



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: 14/12/16/3/3/2/2319

Enquiries: Ms Nyiko Nkosi

Telephone: (012) 399 9392 E-mail: nnkosi@dffe.gov.za

Mr David Peinke
Onderstepoort Solar 1 (Pty) Ltd
PO Box 51060
CAPE TOWN
8002

Telephone Number: 021 418 2596
Cell phone Number: 084 401 9015
Email Address: david@atlanticep.com

PER EMAIL / MAIL

Dear Mr Peinke

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR PROPOSED DEVELOPMENT OF UP TO 240MW ONDERSTEPSOORT SOLAR 1 PHOTOVOLTAIC PROJECT, NORTH WEST OF RUSTENBURG, RUSTENBURG LOCAL MUNICIPALITY, NORTH WEST PROVINCE.

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

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

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

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

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any

organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@dfre.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083

or

By post: Private Bag X447
Pretoria
0001

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

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

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 26/09/2023

cc:	Mr Donavan Henning	Nemai Consulting (Pty) Ltd	E-mail: donavanh@nemai.co.za
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forestry, fisheries & the environment

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

Environmental Authorisation

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

Development of up to 240MW Onderstepoort Solar 1 Photovoltaic Project, North West of
Rustenburg, Rustenburg Local Municipality, North West Province

Bojanala Platinum District Municipality

Authorisation register number:	14/12/16/3/3/2/2319
Last amended:	First issue
Holder of authorisation:	Onderstepoort Solar 1 (Pty) Ltd
Location of activity:	Portion 2 of Farm Onderstepoort 98 RE; Portion 13 (a portion of Portion 2) of Farm Onderstepoort 98; Farm Paul Bodenstein Landgoed 571; and Portion 1 of Farm Elandsfontein No. 102 Within Ward 1 of Rustenburg Local 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 –

ONDERSTEPOORT SOLAR 1 (PTY) LTD

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

with the following contact details –

Mr David Peinke
Onderstepoort Solar 1 (Pty) Ltd
PO Box 51060
CAPE TOWN
8002

Telephone Number: 021 418 2596
Cell phone Number: 084 401 9015
Email Address: david@atlanticep.com

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

Activity number	Activity description
<p><u>Listing Notice 1, Item 11(i):</u></p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity –</i></p> <p><i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i></p>	<p>The Project will require 132 kV electrical infrastructure. This includes an on-site substation with a capacity of up to 132kV, as well as 132kV powerline infrastructure.</p>
<p><u>Listing Notice 1, 12(ii)(a) & (c):</u></p> <p><i>The development of -</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs –</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p>	<p>Crossing of watercourses by infrastructure (such as the access road) associated with the Project, as well as Solar PV infrastructure within 32m of a watercourse and drainage lines.</p>
<p><u>Listing Notice 1, Item 19:</u></p> <p><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>Crossing of watercourses by infrastructure (such as access road) associated with the Project, as well as Solar PV infrastructure within 32m of a watercourse and drainage lines.</p>
<p><u>Listing Notice 1, Item 24(ii):</u></p> <p><i>The development of a road –</i></p> <p><i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres.</i></p>	<p>New roads will be required for the projects (construction and operational phases).</p> <p>The internal roads will be up to 6 m wide and main access roads will be up to 8 m wide. With the inclusion of side drains and gavel embankments, the width of the road may exceed the threshold of this activity.</p>

	The bell mouths/turning radii at the road intersections might need to be wider than 8m.
<p><u>Listing Notice 1, Item 28(ii):</u></p> <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 1 hectare.</i></p>	Footprint of Project on land that was previously used for agricultural purposes, outside of an urban area.
<p><u>Listing Notice 1, Item 48(i) & (c):</u></p> <p><i>The expansion of—</i></p> <p><i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</i></p> <p><i>where such expansion occurs—</i></p> <p><i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p>	Expansion of existing farm roads and the access road within 32m of a dam/watercourse.
<p><u>Listing Notice 1, Item 56 (ii)</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; excluding where widening or lengthening occur inside urban areas.</i></p>	The existing access road/access point for would need to be widened by more than 6m to accommodate heavy vehicle turning.
<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 20 megawatts or more.</i></p>	The proposed project involves the development of a PV facility with a total generation capacity of up to 240 MW renewable solar energy.
<p><u>Listing Notice 2, Item 15</u></p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation.</i></p>	Cumulative area of indigenous vegetation to be cleared for entire Project (except linear components) will exceed 20 hectares.

