



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: 14/12/16/3/3/1/1815/1

Enquiries: Ms Masina Litsoane

Telephone: (012) 399 9375 **E-mail:** MLitsoane@environment.gov.za

Mr. Eugene Marais
South Africa Mainstream Renewable Power Developments (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: 021 657 4052
Email Address: eugene.marais@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Marais

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE ESTABLISHMENT OF GRID CONNECTION INFRASTRUCTURE ASSOCIATED WITH THE ELECTRICAL GRID CONNECTION INFRASTRUCTURE TO SUPPORT THE RIETRUG WIND ENERGY FACILITY (IPP ON-SITE SUBSTATION), IN THE NORTHERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to split the EA issued on 19 February 2018 and grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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

MS

organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

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

By email: appeals@environment.gov.za;


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

By post: Private Bag X447
Pretoria
0001

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

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

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: *28/10/2021*

cc:	Arlene Singh	Nala Environmental (Pty) Ltd	Email: arlene@veersgroup.com
-----	--------------	------------------------------	---



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

FOR THE ESTABLISHMENT OF GRID CONNECTION INFRASTRUCTURE ASSOCIATED WITH THE
ELECTRICAL GRID CONNECTION INFRASTRUCTURE TO SUPPORT THE RIETRUG WIND ENERGY
FACILITY (IPP ON-SITE SUBSTATION), IN THE NORTHERN CAPE PROVINCE

Namakwa District Municipality

Authorisation register number:	14/12/16/3/3/1/1815/1
Last amended:	Second issue
Holder of authorisation:	SOUTH AFRICA MAINSTREAM RENEWABLE POWER DEVELOPMENTS (PTY) LTD
Location of activity:	The Remaining Extent of Hartebeeste Fontein Farm 147; the Remaining Extent of Nooitgedacht Farm 148 and the Remaining Extent of Beeren Valley Farm 150 Within the Karoo Hoogland Local Municipality in the Northern Cape Province

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

M5

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 –

SOUTH AFRICA MAINSTREAM RENEWABLE POWER DEVELOPMENTS (PTY) LTD

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

with the following contact details –

Mr Eugene Marais

PO Box 45063

CLAREMONT

7735

Telephone Number: (021) 657 4052

Cell phone Number: (073) 871 5781

E-mail Address: eugene.marais@mainstreamrp.com

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 kV."</i></p>	<p>The proposed project will entail the construction and installation of the IPP portion of the on-substation towards the western end of the 132kV distribution line.</p> <p>The proposed project will take place outside of an urban area.</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;</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 project will entail the construction and installation of the IPP portion of the on-site substation towards the western end of the 132kV distribution line.</p> <p>The on-site substation (which will include a laydown area an Operation and Maintenance Building and Battery Energy Storage Infrastructure (BESS)) will cover an approximate area less than 20 hectares.</p> <p>This constitutes infrastructure and structures with a physical footprint of more than 100m² that possibly be constructed within or within 32 metres of watercourses found on site.</p>
<p><u>Listing Notice 1 Item 19:</u></p> <p><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><i>But excluding where such infilling, depositing, dredging, excavation, removal or moving-</i></p> <p><i>(a) Will occur behind a development setback</i></p> <p><i>(b) Is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p>	<p>The proposed project will entail the excavation, removal and moving of possibly more than 10m³ of soil, sand, pebbles or rock from the nearby watercourses. The proposed project will also entail the infilling or depositing of more than 10m³ of material into the nearby watercourses. This infilling and excavation of the material will occur as a result of the proposed IPP portion of the on-site substation, laydown area, Operation and Maintenance Building and BESS infrastructure.</p>

