



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: 14/12/16/3/3/2/2161

Enquiries: Dr Danie Smit

Telephone: (012) 399 9493 **E-mail:** DSmit@dfffe.gov.za

Mr Peter Carl Venn
Emoyeni Renewable Energy Farm (Pty) Ltd
Postnet Suite 216
Private Bag X26
Tokai
CAPE TOWN
6001

Telephone Number: (083) 689 3063
Email Address: Peter.venn@windlab.com

PER EMAIL / MAIL

Dear Mr Venn

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED DEVELOPMENT OF UMMBILA EMOYENI SOLAR ENERGY FACILITY, MPUMALANGA 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@dffe.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083

or

By post: Private Bag X447
Pretoria
0001

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

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

Yours faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 30/03/2023

cc:	Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: joanne@savannahsa.com
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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.

Development of Umbila Emoyeni Solar Energy Facility, Mpumalanga Province

Gert Sibande District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/2161</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Emoyeni Renewable Energy Farm (Pty) Ltd</i>
Location of activity:	<i>Portion 0, 11 of Farm 264 – Geluksplaats, Portion 0, 1, 5, 22, Farm 423 – Bekkerust and Portion 8, 9, 32 of Farm 420 – Rietfontein , Within Ward 15 of Govan Mbeki Local Municipality and Ward 12 of Lekwa Local Municipality Gert Sibande District Municipality, Mpumalanga Province.</i>

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 –

EMOYENI RENEWABLE ENERGY FARM (PTY) LTD

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

with the following contact details –

Mr Peter Carl Venn
Emoyeni Renewable Energy Farm (Pty) Ltd
POSTNET SUITE 216
Private Bag X26
Tokai
CAPE TOWN
7966

Telephone Number: (083) 689 3063

Email Address: Peter.venn@windlab.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) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV.</i></p>	<p>Internal electrical infrastructure required to connect the Umbila Emoyeni Solar Energy Facility to the grid connection infrastructure will consist of 33kV cabling (buried or overhead), and 3 x 33/132kV onsite collector substations (IPP Portion).</p>
<p><u>Listing Notice 1, Item 12(ii)(a)(c):</u> <i>The development of – (ii) Infrastructure or structures with a physical footprint of 100 square metres or more Where such development occurs- (a) within a watercourse; or (c) within 32 metres of a watercourse.</i></p>	<p>The construction and operation of the Umbila Emoyeni Solar Energy Facility and associated infrastructure will occur within freshwater/ drainage features, as well as within 32m of these features. The infrastructure will have a physical footprint of more than 100 square metres.</p>
<p><u>Listing Notice 1, Item 14:</u> <i>The development and related operation of facilities and 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 Umbila Emoyeni Solar Energy Facility will require the construction and operation of facilities and infrastructure for the storage and handling of dangerous goods (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the onsite collector substations, 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(i)</u> <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</i></p>	<p>The site for the Umbila Emoyeni Solar Energy Facility is associated with the presence of freshwater/drainage features. Therefore, during the construction phase, 10 cubic metres of rock will be removed from the watercourses for the development</p>

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<p><i>(i) Watercourse.</i></p>	<p>of the Ummbila Emoyeni Solar Energy Facility and associated infrastructure.</p>
<p><u>Listing Notice 1, Item 24(ii)</u> <i>The development of a road – (ii) with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.</i></p>	<p>The construction of the Ummbila Emoyeni Solar Energy Facility will require the construction of new access roads of 12 -13m wide, with 12m at turning circles, in areas where no road reserve exists to provide access to the facility.</p>
<p><u>Listing Notice 1, Item 28(ii)</u> <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: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1ha.</i></p>	<p>The total area to be developed (i.e., the development footprint) for the Ummbila Emoyeni Solar Energy Facility is greater than 1ha and occurs outside an urban area in an area currently zoned for agriculture.</p>
<p><u>Listing Notice 1, Item 56(ii)</u> <i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (ii) where no reserve exists, where the existing road is wider than 8 metres.</i></p>	<p>Existing farm roads within the project site may require widening, and access roads will be widened by more than 6 metres.</p>
<p><u>Listing Notice 2, Item 1</u> <i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20MW or more.</i></p>	<p>The project comprises a renewable energy generation facility, which will utilise solar power technology and will have a generation capacity of up to 150MW.</p>
<p><u>Listing Notice 2, Item 15</u> <i>The clearance of an area of 20ha or more of indigenous vegetation.</i></p>	<p>The facility is located on agricultural land where the predominant land use is farming. The project will require the clearance of indigenous vegetation within an area in excess of 20ha for the development of infrastructure.</p>

