



# 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: 14/12/16/3/3/1/2671

Enquiries: Ms Bathandwa Ncube

Telephone: (012) 399 9368 E-mail: [BNcube@dffe.gov.za](mailto:BNcube@dffe.gov.za)

Mr Michael Mangnall  
WKN Windcurrent SA (Pty) Ltd  
P.O. Box 762  
**WILDERNESS**  
6560

Cellphone 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: DEVELOPMENT OF THE 240MW HIGHVELD SOLAR PV FACILITY NEAR STILFONTEIN, WITHIN THE JB MARKS LOCAL MUNICIPALITY, 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 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 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@dff.gov.za](mailto:appeals@dff.gov.za);

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

By post: Private Bag X447  
Pretoria  
0001

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

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

Yours faithfully



**Ms Milicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 14/03/2022.

CC:	Ms Karen Jodas	Savannah Environmental (Pty) Ltd	Email: <a href="mailto:karen@savannahsa.com">karen@savannahsa.com</a> / <a href="mailto:Chantelle@savannahsa.com">Chantelle@savannahsa.com</a>
	Mr Lufuno Tshikovhi	North West DEDECT	Email: <a href="mailto:L.Tshikovhi@nwpg.gov.za">L.Tshikovhi@nwpg.gov.za</a>
	Mr Lebu Ralekgetho	JB Marks Local Municipality	Email: <a href="mailto:rlebu4139@gmail.com">rlebu4139@gmail.com</a> / <a href="mailto:ralekgetho@jbmarks.gov.za">ralekgetho@jbmarks.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 240MW Highveld Solar PV Facility near Stilfontein, within the JB Marks Local Municipality, North West Province

Dr Kenneth Kaunda District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/2671
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	WKN Windcurrent SA (Pty) Ltd
<b>Location of activity:</b>	Remainder of Portion 10 of Farm Rietfontein 388; Portion 79 of Farm Rietfontein 388; Portion 56 of Farm Rietfontein 388; Remaining Extent of Farm Rietfontein 3; Portion 62 of Farm Rietfontein 388; Remaining Extent of Farm Rietfontein 566; Ward 27; JB Marks Local Municipality; within the Dr Kenneth Kaunda District Municipality, North West 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.

## 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 –

### **WKN WINDCURRENT SA (PTY) LTD**

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

with the following contact details –

Mr Michael Mangnall

WKN Windcurrent SA (Pty) Ltd

P.O. Box 762

**WILDERNESS**

6560

Cellphone Number : 083 785 1492

Email Address : [mangnall@wkn-windcurrent.com](mailto:mangnall@wkn-windcurrent.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>  <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>Highveld Solar PV Facility will require the construction and operation of an on-site facility substation with a capacity of up to 132kV and an extent of up to 1ha to facilitate the connection of the facility to the national grid. The development area for the Highveld Solar PV Facility is located outside of an urban area.</p>
<p><u>Listing Notice 1, Item 12(ii)(a)(c):</u>  <i>The development of-</i>  <i>(ii) infrastructure or structures with a physical footprint of 100 square meters or more; where such development occurs</i>  <i>(a) within a watercourse or</i>  <i>(c) within 32 meters of a watercourse, measured from the edge of a watercourse.</i></p>	<p>The development of the Highveld Solar PV Facility will require the establishment of infrastructure (including access roads) with a physical footprint exceeding 100m<sup>2</sup>, directly adjacent to a watercourse or within 32m of a watercourse identified within the project site. The development footprint of the PV facility will be ~433ha in extent.</p>
<p><u>Listing Notice 1, Item 14:</u>  <i>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic meters or more but not exceeding 500 cubic meters.</i></p>	<p>The development and operation of the project will require the construction and operation of facilities and infrastructure for the storage and handling of a dangerous good (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the on-site substation where such storage will occur inside containers with a combined capacity exceeding 80 cubic meters but not exceeding 500 cubic meters.</p>
<p><u>Listing Notice 1, Item 19:</u>  <i>The infilling or depositing of any material of more than 10 cubic meters into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit, pebbles or rock of more than 10 cubic meters from a watercourse</i></p>	<p>The development area is directly adjacent to a watercourse and will require the removal of &gt;10 cubic metres of soil and rock from the watercourse during the construction phase of infrastructure, including access roads.</p>
<p><u>Listing Notice 1, Item 28(ii):</u></p>	<p>The Highveld Solar PV Facility will be constructed and operated on land currently used for agricultural</p>

