Ltd

2nd Floor West Tower

Nelson Mandela Square, Maude Street

SANDOWN

2196

Fax: 086 273 1614

Cell: (074) 240 0400

E-mail: berlijn@subsolar.co.za



to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 & 3, (GN R. 543, 544, 545 & 546):

Listed activities	Activity/Project description
<p><i>GN R. 544: Item 10:</i> The construction of facilities or infrastructure for the transmission and distribution of electricity - (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>Proposed photovoltaic solar facility will transmit (132kV power line) and distribute (33/132kV substation) electricity of more than 33 kilovolts outside an urban area.</p>
<p><i>GN R. 545: Item 1:</i> The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more.</p>	<p>Proposed photovoltaic solar facility will generate 75 megawatts electricity.</p>
<p><i>GN R. 545: Item 15:</i> Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 ha or more.</p>	<p>Proposed photovoltaic solar facility is located outside an urban area and will result in the transformation of approximately 150 hectares of undeveloped, vacant or derelict land.</p>
<p><i>GN R. 546: Item 14:</i> The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. (a) In Northwest: (i) All areas outside urban areas.</p>	<p>Proposed photovoltaic solar facility will result in the clearance of 5 hectares or more of indigenous vegetation outside an urban area</p>

as described in the Environmental Impact Report (EIR) dated December 2012 at:

Coordinates for the PV facility	Latitude (S)	Longitude (E)	Output	Actual development footprint (Hectares)
Middle points for the development site	27° 02' 14.60"	24° 47' 25.25"	75 MW	150 ha



- for the development of 75MW solar photovoltaic power plant, and its associated infrastructure on portion of the farm Waterloo 992 IN, Naledi Local Municipality of the North West Province, the farm is located within Naledi local municipality in Dr. Ruth Segomotsi Mompati district, North West Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- a. *PV Panel Array - To produce 75MW*
- b. *Wiring to Central Inverters*
- c. *A 132kV new substation 22kV powerline to the Eskom Mookodi Substation*
- d. *Control and services buildings.*
- e. *Roads - Access road less the 4m wide from the R34 and internal road network.*
- f. *Perimeter fencing.*

Conditions of this Environmental Authorisation

Scope of authorisation

1. The proposed development of 75MW solar photovoltaic power plant, and its associated infrastructure on portion of the farm Waterloo 992 IN, Naledi Local Municipality of the North West Province, with the coordinates above is approved.
2. Authorisation of the activity is subject to the conditions contained in this 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 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 authorisation in terms of the regulations.

6. This activity must commence within a period of three (3) years from the date of issue. 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. However, the applicant is given the right to apply for extension of EA three months before the lapsing date of the EA.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment (EIA) Regulations, 2010;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons for the decision.
11. The holder of the authorisation must publish a notice –
 - 11.1. informing interested and affected parties of the decision;
 - 11.2. informing interested and affected parties where the decision can be accessed; and drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and adhered to.

Environmental Control Officer (ECO) and duties

13. The applicant must appoint a suitably experienced independent 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr.
- 13.1. The ECO must be appointed before commencement of any authorised activity.
- 13.2. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.
- 13.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 13.4. 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.

Environmental audit report

14. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at the Department.
15. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
16. The environmental audit report 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 EMPr.

Commencement of the activity

17. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
18. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
19. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.
20. The applicant must obtain a Water Use Licence from the Department of Water Affairs (DWA) prior to the commencement of the project should the applicant impact on any wetland or water resource.

Notification to authorities

21. Fourteen (14) days written notice must be given to the Department that the activity will commence. 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. This notification period may coincide with the notice of intent to appeal period.

Operation of the activity

22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

Site closure and decommissioning

23. Should the activity ever cease or become redundant, the applicant shall 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

24. Vegetation clearing and construction activities must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
25. The applicant must ensure that the continuous monitoring and removal of alien plant species is undertaken. An alien removal program must be developed and implemented. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but should be temporarily stored in a demarcated area.
26. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).
27. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act no 84 of 1998 and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be submitted to the Department for record keeping.
28. All areas of disturbed soil must be reclaimed using only soil from excavations and construction activities. Reclamation activities should be undertaken as early as possible on disturbed areas.
29. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
30. All electrical collector lines must be buried in a manner that minimizes additional surface disturbance. Underground cables must be aligned as much as possible along existing infrastructure to limit damage to vegetation and watercourses.
31. Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.
32. Borrow materials must be obtained only from authorized and permitted sites.
33. Appropriate dust suppression techniques must be implemented before and during surface clearing, excavation, or blasting activities, and on all exposed surfaces during periods of high wind. Such measures may include wet suppression, chemical stabilisation, covering surfaces with straw chippings and re-vegetation of open areas.
34. Appropriate erosion mitigation storm water management measures must be implemented to prevent any potential erosion.
35. Existing drainage must not be altered, especially in sensitive areas.