<p>(c) Falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) Occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) Where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies”</p>	
<p><u>Listing Notice 1 Item 27:</u></p> <p>“The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation is required for:</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.”</p>	<p>The proposed project will entail the construction of the IPP portion of the on-site substation (including a laydown area, Operation and Maintenance Building and Battery Energy Storage System (BESS)), which will cover an approximate area of less than 20 hectares. As a result, more than 1 hectare of indigenous vegetation could possibly be removed for the construction of these structures.</p>
<p><u>Listing Notice 1 Item 28:</u></p> <p>“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:</p> <p>(i) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.”</p>	<p>The proposed project will take place outside of an urban area, on several farm portions within the Northern Cape. It is understood that the land is used for agricultural purposes. The proposed project, which is considered to be a commercial/industrial development, will entail the construction of the IPP portion of the on-site substation, service roads, laydown area, an Operation and Maintenance Building and Battery Energy Storage Infrastructure (BESS). This will constitute infrastructure with a physical footprint of more than 1 hectare.</p>
<p><u>Listing Notice 3 Item 12:</u></p> <p>“The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for</p>	<p>The proposed project will entail the construction of the IPP Portion of the on-site substation, distribution line (including towers and pylons), service road. As a</p>

<p><i>maintenance purpose undertaken in accordance with a maintenance management plan.</i></p> <p><i>(g) Northern Cape:</i></p> <p><i>(ii) Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>result, more than 300m² of indigenous vegetation will possibly be removed for the construction of these structures.</p>
<p><u>Listing Notice 3 Item 14:</u></p> <p><i>"The development of-</i></p> <p><i>(ii) infrastructures or structures with a physical footprint of 10 square metres or more;</i></p> <p><i>where such development occurs-</i></p> <p><i>(a) Within a watercourse;</i></p> <p><i>Excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour</i></p> <p><i>(g) Northern Cape:</i></p> <p><i>(iii) Outside urban areas, in:</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the component authority or in bioregional plans."</i></p>	<p>The project will entail the construction and installation of the IPP portion of the on-site substation towards the western end of the authorised 132kV powerline. The IPP portion of the on-site substation (which will include a laydown area, an Operation and Maintenance Building and Battery Energy Storage System) will cover an area less than 20ha. This constitutes infrastructure and structures with a physical footprint of more than 10m² that will possibly be constructed within or within 32m of watercourses found on site.</p>

as described in the final Basic Assessment Report (BAR) dated 26 October 2017 and the Part 1 Amendment Application dated August 2021 at:

Northern Cape Province

Farm name and number: Remaining Extent of Hartebeeste Fontein Farm 147

Remaining Extent of Nooitgedacht Farm 148

Remaining Extent of Beeren Valley Farm 150

Nearest town: Sutherland

SG 21 Code

C	0	7	2	0	0	0	0	0	0	0	0	0	1	4	7	0	0	0	0	0
C	0	7	2	0	0	0	0	0	0	0	0	0	1	4	8	0	0	0	0	0
C	0	7	2	0	0	0	0	0	0	0	0	0	1	5	0	0	0	0	0	0

MJ

The proposed Rietrug IPP portion of the on-site substation	Latitude	Longitude
Comer 1	32°37'8.55"S	20°54'20.35"E
Comer 2	32°37'8.62"S	20°54'39.48"E
Comer 3	32°37'16.69"S	20°54'39.40"E
Comer 4	32°37'16.69"S	20°54'20.29"E

- for the construction of the electrical grid infrastructure to support the Rietrug Wind Energy Facility in the Northern Cape Province, hereafter referred to as "the property".

The proposed scope of work will cover the following:

Name	IPP Portion of the on-site substation and associated infrastructure (Alternative 1)
IPP Portion of the On-site Substation	100m x 100m (10 000m ²)
Battery Energy Storage System	2ha
Laydown area	100m x 100m (10 000m ²)
O&M Building	120m x 120m (14 400m ²)

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred site alternative (Alternative 1) for the construction of the electrical grid infrastructure to support the Rietrug Wind Energy Facility in the Northern Cape Province, with the above coordinates is approved.
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 EA Ref: 14/12/16/3/3/1/1815/1 i.e.: the EA lapses on 19 February 2028. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

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 14 (fourteen) 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 the National Appeal Regulations, 2014;
 - 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 of the Competent Authority for the decision.

Commencement of the activity

11. 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

12. The Generic Environmental Management Programme's (EMPr's) for the IPP portion of the on-site substation submitted as part of the Application for Amendment (August 2021) is hereby approved. These EMPr's must be implemented and adhered to during the construction, operation and rehabilitation phases of the activity. The EMPr will be seen as a dynamic document.
13. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
14. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIA be discovered.

Frequency and process of updating the EMPr

15. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
16. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
17. 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.
18. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

19. 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

20. 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.
 - 20.1. The ECO must be appointed before commencement of any authorised activities.
 - 20.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 20.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 20.4. 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

21. 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.
22. 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.
23. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.

