



## 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: 14/12/16/3/3/2/2228

Enquiries: Mr Lunga Dlova

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Mr Michael Mangnall  
Bonsmara Solar PV (RF) (Pty) Ltd  
PO Box 762  
**WILDERNESS**  
7708

Cell phone Number: 083 785 1492

Email Address: [mangnall@wkn-windcurrent.com](mailto:mangnall@wkn-windcurrent.com)

### PER EMAIL / MAIL

Dear Mr Mangnall

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED DEVELOPMENT OF THE BONSMARA SOLAR PV FACILITY (SEF) AND THE ASSOCIATED INFRASTRUCTURE APPROXIMATELY 12 KM SOUTH-EAST OF KROONSTAD IN THE MOQHAKA LOCAL MUNICIPALITY AND THE FEZILE DABI DISTRICT, IN THE FREE STATE PROVINCE**

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

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

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which 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 organ of state with interest in the matter within 20 days from the date that the notification of the decision was

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sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

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

By email: [appeals@dffe.gov.za](mailto:appeals@dffe.gov.za)

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

By post: Private Bag X447  
Pretoria  
0001

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

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

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries, and the Environment**

Date: 05/07/2023

cc:	Michelle Guy	SIVEST SA (Pty) Ltd	E-mail: <a href="mailto:michelle@sivest.co.za">michelle@sivest.co.za</a>
	Grace Mkhosana	Free State Department: Economic, Small Business Development, Tourism and Environmental Affairs	E-mail: <a href="mailto:mkhosana@detea.fs.gov.za">mkhosana@detea.fs.gov.za</a> / <a href="mailto:mkhosana@destea.gov.za">mkhosana@destea.gov.za</a>
	Andre Kotze	Moghaka Local Municipality	E-mail: <a href="mailto:andre@moghaka.gov.za">andre@moghaka.gov.za</a>





## forestry, fisheries & the environment

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

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The development of the Bonsmara Solar PV (RF) (Pty) Ltd and the associated infrastructure approximately 12 km South-East of Kroonstad within the Moqhaka Local Municipality in the Free State

Province

Fezile Dabi District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/2/2228
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Bonsmara Solar PV (RF) (Pty) Ltd
<b>Location of activity:</b>	Free State Province: Portion 0 of the Farm Scheveningen No. 636; Portion 1 of the Farm Scheveningen No. 636 on Ward 2 in Moqhaka Local Municipality with the Fezile Dabi District Municipality.

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 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 –

### **BONSMARA SOLAR PV (RF) (PTY) LTD**

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

with the following contact details –

Mr Michael Mangnall  
Bonsmara Solar PV (RF) (Pty) Ltd  
PO Box 762

### **WILDERNESS**

7708

**Cell phone Number:** 083 785 1492

**Email Address:** [mangnall@wkn-windcurrent.com](mailto:mangnall@wkn-windcurrent.com)

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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><b>GN R. 327 (as amended) Item 11 (i):</b>  <i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i>  <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i></p>	<p>New on-site substations/collector switching stations will be constructed as part of the proposed development. The proposed substation / collector switching stations will be located outside urban areas and will have capacities of 33/132kV respectively.</p>
<p><b>GN R. 327 (as amended) Item 12 (ii)(a)(c):</b>                      The development of:                      ii) infrastructure or structures with a physical footprint of 100 square metres or more;                      where such development occurs-                      (a) within a watercourse;                      (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</p>	<p>Drainage lines and watercourses are scattered across the proposed site. One or more roads, fences and/or powerlines will cross these watercourses or drainage lines or be within 32m thereof.</p> <p>The proposed developments will therefore entail the construction of infrastructure with physical footprints of approximately 100m<sup>2</sup> or more within a surface water feature / watercourse or within 32m of a surface water feature / watercourse.</p>
<p><b>GN R. 327 (as amended) Item 19:</b>  <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>The proposed development will involve the excavation, removal, infilling or depositing of any material of more than 10m<sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m<sup>3</sup> from some of the identified surface water features / watercourses.</p> <p>Although the layout of the proposed developments will be designed to avoid the identified surface water features / watercourses as far as possible, some of the internal and/or access roads and fences will need to traverse the identified surface water features / watercourses. In addition, during construction of these roads, soil will need to be removed from some</p>