<p><u>Listing Notice 3, Item 4(f)(i)(ee):</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>f. Mpumalanga</i></p> <p><i>i. 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 Umbila Emoyeni Solar Energy Facility will require the development of access roads of 12 – 13m wide, with 12m at turning circles, in the Mpumalanga Province and outside urban areas. The project site is associated with the presence of a CBA1: Optimal (Terrestrial) and a CBA1: Irreplaceable (Freshwater).</p>
<p><u>Listing Notice 3, Item 10(f)(i)(cc)(ee)(hh)</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>f. Mpumalanga</i></p> <p><i>i. Outside urban areas</i></p> <p><i>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority</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><i>(hh) Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</i></p>	<p>The development of the Umbila Emoyeni Solar Energy Facility will require the construction and operation of facilities for the storage and handling of a dangerous goods (combustible and flammable liquids, such as oils, lubricants, solvents) associated with the onsite collector substations, where such storage will include containers with a capacity of 80 cubic meters. The site is associated with the presence of freshwater/drainage features, a CBA1: Optimal (Terrestrial) and a CBA1: Irreplaceable (Freshwater) and is located within the Mpumalanga Province and outside urban areas. Further, parts of the site are located in areas which could be considered sensitive in terms of the Gert Sibande District Environmental Management Framework (EMF).</p>
<p><u>Listing Notice 3, Item 12(f)(ii)</u></p> <p><i>The clearance of an area of 300m² or more of indigenous vegetation within:</i></p> <p><i>b. Mpumalanga</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans.</i></p>	<p>The Umbila Emoyeni Solar Energy Facility development will require clearance in excess of 300m² within areas classified as CBA1: Optimal (Terrestrial) and CBA1: Irreplaceable (Freshwater) in the Mpumalanga Province.</p>

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<p><u>Listing Notice 3, Item 14(ii)(a)(c)(f)(i)(d d)(ff)</u></p> <p>The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</p> <p>(a) within a watercourse; or</p> <p>(c) within 32 metres of a watercourse, measured from the edge of a watercourse.</p> <p>f. ii. Outside urban areas:</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans. Mpumalanga.</p>	<p>The development of Ummbila Emoyeni Solar Energy Facility will require the establishment of infrastructure with a physical footprint exceeding 10m². The site is associated with the presence of freshwater/drainage features, a CBA1: Optimal (Terrestrial) and a CBA1: Irreplaceable (Freshwater), and is located within the Mpumalanga Province, and outside urban areas. Further, parts of the site are located in areas which could be considered sensitive in terms of the Gert Sibande District Environmental Management Framework (EMF).</p>
<p><u>Listing Notice 3, Item 18(f)(i)(ee)</u></p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas:</p> <p>(ee) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>The development of the Ummbila Emoyeni Solar Energy Facility will require the widening of roads by more than 4m, outside urban areas, and within areas classified as CBA1: Optimal (Terrestrial) and CBA1: Irreplaceable (Freshwater) in the Mpumalanga Province.</p>

145.

