



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: 14/12/18/3/3/2/2039

Enquiries: Ms Constance Musemburi

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Mr. Eugene Marais
South Africa Mainstream Renewable Power Developments (Pty) Ltd
P. O Box 45063
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Tel: (021) 657 4052
Cell: (073) 871 5781
E-mail: Eugene.Marais@mainstreamrp.com

PER EMAIL / MAIL

Dear Mr Marais

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED CONSTRUCTION AND OPERATION OF THE 100MW RONDAVEL PHOTOVOLTAIC SOLAR ENERGY FACILITY, BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUCTURE LOCATED NEAR KROONSTAD IN THE MOQHAKA LOCAL MUNICIPALITY, 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 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 stipulates 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 abuses or compromises 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 prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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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@environment.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.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: 04/10/2021

cc:	Mr Gideon Reath	Savannah Environmental (Pty) Ltd	Email: gideon@savannahsa.com
	Mr N Koen	DESTE	Email: nkoen@destea.gov.za
	Simon Mqwathi	Hantam Local Municipality	Email: mmsi@mqhaka.gov.za





forestry, fisheries & the environment

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

Environmental Authorisation

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

CONSTRUCTION AND OPERATION OF THE 100MW RONDAVEL PHOTOVOLTAIC SOLAR ENERGY FACILITY, BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUCTURE LOCATED NEAR KROONSTAD IN THE MOQHAKA LOCAL MUNICIPALITY, FREE STATE PROVINCE.

FEZILE DABI DISTRICT MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/2039
Last amended:	First issue
Holder of authorisation:	South Africa Mainstream Renewable Power Developments (Pty) Ltd.
Location of activity:	Within Remaining Extent of the Farm Rondavel Noord No. 1475; and Remaining Extent of the Farm Rondavel No. 627. of Ward 7, Moqhaka Local Municipality, Free State 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.

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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

South Africa Mainstream Renewable Power Developments (Pty) Ltd

P. O Box 45063

CLAREMONT

7735

Tel: (021) 657 4052

Cell: (073) 871 5781

E-mail: Eugene.Marais@mainstreamrp.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><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 275kV or more.</i></p>	<p>Internal distribution electrical infrastructure required to connect the Rondavel Solar PV Facility components, as well as the onsite IPP substation and cabling (buried or overhead) will be between 33kV and 275kV. The on-site IPP substation will be rated 33/132kV whereas internal cabling will be up to 33kV.</p>
<p><u>Listing Notice 1, Item 12 (ii)(a,c):</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>Internal access roads and electrical cabling required to connect the various PV facility infrastructure and components will collectively comprise more than 100m² and be located within 32m of delineated watercourses 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>Internal access roads and electrical cabling required to connect the various PV facility infrastructure and components will collectively require the excavation, infilling or removal of soil within 32m of delineated watercourses on site.</p>
<p><u>Listing Notice 1, Item 24(ii):</u></p> <p><i>The development of a road -</i></p> <p><i>i. with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i></p>	<p>Access roads (of up to 12m wide) and internal roads (up to 5m wide and up to 11km long) will be developed for the Rondavel Solar PV Facility during construction, and will be located outside of urban areas.</p>

Activity number	Activity description
<p><u>Listing Notice 1, Item 28:</u></p> <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 1ha.</i></p>	<p>The total area of land to be developed for the solar PV facility will be approximately 183ha on a site which was historically (after 1 April 1998) used for agricultural purposes.</p>
<p><u>Listing Notice 1, Item 56:</u></p> <p><i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre-</i></p> <p><i>i. where the existing reserve is wider than 13,5 meters; or</i></p> <p><i>ii. where no reserve exists, where the existing road is wider than 8 metres;</i></p> <p><u><i>excluding where widening or lengthening occur inside urban areas.</i></u></p>	<p>The existing access roads will exceed the 1km threshold and will be widened by more than 6m for the transport of the transformers and BESS infrastructure.</p>
<u>Listing Notice 2</u>	
<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 photovoltaic (PV) technology and will have a contracted capacity of up to 100MW. The development is located outside of an urban area.</p>
<p><u>Listing Notice 2, Item 15:</u></p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation,</i></p>	<p>The facility is located on fallow land historically used for livestock grazing and other agricultural activities and is therefore likely to comprise indigenous vegetation. In addition, the project is anticipated to require clearing of up to approximately 183ha and would therefore result in the clearance of an area of land greater than 20ha of indigenous vegetation.</p>