	of the identified surface water features / watercourses.
<p><b>GN R. 327 (as amended) Item 24 (ii):</b>  <i>The development of a road -</i>  <i>ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres.</i></p>	Internal access roads will be required to access the PV panels and substations. Existing roads will be used wherever possible, however new roads will be constructed where necessary.
<p><b>GN R. 327 (as amended) Item 28 (ii):</b>  <i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i>  <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p>	The total area to be developed for the proposed renewable energy facilities is greater than 1ha and occurs outside an urban area in an area currently zoned as agriculture land.
<p><b>GN R. 327 (as amended) Item 48 (i)(a)(c):</b>  <i>The expansion of-</i>  <i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; where such expansion occurs—</i>  <i>(a) within a watercourse; or</i>  <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 development will entail the expansion (upgrading) of roads and other infrastructure by 100m<sup>2</sup> or more within a surface water feature / watercourse or within 32m from the edge of a surface water feature / watercourse.</p> <p>Although the layouts of the proposed developments will be designed to avoid the identified surface water features / watercourses as far as possible, some of the internal and access roads to be upgraded will need to traverse the identified surface water features / watercourses and construction will occur within some of the surface water features / watercourses and/or be within 32m of some of the surface water features / watercourses.</p>
<p><b>GN R. 327 Item 56(ii):</b>  <i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre -</i>  <i>(ii) where no reserve exists, where the existing road is wider than 8 metres –</i></p>	Internal access roads will be required to access the PV panels and the substation. Existing roads will be used wherever possible, although new roads will be constructed where necessary. The existing access roads will need to be upgraded by widening them

	more than 6m, or by lengthening them by more than 1km.
<p><b>GN R. 325 (as amended) Item 1:</b></p> <p><i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.</i></p>	The proposed development will entail the construction of a SEF where the respective electricity output will be up to 100 MW. In addition, the proposed SEF development will be located outside urban areas.
<p><b>GN R. 325 (as amended) Item 15:</b></p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation.</i></p>	The proposed SEF development will involve the clearance of more than 20 ha of indigenous vegetation. Clearance will also be required for the proposed substations, internal access roads and other associated infrastructure.
<p><b>GN R. 324 (as amended) Item 4 (b)(i)(bb)(cc)(gg):</b></p> <p>The development of a road wider than 4m with a reserve less than 13.5 metres.</p> <p>b. Free State</p> <p>i. Outside Urban Areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas</p>	The proposed development is located within 5km of a nature reserve and a portion of the site is located within areas identified as National Protected Area Expansion Strategy (NPAES). Isolated areas of the development footprint are located in sensitive areas as identified in an Environmental Management Framework (EMF).
<p><b>GN R. 324 (as amended) Item 12 (b)(iv):</b></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 maintenance purposes undertaken in accordance with a maintenance management plan.</p>	The proposed development will entail the construction of infrastructure (cabling, roads and fences) with physical footprints of approximately 300 m <sup>2</sup> or more. As such, approximately 300 m <sup>2</sup> or more of indigenous vegetation will be cleared as part of the respective proposed developments.

<p>b. Free State                  iv. Areas within a watercourse or wetland; or within 100 meters from the edge of a watercourse or wetland</p>	
<p><b><u>GN R. 324 (as amended) Item 14 (ii)(a) (c)(b)(i) (bb) (dd) (ff) (hh):</u></b>                  The development of—                  (ii) infrastructure or structures with a physical footprint of 10 square metres or more;                  where such development occurs—                  (a) within a watercourse; or                  (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;                  excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.                  b. Free State                  i. Outside urban areas:                  (bb) National Protected Area Expansion Strategy Focus areas;                  (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;                  (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;                  (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas.</p>	<p>The proposed development will entail the development of infrastructure with physical footprints of 10m<sup>2</sup> or more within a watercourse / surface water feature or within 32 m from the edge of a watercourse / surface water feature.</p> <p>Although the layouts of the respective proposed developments will be designed to avoid the identified surface water features / watercourse as far as possible, some of the infrastructure / structures will need to traverse the identified surface water features / watercourses.</p> <p>The construction of the infrastructure (MV cabling, roads and fences) for the development will occur within Ecosystem Support Areas located outside of urban areas and within 5km of a protected area as well as areas identified as NPAES. Isolated areas of the development footprint are located in sensitive areas as identified in an EMF.</p>