36. No activities will be allowed to encroach into a water resource without a water use license being in place from the Department of Water Affairs. A comprehensive storm water management plan must be developed for the site to ensure compliance with applicable regulations and to prevent off-site migration of contaminated storm water or increased soil erosion.
37. The applicant must ensure that all the "No-go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
38. Contractors and construction workers must be clearly informed of the no-go areas.
39. Where roads pass right next to major water bodies provision should be made for fauna such as toads to pass under the roads by using culverts or similar.
40. Existing road infrastructure must be used as far as possible for providing access to the proposed PV solar positions. A transportation plan must be developed, particularly for the transport of PV components, and other large pieces of equipment. A permit must be obtained from the relevant transport department for the transportation of all components (abnormal loads) to the sites.
41. Signs must be placed along construction roads to identify speed limits, travel restrictions, and other standard traffic control information. To minimize impacts on local commuter, consideration should be given to limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time. Signage must be erected at appropriate points warning of turning traffic and the construction site.
42. A designated access to the site must be created and clearly marked to ensure safe entry and exit.
43. Internal roads servitudes should be regularly maintained to ensure that vegetation remains short and that they therefore serve as effective firebreaks.
44. Construction staff to be provided with training in the provisions of this environmental authorisation and the implementation of the EMP.
45. The applicant must ensure that, the construction staff working in areas where the 8-hour ambient noise levels exceed 75dBA, must wear ear protection equipment.
46. The applicant must ensure that all equipment and machinery are well maintained.
47. The applicant must provide a prior warning to the community when a noisy activity e.g. blasting is to take place. All-noisy construction operations should only occur during daylight hours if possible.
48. The applicant must reduce visual impacts during construction by minimising areas of surface disturbance, controlling erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.
49. Lay down areas and stockyards should be located in low visibility areas (e.g. valleys between ridges) and existing vegetation should be used to screen them from view where possible.

50. Night lighting of the construction sites should be minimised within the requirements of safety and efficiency.
51. A health and safety programme must be developed to protect both workers and the general public during construction, operation and decommissioning of the energy facility. The programme must establish a safety zone for PV solar from residences and occupied buildings, roads, right-of-ways and other public access areas that is sufficient to prevent accidents resulting from the operation of the PV energy facility.
52. The applicant must train safety representatives, managers and workers in workplace safety. The construction process must be compliant with all safety and health measures as prescribed by the relevant act.
53. No open fires must be allowed on site.
54. Areas around fuel tanks and chemical storage sites must be bounded or contained in an appropriate manner as per the requirements of SABS 089:1999 Part 1.
55. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
56. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved hazardous waste landfill site.
57. An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. The applicant must ensure that precautionary measures are in place to limit the possibility of oil and other toxic liquids from entering the soil or storm water system.
58. Hazardous substances must not be stored where there could be accidental leakage into surface or subterranean water. Hazardous and flammable substances must be stored and used in compliance to the applicable regulations and safety instructions. Spill kits must be made available on-site for the clean-up of spills.
59. Spoiled solar panels must be immediately and appropriately disposed of.
60. Streams, river, pans, wetlands, dams and their catchments and other environmental sensitive areas must be protected from the direct or indirect spillage of pollutants.
61. No dumping or temporary storage of any materials may take place outside designated and demarcated lay down areas, and these must all be located within areas of low environmental sensitivity.
62. No chemicals must be stored nor may any vehicle maintenance occur within 350m of the temporal zone of wetlands, a drainage line with or without an extensive floodplain or hillside wetlands.

63. Any solid waste shall be disposed of at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
64. Temporary ablution facilities must be provided for staff at all times during the construction phase. The ablutions must be cleaned regularly with associated waste being disposed of at a registered/permitted waste site and must be removed from the site when the construction phase is completed.
65. If there are any changes to the layout of the PV solar system, then additional survey work will be required in order to ensure that no sites are directly impacted and/or to identify the need for an excavation permit.
66. Should any historical, cultural, paleontological resources, and graves be found, all construction activities must be suspended and an archaeologist be contacted immediately. The discovered graves must be cordoned off.

General

67. A copy of this authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
68. The holder of the authorisation must notify both the Director: Integrated Environmental Authorisations and the Director: Compliance Monitoring at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
69. 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 applicant or his 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 applicant 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: 28/3/2013



Mr Mark Gordon

**Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs**

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 information contained in the EIR dated December 2012;
- b) The comments received from Organs of State and interested, Directorate Biodiversity Conservation (DEA) and affected parties as included in the EIR dated December 2012;
- c) Mitigation measures as proposed in the EIR dated December 2012 and the draft EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the EIR;
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

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 need for clean and renewable energy sources to reduce the country's energy supply problems.
- c) The EIR dated December 2012 identified all legislation and guidelines that have been considered in the preparation of the EIR.
- d) The methodology used in assessing the potential impacts identified in the EIR dated December 2012 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, 2010 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 EIR dated December 2012 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.
- e) The EAP has indicated that the information contained in the EIR dated December 2012 is accurate and credible.
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIR and will be implemented to manage the identified environmental impacts during the construction and operational processes.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity 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 proposed activity can be mitigated to acceptable levels. The application is accordingly granted.