



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: 14/12/16/3/3/2/2218

Enquiries: Mr Jay-Jay Mpelane

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Mr Alan Wolfromm
Khauta e Nyane Solar PV Facility RF (Pty) Ltd
PO Box 762
WILDERNESS
6560

Tel number: 066 307 3804
Email address: mrwolf@wkn-windcurrent.com

PER EMAIL / MAIL.

Dear Mr Wolfromm

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE DEVELOPMENT OF A 50MW SOLAR PHOTOVOLTAIC (PV) FACILITY ON PORTION 9 OF THE FARM COMMANDANTS PAN NO. 382 AND PORTION 3 OF THE FARM KOPJE ALLEEN NO. 81, KHAUTA E NYANE SOLAR PV FACILITY, RIEBEECKSTAD NEAR WELKOM, MATJHABENG LOCAL MUNICIPALITY, FREE STATE PROVINCE.

With reference to the above application, please be advised that the Department has decided to **grant authorisation**. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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

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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

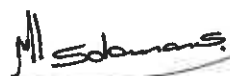
By hand: Environment House
473 Steve Biko Road
Arcadia
PRETORIA
0083

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 or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully



Ms Milicent Solomons
Chief Director (Acting): Integrated Environmental Authorisations
Department of Forestry, Fisheries & the Environment
Date: 28/06/2023.

Cc:	Ms Grace Mkhosana.	Free State: DESTEA.	Email: mkhosana@destea.gov.za
	Mr T Tsoaeli.	Matjhabeng Local Municipality	Email: mm@matjhabeng.co.za
	Elana Mostert	King's Landing Trading 507 (Pty) Ltd t/a Enviroworks	Email: elana@enviroworks.co.za



forestry, fisheries & the environment

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

Environmental Authorisation

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

**CONSTRUCTION OF A 50MW SOLAR PHOTOVOLTAIC (PV) FACILITY ON PORTION 9 OF THE FARM
COMMANDANTS PAN NO. 382 AND PORTION 3 OF THE FARM KOPJE ALLEEN NO. 81, KHAUTA E
NYANE SOLAR PV FACILITY, RIEBEECKSTAD NEAR WELKOM, MATJHABENG LOCAL
MUNICIPALITY, FREE STATE PROVINCE**

LEJWELEPUTSWA DISTRICT MUNICIPALITY

Authorisation register number:	14/12/16/3/3/2/2218
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Khauta eNyane Solar PV Facility RF (Pty) Ltd</i>
Location of activity:	<i>Free State Province: Matjhabeng Local Municipality within Ward 10, located on Portion 3 of the Farm Kopje Alleen No. 81 and Portion 9 of the Farm Commandants Pan No. 382, situated north-east of Riebeeckstad near Welkom.</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 –

Khauta eNyane Solar PV Facility RF (Pty) Ltd

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

with the following contact details –

Mr Alan Wolfromm
Khauta eNyane Solar PV Facility RF (Pty) Ltd
PO Box 762
WILDERNESS
6560

Tel number: 066 307 3804
Email address: mrwolf@wkn-windcurrent.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the NEMA EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><u>Listing Notice 1, Item 11:</u> The development of facilities or infrastructure for the transmission and distribution of electricity-</p> <p>(i) Outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</p>	<p>The proposal includes medium voltage (MV) cabling of up to 33/132 Kilovolts (kV) and onsite substation with a capacity of up to 132kV.</p>
<p><u>Listing Notice 1, Item 12:</u> The development of-</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square meters or more,</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p>	<p>The proposed Khauta eNyane SPV Facility access road development and supporting services infrastructure have a cumulative footprint exceeding 100 square meters within a watercourse or within 32m of a watercourse. The use of existing infrastructure and footprints will be preferred.</p>
<p><u>Listing Notice 1, Item 14:</u> 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.</p>	<p>"Dangerous goods" associated with the project include fuel stored during the construction phase and/or hazardous chemical substances at the substation during the operational phase. Threshold of 500 m³ will not be exceeded.</p>
<p><u>Listing Notice 1, Item 19:</u> 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 meters from a watercourse.</p>	<p>Infilling or deposition of material into or from a watercourse for access road development and/or expansion and supporting services infrastructure, however, the use of existing infrastructure and footprints (existing farm roads) will be preferred.</p>
<p><u>Listing Notice 1, Activity 24:</u> The development of a road-</p> <p>(ii) with reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters.</p>	<p>The construction of a road from the main access road (existing farm road) to Khauta e Nyane SPV Facility will be wider than 8m with turning circles,</p>

