



## 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: 14/12/16/3/3/2/2173

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 E-mail: TNyalunga@dffe.gov.za

Mr Armandt Andre Joubert  
30th Floor, The Box. 9  
Riebeek Street  
CAPE TOWN  
8001

Cellphone Number: 071 872 7799  
E-mail Address: a.joubert@vitalia.com

### PER MAIL / EMAIL

Dear Mr Joubert

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE DEVELOPMENT OF THE UP TO 120 MW KIARA PV 3 SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE ON A SITE LOCATED APPROXIMATELY 16KM NORTH-EAST OF THE TOWN OF LICHTENBURG, WITHIN THE DITSBOTLA LOCAL MUNICIPALITY AND THE NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY IN THE NORTH WEST PROVINCE**

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

*Please be advised that **the 132kV powerline as included in the activity description for Activity 11(i) of Listing Notice 1 is not authorised.** The final EIAr submitted does not contain a generic EMPr for the powerline and the final EIAr also makes no reference to the assessment conducted for the said powerline, the length, and the route of the powerline, and also no coordinates were included in the final report for the powerline as was done for the other associated infrastructure. As such the department is not in a position to make an informed decision regarding the impacts associated with the powerline. In addition, Page 34 of the final EIAr (Grid Connection), states that a grid connection infrastructure will be assessed as part of a separate EIA process. Lastly, the Kiara PV 3 layout plan as contained on Page 33 of the final EIAr does not include a 132 kV overhead or underground powerline.*

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

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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](mailto: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.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@dffe.gov.za](mailto:appeals@dffe.gov.za).

Yours faithfully

  
**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 03/09/2023

cc:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: <a href="mailto:joanne@savannahsa.com">joanne@savannahsa.com</a>
	Mr Ouma Skosana	North West Department of Economic Development, Environment, Conservation and Tourism	Email: <a href="mailto:oskosana@nwpg.gov.za">oskosana@nwpg.gov.za</a>
	Mr Mali Ledwaba	Ditsobotla Local Municipality	Email: <a href="mailto:ledwabamali@gmail.com">ledwabamali@gmail.com</a>

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## forestry, fisheries & the environment

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

# Environmental Authorisation

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

The development of the up to 120 MW Kiara PV3 Solar Energy Facility and associated infrastructure on portion 2 of the Farm Hollaagte No. 8, located approximately 16km north-east of the town of Lichtenburg, within the Ditsobotla Local Municipality in the North West Province

### Ngaka Modiri Molema District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/2/2173
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Voltalia South Africa (Pty) Ltd
<b>Location of activity:</b>	Facility on portion 2 of the Farm Hollaagte No. 8 Ditsobotla Local Municipality Ngaka Modiri Molema District Municipality North West 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 –

### **VOLTALIA SOUTH AFRICA (PTY) LTD**

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

with the following contact details –

Mr Armandt Andre Joubert  
30th Floor, The Box. 9  
Riebeek Street,  
**CAPE TOWN**  
8001

Telephone Number      071 872 7799  
E-mail Address:        a.joubert@votalia.com

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

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11</u></p> <p><i>"The development of facilities or infrastructure for the transmission and distribution of electricity</i>  <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</i></p>	<p>The site is currently zoned as agriculture and falls outside the urban area. On-site facility substation.</p>
<p><u>Listing Notice 1, Item 12</u></p> <p><i>"The development of –</i>  <i>(ii) Infrastructure or structures with a physical footprint of 100 square metres or more</i>  <i>Where such development occurs-</i>  <i>(a) within a watercourse; or</i>  <i>(c) within 32 metres of a watercourse."</i></p>	<p>The construction and operation of the PV facility and associated infrastructure will occur within watercourses, or within 32m of watercourses. The infrastructure will have a physical footprint of more than 100 square metres</p>
<p><u>Listing Notice 1, Item 14</u></p> <p><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 PV 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, and solvents) associated with the on-site 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 24</u></p> <p><i>"The development of a road –</i>  <i>(ii) with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m."</i></p>	<p>Access roads will be developed during the construction phase of the project. These are expected to exceed 8m in width.</p>
<p><u>Listing Notice 1, Item 28</u></p>	