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Activity number	Activity description
Listing Notice 3	
<p><u>Listing Notice 3, Item 2(b)(ii)(aa)</u></p> <p><i>The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.</i></p> <p><i>b. Free-State</i></p> <p><i>II. Outside urban areas:</i></p> <p><i>(aa) National Protected Area Expansion Strategy Focus areas</i></p>	<p>The development of the Rondavel Solar PV Facility includes storage tanks for water abstracted from the two boreholes within the development area, to be used during construction and operation. The capacity of this storage facility will exceed 250m³, and will be located within a National Protected Area Expansion Strategy Focus area.</p>
<p><u>Listing Notice 3, Item 4(b)(i)(bb):</u></p> <p><i>The development of a road wider than 4 m with a reserve less than 13.5m.</i></p> <p><i>b. Free State</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas</i></p>	<p>Access roads (up to 12m wide and internal roads (up to 5m wide and up to 11km long)) will be developed for the Rondavel Solar PV Facility during construction. The development area is also located within a National Protected Areas Expansion Strategy areas.</p>
<p><u>Listing Notice 3, Item 10(b)(i)(bb):</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 metres.</i></p> <p><i>b. Free State</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas</i></p>	<p>Dangerous goods such as fuel will be required to be stored and handled on site, located within a NPAES region. The combined capacity of storage containers (fuel, oils, etc) will be less than 80m³.</p>
<p><u>Listing Notice 3, Item 12(b)(iv):</u></p> <p><i>The clearance of an area of 300m² or more of indigenous vegetation within:</i></p> <p><i>b. Free State</i></p> <p><i>iv. Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland</i></p>	<p>The Rondavel Solar PV Facility development will comprise clearing in excess of 300m² of indigenous vegetation within 100m from the edge of a watercourse or wetland.</p>

Activity number	Activity description
<p><u>Listing Notice 3, Item 14(ii)(a)(c)(b)(i)(bb):</u></p> <p><i>The development of —</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 m² or more;</i></p> <p><i>where such development occurs —</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 m of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>b. Free State</i></p> <p><i>i. Outside urban areas;</i></p> <p><i>(bb) National Protected Areas Expansions Strategy Focus areas;</i></p>	<p>Internal access roads and electrical cabling required to connect the various PV facility infrastructure and components will collectively comprise more than 10m² and be located within 32m of delineated watercourses on site, within NPAES areas as occurs on site.</p>
<p><u>Listing Notice 3, Item 18(a)(i)(bb):</u></p> <p><i>The widening of a road by more than 4 m, or the lengthening of a road by more than 1 km.</i></p> <p><i>a. Free State</i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansions Strategy Focus Areas;</i></p>	<p>Access roads needed for the facility will require widening roads up to 8m which will be constructed within NPAES delineated areas delineated within the development area.</p>

as described in the Environmental Impact Assessment Report (EIAR) dated June 2021 at:

SG 21 Code

F	0	2	0	0	0	0	0	0	0	0	0	1	4	7	5	0	0	0	0
F	0	2	0	0	0	0	0	0	0	0	0	0	6	2	7	0	0	0	0

Project Area coordinates	Latitude	Longitude
A	27° 41' 34.681" S	27° 10' 5.196" E
B	27° 41' 23.702" S	27° 10' 26.510" E
C	27° 41' 22.554" S	27° 10' 59.840" E