	with the inclusion of side drains and gavel embankments and will thus exceed the threshold of this activity.
<p><u>Listing Notice 1, Item 28:</u> 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 1 hectare.</p>	The proposed Khauta e Nyane SPV Facility development is considered to be commercial use and the total footprint size will exceed 1ha, on land that was used for agriculture/game farming. The total development footprint is 87ha.
<p><u>Listing Notice 1, Item 48:</u> The expansion of- (i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or where such expansion occurs- (a) within a watercourse; (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</p>	The proposed Khauta e Nyane SPV Facility access road expansion and supporting services infrastructure expansion have a cumulative footprint exceeding 100 square meters within a watercourse or within 32m of a watercourse. The use of existing infrastructure and footprints will be preferred.
<p><u>Listing Notice 1, Item 56:</u> The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre- (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres.</p>	The proposed main access road (existing farm road) to Khauta e Nyane SPV Facility will be lengthened by more than 1km in order to reach Khauta e Nyane SPV Facility. This will occur outside and urban area. Existing farm roads within the project site may require widening, and access roads will be widened by more than 6 metres.
Listing Notice 2	
<p><u>Listing Notice 2, Item 1:</u> The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.</p>	The proposed Khauta e Nyane SPV Facility will have a generation capacity of up to 50 megawatts (MW).

<p><u>Listing Notice 2, Item 15:</u></p> <p>The clearance of an area of 20 hectares or more of indigenous vegetation.</p>	<p>The proposed 50MW Khauta eNyane SPV Facility will require the clearance of an area in excess of 20ha and as such exceeds the threshold of this activity. In order to accommodate the BESS and to remove potential fire hazards, approximately 4ha of natural vegetation will be cleared. The total development footprint is 168ha.</p>
<p>Listing Notice 3</p>	
<p><u>Listing Notice 3, Item 2:</u></p> <p>The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.</p> <p>b. Free State.</p> <p>ii Outside urban areas:</p> <p>(ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	<p>Above-ground water storage tank with a capacity to store 3-4 days ($\pm 700\text{m}^3$) of construction water will be required.</p>
<p><u>Listing Notice 3, Item 4:</u></p> <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>b. Free State.</p> <p>i Outside urban areas:</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, excluding disturbed areas.</p>	<p>Access roads will be between 4m to 8m in width and 1km in length. The total length of the internal roads will be approximately 20km.</p>
<p><u>Listing Notice 3, Item 10:</u></p> <p>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.</p>	<p>"Dangerous goods" that are associated with the project include fuel stored during the construction phase and/or hazardous chemical substances at the substation during the operational phase. Threshold of 80m^3 expected to be exceeded.</p>

<p>b. Free State.</p> <p>i Outside urban areas:</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, excluding disturbed areas.</p> <p>(hh) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</p>	
<p><u>Listing Notice 3 Item 12:</u></p> <p>The clearance of an area 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.</p> <p>b. Free State.</p> <p>(ii) Within critical biodiversity areas identified in bioregional plans.</p> <p>(iv) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</p>	<p>Vegetation over 300 square meters will be cleared within 100m from the edge of a watercourse in the east of the facility. This has been determined by the final design considerations for the layout of project infrastructure, main access road and supporting services infrastructure.</p>
<p><u>Listing Notice 3 Item 14:</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;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>b. Free State.</p> <p>(i) Outside urban areas:</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other</p>	<p>A road of approximately 70m x road width of 6-8m will need to cross a watercourse. Access road and supporting services infrastructure development can have a cumulative footprint exceeding 10 square meters within a watercourse or within 32m of a watercourse. The use of existing infrastructure and footprints will be preferred.</p>

