



# 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:** 14/12/16/3/3/2/2180

**Enquiries:** Ms Bathandwa Ncube

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Ms Yi (Christine) He  
Mutsho Power (Pty) Ltd  
PO Box 2862  
**RIVONIA**  
2128

Telephone Number : 011 467 4077  
Cellphone Number : 083 289 3133  
Email Address : [Christine@crieagle.co.za](mailto:Christine@crieagle.co.za)

## PER EMAIL / MAIL

Dear Ms. He

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF THE MUTSHO SOLAR PV 1, NEAR MOPANE, WITHIN THE MUSINA LOCAL MUNICIPALITY, LIMPOPO 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 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@dfef.gov.za](mailto:appeals@dfef.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.dffe.gov.za/documents/forms#legal\\_authorisations](https://www.dffe.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@dfef.gov.za](mailto:appeals@dfef.gov.za).

Yours faithfully

  
**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: *12/06/2023*

|     |                            |                                  |   |
|-----|----------------------------|----------------------------------|---|
| cc: | Jo-Anne Thomas             | Savannah Environmental (Pty) Ltd | Email: <a href="mailto:loanne@savannahsa.com">loanne@savannahsa.com</a>       |
|     | Ngoasheng Tihagala         | Limpopo DEDET                    | Email: <a href="mailto:NgoashengTR@ledet.gov.za">NgoashengTR@ledet.gov.za</a> |
|     | Nkhanedzeni Godfrey Mawela | Musina Local Municipality        | Email: <a href="mailto:info@musina.gov.za">info@musina.gov.za</a>             |



## forestry, fisheries & the environment

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

# Environmental Authorisation

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

The development of the 100MW Mutsho Solar PV1 within the Musina Local Municipality in the Limpopo Province

Vhembe District Municipality

|                                       |   |
|---------------------------------------|---|
| <b>Authorisation register number:</b> | 14/12/16/3/3/2/2180   |
| <b>Last amended:</b>                  | First issue   |
| <b>Holder of authorisation:</b>       | Mutsho Power (Pty) Ltd  |
| <b>Location of activity:</b>          | on the Remaining Extent of Farm Vrienden 589 MS, located approximately 8km south-west of Mopane and 39km south-west of Musina; Musina Local Municipality; Vhembe District Municipality; Limpopo 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 –

### **MUTSHO POWER (PTY) LTD**

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

with the following contact details –

Ms Yi (Christine) He  
Mutsho Power (Pty) Ltd  
P O Box 2862,  
**RIVONIA**  
2128

Telephone Number: (011) 467 4077

Email Address: [Christine@crieagle.co.za](mailto:Christine@crieagle.co.za)

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(i):</u><br/> <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 275 kilovolts</i></p>   | <p>Electrical infrastructure required to connect the PV facility to the national grid will consist of a 33/132kV onsite substation (IPP Portion). The site is located outside an urban area.</p>  |
| <p><u>Listing Notice 1, Item 12(ii)(a)(c):</u><br/> <i>The development of- (ii) infrastructure or structures with a physical footprint of 100 square meters or more; where such development occurs- (a) within a watercourse; (c) if no development setback exists, within 32 meters of a watercourse, measured from the edge of a watercourse</i></p> | <p>The project site is characterised by watercourses. The proposed development will therefore require the establishment of infrastructure within a physical footprint exceeding 100 square metres within a watercourse or within 32 metres of a watercourse identified within the project site.</p>   |
| <p><u>Listing Notice 1, Item 14:</u><br/> <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 project 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 substation where such storage will occur inside containers with a combined capacity exceeding 80 cubic meters but not exceeding 500 cubic meters.</p> |
| <p><u>Listing Notice 1, Item 19:</u><br/> <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse</i></p>  | <p>The project site is characterised by watercourses and therefore, the development will require the removal of approximately 10 cubic metres of soil and rock from the watercourses during the construction phase.</p>   |

|   |  |
|---|--|
| <p><u>Listing Notice 1, Item 28(ii)</u><br/><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:<br/>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare</i></p> | <p>The total area to be developed for Mutsho Solar PV1 is greater than 1ha and occurs outside an urban area in an area currently zoned for agriculture.</p>  |
| <p><u>Listing Notice 2, Item 1</u><br/><i>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more</i></p>  | <p>The project comprises a renewable energy generation facility, which will utilise solar power technology and will have a generating capacity of up to 100MW.</p>   |
| <p><u>Listing Notice 2, Item 15</u><br/><i>The clearance of an area of 20 hectares or more of indigenous vegetation</i></p>   | <p>The facility is located on agricultural land and is therefore likely to comprise indigenous vegetation. The project would therefore result in the clearance of indigenous vegetation within an area in excess of 20ha for the development infrastructure.</p>   |
| <p><u>Listing Notice 3, Item 4(e)(i)(dd)</u><br/><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres<br/>e. Limpopo<br/>i. Outside urban areas:<br/>(dd) Sites or areas identified in terms of an international convention</i></p>  | <p>Internal gravel roads of up to 5km in length and 4.5m in width will be required to access the PV panels and the onsite substation. The site falls within the Limpopo Province, outside urban areas, and within the Vhembe Biosphere Reserve, which is classified as a United Nations Educational, Scientific and Cultural Organization (UNESCO) site.</p> |
| <p><u>Listing Notice 3, Item 10(e)(i)</u><br/><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>The development of the facility will require the storage and handling of a dangerous good with a capacity of 80 cubic meters. The site is located within the Limpopo Province.</p>  |