<p><u>Listing Notice 3, Item 4 - (h)(vi)</u></p> <p><i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><i>h. North West</i></p> <p><i>(vi) Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve.</i></p>	<p>New internal roads will be wider than 4m .</p> <p>A small section of the northern part of the project area lies within 5 km of the Pilanesberg National Park, a Protected Area.</p>
<p><u>Listing Notice 3, Item 12 (h)(vi)</u></p> <p><i>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.</i></p> <p><i>h. North West</i></p> <p><i>(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>Clearance of areas of indigenous vegetation as part of the development footprint and powerline within the following sensitive areas:</p> <ul style="list-style-type: none"> • The western boundary of the site falls within 100m of a watercourse and a dam in the northern part of the site.
<p><u>Listing Notice 3, Item 14 (ii)(a)(c) - (h)(iv)</u></p> <p><i>The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; exceeds 10 square metres; or</i></p> <p><i>where such development occurs—</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p>	<p>Development of infrastructure or structures exceeding 10m² within a watercourse or within 32m of a watercourse within the following:</p> <ul style="list-style-type: none"> • Within 5km from the Pilanesberg National Park, a Protected Area.

<p><i>h. North West</i></p> <p><i>(vi) Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</i></p>	
<p><u>Listing Notice 3, Item 18 (h)(ii)(v)(ix)</u></p> <p><i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i></p> <p><i>h. North West</i></p> <p><i>(ii) Areas within 5 kilometres from protected area as identified in terms of NEMPAA or from a biosphere nature reserve.</i></p> <p><i>(ix) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>The widening of roads more than 4m and lengthening of roads more than 1km within:</p> <ul style="list-style-type: none"> • Within 5km from the Pilanesberg National Park, a Protected Area. • Within 100m of watercourses.
<p><u>Listing Notice 3, Item 23 (ii)(c) – (h)(iv)(vi)</u></p> <p><i>The expansion of—</i></p> <p><i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs—</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p> <p><i>(h) North West</i></p> <p><i>(vi) Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</i></p>	<p>The upgrading of roads by more than 10m² within:</p> <ul style="list-style-type: none"> • Within 5km from the Pilanesberg National Park, a Protected Area. • Within 100m of watercourses.

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

Farm Names and SG 21 Code:

PV Site and 132kV Power Line Route	
SG 21 Code	Farm Name
T0JQ0000000009800002	Portion 2 of Farm Onderstepoort 98 RE
T0JQ0000000009800013	Portion 13 (a portion of Portion 2) of Farm Onderstepoort 98
Road Access Properties	
SG 21 Code	Farm Name
T0JQ0000000009800002	Portion 2 of Farm Onderstepoort 98 RE
T0JQ00000000057100000	Farm Paul Bodenstein Landgoed 571
T0JQ00000000010200001	Portion 1 of Farm Elandsfontein No. 102

Project's coordinates (Alternative 2)

PV Site property	<ol style="list-style-type: none"> 1. 25°27'2.90"S; 27° 1'55.87"E 2. 25°26'32.39"S; 27° 1'48.78"E 3. 25°26'22.38"S; 27° 1'41.33"E 4. 25°26'7.34"S; 27° 1'38.01"E 5. 25°26'2.90"S; 27° 1'41.45"E 6. 25°25'56.56"S; 27° 1'39.86"E 7. 25°25'45.33"S; 27° 2'20.28"E 8. 25°25'29.98"S; 27° 2'19.03"E 9. 25°25'26.59"S; 27° 1'16.95"E 10. 25°25'31.68"S; 27° 1'17.64"E 11. 25°25'35.62"S; 27° 1'12.42"E 12. 25°25'38.64"S; 27° 1'5.81"E 13. 25°25'39.69"S; 27° 1'2.61"E 14. 25°25'50.25"S; 27° 1'3.42"E 15. 25°25'57.29"S; 27° 1'4.55"E 16. 25°26'12.21"S; 27° 1'7.47"E 17. 25°26'17.63"S; 27° 1'8.56"E 18. 25°26'26.56"S; 27° 1'11.63"E 19. 25°26'39.39"S; 27° 1'13.34"E
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	20. 25°26'42.64"S; 27° 1'13.48"E 21. 25°26'53.01"S; 27° 1'13.40"E 22. 25°27'3.69"S; 27° 1'13.34"E 23. 25°27'13.06"S; 27° 1'15.27"E 24. 25°27'16.77"S; 27° 1'16.48"E 25. 25°27'18.27"S; 27° 1'20.64"E 26. 25°27'16.47"S; 27° 1'23.77"E 27. 25°27'12.78"S; 27° 1'30.08"E 28. 25°27'14.67"S; 27° 1'34.78"E
Access Road	29. 25°27'17.86"S; 27° 1'29.11"E (Start) 30. 25°27'36.82"S; 27° 1'12.93"E (Midde) 31. 25°28'0.28"S; 27° 0'55.28"E (End)
Laydown Area	A: 25°27'12.00"S; 27° 1'34.19"E
Buildings	B: 25°27'12.99"S; 27° 1'24.68"E
Battery Energy Storage System	C: 25°27'10.78"S; 27° 1'15.97"E
Substation	D: 25°27'16.91"S; 27° 1'20.26"E
Powerline	Start 25°27'18.63"S 27° 1'18.71"E Middle 25°27'19.14"S 27° 1'19.09"E End 25°27'19.62"S 27° 1'19.45"E

- for the development of up to 240MW Onderstepoort Solar 1 Photovoltaic project, North West of Rustenburg, within Ward 1 of Rustenburg Local Municipality, North West Province, hereafter referred to as "the property."

