



# 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:** 14/12/16/3/3/2/2144

**Enquiries:** Ms Thembisile Mnisi

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Mr Unai Bravo Urtasun  
San Solar Energy Facility (Pty) Ltd  
Unit 1501, 15th Floor  
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**CAPE TOWN**  
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**Email Address:** [unai.bravo.urtasun@acciona.com](mailto:unai.bravo.urtasun@acciona.com)

## PER EMAIL

Dear Mr Urtasun

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED SAN SOLAR PHOTOVOLTAIC (PV) FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR KATHU, NORTHERN CAPE 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, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the EIA Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (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, 2013 (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 the National Environmental Management Act, 1998 (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 twenty (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: [appealsdirector@dfpe.gov.za](mailto:appealsdirector@dfpe.gov.za)

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

By post: Private Bag X 447  
Pretoria  
0001

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

Yours faithfully



**Ms Millicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 06/12/2022.

cc: Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: <a href="mailto:joanne@savannahsa.com">joanne@savannahsa.com</a>
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## forestry, fisheries & the environment

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

# Environmental Authorisation

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

For the proposed San Solar PV facility and associated infrastructure, near Kathu,  
Northern Cape Province

John Taolo Gaetsewe District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/2/2144
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	San Solar Energy Facility (Pty) Ltd
<b>Location of activity:</b>	Remaining Extent of the Farm Wincanton 472, Gamagara Local Municipality within John in the Northern Cape Province, Ward 7

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 –

### **SOUTH AFRICA MAINSTREAM RENEWABLE POWER DEVELOPMENTS (PTY) LTD**

with the following contact details –

Mr Unai Bravo Urtasun  
San Solar Energy Facility (Pty) Ltd  
Unit 1501, 15th Floor  
Portside Building, 4 Bree Street  
**CAPE TOWN**  
8001

Telephone Number: (021) 912 5309

Email Address: [unai.bravo.urtasun@acciona.com](mailto:unai.bravo.urtasun@acciona.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:

as described in the Environmental Impact Assessment Report (EIAR) dated August 2022 at:

Activity number	Activity description
<p><b><u>GNR .327 (LN1), Activity No. 11(i)</u></b></p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts, excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is-</i></p> <p><i>(a) temporarily required to allow for maintenance of existing infrastructure,</i></p> <p><i>(b) 2 kilometres or shorter in length,</i></p> <p><i>(c) within an existing transmission line servitude; and</i></p> <p><i>(d) will be removed within 18 months of the commencement of development.</i></p>	<p>The San Solar PV facility will include a grid connection solution including a 132kV facility substation, and 132kV switching station to be connected via a 132kV Loop-in-Loop out (LILLO) connection to the Fox-Umtu 132kV overhead power line located southeast of the site. The facility is located outside of an urban area.</p>
<p><b><u>GNR 327, (LN1), Activity No. 14</u></b></p> <p><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 metres or more but not exceeding 500 cubic metres.</i></p>	<p>The development of the PV facility 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 substations where such storage will occur inside containers with a combined capacity exceeding 80 cubic meters but not exceeding 500 cubic meters.</p>
<p><b><u>GNR 327, (LN1), Activity No. 24(ii)</u></b></p> <p><i>The development of a road—</i></p> <p><i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8</i></p>	<p>Access roads will be developed during the construction phase of the project and may exceed 8m in width.</p>

Activity number	Activity description
<p>metres,                      but excluding a road-</p> <p>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014,                      (b) where the entire road falls within an urban area; or                      (c) which is 1 kilometre or shorter.</p>	
<p><b><u>GNR 327, (LN1), Activity No. 28(ii)</u></b></p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare, excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	<p>The total area to be developed for the PV facility and associated infrastructure is greater than 1ha and occurs outside an urban area in an area currently zoned for agriculture.</p>
<p><b><u>GNR 325 (LN2), Activity No. 1</u></b></p> <p>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs-</p> <p>(a) within an urban area; or                      (b) on existing infrastructure.</p>	<p>The proposed PV facility will have a capacity that exceeds 20MW. The San Solar PV facility will have a contracted capacity of 100MW. The facility is located outside of an urban area.</p>
<p><b><u>GNR 325 (LN2), Activity No. 15</u></b></p> <p>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-</p> <p>(i) the undertaking of a linear activity; or</p>	<p>The development of the San Solar PV facility will require the clearance of indigenous vegetation in excess of 20ha for the development of infrastructure</p>