<p>protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	
<p><u>Listing Notice 3, Item 18:</u> The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. b. Free State. i Outside urban areas: (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, excluding disturbed areas; (hh) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</p>	<p>Existing roads will be used and where required the roads may be widened by more than 4m (not exceeding 8m) to provide for safe access to the site.</p>
<p><u>Listing Notice 3, Item 23:</u> The expansion of— (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs- (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; b. Free State. i. Outside urban areas: (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>	<p>The proposed Khauta eNyane SPV Facility access road expansion and supporting services infrastructure expansion have a cumulative footprint exceeding 10 square meters within a watercourse or within 32m of a watercourse. The use of existing infrastructure and footprints will be preferred.</p>

As described in the final Environmental Impact Assessment Report (EIAR) dated April 2023 at:

SG Digit number:

Portion 3 of Farm 81 (Kopje Alleen): F0240000000008100003.

Portion 9 of Farm 382 (Commandants pan): F02400000000038200009.

50MW Solar Pv facility: Coordinates.		
	Latitude	Latitude
Centre point of the Solar PV Facility.	27°53'21.59"S	26°50'45.59"E.
Coordinate points for the proposed development site.		
	27°53'37.30"S	26°50'54.09"E.
	27°53'31.00"S.	26°50'16.29"E.
	27°53'3.74"S	26°50'45.85"E.
	27°53'14.34"S	26°51'1.87"E.
	27°53'16.23"S	26°51'18.55"E.
	27°53'26.00"S	26°51'19.24"E.
	27°53'25.91"S	26°50'58.07"E.

Coordinate points for the site access road.		
Start	Middle	End
27°52'11.40"S, 26°52'6.57"E	27°53'5.25"S, 26°52'5.75"E	27°53'16.77"S, 26°51'18.14"E

- for the construction of a 50MW Solar Photovoltaic (Pv) Facility on Portion 9 of the Farm Commandants Pan No. 382 And Portion 3 of the Farm Kopje Alleen No. 81, Khauta eNyane Solar PV Facility, Riebeeckstad near Welkom, Matjhabeng Local Municipality, Free State Province hereafter referred to as "the property".

The infrastructure associated with the 50MW Solar PV facility includes:

- PV modules and mounting structures (monofacial or bifacial) with fixed, single or double axis tracking mounting structures;
- PV modules and mounting structures (monofacial or bifacial) with fixed, single or double axis tracking mounting structures;
- Associated stormwater management infrastructure;
- Battery Energy Storage System (BESS);
- Site- and internal access roads (up to 6 m wide);
- Auxiliary buildings (Control room, general office, access control and security building, kitchen area with ablution facilities, small workshop, and a store);
- Ablution facilities and associated infrastructure;
- Temporary laydown area during the construction phase (which will be a permanent laydown area for the BESS during the operational phase);

- On-site 33/132kV substation (facility substation) and associated 33/132kV collector transmission line;
- Grid connection infrastructure including medium-voltage cabling between the project components and the facility substation (underground cabling will be used where practical);
- Perimeter fencing; and,
- Rainwater and/or groundwater storage tanks and associated water transfer infrastructure.

Technical details for the 50MW Khauta eNyane SPV Facility:

Component	Description/ Dimensions
Height of PV panels	Up to 8m
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 50MW
Area occupied by the solar array.	87ha
Area occupied by the on-site facility substation (IPP Portion), office and parking	1.5ha (1ha Substation + 0.5 ha office and parking).
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 4ha. • Construction compound (temporary) of approximately 4 ha. • O&M office of approximately 0.5ha (after construction).
Area occupied by laydown area	~75m x 120m.
Access and internal roads	It is anticipated that existing access roads will be used to access the project site and development footprint. It is unlikely that current access roads will need to be

	<p>upgraded as part of the proposed development. Internal roads of up to 8m in width will be required to access the PV facility and the on-site substation.</p>
Grid connection	<p>The grid connection infrastructure will include an approximately 13km 132kV overhead line from the on-site 132/33kV substation to the existing Eskom Leander Main Transmission Substation or a 15km 132kV overhead line from the on-site 132/33kV substation to the existing Eskom Everest Main Transmission Substation</p>
Temporary infrastructure	<p>The temporary infrastructure, including laydown areas, hardstand areas and a concrete batching plant, will be required during the construction phase. It is understood that all temporary infrastructure will be rehabilitated following the completion of the construction phase, where it is not required for the operation phase.</p>