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<p><b>GN R. 324 (as amended) Item 18 (b)(i) (bb) (cc) (gg)</b></p> <p><b>(hh):</b>                  The widening of a road by more than 4 meters, or the lengthening of a road by more than 1 kilometer-</p> <p>b. Free State</p> <p>i. Outside urban areas:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas</p> <p>(hh) Areas within a watercourse or wetland; or within 100m from the edge of a watercourse or wetland.</p>	<p>Internal access roads will be required to access the solar panels as well as the respective substations. Existing roads will be used wherever possible. Internal access roads will thus be widened by more than 4 m or lengthened by more than 1 km. These roads will occur within the Free State Province, outside urban areas. The widening of the roads will occur within a watercourse or wetland or within 100 m from the edge of a watercourse or wetland and be within 5km of a protected area as well as areas identified as NPAES. Isolated areas of the development footprint are located in sensitive areas as identified in an EMF.</p>
<p><b>GN R. 324 (as amended) Item 23 (ii)(a) (c)(b)(i) (bb)</b></p> <p><b>(cc) (gg):</b>                  The expansion of—</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p>b. Free State</p> <p>i. Outside urban areas:</p>	<p>The proposed development will entail the development and expansion of roads and other infrastructure by 10m<sup>2</sup> or more within a watercourse or within 32m from the edge of a watercourse. Although the layout of the proposed development will be designed to avoid the identified surface water features as far as possible, some of the existing internal and access roads will need to traverse some of the identified surface water features.</p> <p>The proposed development within 5km of a protected area as well as areas identified as NPAES. Isolated areas of the development footprint are located in sensitive areas as identified in an EMF.</p>

<p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(gg) Areas within 10 kilometers from national parks or world heritage sites or 5 kilometers from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas</p>	
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as described in the Environmental Impact Assessment Report (EIAR) dated May 2023 at:

**SG 21 Code:**

Farm Name / Portion	SG 21 Code
Portion 0 of the Farm Scheveningen No. 636	F 0 2 0 0 0 0 0 0 0 0 0 0 6 3 6 0 0 0 0 0
Portion 1 of the Farm Scheveningen No. 636	F 0 2 0 0 0 0 0 0 0 0 0 0 6 3 6 0 0 0 0 1

<b>Bonsmara SEF: Application Site</b>	
Latitude	Longitude
27°45'19.63"S	27°17'36.88"E
27°44'58.69"S	27°20'0.41"E
27°44'41.92"S	27°20'18.09"E
27°44'42.63"S	27°20'20.19"E
27°44'42.32"S	27°20'23.08"E
27°44'41.19"S	27°20'24.88"E
27°44'39.93"S	27°20'26.19"E
27°44'39.65"S	27°20'27.90"E
27°44'40.40"S	27°20'31.86"E
27°44'40.79"S	27°20'32.68"E
27°47'19.58"S	27°19'23.11"E
27°47'18.60"S	27°19'20.30"E

<b>Bonsmara SEF: Substation, BESS and associated infrastructure location</b>	
<b>Latitude</b>	<b>Longitude</b>
27°46'10.04"S	27°18'23.30"E
27°46'1.62"S	27°18'37.95"E
27°46'6.75"S	27°18'42.97"E
27°46'8.01"S	27°18'43.29"E
27°46'11.34"S	27°18'42.28"E
27°46'18.36"S	27°18'30.24"E
<b>Coordinates at Centre Point</b>	
<b>Latitude</b>	<b>Longitude</b>
27°46'10.08"S	27°18'34.64"E

- for the development of the Bonsmara Solar PV (RF) (Pty) Ltd and the associated infrastructure approximately 12 km South-East of Kroonstad in the Moqhaka Local Municipality and the Fezile Dabi District, in the Free State Province, hereafter referred to as "the property".