Activity number	Activity description
<p>(ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	
<p><b><u>GNR 324 (LN3), Activity No. 4g(ii)(ee)</u></b></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><b>g. Northern Cape</b></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p>	<p>The development of the PV facility and associated infrastructures will require the development of roads wider than 4m within an ESA area.</p> <p><b>As per the email dated 30 November 2022 from the EAP, the biodiversity plan is not yet adopted by the CA and the Terrestrial Specialist confirmed that there is no CBA on site, the nearest CBA is approximately 10km south-east from the site. In addition, the specialist indicated that there are extensive areas of ESA within the site that cannot be avoided. Therefore, this activity is not triggered and not authorised.</b></p>
<p><b><u>GNR 324 (LN3), Activity No. 10g(iii)(ee)</u></b></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><b>g. Northern Cape</b></p> <p><i>(iii) Outside urban areas</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>The development of the PV facilities and associated infrastructures will require the storage and handling of a dangerous good with a capacity of 80 cubic meters within an ESA area.</p> <p><b>As per the email dated 30 November 2022 from the EAP, the biodiversity plan is not yet adopted by the CA and the Terrestrial Specialist confirmed that there is no CBA on site, the nearest CBA is approximately 10km south-east from the site. In addition, the specialist indicated that there are extensive areas of ESA within the site that cannot be avoided.</b></p>

Activity number	Activity description
	Therefore, this activity is not triggered and not authorised.
<p><b><u>GNR 324 (LN3), Activity No. 12g(ii)</u></b></p> <p><i>The clearance 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.</i></p> <p><i>g. Northern Cape</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans.</i></p>	<p><b>The development of the renewable energy facility and associated infrastructure will require the clearance of more than 300 square meters of indigenous vegetation within an area classified as an ESA.</b></p> <p><b>As per the email dated 30 November 2022 from the EAP, the biodiversity plan is not yet adopted by the CA and the Terrestrial Specialist confirmed that there is no CBA on site, the nearest CBA is approximately 10km south-east from the site. In addition, the specialist indicated that there are extensive areas of ESA within the site that cannot be avoided. Therefore, this activity is not triggered and not authorised.</b></p>
<p><b><u>GNR 324 (LN3), Activity No. 18(g)(ii)(ee)</u></b></p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>g. Northern Cape</i></p> <p><i>(ii) outside urban areas</i></p> <p><i>(ee) Within critical biodiversity areas identified in systematic biodiversity plan adopted by the competent authority or in bioregional plans.</i></p>	<p>The development of the renewable energy facility and associated infrastructures may require the widening of a road by more than 4 metres, outside urban areas and within an area classified as an ESA.</p> <p><b>As per the email dated 30 November 2022 from the EAP, the biodiversity plan is not yet adopted by the CA and the Terrestrial Specialist confirmed that there is no CBA on site, the nearest CBA is approximately 10km south-east</b></p>



Activity number	Activity description
	<p>from the site. In addition, the specialist indicated that there are extensive areas of ESA within the site that cannot be avoided. Therefore, this activity is not triggered and not authorised.</p>

**SG 21 Code**

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Site Coordinates (project site)

	Latitude	Longitude
Northern point	27°33'33.73"S	22°56'35.89"E
Eastern point	27°34'34.73"S	22°57'35.32"E
Southern point	27°35'58.32"S	22°57'7.60"E
Western point	27°34'43.23"S	22°56'16.95"E
Centre point	27°34'48.99"S	22°57'2.07"E

- for the proposed San Solar PV facility and associated infrastructure, near Kathu, Northern Cape Province, hereafter referred to as "the property".

Project description:

The solar PV facility will comprise several arrays of PV panels and associated infrastructure and will have a capacity of up to 100MW and will occupy 400ha of the site. The proposed project will occur on the Remaining Extent of the Farm Wincanton 472 for the San Solar PV facility.