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<p><i>"Residential, mixed, retail, commercial, industrial, or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1ha."</i></p>	<p>The total area to be developed for the proposed PV 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</u></p> <p><i>"The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre</i></p> <p><i>(ii) where no reserve exists, where the existing road is wider than 8 metres."</i></p>	<p>Existing roads may require widening of up to 6m and/or lengthening by more than 1km, to accommodate the movement of heavy vehicles and cable trenching activities.</p>
<p><u>Listing Notice 2, Item 1</u></p> <p><i>"The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20MW or more."</i></p>	<p>The proposed renewable energy facility will have a capacity that exceeds 20MW. The Kiara PV3 Facility will have a contracted capacity of up to 120 MW.</p>
<p><u>Listing Notice 2, Item 15</u></p> <p><i>"The clearance of an area of 20ha or more of indigenous vegetation."</i></p>	<p>The development of the PV facility will require the clearance of an area in excess of 20ha for the development of infrastructure. This is likely to include the clearance of indigenous vegetation.</p>
<p><u>Listing Notice 3, Item 4</u></p> <p><i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><b>h. North West</b></p> <p><i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	<p>The development of the PV facility and associated infrastructures will require the development of roads wider than 4m within ESA areas.</p>
<p><u>Listing Notice 3, item 10</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</i></p>	<p>The development of the PV facility and associated infrastructures will require the storage and handling of a dangerous good with a capacity of 80 cubic meters within ESA areas.</p>

<p>containers with a combined capacity of 30 but not exceeding 80 cubic metres</p> <p><b>h. North West</b></p> <p>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</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</p> <p><b>h. North West</b></p> <p>iv. Within critical biodiversity areas identified in systematic biodiversity plan adopted by the competent authority."</p>	<p>The development of the PV facility and associated infrastructures will require the clearance of more than 300 square meters of indigenous vegetation within areas classified as ESAs.</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;</p> <p>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><b>h. North West</b></p> <p>(iv) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority."</p>	<p>The development of the PV facility will require the establishment of infrastructure with a physical footprint exceeding 10m<sup>2</sup> within 32m of the watercourses and within areas classified as ESAs.</p>
<p><u>GNR 324, Item 18</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><b>h. North West</b></p> <p>(v) Within critical biodiversity areas identified in systematic biodiversity plan adopted by the competent authority."</p>	<p>The development of the PV facility and associated infrastructures may require the widening of a road by more than 4 metres outside urban areas and within areas classified as ESAs.</p>

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

GPS Co-ordinates proposed facility

Coordinates	Latitude	Longitude
<b>Site Coordinates (four corner coordinate points of the project site)</b>		
<b>Site Coordinates (centre of affected property)</b>	26°00'49.34"S	26°15'48.24"E
	26°00'50.55"S	26°16'20.03"E
	26° 0'54.00"S	26°16'35.29"E
	26° 0'52.06"S	26°16'45.29"E
	26° 0'57.11"S	26°16'54.63"E
	26° 0'56.44"S	26°17'4.30"E
	26° 0'58.40"S	26°17'13.05"E
	26° 1'17.23"S	26°17'18.68"E
	26° 1'26.07"S	26°16'14.90"E
	26° 1'18.03"S	26°16'11.80"E
<b>On-site substation coordinates</b>	26°01'22.59"S	26°16'13.79"E
	26°01'22.05"S	26°16'17.15"E
	26°01'25.27"S	26°16'18.16"E
	26°01'25.78"S	26°16'15.01"E
<b>Battery Energy Storage System (BESS)</b>	26°01'23.38"S	26°16'10.09"E
	26°01'22.78"S	26°16'13.42"E
	26°01'25.95"S	26°16'14.59"E
	26°01'26.45"S	26°16'11.35"E
<b>Access Roads: Middle</b>	Start: 26°01'56.69"S	26°17'36.02"E
	Middle: 26°01'34.27"S	26°17'27.45"E
	End: 26°01'15.51"S	26°17'20.02"E