|  |   |           |
|--|---|-----------|
| <p>e. Limpopo<br/>i. All areas</p>   |   |           |
| <p><u>Listing Notice 3, Item 14(ii)(a)(c)(e)(i)(ee)(ff)</u><br/>The development of—<br/>(ii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs—<br/>(a) within a watercourse;<br/>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse<br/>e. Limpopo<br/>i. Outside urban areas:<br/>(ee) Sites or areas identified in terms of an international convention;<br/>(ff) 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 project site is characterised by watercourses. The proposed development will therefore require the establishment of infrastructure with a physical footprint exceeding 100 square metres within a watercourse or within 32 metres of a watercourse identified within the project site. The site falls within the Limpopo Province, outside urban areas, and within the Vhembe Biosphere Reserve, which is classified as a United Nations Educational, Scientific and Cultural Organization (UNESCO) site. The site also overlaps with an Ecological Support Area (ESA2).</p> | <p>as</p> |

described in the Environmental Impact Assessment Report (EIAR) dated February 2023 at:

**SG 21 Code**

|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

| Mutsho Solar PV1 | Corner | Latitude      | Longitude     |
|------------------|--------|---------------|---------------|
| Site Coordinates | 1      | 22°41'21.30"S | 29°48'15.41"E |
|                  | 2      | 22°41'8.85"S  | 29°48'25.67"E |
|                  | 3      | 22°41'8.30"S  | 29°48'24.89"E |
|                  | 4      | 22°39'53.24"S | 29°49'26.93"E |
|                  | 5      | 22°39'53.39"S | 29°49'27.02"E |
|                  | 6      | 22°39'53.01"S | 29°49'27.35"E |
|                  | 7      | 22°40'16.51"S | 29°49'38.94"E |

|                      |        |               |               |
|----------------------|--------|---------------|---------------|
|                      | 8      | 22°42'14.12"S | 29°51'5.82"E  |
|                      | 9      | 22°42'21.52"S | 29°50'30.53"E |
|                      | 10     | 22°42'12.91"S | 29°49'46.90"E |
|                      | 11     | 22°42'34.27"S | 29°49'28.35"E |
|                      | 12     | 22°42'39.95"S | 29°49'1.23"E  |
|                      |        |               |               |
| Onsite substation    | 1      | 22°41'9.92"S  | 29°50'10.03"E |
|                      | 2      | 22°41'9.83"S  | 29°50'14.63"E |
|                      | 3      | 22°41'13.00"S | 29°50'14.63"E |
|                      | 4      | 22°41'13.07"S | 29°50'10.13"E |
|                      |        |               |               |
| BESS coordinates     | 1      | 22°41'9.78"S  | 29°50'14.67"E |
|                      | 2      | 22°41'9.74"S  | 29°50'18.16"E |
|                      | 3      | 22°41'12.96"S | 29°50'18.25"E |
|                      | 4      | 22°41'12.95"S | 29°50'14.76"E |
|                      |        |               |               |
| Existing access road | Start  | 22°41'12.63"S | 29°48'22.57"E |
|                      | Middle | 22°41'43.79"S | 29°49'2.55"E  |
|                      | End    | 22°42'12.18"S | 29°49'46.81"E |

- for the development of the 100MW Mutsho Solar PV1 within the Musina Local Municipality in the Limpopo Province, hereafter referred to as "the property".

The facility will comprise the following:

- Solar PV array comprising PV panels and mounting structures, to supply a contracted capacity of up to 100MW.
- Inverters and transformers.
- Cabling between the project components.
- 33/132kV onsite substation (IPP Portion), including associated equipment and infrastructure – the onsite substation will be completely constructed as part of phase 1 (i.e., as part of Mutsho Solar PV1) but only equipped for the first 100MW. When such a time comes that the next 100 MW is constructed, the existing substation will be equipped for the additional 100MW generation capacity (i.e., additional transformers, extending the busbars, etc.). This approach will be followed as each 100MW facility is added to the cluster.