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

Farm Names and SG 21 Code:

SG 21 Code	Farm Name	Farm Number	Portion
T0IS00000000026400000	Geluksplaats	264	0
T0IS00000000026400011	Geluksplaats	264	11
T0IS00000000042000008	Rietfontein	420	8
T0IS00000000042000009	Rietfontein	420	9
T0IS00000000042000032	Rietfontein	420	32
T0IS00000000042300000	Bekkerust	423	0
T0IS00000000042300001	Bekkerust	423	1
T0IS00000000042300005	Bekkerust	423	5
T0IS00000000042300022	Bekkerust	423	22

Coordinated of the infrastructure

Infrastructure	Coordinates
Solar Site Coordinates (centre of project site)	26°32'30.89"S, 29°34'2.74"E
Corner coordinates of project site (solar)	26°30'43.00"S; 29°34'41.59"E
	26°32'18.29"S; 29°34'17.46"E
	26°33'33.85"S; 29°33'23.05"E
	26°33'26.05"S; 29°32'57.43"E
Onsite Collector substation	26°32'41.78"S, 29°34'4.15"E
Battery Energy Storage System (BESS)	26°32'39.86"S, 29°34'4.92"E

Access and internal roads	<p><u>Solar Farm 1 Roads:</u></p> <p><u>Main Road 1 to Solar Farm 1:</u></p> <p>Start: 26°33'18.72"S, 29°35'7.76"E</p> <p>Middle: 26°32'54.32"S, 29°34'38.61"E</p> <p>End point: 26°32'23.61"S, 29°34'11.42"E</p>
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	<p><u>Solar Farm 1 to Solar Farm 4:</u> Start: 26°32'23.61"S, 29°34'11.42"E Middle: 26°31'43.34"S, 29°34'17.47"E End point: 26°31'7.68"S, 29°34'31.82"E</p> <p><u>Solar Farm 2 Roads</u></p> <p><u>Solar Farm 2 to Solar Farm 3:</u> Start: 26°33'18.24"S, 29°34'1.46"E Middle: 26°33'39.40"S, 29°33'49.50"E End point: 26°33'33.59"S, 29°33'23.72"E</p> <p><u>Solar Farm 3 Roads</u></p> <p><u>Solar Farm 3 to Main Road 2:</u> Start: 26°33'33.59"S, 29°33'23.72"E Middle: 26°33'44.37"S, 29°33'5.94"E End point: 26°34'3.68"S, 29°32'57.47"E</p> <p><u>Solar Farm 4 Roads</u></p> <p><u>Solar Farm 4 to Main Road 3:</u> Start: 26°31'7.16"S, 29°34'31.75"E Middle: 26°31'26.65"S, 29°33'35.69"E End point: 26°31'3.80"S, 29°32'35.96"E</p> <p><u>Solar Farm 4 to Main Road 4:</u> Start: 26°30'42.93"S, 29°34'42.92"E Middle: 26°30'32.00"S, 29°34'47.46"E End point: 26°30'16.56"S, 29°34'51.34"E</p>
Temporary infrastructure	26°32'33.86"S, 29°34'12.24"E

- for the development of Ummbila Emoyeni Solar Energy Facility, Mpumalanga Province, hereafter referred to as "the property."

The infrastructure associated with the development of Ummbila Emoyeni Solar Energy Facility will include will comprise the following:

- Up to 522 727 PV modules in the range of 330Wp to 450Wp mounted on either a fixed tilt or single axis tracker structure, dependent on optimisation, technology available and cost.
- Inverters and transformers.
- 33kV cabling to connect to the onsite collector substation, to be laid underground where practical.
- 33kV/132kV onsite collector substation (IPP Portion) and Eskom switching station.
- Battery Energy Storage System (BESS).
- Cabling between project components.
- Laydown and O&M hub (approximately 300m x 300m):
 - Construction compound (temporary).
 - Maintenance office.
- Access roads (up to 12m wide) and internal distribution roads (up to 12m wide)

Technical details of the SEF:

Infrastructure	Description/ Dimensions
Number of Panels	522 727
Panel Height	Up to 5m
Technology	Use of fixed-tilt, single-axis tracking, and/or double-axis tracking PV technology. Monofacial or bifacial panels are both considered.
Contracted Capacity.	Up to 150MW
Area occupied by the solar array.	255.2ha
Area occupied by the on-site facility substation (IPP Portion).	~5ha
Capacity of on-site facility substation (IPP Portion).	33kV/132kV
Underground cabling between the PV array and the onsite substation.	Cabling will be installed underground where feasible at a depth of up to 1.5m to connect the PV panels to the on-site facility substation. Where not technically feasible to place cabling underground, this will be installed above-ground. The cabling will have a capacity of up to 33kV.
Laydown and Operations and Maintenance (O&M) hub.	~ 300m x 300m, comprising: <ul style="list-style-type: none"> • Batching plant of up to 7ha

	<ul style="list-style-type: none"> • Construction compound (temporary) of approximately 6 ha. • O&M office of approximately 1.5ha.
Area occupied by laydown area.	~75m x 120m
Access and internal roads.	Wherever possible, existing access roads will be utilised to access the project site and development footprint. It is unlikely that access roads will need to be upgraded as part of the proposed development. Internal roads of up to 12-13m in width will be required to access the PV facility and the on-site substation.
Grid connection.	<p>The grid connection infrastructure will include a 400/132kV MTS, to be located between the Camden and SOL Substations, which will be looped in and out of the existing Camden-Sol 400kV transmission line.</p> <p>On-site switching stations (132kV in capacity) at each renewable energy facility (Eskom Portion).</p> <p>132kV power lines from the switching stations at each renewable energy facility to the new 400/132kV MTS; and a collector substation with 2 x 132kV bus bars and 4 x 132kV IPP feeder bays to the onsite IPP Substation.</p> <p>The grid connection infrastructure have been assessed as part of a separate S&EIA process in support of an application for EA (DFFE Reference number: 14/12/16/3/3/2/2162).</p>
Temporary infrastructure/	Temporary infrastructure, including laydown areas, hardstand areas and a concrete batching plant, will be required during the construction phase. All temporary infrastructure will be rehabilitated following the completion of the construction phase, where it is not required for the operation phase.

165

Conditions of this Environmental Authorisation

Scope of authorisation

1. The development of Umbila Emoyeni Solar Energy Facility including all associated infrastructure located within Ward 15 of Govan Mbeki Local Municipality, Ward 12 of Lekwa Local Municipality, within the jurisdiction of Gert Sibande District Municipality in Mpumalanga Province is approved as per the geographic coordinates cited 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. The site layout plans as attached as Appendix O (Site maps) of the EIAr dated November 2022 is not approved. A copy of the final site layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
 - 12.1. The position of PV facility and associated infrastructure;
 - 12.2. Internal roads indicating width;
 - 12.3. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;

- 12.4. All sensitive features e.g., Important Bird Areas, Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 12.5. substation(s) inverters and/or transformer(s) sites including their entire footprint;
 - 12.6. Connection routes (including pylon positions) to the distribution/transmission network;
 - 12.7. All existing infrastructure on the site, such as roads;
 - 12.8. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 12.9. Buildings, including accommodation; and,
 - 12.10. All "no-go" and buffer areas.
13. 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 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. All recommendations and mitigation measures recorded in the EIAr and the specialist reports as included in the EIAr dated November 2022.
 - 14.2. The requirements and conditions of this authorisation.
 - 14.3. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
 - 14.4. An environmental sensitivity map indicating environmentally sensitive areas and features identified during the EIA process.
 - 14.5. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmentally sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
 15. The Generic Environmental Management Programme (EMPr) for substation submitted as part of the EIAr dated November 2022 is not approved and Part C 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. Part C of the generic EMPr must be made available for comments to registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the generic EMPr must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPr must be amended to include the following.