Farm portion and SG code

Farm portion	SG code
Farm Hollaagte No. 8, Portion 2 of the Farm Hollaagte No. 8	TOIP00000000000800002

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-for the development of the up to 120 MW Kiara PV3 Solar Energy Facility and associated infrastructure on portion 2 of the Farm Hollaagte No. 8, located approximately 16km north-east of the town of Lichtenburg, within the Ditsobotla Local Municipality in the North West Province, hereafter referred to as "the property".

Consisting of the following infrastructure:

- PV modules and mounting structures
- Inverters and transformers
- Cabling between the panels
- 132kV onsite facility substation.
- Battery Energy Storage System (BESS)
- Site and internal access roads (up to 8m wide)
- Site offices and maintenance buildings, including workshop areas for maintenance and storage.
- Temporary and permanent laydown area

Technical details for the proposed facility

Component	Description / dimensions
Number of panels	~183 720
Panel Height	Up to 5m from ground level
Technology	Use of fixed-tilt, single-axis tracking, and/or double-axis tracking PV technology. Monofacial or bifacial panels are both considered.
Battery Energy Storage System	BESS area: ~8m <sup>2</sup> Maximum Volume: 1740 m <sup>3</sup>
Other infrastructures	Operations building – 20m x 10m = 200m <sup>2</sup> Workshop – 15m x 10m = 150m <sup>2</sup> Stores - 15m x 10m = 150m <sup>2</sup>
Area occupied by laydown area	Temporary Laydown Area: 220m x 100m
Contracted capacity	Up to 120MW
Area occupied by the solar array	195 m <sup>2</sup>
Area occupied by the substations	Facility substation: Up to 1ha
Access and internal roads	Wherever possible, existing access roads will be utilised to access the project site and development area. It is

	unlikely that access roads will need to be upgraded as part of the proposed development. Main access road to the project site will be via the existing R52 gravel road. Internal access roads (gravel) will have a length of 0,5km and up to 6m in width will be required to access the PV facility.
Grid connection	The 33/132kV on-site substation
Temporary infrastructure	Temporary infrastructure, including laydown areas, hardstand areas and a concrete batching plant, will be required during the construction 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 development of an up to 120MW Kiara PV 3 Solar Energy Facility and associated infrastructure, located on a site approximately 16km north east of the town of Lichtenburg in the North West Province is hereby 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.

### **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. A final site layout plan for the PV facility and associated infrastructure, as determined by the detailed engineering phase and micro-siting, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map 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 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. The layout map must indicate the following:
  - 12.1. The position of the solar PV panels;
  - 12.2. All associated infrastructure

- 12.3. The finalised access routes
- 12.4. The on-site substation.
- 12.5. All sensitive features; and
- 12.6. All “no-go” and buffer areas.
13. The generic Environmental Management Programme (EMPr) for the substation submitted as part of the EIAr dated March 2023, is approved. The final site layout plan of the on-site substation must be appended to Part C of the generic EMPr.
14. The Environmental Management Programme (EMPr) for the PV 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 (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.
15. The EMPr amendment must include the following:
  - 15.1. The requirements and conditions of this environmental authorisation;
  - 15.2. All recommendations and mitigation measures recorded in the EIAr and the specialist reports as included in the final EIAr dated March 2023;
  - 15.3. The final site layout map (as per Condition 12), inclusive of all associated infrastructure for the project.
16. Once approved, the EMPrs (for the PV facility and the generic EMPr for the substation) must be implemented and strictly enforced during all phases of the project. They shall be seen as dynamic documents and shall be included in all contract documentation for all phases of the development.
17. Changes to the approved EMPrs must be submitted in accordance with the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPrs, should any impacts that were not anticipated or covered in the EIAr be discovered.