Activity number	Activity description
<p><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></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</i></p>	<p>purposes, mainly grazing. The development footprint considered for the establishment of the PV facility is ~433ha in extent and is located outside an urban area.</p>
<p><u>Listing Notice 2, Item 1:</u></p> <p><i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.</i></p>	<p>The project comprises a renewable energy generation facility, which will utilise solar power technology and will have a contracted capacity of up to 240MW. The project area falls within the Klerksdorp REDZ and the Central Corridor of the Strategic Transmission Corridors.</p>
<p><u>Listing Notice 2, Item 15:</u></p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation.</i></p>	<p>The clearance of an area of indigenous vegetation greater than 20ha in extent will be required for the development of the PV facility and associated infrastructure. The project area falls within the Klerksdorp REDZ.</p>
<p><u>Listing Notice 3, Item 4(h)(iv):</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres</i></p> <p><i>h. North West</i></p> <p><i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority.</i></p>	<p>The development of the Highveld Solar PV Facility will require the construction of access roads up to 6m wide. The site is predominately listed as an Ecological Support Area 2 (ESA) as per the North West Biodiversity Plan, which functions in support of the Kromdraaispruit river, which is situated directly adjacent, to the west of the site. The development area is located within a Critical Biodiversity Area 2 (CBA2), as per the North West Biodiversity Plan.</p>
<p><u>Listing Notice 3, Item 10(h)(iv)(vi):</u></p> <p><i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic meters</i></p>	<p>The development of the project will require the construction and operation of facilities and infrastructure for the storage and handling of a dangerous good (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the on-site substation where such storage will occur</p>

Activity number	Activity description
<p><i>h. North West</i></p> <p><i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</i></p> <p><i>(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>inside containers with a combined capacity exceeding 30 cubic meters. The site is predominately listed as an Ecological Support Area 2 (ESA) as per the North West Biodiversity Plan, which functions in support of the Kromdraaispruit river, which is situated directly adjacent, to the west of the site. The development area is located within a Critical Biodiversity Area 2 (CBA2), as per the North West Biodiversity Plan.</p>
<p><u>Listing Notice 3, Item 12(h)(iv)(vi):</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation.</i></p> <p><i>h. North West</i></p> <p><i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</i></p> <p><i>(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>An area in excess of 300m<sup>2</sup> of indigenous vegetation would be required to be cleared. The area is predominately listed as an Ecological Support Area 2 (ESA) as per the North West Biodiversity Plan, which functions in support of the Kromdraaispruit river, which is situated directly adjacent, to the west of the site. The development area is located within a Critical Biodiversity Area 2 (CBA2), as per the North West Biodiversity Plan.</p>
<p><u>Listing Notice 3, Item 14(ii)(a)(c)(h)(iv)(vi):</u></p> <p><i>The development of-</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more, where such development occurs-</i></p> <p><i>(a) within a watercourse, and</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse,</i></p> <p><i>h. North West</i></p> <p><i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</i></p>	<p>The development of Highveld Solar PV Facility will require the establishment of infrastructure (including access roads) with a physical footprint exceeding 10m<sup>2</sup>. The site is predominately listed as an Ecological Support Area 2 (ESA) as per the North West Biodiversity Plan, which functions in support of the Kromdraaispruit river, which is situated directly adjacent, to the west of the site. The development area is located within a Critical Biodiversity Area 2 (CBA2), as per the North West Biodiversity Plan.</p>

Activity number	Activity description
(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.	
Listing Notice 3, Item 18(h)(v)(ix): The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre h. North West (v) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority; (ix) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.	Existing roads providing access to and within the project site are to be upgraded and widened by more than 4m. The project site is located in the North West, within an area defined as a Critical Biodiversity Area 1 (CBA1) as per the North West Biodiversity Plan. The upgrade will include widening to 6m and reinforcement of the low level crossing at a watercourse to the west of the site.