24. 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.
25. 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.
26. 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

27. 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

28. 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

29. 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

Conditions for Non-operational aspects

30. The final site extent of the proposed IPP On-site substation, Operation and Maintenance Building, and laydown area should be surveyed and physically demarcated, including all access roads to assist with further field reconnaissance.
 31. Prior to the commencement of the construction phase, it is recommended that a suitable specialist is appointed to undertake a field reconnaissance (i.e. search and rescue) of the proposed project footprint
-

- to identify any floral or faunal components of value or significance that could potentially be impacted by the proposed project and thus need to be relocated or rescued. Furthermore, if any of the species are identified as being protected, then it is essential that the relevant permits required to remove/disturb the species are obtained from the relevant Authorities. Once the permits are obtained, a search and rescue programme must be implemented to allow for the successful transplantation or relocation of these species. It is anticipated that most species should be relocated to points distal from the construction site, but within the same property. In addition, the Provincial Department of Environment and Nature Conservation, Cape Nature and the Provincial Department of Agriculture, Forestry and Fisheries should be contacted to discuss if any protected species are found during the search and rescue.
32. Careful planning of the location of the proposed IPP portion of the on-site substation must be undertaken. The applicable 32 metre zone of regulation around the freshwater resources in terms of National Environmental Management Act, 1998 (Act No.107 of 1998) must be adhered to in order to assist in minimising impacts on the freshwater resources in close proximity to the proposed on-site substation.
 33. A management protocol should be established relating to fauna and the implementation of measures to control the impact of faunal activities on the proposed infrastructure, as well as the impact of the construction and operational phase of the proposed project on the natural environment.
 34. The footprint required for the proposed project activities must be kept at a minimum. The proposed project footprint must be demarcated to reduce unnecessary disturbance beyond the proposed project area.
 35. Strict alien vegetation controls must be implemented throughout all phases of the project. The regrowth of indigenous vegetation must be encouraged following construction. Rehabilitation of cleared and disturbed areas must be undertaken. Rehabilitation measures should be instituted around the proposed IPP portion of the on-site substation area that address exotic weed invasion, compaction of soils and maintenance of ecological function.
 36. Strict erosion control and soil management measures must be implemented during the construction and operational phases, particularly in areas where vegetation has been removed.
 37. Proper stockpiling must be implemented during all phases of the proposed project in order to prevent erosion and concomitant impacts on the surrounding drainage lines.
 38. All construction, operational and decommissioning personnel must be made aware of the sensitivity and importance of the surrounding environment. The construction, operational and decommissioning personnel should be made aware and educated of the presence of fauna and bird species and their reliance on sensitive features, in order to avoid disrupting activities and collisions.
 39. All areas of increased ecological sensitivity should be marked as no-go areas, with recommended buffer areas, and be off limits to all unauthorised construction and maintenance vehicles and personnel.
-

40. Mitigation measures proposed in the EMPr must be adhered to for the predictable range of environmental impacts during construction and maintenance.
 41. Environmental Awareness Training should be carried out at least once-off during the construction and decommissioning phases to ensure that staff are aware of environmental concerns and proper house-keeping recommendations.
 42. Agreements reached with landowners must be adhered to.
 43. Archaeological and paleontological mitigation measures stipulated within this Basic Assessment Report must be implemented during the construction phase. The contact details for South African Heritage Resources Agency (SAHRA for the Northern Cape) should be included in relevant documents/specifications provided to the Contractor, to ensure that these authorities are contacted timeously in the event of archaeological material and/or fossils being discovered during construction.
 44. If any archaeological material, paleontological material or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the relevant provincial heritage management authority as soon as possible for the Northern Cape. This may require inspection by an archaeologist or palaeontologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.
 45. Any areas not yet surveyed should be examined by both an archaeologist and a palaeontologist (as highlighted in the Heritage Impact Assessment in order to identify any areas or sites that should be protected or mitigated prior to commencement of construction (this includes parts of the assessed alignments or any alterations made after completion of this report). Note that this requirement pertains to un-surveyed parts of the assessed routes as well as to any alterations to the routing made after completion of this report.
 46. The ECO should be aware of the potential for fossils to be uncovered during excavations. As many excavations as possible should be monitored by the ECO during construction and if any fossils are uncovered, they should be protected *in situ* and immediately reported to a palaeontologist in order to plan a way forward.
 47. The farm road passing through the kraal complex at waypoint 546 (as highlighted in the Heritage Impact Assessment) may not be widened towards the east and should preferably not be widened at all.
 48. Significant paleontological and archaeological sites as listed in the Heritage Impact Assessment should be identified on project maps and regarded as no-go zones with buffers of at least 30 metres around all associated features (the exception is the service road diversion which comes within 20 m of the rock art site but uses an existing farm track). These no-go sites should be examined periodically by the ECO during the construction phase to ensure that they are being respected.
-