Conditions of this Environmental Authorisation

Scope of authorisation

1. The construction of a 50MW Solar Photovoltaic Facility on Portion 9 of the Farm Commandants Pan No. 382 And Portion 3 of the Farm Kopje Alleen No. 81, Khauta eNyane Solar PV Facility, Riebeeckstad near Welkom, Matjhabeng Local Municipality, Free State Province is **approved** as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised must only be conducted at the property as described above.

5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal.

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. The authorised activity must not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition

attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

12. The Environmental Management Programme (EMPr) and the Generic EMPr dated March 2023 submitted as part of the EIAR dated April 2023 is approved and must be implemented and adhered to.
13. The EMPr must be amended to include the following:
 - 13.1 The final BESS technology to be used
 - 13.2 The final PV technologyThe EMPr (inclusive of the final site layout plan as contained on condition 12 above) 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 final EMPr must be submitted to the Department for written approval prior to commencement of the activity.
14. 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.
15. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
16. 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.

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 28 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.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. 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.

20. 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.
21. 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

22. 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.
 - 22.1. The ECO must be appointed before commencement of any authorised activities.
 - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 22.4. 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

23. 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.
24. 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.

25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
26. 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.
27. 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.
28. 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.

29. 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

30. 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

31. 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

32. All contractors and employees must undergo induction which is to include a component of environmental awareness. The induction is to include aspects such as the need to avoid littering, the reporting and cleaning


of spills and leaks and general good "housekeeping." All areas disturbed by construction activities must be subject to landscaping and rehabilitation.

33. 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.
34. Permit from relevant authorities must be obtained prior commencement of any construction activities for the disturbance or removal of any nationally or provincially protected species.
35. Vegetation clearing prior and during construction must be limited to the footprint of the proposed development. Furthermore, the applicant must ensure that Laydown yards, camps and storage areas are placed within project area.
36. 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.
37. All waste generated on-site during construction must be managed. Separation and recycling of different waste materials must be supported.
38. Should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.

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: 28 June 2023



Ms Milicent Solomons

**Chief Director (Acting): Integrated Environmental Authorisations
Department of Forestry, Fisheries & 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 10 October 2022.
- b) The information contained in the EIAR dated April 2023.
- c) The comments received from the DFFE Biodiversity Conservation, SAHRA, the Department of Agriculture, land reform and rural development., South African Radio Astronomy Observatory, DMR and interested and affected parties as included in the EIAR dated April 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 April 2023 and as appears below:

Title	Prepared by	Date
Agricultural Compliance Statement.	Soil Scientist (Pr.Sci.Nat.)	September 2022.
Aquatic Ecological Assessment Report	AJH Lamprecht (Pr.Sci.Nat).	August 2022
Avifauna Impact Assessment	MORA Ecological Services (Pty) Ltd	22/08/2022.
Terrestrial Impact Assessment Report	Enviroworks	October 2022
Economic Impact Assessment Report	Urban-Econ Development Economists	September 2022
Archaeological Impact Assessment	ACRM	August 2022.
Social Impact Assessment.	Enviroworks	November 2022.
Visual Impact Assessment	Enviroworks	September 2022.
Preliminary Geotechnical Report	Outeniqua Geotechnical Services	3 February 2023

2. Key factors considered in making the decision.

All information presented to the Department was considered 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 emanates from the provision of electricity to the national grid.
- c) The EIAR dated April 2023 identified all legislation and guidelines that have been considered in the preparation of the EIAR.
- d) The location of the proposed Solar Pv facility deemed suitable.

- e) The methodology used in assessing the potential impacts identified in the EIAR dated April 2023 and the specialist studies have been 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 April 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 April 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed curtails the identified impacts.
- e) 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.**

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Annexure 2: Locality Plan