D	27° 41' 33.483" S	27° 11' 2.600" E
E	27° 41' 47.799" S	27° 10' 57.917" E
F	27° 41' 50.513" S	27° 10' 46.661" E
G	27° 42' 12.712" S	27° 10' 36.244" E
H	27° 42' 22.185" S	27° 10' 47.099" E
I	27° 42' 33.944" S	27° 10' 3.071" E

Substation coordinates	Latitude	Longitude
	27° 42' 19.087" S	27° 10' 31.689" E

Access point coordinates	Latitude	Longitude
	27° 42' 35.055" S	27° 10' 2.709" E

- for the proposed construction and operation of the 100MW Rondavel Photovoltaic Solar Energy Facility, Battery Energy Storage System (BESS) and associated infrastructure within Remaining Extent of the farm Rondavel Noord No. 1475; and Remaining Extent of the farm Rondavel No. 627 of Ward 7, Moqhaka Local Municipality, Free State Province, hereafter referred to as "the property".

The proposed development entails the development of a solar energy facility. PV technology is proposed to be utilised for the generation of electricity, and the Rondavel Solar PV Facility will have a contracted capacity of up to 100MWac.

Infrastructure associated with the solar PV facility will include:

Infrastructure	Dimensions/ Details
Solar Facility	<ul style="list-style-type: none"> • 100MWac photovoltaic (PV) technology utilising solar photovoltaic (PV) modules. • Solar Arrays: <ul style="list-style-type: none"> ➤ Solar Panel Technology - Mono and Bifacial Photovoltaic (PV) Modules up to 2.5m in height; ➤ Mounting System Technology – single axis tracking, dual axis tracking or fixed axis tracking PV; ➤ Underground cabling (up to 33kV);

	<ul style="list-style-type: none"> ➤ Centralised inverter stations or string inverters; Power Transformers (Minimum of 60 inverters (subject to final design layout)).
Contracted capacity of the facility	100MW ac
Supporting Infrastructure	<ul style="list-style-type: none"> • Building Infrastructure: <ul style="list-style-type: none"> ➤ Offices; ➤ Operational control centre; ➤ Operation and Maintenance Area / Warehouse / workshop; ➤ Ablution facilities; ➤ Battery Energy Storage System; ➤ Substation building. • Electrical Infrastructure: <ul style="list-style-type: none"> ➤ 33/132kV Independent Power Producer (IPP) onsite substation including associated equipment and Infrastructure; ➤ Underground cabling and overhead power lines (up to 33kV). • Associated Infrastructure: <ul style="list-style-type: none"> ➤ Access roads and Internal gravel roads; ➤ Fencing and lighting; ➤ Lightning protection ➤ Permanent laydown area; ➤ Temporary construction camp and laydown area; ➤ Telecommunication infrastructure; ➤ Batching plant (if required); ➤ Stormwater channels; and ➤ Water pipelines.
On-site substation	<ul style="list-style-type: none"> • 33/132kV. • 3.3 ha. in extent including associated equipment, cabling and associated Infrastructure.
BESS	<ul style="list-style-type: none"> • Modules within shipping containers; inverters and temperature control equipment.
Grid Connection	<ul style="list-style-type: none"> • 132kV power line. • approximately 1km from tie-in point.