49. Electric fencing, if associated with the proposed project, should be constructed so as to ensure that the lowest wire remains neutral. Electrified fences should be bound externally by a wire mesh fence. Fences should be inspected daily to ensure that no animals are trapped against such fences and any mortalities associated with fences should be recorded.
 50. The relevant authorisations required must be obtained in terms of Section 21 (c) and (i) of the National Water Act No. 36 of 1998, and in terms of Regulation 509 of 2016 as it pertains to the NWA.
 51. Water efficient technologies must be employed to ensure water availability and promotes water conservation.
 52. Careful planning of the location of monopoles must be undertaken, taking into consideration the locality of riparian habitats and as much as possible, avoid placement of monopoles within riparian habitat, and power lines are preferably to span the relevant resource. If at all possible, all monopoles should be developed above the relevant zone of regulation in terms of Regulation GN 509 of the National Water Act No. 36 of 1998.
 53. Where it is impossible to avoid placing infrastructure within riparian habitat, flow connectivity must be retained by preventing fragmentation of the riparian habitat.
 54. A maintenance plan for buildings and structures should be followed to ensure that structures remain as non-reflective as possible. Maintenance of access and service roads should not cause further disturbance and damage to the surrounding landscape.
 55. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
 56. Hazardous storage areas must be monitored for spills and any spills shall be contained, cleaned and rehabilitated immediately.
 57. Waste management must be undertaken rigorously during all phases of the proposed project and any non-compliance must be recorded by the Environmental Control Officer (ECO). The designated waste stockpiling areas must be inspected frequently to ensure that the integrity is intact and the condition is not compromised. Waste disposal slips and waybills must be kept for all waste disposed at a registered waste disposal facility. As a general principle, waste manifests must be obtained to prove legal disposal of waste. A detailed record must be kept to track the amount of hazardous and general waste being temporarily stockpiled on site. Should the on-site stockpiling of general waste and hazardous waste respectively exceed 100 m³ and 80 m³, and a period exceeding 90 days, then the National Norms and Standards for the Storage of Waste (published on 29 November 2013 under GN 926) must be adhered to.
 58. 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 shall
-

MJ

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).

General

59. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 59.1. at the site of the authorised activity;
 - 59.2. to anyone on request; and
 - 59.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
60. 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 the first issue of the EA is: 19 February 2018

Date of Environmental Authorisation: 28/10/2021


Mr Sabelo Matiza
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 22 September 2021.
- b) The information contained in the final Basic Assessment Report (BAR) dated 26 October 2017 and the Part 1 Amendment Application dated June 2021.
- c) The comments received from the interested and affected parties as included in the final Basic Assessment Report (BAR) dated 26 October 2017 and the Part 1 Amendment Application dated June 2021.
- d) Mitigation measures as proposed in the final Basic Assessment Report (BAR) dated 26 October 2017 and the Part 1 Amendment Application dated June 2021.
- e) The information contained in the specialist studies contained within the appendices of the final Basic Assessment Report (BAR) dated 26 October 2017.

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The final Basic Assessment Report (BAR) dated 26 October 2017 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the proposed PV energy facility.
- e) The methodology used in assessing the potential impacts identified in the final Basic Assessment Report (BAR) dated 26 October 2017 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the final Basic Assessment Report (BAR) dated 26 October 2017 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The information contained in final Basic Assessment Report (BAR) dated 26 October 2017 and the Part 1 Amendment Application dated June 2021 is deemed to be accurate and credible.
- 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.

Annexure 2: Locality Plan