The proposed Solar PV energy facility will include PV fields (arrays) comprising of multiple PV panels. In summary, the proposed Bonsmara Solar Energy Facility (SEF) development will include the following components:

- PV development area of 326 ha
- PV modules and mounting structures (monofacial or bifacial) with fixed, single or double axis tracking mounting structures. The modules will be either crystalline silicon or thin film technology. Each panel will be approximately 2.5m above ground.
- Site and internal access roads, up to 6m wide, will provide access to the PV arrays. Existing site roads will be used wherever possible, although new site roads will be constructed where necessary.
- Operation and maintenance (O&M) building (including offices, warehouses, workshops, canteen, visitors centre, ablution facilities and staff lockers), occupying a site of approximately 5000 m2.
- Battery Energy Storage System (BESS) of approximately 2 ha;
- Temporary construction laydown/staging area during construction phase approximately 2 ha in size (which will become the permanent laydown area for the BESS during the operational phase);
- Associated stormwater management infrastructure;
- Auxiliary buildings (offices, parking etc.) approximately 1 ha in size.
- One new 33/132kV on-site substation (facility substation) occupying an area of up to approximately 1 ha.

- Medium voltage cabling will link the PV facility to the facility substation / grid connection infrastructure. These cables will be laid underground wherever technically feasible (up to 33kV).
- Galvanized palisade perimeter fencing;
- Rainwater and/or groundwater storage tanks and associated water transfer infrastructure.
- Water will be sourced from either the Local Municipality, supplied from a private contractor and trucked in, from existing boreholes located within the application site or from a new borehole if none of these options are available.

Details or dimensions of typical infrastructure required for the Bonsmara Solar Energy Facility.

Component	Description / Dimensions
Application site area	1004 ha
PV development area	326 ha
Export capacity	Up to 100 MW
Technology	PV modules and mounting structures
Max panel height from the ground	2.5m
Substation area	1 ha
Battery Energy Storage Area (BESS)	2 ha
Capacity of on-site and collector substation	33/132kV
O&M building area	5000 m <sup>2</sup>
Temporary Construction Laydown area	2 ha

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The development of the Bonsmara Solar PV (RF) (Pty) Ltd and the associated infrastructure approximately 12 km South-East of Kroonstad in the Moqhaka Local Municipality and the Fezile Dabi District, in the Free State Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited

to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.

4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

#### **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. A copy of the final site layout map 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 development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The final layout map must indicate the following:
  - 12.1. The position of the solar PV panels;
  - 12.2. All associated infrastructure;
  - 12.3. The finalised access routes;
  - 12.4. All sensitive features; and
  - 12.5. All “no-go” and buffer areas.
13. 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 and micro-siting, and the provisions of this environmental authorisation. 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.
14. The EMPr amendment must include the following:
  - 14.1. The requirements and conditions of this environmental authorisation;
  - 14.2. All recommendations and mitigation measures recorded in the EIAR and the specialist reports as included in the final EIAR dated May 2023;
  - 14.3. The final site layout map (as per Condition 12), inclusive of all associated infrastructure for the Bonsmara Solar PV Facility (SEF) and the associated infrastructure.
15. 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.

16. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
17. 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**

18. 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.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. 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.
21. 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.
22. 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**

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the

mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

- 23.1. The ECO must be appointed before commencement of any authorised activities.
- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

### **Recording and reporting to the Department**

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
25. The holder of the environmental authorisation must, for the period during which the environmental authorisation 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.
26. 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.
27. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.



### **Notification to authorities**

30. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

### **Operation of the activity**

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

### **Site closure and decommissioning**

32. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

### **Specific conditions**

33. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
34. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Specialist Studies / EIAr dated May 2023 must be implemented to reduce the risk of erosion and the invasion of alien species.
35. Preconstruction walk-through of the final development footprint with an aquatic specialist is recommended
36. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
37. A no development buffer of 50m is implemented around sites KS3 and KS4.
38. A no development buffer of 100m is implemented around sites KS6, KS7 and KS8.
39. The area identified as having higher levels of archaeological sensitivity must not be impacted by any development activities.
40. A Chance Fossil Finds procedure must be implemented for the duration of construction activities.