As described in the Basic Assessment Report (BAR) dated January 2023 at:

Farm Description	21 Digit Surveyor General Code																				
Properties affected by the PV Facility																					
Remainder of Portion 10 of Farm Rietfontein 388	T	0	I	P	0	0	0	0	0	0	0	0	0	3	8	8	0	0	0	1	0
Portion 79 of Farm Rietfontein 388	T	0	I	P	0	0	0	0	0	0	0	0	0	3	8	8	0	0	0	7	9
Portion 56 of Farm Rietfontein 388	T	0	I	P	0	0	0	0	0	0	0	0	0	3	8	8	0	0	0	5	6
Remaining Extent of Farm Rietfontein 3	T	0	I	P	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0
Properties affected by the upgrade of the existing road																					
Portion 62 of Farm Rietfontein 388	T	0	I	P	0	0	0	0	0	0	0	0	0	3	8	8	0	0	0	6	2
Remaining Extent of Farm Rietfontein 566	T	0	I	P	0	0	0	0	0	0	0	0	0	5	6	6	0	0	0	0	0



**Coordinates:**

<b>Highveld Solar PV Facility Site</b>	<b>Latitude</b>	<b>Longitude</b>
Northern point	26°42'49.18"S	26°51'39.58"E
Eastern point	26°43'10.13"S	26°54'2.10"E
Southern point	26°44'38.63"S	26°52'29.96"E
Western point	26°44'28.44"S	26°50'34.37"E
Centre point	26°43'45.10"S	26°52'26.31"E
<b>Substation, BESS, and Laydown hub</b>	<b>Latitude</b>	<b>Longitude</b>
Corner 1	26°43'53.80"S	26°52'33.31"E
Corner 2	26°43'54.77"S	26°52'40.20"E
Corner 3	26°44'11.06"S	26°52'29.12"E
Corner 4	26°44'12.14"S	26°52'35.70"E
<b>Existing access road (to be upgraded)</b>	<b>Latitude</b>	<b>Longitude</b>
Starting point	26°43'13.60"S	26°49'23.66"E
Centre point	26°43'31.68"S	26°50'12.83"E
End point	26°43'31.18"S	26°51'9.53"E
<b>Low-level crossing (bridge)</b>	<b>Latitude</b>	<b>Longitude</b>
Centre point	26°43'24.85"S	26°50'55.64"E

- for the development of the 240MW Highveld Solar PV Facility near Stilfontein, within the JB Marks Local Municipality, North West Province, hereafter referred to as "the property".

The facility will comprise the following:

- Solar PV arrays, modules and mounting structures;
- Inverters and transformers;
- A Battery Energy Storage System (BESS);
- An on-site facility substation;
- Cabling between the project components;
- Site and internal access roads up to 6m in width, where required;
- Temporary and permanent laydown areas; and,
- Operation and maintenance buildings and fencing around the development area.

Technical Details of the PV facility:

<b>Component</b>	<b>Description/ Dimensions</b>
Contracted capacity of the facility	Up to 240MW
Total Extent of the Affected Property, also referred to as the project site	~1400ha
Total extent of the Development Area	Up to ~1300ha
Total Extent of the development Footprint (Including environmentally constrained areas)	Up to ~552ha
Total extent of the Development footprint (Excluding environmentally constrained areas)	Up to ~433ha
PV panels	<ul style="list-style-type: none"> <li>• Height: up to 5.5m from ground level (installed)</li> </ul>
On- site facility substation	<ul style="list-style-type: none"> <li>• Up to 132kV</li> <li>• Located within the development footprint.</li> <li>• Approximately 1ha in extent.</li> </ul>
Access gravel roads and internal roads	<ul style="list-style-type: none"> <li>• Existing roads will be used, wherever possible, to access the project site and development area.</li> <li>• Access to the PV development area is provided via the N12, located to the south of the development area; the Hartebeesfontein Road; and Rietfontein Road which are located to the west of the development area.</li> <li>• The existing access road turning off from the Rietfontein Road towards the PV facility will be upgraded for safe access to the facility during the construction and operation phases. The upgrades will include widening to 6m and reinforcement of the low-level crossing.</li> <li>• Internal roads up to 6m in width will be required to access the PV panels and on-site substation.</li> </ul>