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- Battery Energy Storage System (BESS) - In a similar manner to the onsite substation, one BESS will be constructed for the entire 400MW project. The BESS will be added in a phased approach as required. Each project phase may or may not require a BESS, depending on the Power Purchase Agreement requirements.
- Site offices, warehouses, and guardhouses.
- Water storage tanks at admin block for human consumption.
- Laydown areas.
- Internal gravel distribution roads.

Technical details of the SEF:

| Component  | Description/ Dimensions  |
|--|--|
| Number of Panels   | Up to ~213 250   |
| Panel Height   | Up to ~3m (when panel is horizontal)   |
| Technology   | Horizontal single-axis tracking PV technology. Monofacial or bifacial panels are both considered. Central inverters and string inverters are both also considered.   |
| Contracted Capacity  | Up to 100MW  |
| Area occupied by the solar array                                   | ~167ha   |
| Area occupied by the onsite substation (IPP Portion)               | ~0.65ha (IPP Portion)  |
| Capacity of onsite substation (IPP Portion)                        | 33kV/132kV   |
| Underground cabling between the PV array and the onsite substation | Underground cabling will be installed at a depth of up to 1.5m to connect the PV array to the onsite substation. The cabling will have a capacity of up to 33kV.   |
| Battery Energy Storage System (BESS)                               | <ul style="list-style-type: none"> <li>» Capacity: 40MW/80MWh (for Mutsho Solar PV1)</li> <li>» Footprint: 100mx100m</li> <li>» Proposed technology to be used: Lithium - Ion Battery or Lithium-iron-phosphate Battery or Redox vanadium.</li> <li>» Battery types to be considered: Solid State Batteries and Redox Flow Batteries.</li> </ul> |
| Area occupied by laydown area                                      | 0.5ha  |

| Component                 | Description/ Dimensions   |
|---------------------------|---|
| Access and internal roads | <p>Existing gravel access roads will be utilised to access the project site. If the width of the existing roads is less than 4m, then it will be widened to 4m to ensure the passage of vehicles. The widened part will be covered with mud and gravel.</p> <p>Internal gravel roads of up to 5km in length and 4.5m in width will be required to access the PV panels and the onsite substation.</p>   |
| Grid connection           | <p>The 33/132kV onsite substation (which comprises an IPP Portion and an Eskom Portion) will be connected to the existing Nzhelele Substation via a new 132kV double circuit overhead power line.</p> <p>There will be a single substation location for the entire 4 x 100MW project. The onsite substation will be completely constructed as part of phase 1 but only equipped for the first 100MW. When such a time comes that the next 100MW is constructed, the existing substation will be equipped for the additional 100MW generation capacity (i.e., additional transformers, extending the busbars, etc.). This approach will be followed as each 100MW facility is added to the cluster.</p> <p>The Eskom Portion of the 33/132kV onsite substation and the new 132kV single and double-circuit power line will be assessed as part of a separate Basic Assessment process in support of an application for EA.</p> |
| Temporary infrastructure  | <p>Temporary infrastructure, including laydown areas, will be required during the construction</p>  |

| Component | Description/ Dimensions   |
|-----------|---|
|           | phase. All areas affected by temporary infrastructure will be rehabilitated following the completion of the construction phase, where it is not required for the operation phase. |

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The the development of the 100MW Mutsho Solar PV1 within the Musina Local Municipality in the Limpopo Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

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 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:

- 13.1. The amended Mutsho 1 PV facility that avoids the closed woodland, rocky area and watercourses as they are regarded as high sensitivity.
14. The Environmental Management Programme (EMPr) submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.

#### **Frequency and process of updating the EMPr**

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

### **Monitoring**

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
- 23.1. The ECO must be appointed before commencement of any authorised activities.
- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

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

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
25. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.

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

#### **Notification to authorities**

30. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. 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**

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

#### **Site closure and decommissioning**

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

#### **Specific conditions**

##### Conditions for Non-operational aspects

33. The EMPr must be amended to include a layout plan of the final PV facility that avoids all the identified no-go areas.
  34. A 20m buffer must be implemented around the identified Stone Age artefacts.
  35. A 200m no-go buffer must be implemented around site V04.
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36. A 100m no-go buffer must be implemented around site MOP115.
37. 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.
38. 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

39. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 39.1. at the site of the authorised activity;
  - 39.2. to anyone on request; and
  - 39.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
40. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 12/06/2023