- 15.1. The requirements and conditions of this Environmental Authorisation;
- 15.2. Measures as dictated by the final site lay-out map.
- 15.3. All recommendations and mitigation measures recorded in the EIAr and the specialist reports as included in the EIAr dated November 2022;
- 15.4. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use or storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems;
- 15.5. A fire management plan to be implemented during the construction and operation of the facility;
- 15.6. A re-vegetation and habitat rehabilitation plan. The plan must provide for restoration to be undertaken as soon as possible after completion of construction activities, to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- 15.7. An aquatic Rehabilitation and Monitoring plan, particularly for watercourse features that will be infilled and / or excavated;
- 15.8. A stormwater management plan; and
- 15.9. The final site layout map.
16. 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.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.
19. 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

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 27 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.
21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
22. 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.

23. 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.
24. 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

25. 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.
 - 25.1. The ECO must be appointed before commencement of any authorised activities.
 - 25.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 25.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 25.4. 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

26. 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.
27. 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.

28. 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.
29. 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.
30. 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.
31. 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

32. 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

33. 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

34. 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

35. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
36. 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, SAHRA must be informed, and the services of an accredited heritage professional obtained for an assessment of the heritage resources to be made.
37. No development is permitted within the identified no-go areas.
38. Preconstruction walk-through of the final development footprint for protected species that would be affected and that can be translocated must be undertaken by the Ecological specialist. The survey must also cover sensitive habitats and species that are required to be avoided.
39. 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 EMP to be submitted to this Department for approval before commencement of construction activities.
40. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
41. The holder of the authorisation is required to inform the Mpumalanga Department of Agriculture Rural Development and Environmental Affairs (DARDEA), Forestry and Fisheries (DAFF) and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
42. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Specialist Studies dated November 2022 must be implemented to reduce the risk of erosion and the invasion of alien species.
43. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
44. 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).
45. Waste, which is not authorised for disposal on site as part of the approved development, must be dealt with according to relevant legislation or the Department's policies and practices.

46. The holder of Environmental Authorisation must prevent the occurrence of nuisance conditions or health hazards.
47. No effluent must be discharged into any storm water drain or furrow, whether by commission or by omission.

General

48. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 48.1. at the site of the authorised activity;
 - 48.2. to anyone on request; and
 - 48.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
49. 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: 30/03/2023.



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 application form received on 13 May 2022.
- b) The information contained in the EIAr dated November 2022.
- c) The comments received from SAHRA, Eskom, Town and Regional Planning Govan Mbeki Local Municipality, Department of Water and Sanitation, and interested and affected parties as included in the EIAr dated November 2022.
- 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 November 2022 and as appears below:

Title	Prepared by	Date
Terrestrial Ecology	Nkurenkuru Ecology and Biodiversity	September 2022
Freshwater Ecology	Nkurenkuru Ecology and Biodiversity	September 2022
Avifauna	Arcus Consultancy Services South Africa (Pty) Limited	September 2022
Bat Impact Assessment	Camissa Sustainability Consulting	June 2022
Soils and Agricultural Potential	The Biodiversity Company	June 2022
Heritage (including archaeology, palaeontology and sense of place)	CTS Heritage	August 2022
Noise Impact Assessment	Enviro-Acoustic Research cc	
Visual	Environmental Planning and Design	August 2022
Socio-Economic Impact Assessment	Urban-Econ Development Economists	August 2022
Traffic Impact Assessment	JG Afrika (Pty) Ltd	September 2022
EMPrs	Savannah Environmental (Pty) Ltd	October 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 EIA dated November 2022 identified all legislation and guidelines that have been considered in the preparation of the EIA.
- d) The location of the proposed Solar energy facility.
- e) The methodology used in assessing the potential impacts identified in the EIA dated November 2022 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 EIA dated November 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 information contained in the EIA dated November 2022 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 EIA 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.



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
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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. Devinagle Bendeman

Deputy Director-General: Regulatory Compliance and Sector Monitoring

Date: 22 February 2023



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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