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The development of the 240MW Highveld Solar PV Facility near Stilfontein, within the JB Marks Local Municipality, North West 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.
13. The Environmental Management Programme (EMPr) and submitted as part of the BAR 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. Part B: Section 2 of the Generic EMPr for the development and expansion of substation infrastructure for the transmission and distribution of electricity must be signed by the holder of this authorisation;

- 14.2. The final development layout plan and all mitigation measures as dictated by the final development layout plan;
- 14.3. Any site-specific mitigation measures that may arise when the final walk through is undertaken.
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 BAR 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**

#### Conditions for Non-operational aspects

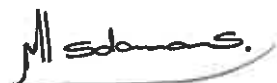
33. A freshwater biomonitoring programme must be implemented for the development. This should comprise bi-annual biomonitoring of the watercourse on the western boundary of the project area of influence (PAOI), and at least annual wetland monitoring for all wetlands within 100 m of the PAOI.
34. The Chance Finds Procedure contained in the EMPr must be implemented in the event that archaeological or palaeontological resources are found.
35. If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Elijah Katsetse/Phillip Hine 021 462 4502) must be alerted as per section 35(3) of the National Heritage Resources Act 25 of 1999 (NHRA).

36. If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqalabutho Madida 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA.
37. Regarding the appointment of specialists: If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted at the expense of the developer, as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA.
38. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20(b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

#### **General**

39. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 39.1. at the site of the authorised activity;
  - 39.2. to anyone on request; and
  - 39.3. Where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
40. 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: 14/03/2023.



**Ms Millicent Solomons**

**Acting Chief Director: Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment**

---



## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

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

- a) The listed activities as applied for in the amended application form received on 17 January 2023.
- b) The information contained in the BAR dated January 2023.
- c) The comments received from Interested and affected Parties (I&APs) as included in the BAR dated January 2023.
- d) Mitigation measures as proposed in the BAR dated January 2023 and the draft EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated January 2023 and as appears below:

Title	Prepared by	Date
Terrestrial Biodiversity and Wetland Impact Assessment	The Biodiversity Company	October 2022
Avifauna Impact Assessment	Pachnoda Consulting CC	October 2022
Agricultural Impact Assessment	TerraAfrica Consult CC	October 2022
Heritage Impact Assessment	CTS Heritage	December 2022
Visual Impact Assessment	LOGIS	October 2022
Social Impact Assessment	Eco-Thunder Consulting (Pty) Ltd	September 2022
Environmental Management Programme (EMPr)	Savannah Environmental (Pty) Ltd	January 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 location of the proposed solar PV energy facility within the REDZ 10.
- d) The BAR dated January 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.

- e) The methodology used in assessing the potential impacts identified in the BAR dated January 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 BAR Regulations, 2014 as amended for public involvement.