Mr Sabelo Malaza

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



## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received on 27 July 2022.
- b) The information contained in the EIAr dated February 2023.
- c) The comments received from interested and affected parties as included in the EIAr dated February 2023.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated February 2023 and as appears below:

| Title   | Prepared by                       | Date           |
|---|-----------------------------------|----------------|
| Terrestrial Ecology & Wetland<br>Baseline & Impact Assessment | The Biodiversity Company          | June 2022      |
| Avifaunal Impact Assessment                                   | The Biodiversity Company          | June 2022      |
| Soil Impact Assessment  | The Biodiversity Company          | May 2022       |
| Socio-Economic Impact<br>Assessment                           | Urban-Econ Development Economists | September 2022 |
| Visual Impact Assessment                                      | Environmental Planning and Design | August 2022    |
| Heritage Impact Assessment                                    | Prepared by CTS Heritage          | November 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 EIAr dated February 2023 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed solar energy facility.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated February 2023 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

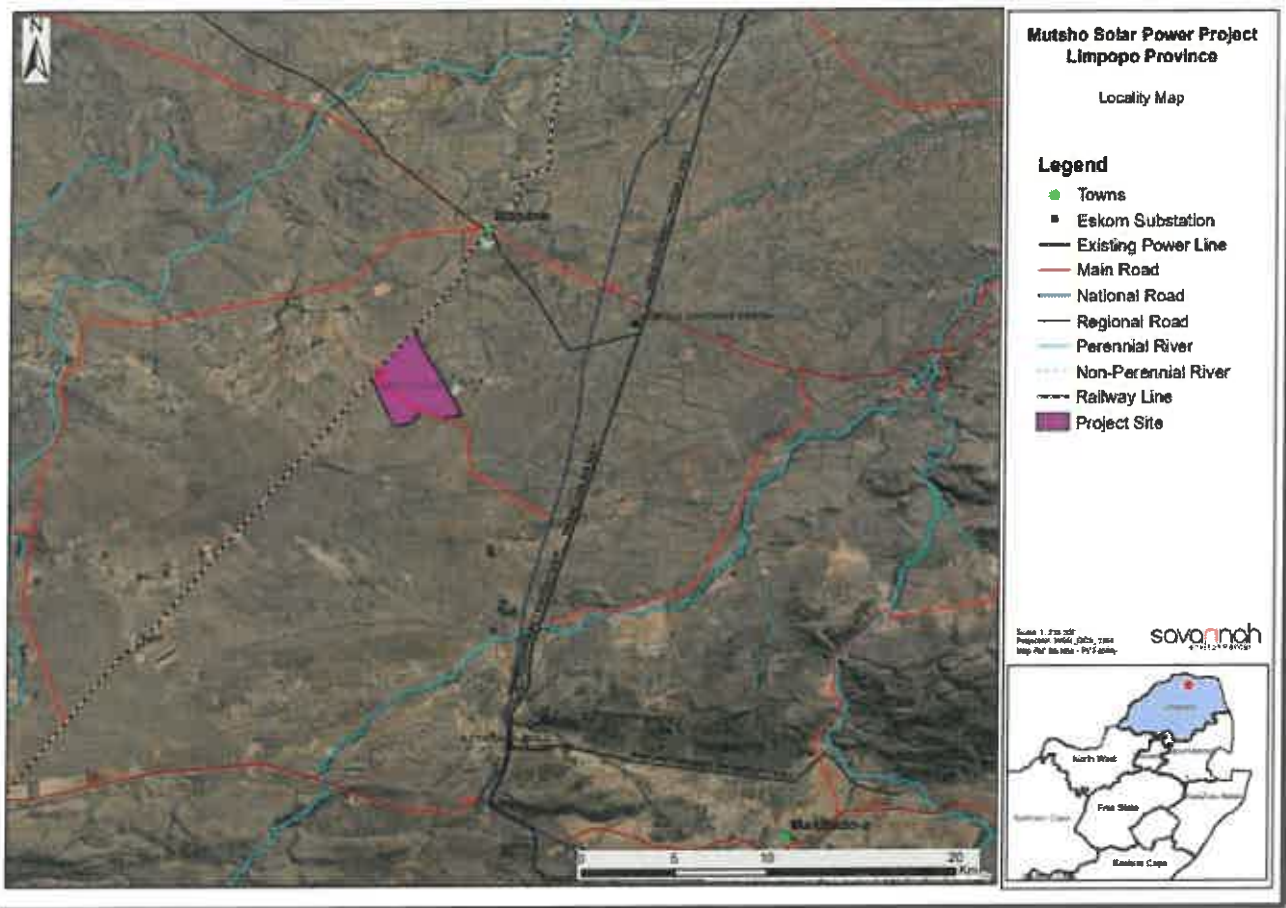
## 3. Findings

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

- a) The identification and assessment of impacts are detailed in the EIAr dated February 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAr dated February 2023 is deemed to be accurate and credible.
- d) The findings of the site inspection held on 10 May 2023.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction phase.

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

## Annexure 2: Locality Plan



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