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

19. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 26 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.

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

24. 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.
  - 24.1. The ECO must be appointed before commencement of any authorised activities.
  - 24.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 24.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 24.4. 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**

25. 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.
26. 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.
27. 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.
28. The holder of the authorisation must, in addition, submit an environmental audit report 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.
29. 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.
30. 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**

31. 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**

32. 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

33. 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

34. Where protected succulent/geophytic species will be affected by development, permits must be obtained and these transplanted to adjacent areas where they will remain unaffected. These species are cryptic and inconspicuous. As such, a walkthrough survey must be conducted prior to an area being cleared. This must include the identification and marking of all protected plants in such an area and must be performed by an ecologist or botanist.
35. The transplanting of these species must be overseen by an ecologist, botanist or other suitably qualified person, and monitoring of the success of establishment must also be undertaken.
36. The area has been indicated to contain a few protected plant species which must be taken into consideration by the development. These include the protected succulent and geophytic species, *Babiana bainesii*, *Gladiolus cf. elliottii*, and *Pellaea calomelanos*. Where development will affect these species, the necessary permits must be obtained, and a significant proportion of these transplanted to adjacent areas where they will remain unaffected.
37. The drainage system as delineated must be completely excluded from the development footprint to ensure no impacts on it occur.
38. The drainage area must be regarded as a no-go area and no construction or operational activities including stockpiling, clearing, laydown areas, vehicle movement or any other associated activities must occur in or near this surface water feature.
39. The development must design and implement a comprehensive stormwater management system to manage runoff and prevent erosion which will affect the drainage system.
40. All structures and mitigation measures must be maintained throughout the lifetime of the development to ensure they do not progressively increase the impact over time.
41. Chance Fossil Finds Procedure must be implemented for the duration of the construction activities on site.
42. Should any previously unrecorded archaeological resources or possible burials be identified during construction activities, work must cease in the immediate vicinity of the find, and South African Heritage Resources Agencies must be contacted regarding an appropriate way forward.



43. A site walk through must be undertaken by a suitably qualified ecologist prior to any construction activities, preferably during the wet season and any Species of Conservation Concern should be noted.
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).

#### **General**

45. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 45.1. at the site of the authorised activity;
  - 45.2. to anyone on request; and
  - 45.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
46. 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: 03/07/2023



**Mr Sabelo Maseza**

**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 24 June 2022.
- b) The information contained in the EIAR dated March 2023.
- c) The comments received from Department of Economic Development, Environment, Conservation and Tourism (DEDECT), South African Heritage Resources Agencies and Affected Parties and Interested and Affected Parties as included in the EIAR dated March 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 March 2023 and as appears below:

Name of Specialist	Title of specialist reports	Date issued
Darius van Rensburg	Ecological and wetland assessment	September 2022
Leigh-Ann de Wet	Avifauna Impact Assessment	December 2022
Mariné Pienaar	Agricultural Assessment	November 2022
Jenna Lavin	Heritage Impact Assessment	June 2022
Lourens du Plessis	Visual Impact Assessment	August 2022
Tony Barbour	Social Impact Assessment	August 2022

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

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

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for an electricity is essential for most human activities and for South Africa's social and economic development. The development of large-scale electricity generation projects contributes towards security of supply and assists in minimising the costs of energy. For the benefits associated with electricity to be realised, it needs to be readily available, easily accessible, and affordable. It should also be generated in a sustainable manner, while minimising adverse social and environmental impacts. In addition to energy provision, large-scale electricity generation projects, such as solar facilities, can contribute positively to

the creation of skilled, unskilled, and semi-skilled employment opportunities and mitigate climate change. An increased supply of electricity within or to an area is also considered beneficial from a development perspective as the availability of electricity and other services can act as a pull factor attracting new development and industry.

- c) The EIAr dated March 2023 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed project.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated March 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 March 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 March 2023 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately 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.

## Annexure 2: Locality Plan