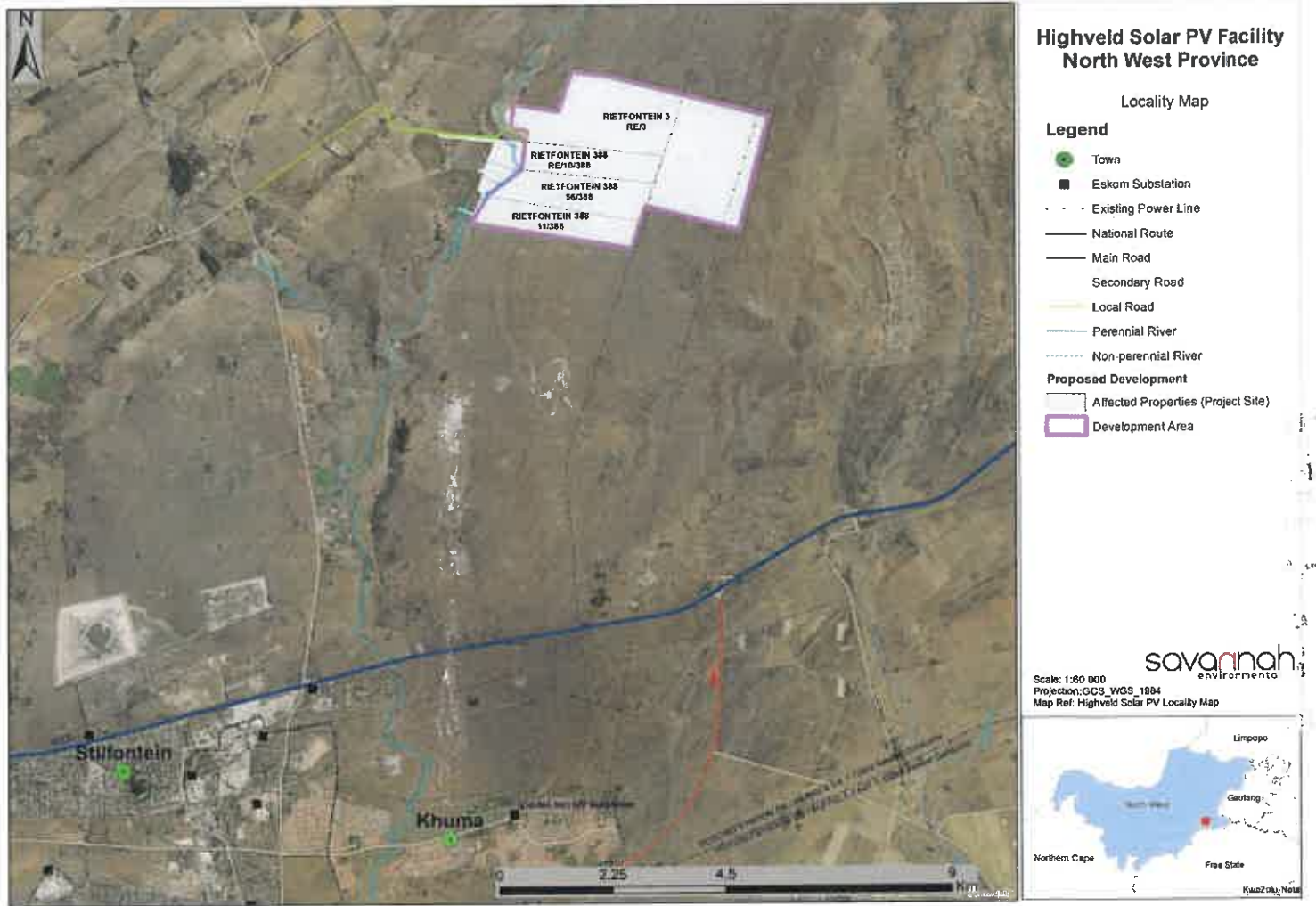
### **3. Findings**

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 BAR dated January 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 BAR dated January 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 BAR 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





# 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, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +86 625 1042

Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dffe.gov.za

Ms. Milicent Solomons  
Director: Priority Infrastructure Projects

Dear Ms. Solomons

## APPOINTMENT AS CHIEF DIRECTOR: INTERGRATED ENVIRONMENTAL AUTHORISATIONS (ACTING), FROM 01 MARCH UNTIL 31 MARCH 2023

I hereby inform you that I have decided to appoint you as Acting Chief Director: Intergrated Environmental Authorisations from 01 March until 31 March 2023.

All correspondence and other documents that are usually signed by the Chief Director: Intergrated Environmental Authorisations during must be signed under Acting Chief Director: Intergrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1998), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours, Sincerely

**Ms. Devinagie Bendeman**  
Deputy Director-General: Regulatory Compliance and Sector Monitoring

Date: 22 February 2023



**Batho pele** - putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others

### ACKNOWLEDGEMENT

I  ACCEPT /  DO NOT ACCEPT  
appointment as Acting Chief Director:  
Intergrated Environmental Authorisations  
Signed:

Date: 27/02/2023