Construction laydown areas	<ul style="list-style-type: none"> • Construction laydown areas to be placed within the area of the onsite substation and areas cleared for the PV facility (where required).
Access road	<ul style="list-style-type: none"> • The use of the existing, tarred R34 regional road, which links Kroonstad with Welkom. • Although formalised, the current intersection layout is somewhat non-standard and some limited improvements might be required. Stormwater structures will be constructed for access road. • Access to the site will be via the existing roads to the site.
Internal roads	<ul style="list-style-type: none"> • Up to 5m wide. • Up to 11km in extent.
Services required	<ul style="list-style-type: none"> • Refuse material disposal - all generated refuse material will be collected by a private contractor and will be disposed of at a licensed waste disposal site off site. This service will be arranged with the municipality when required. • Sanitation – due to the location of the site it is proposed that the project will construct and utilise its own sanitation services as Municipal services do not service the project site. All sewage/effluent water will be managed utilising temporary portable chemical toilets and conservancy/septic tanks. These facilities will be maintained and serviced regularly by an appropriate waste contractor. • Water supply – due to the location of the site it is proposed that the project will utilise and develop its own water provision services based on the fact that these services do not reach the project site. Accordingly, construction water may need to be sourced from municipal supply (by truck); or from groundwater abstraction. • Electricity supply - it is proposed that this power be sourced from the existing power lines and/or diesel generators during the construction period. The necessary applications for the connection to the grid will be submitted to Eskom for approval.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred layout for the proposed construction and operation of the 100MW Rondavel Photovoltaic Solar Energy Facility, with the preferred Solid State Battery Energy Storage System (BESS) and associated infrastructure within Remaining Extent of the Farm Rondavel Noord No. 1475; and remaining extent of the Farm Rondavel No. 627 of Ward 7, Mophaka Local Municipality, 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 must 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. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

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 must 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 site layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity, wetland and heritage information (including no-go areas) must be used in the finalisation of the final site layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
 - 12.1. The preferred Solid State technology and its respective locations for the battery energy storage system;
 - 12.2. All associated infrastructure; and

- 12.3. All sensitive features, including buffers e.g. Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and its associated infrastructure;
13. The Environmental Management Programme (EMPr) submitted as part of the final EIAR is not approved and must be amended to include measures as dictated by the final site layout 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. The specific risk and management plans which are applicable to the impacts associated proposed development;
- 14.3. A storm water management plan which incorporates recommendations from the Department of Water and Sanitation's letter dated 01 June 2021;
- 14.4. Chance Finds Procedures must be developed for the project to ensure that standard protocols and steps are followed should any heritage and/or fossil resources be uncovered during all phases of the project. These procedures should outline the steps and reporting structure to be followed in the instance that heritage resources are found;
- 14.5. All recommendations and mitigation measures recorded in the final EIAR and the specialist studies conducted;
- 14.6. The final preferred layout map;
- 14.7. An environmental sensitivity map indicating environmental sensitivity areas and no-go areas identified during the assessment process.

Frequency and process of updating the EMPr

15. 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.
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. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

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

30. The footprint of the development must be limited to the areas required for actual construction works and operational activities and must be clearly demarcated.
31. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources.
32. All declared allens must be identified and managed in accordance with the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983).
33. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
34. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.
35. Where solid waste is disposed of, such disposal must 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

36. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 36.1. at the site of the authorised activity;
 - 36.2. to anyone on request; and
 - 36.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
37. 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: 04/10/2021


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 amended application form received on 30 April 2021.
- b) The information contained in the EIAR dated June 2021.
- c) The comments received from SAHRA, Department of Forestry, Fisheries and the Environment: Biodiversity Conservation, Department of Water and Sanitation, Department of Forestry, Fisheries and the Environment: IEA and interested and affected parties as included in the EIAR dated June 2021.
- 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 June 2021 and as appears below:

Title	Prepared by	Date
Terrestrial Ecological Impact Assessment	Nkurenkuru Ecology and Biodiversity	25 April 2021
Avifauna Impact Assessment	Chris van Rooyen Consulting	April 2021
Freshwater Impact Assessment	Nkurenkuru Ecology and Biodiversity	23 April 2021
Heritage Impact Assessment	CTS Heritage	December 2020 updated April 2021
Social Impact Assessment	Tony Barbour Environmental Consulting and Research	April 2021
Visual Impact Assessment	LOGIS	April 2021
Soil and Agriculture Potential Impact Assessment	TerraAfrica Consult cc	15 March 2021

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 ties in with the national government policies, plans, and programmes which have relevance to energy planning and production.
- c) The EIAR dated June 2021 identified all legislation and guidelines that have been considered in the preparation of the EIAR.
- d) The location of the proposed development
- e) The methodology used in assessing the potential impacts identified in the EIAR dated June 2021 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 June 2021 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAR dated June 2021 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMP 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: Site Layout Map