The project entails the following infrastructure:

- PV modules and mounting structures
- Inverters and transformers.
- Cabling between the panels, to be laid underground where practical.
- Battery Energy Storage System (BESS).
- Site and internal access roads (up to 8m wide).
- Laydown area.

- Operation and maintenance buildings including a gate and security building, control centre, offices, warehouse, and workshop areas for maintenance and storage.
- Grid connection solution including a 132kV facility substation, 132kV switching station to be connected via a Loop-in-Loop out (LILO) connection to the Fox-Umtu 132kV overhead power line located southeast of the site.

The site is approximately 991.5ha in extent, of which an area of approximately 400ha is required for the development of the San Solar PV Facility.

Technical Details:

Infrastructure	Description / dimensions
Project site - Total extent of the affected property	<ul style="list-style-type: none"> <li>• ~ 991,5ha</li> </ul>
Total extent of the Development area	<ul style="list-style-type: none"> <li>• ~ 400ha</li> </ul>
Development Footprint	<ul style="list-style-type: none"> <li>• ~ 205ha</li> </ul>
Contracted capacity of the facility	<ul style="list-style-type: none"> <li>• 100MW</li> </ul>
Technology	<ul style="list-style-type: none"> <li>• Solar PV</li> <li>• Monofacial or Bifacial PV panels, mounted on either fixed-tilt, single-axis tracking, and/or double-axis tracking systems</li> </ul>
Battery Energy Storage System (BESS)	<ul style="list-style-type: none"> <li>• Approximately 1ha in extent</li> <li>• The BESS Facility proposes to use solid-state technology as a preferred technology</li> </ul>
Permanent and construction laydown areas	<ul style="list-style-type: none"> <li>• ~ 3ha</li> </ul>
PV panels	<ul style="list-style-type: none"> <li>• Height: 2.5m from ground level (installed)</li> <li>• Panel area: &lt;200ha</li> </ul>
Eskom Switching Substation	<ul style="list-style-type: none"> <li>• Eskom switching substation with a 132kV capacity</li> <li>• &lt;1ha in extent</li> </ul>
Grid connection	<ul style="list-style-type: none"> <li>• 132kV grid connection LILO</li> <li>• Double Circuit line ~2.5km in length</li> <li>• Grid connection corridor (approximately 500m in width) run down the length of the western boundary of the property, enabling a LILO connection to the Fox-Umtu 132kV power line.</li> <li>• 33kV cabling connecting PV array to facility substation.</li> </ul>
Site and internal access	<ul style="list-style-type: none"> <li>• Access to the project site will be via the R380 regional road.</li> </ul>

	<ul style="list-style-type: none"> <li>• An 8m wide main gravel/hard surfaced access road will be constructed to provide direct access to the development area</li> <li>• A network of gravel internal access roads, each with a width of 5m will be constructed to provide access to the various components of the San Solar PV facility development</li> </ul>
Facility Substation	<ul style="list-style-type: none"> <li>• On-site facility substation with a 132kV capacity.</li> <li>• &lt;1ha in extent.</li> </ul>
Other infrastructure	<ul style="list-style-type: none"> <li>✓ Operations and Maintenance buildings</li> <li>✓ Gate house</li> <li>✓ Security building</li> <li>✓ Control centre</li> <li>✓ Office buildings</li> <li>✓ Warehouse</li> <li>✓ Workshop</li> </ul>
Services required	<ul style="list-style-type: none"> <li>✓ 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</li> <li>✓ Sanitation – All sewage/effluent water will be managed utilising temporary portable chemical toilets. Any other effluent discharge during construction will be stored in sealed containers/tanks and collected (honey-sucker) and treated by a service provider (the LM/ Contractor) at an approved facility off site. These facilities will be maintained and serviced regularly by an appropriate waste contractor</li> <li>✓ Water supply – construction water will be sourced from the Gamagara Local Municipality (by tanker)</li> </ul>



## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The proposed San Solar PV facility and associated infrastructure, near Kathu, Northern Cape 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 (10) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

10. 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.
11. The notification referred to must –
  - 11.1. specify the date on which the authorisation was issued,
  - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014,
  - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 11.4. give the reasons of the Competent Authority for the decision.