41. Should any buried archaeological resources or human remain, or burials be uncovered during development activities, work must cease in the vicinity of these finds. The South African Heritage Resources Agency (SAHRA) must be contacted immediately to determine an appropriate way forward.
42. 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**

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 43.1. at the site of the authorised activity;
  - 43.2. to anyone on request; and
  - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
44. 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: 05/07/2023



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 01 November 2022.
- b) The information contained in the EIAr dated May 2023.
- c) The comments received from the South African Heritage Resources Agency (SAHRA), Endangered Wildlife Trust, the Department of Water and Sanitation (DWS), Wildlife and Environment Society of South Africa (WESSA), and interested and affected parties as included in the EIAr dated May 2023.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated May 2023 and as appears below:

Title	Prepared by	Date
Site Sensitivity Verification and Agricultural Compliance Statement	Johann Lanz	16 March 2023
Avifauna Assessment	Enviro Insight	March 2023
Aquatic Biodiversity Assessment	EnviroSci (Pty) Ltd	28 February 2023
Terrestrial Biodiversity Assessment	Jamie Pote	15 March 2023
Socio – Economic Assessment	Synergy	28 February 2023
Visual Impact Assessment	Kelly Armstrong and Chris Dalglish	27 March 2023
Heritage Impact Assessment	CTS Heritage	February 2023
Desktop Geotechnical Specialist Study	GaGE Consulting (Pty) Ltd	27 March 2023

### 2. Key factors considered in making the decision

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.

- c) The EIAr dated May 2023 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed solar energy facility.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated May 2023 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

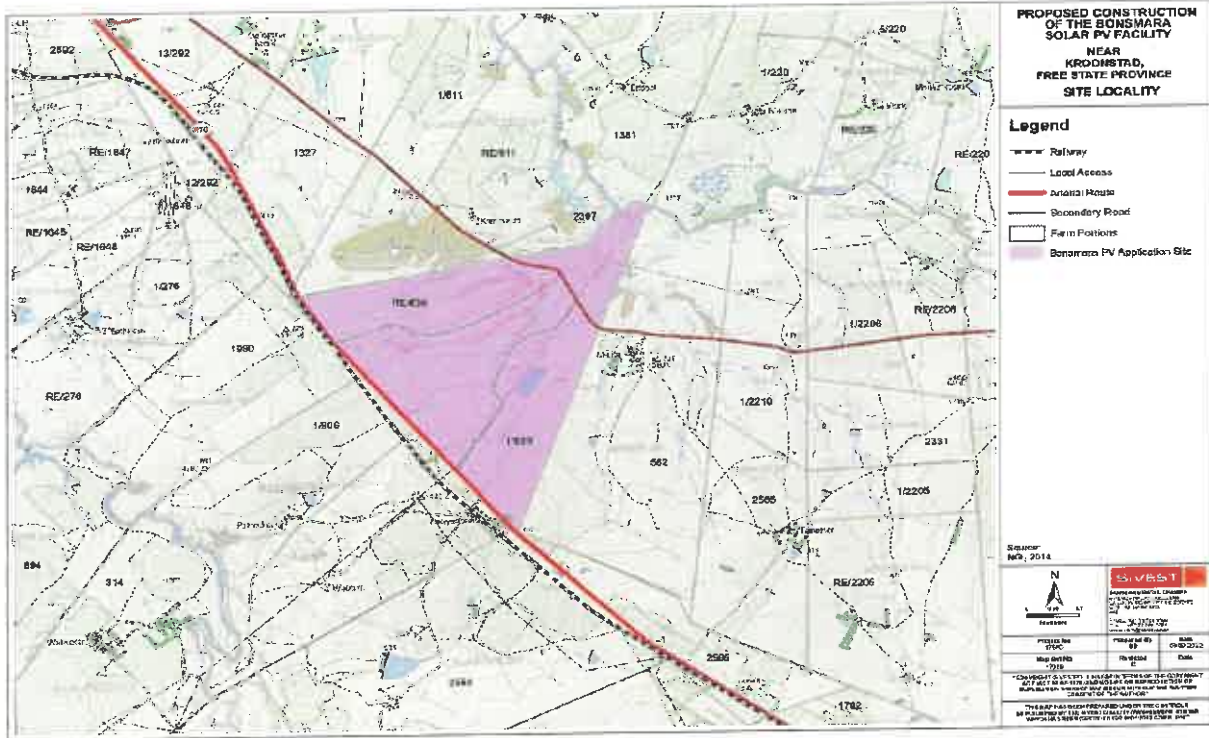
### 3. Findings

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

- a) The identification and assessment of impacts are detailed in the EIAr dated May 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAr dated May 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

## Annexure 2: Locality Plan: Bonsmara Solar PV Facility (SEF) and the associated infrastructure, Free State Province.



*MS*