### **Commencement of the activity**

12. 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**

13. A copy of the final site layout map must be made available for comments to the 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. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
  - 13.1. The position of the solar PV panels.
  - 13.2. Cabling between the panels.
  - 13.3. Battery energy Storage System (BESS) and the coordinates.
  - 13.4. Site and internal access roads (up to 8m wide) and the coordinates (i.e., start, middle and end).
  - 13.5. Laydown area and the coordinates.

- 13.6. Operation and maintenance buildings including a gate and security building, control centre, offices, warehouse, and workshop areas for maintenance and storage and their coordinates.
- 13.7. 132kV facility substation, 132kV switching station and Loop-in-Loop out (LILO) connection to the Fox-Umtu 132kV overhead power line located southeast of the site and their coordinates.
- 13.8. All sensitive features; and
- 13.9. All “no-go” and buffer areas of approximately 200m as per the recommendations of heritage and avifaunal specialists.
14. The Environmental Management Programme (EMPr) for the facility 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. 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.
15. The amended EMPr must include the final layout map.
16. The Generic EMPr for the substation appended to the final EIAr is hereby approved.
17. The generic EMPr for the power line appended to the final EIAr is not approved and must be amended to include the following:
  - 17.1. The revised generic EMPr must include the final layout map.
  - 17.2. The generic EMPr for the powerline must be amended to include the following:
    - 17.2.1. Signed Part B: Section 2 of the generic EMPr as required and for compliance with the requirements of generic EMPr published by the Department (No 435 of 22 March 2019); and
    - 17.2.2. Signed and dated generic EMPr by both the contractor and the holder of the EA. The revised generic EMPr must comply with the requirements as mentioned in the generic EMPr published by the Department (No 435 of 22 March 2019); and
18. 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.
19. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
20. 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

21. 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.
22. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
23. 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.
24. 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.
25. 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

26. 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.
  - 26.1. The ECO must be appointed before commencement of any authorised activities.
  - 26.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 26.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 26.4. 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**

27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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**

33. 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**

34. 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**

35. 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**

36. The ephemeral pans must be considered as a no-go area of the development footprint and must be clearly demarcated on the final layout plan.
37. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors (e.g., ephemeral pan or wetland)
38. Any buried archaeological resources or human remains, or burials be uncovered during the course of development activities must cease in the vicinity of these finds and the South African Heritage Resources Agency (SAHRA) must be contacted immediately.
39. No activities will be allowed to encroach into a water resource without a Water Use License being in place from the Department of Water and Sanitation.
40. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
41. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
42. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the EIAr dated August 2022 must be implemented to reduce the risk of erosion and the invasion of alien species.
43. 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

44. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 44.1. at the site of the authorised activity,
  - 44.2. to anyone on request; and
  - 44.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
45. 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: 06/12/2022.



**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 application form received on 09 March 2022 and the emails dated 29 and 30 November 2022.
- b) The information contained in the final EIAr dated August 2022.
- c) The comments received from interested and affected parties as included in the final EIAr dated August 2022.
- d) Mitigation measures as proposed in the final EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the final EIAr dated August 2022.

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

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The final EIAr dated August 2022 identified all legislations and guidelines that have been considered in the preparation of the EIAr.
- d) The methodology used in assessing the potential impacts identified in the final EIAr dated August 2022 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 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 August 2022 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

- d) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAR and will be implemented to manage the identified environmental impacts during the construction phase.

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

MS.



## forestry, fisheries & the environment

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Forestry, Fisheries and the Environment  
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Ms. Milicent Solomons  
Director: Prioritised Infrastructure Projects

Dear Ms. Solomons

### APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 01 NOVEMBER 2022 – 16 DECEMBER 2022

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorizations, for the period of 01 November 2022 – 16 December 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated 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 1996), 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 Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms. Devnagie Bendeman  
Deputy Director-General: RCSM (Regulatory Compliance and  
Sector Monitoring)

Date: 31 October 2022

#### ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~  
appointment as Acting Chief  
Director: Integrated Environmental  
Authorisations

Signed:

Date: 31/10/2022.