Components of the Proposed Solar PV Plant

- PV modules and mounting structures which will consist of either Monofacial or Bifacial PV panels, mounted on either fixed-tilt, single-axis tracking, and/or double-axis tracking systems.
- Inverters and transformers.
- Battery Energy Storage System (BESS) area up to 4ha.
- Operation and Maintenance buildings including a gate house and security building, control centre, offices, warehouses and workshops for storage and maintenance.
- Facility grid connection infrastructure, including:
 - 33kV cabling between the project components and the facility substation.
 - A 132kV facility substation
 - 33kV or 132kV cabling or powerline between the facility substation and the proposed Main Transmission Substation or the Kroonstad Switching Station.

- Temporary construction laydown area up to 7ha.
- Permanent laydown area up to 1 ha (to be located within the area demarcated for the temporary construction laydown).
- Internal roads will be up to 6 m wide, to allow access to the Solar PV modules for operations and maintenance activities.
- Main access road is up to 8 m wide. The site is accessible via the Lindleyspoort Road (off the R565).

Technical details of the Project:

Component	Description / dimensions (Alternative 2)
Height of PV panels	Up to 5.5 m
Facility generation capacity (MW)	Up to 240 MW
Area of PV Array	Monofacial or Bifacial PV panels, mounted on either fixed-tilt, single-axis tracking, and/or double-axis tracking systems. Up to 390 ha
Area occupied by substations	Up to 1 ha
Capacity of on-site substation	The facility substation will collect the power from the facility and transform it from medium voltage (up to 33kV) to high voltage (132 kV).
BESS	Area up to \pm 5ha
Area occupied by both permanent and construction laydown areas	Temporary: Up to 7ha Permanent: Up to 1 ha (located within the area demarcated for temporary construction laydown)
Area occupied by buildings	Up to 1.5 ha
Length of internal roads	Up to 33 km
Width of internal roads	The internal roads will be up to 6 m wide. The access roads will be up to 8 m wide
Proximity to grid connection	Approximately 5 - 6 km
Height of fencing	Up to 3.5m
Type of fencing	Type will vary around the site, welded mesh, palisade and electric fencing
132kV Powerline	<ul style="list-style-type: none"> • Length up to 500 m. • Monopole structures. • Tower spacing (mean and maximum) of between 100m and 300m. • Tower height up to 32m. • Servitude width approximately 31m.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Preferred Alternative 2 for the proposed development of up to 240MW Onderstepoort Solar 1 Photovoltaic project, North West of Rustenburg, within Ward 1 of Rustenburg Local Municipality ,North West Province is approved as per the geographic coordinates cited above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

Notification of authorisation and right to appeal.

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.

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

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

12. The site layout plans as attached as Appendix A (Site maps) of the EIAR dated August 2023 is not approved. A copy of the final site layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
 - 12.1. The position of PV facility and associated infrastructure;
 - 12.2. Internal roads indicating width;
 - 12.3. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 12.4. All sensitive features e.g., Important Bird Areas, Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 12.5. substation(s) inverters and/or transformer(s) sites including their entire footprint;
 - 12.6. Connection routes (including pylon positions) to the distribution/transmission network;

- 12.7. All "no-go" and buffer areas.
13. The Environmental Management Programme (EMPr) for the facility submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.
14. The EMPr amendment must include the following:
- 14.1. All recommendations and mitigation measures recorded in the EIAr and the specialist reports as included in the EIAr dated August 2022.
 - 14.2. The requirements and conditions of this authorisation.
 - 14.3. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
 - 14.4. An environmental sensitivity map indicating environmentally sensitive areas and features identified during the EIA process.
 - 14.5. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmentally sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
15. The Generic Environmental Management Programme (EMPr) for substation and powerline submitted as part of the EIAr dated August 2023 is not approved and Part C must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this Environmental Authorisation. Part C of the generic EMPr must be made available for comments to registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the generic EMPr must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPr must be amended to include the following.
- 15.1. The requirements and conditions of this Environmental Authorisation;
 - 15.2. Measures as dictated by the final site lay-out map.
 - 15.3. All recommendations and mitigation measures recorded in the EIAr and the specialist reports as included in the EIAr dated August 2023;
 - 15.4. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use or storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems;

- 15.5. A stormwater management plan; and
- 15.6. The final site layout map.
- 16. Once approved, the EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
- 17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
- 18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.
- 19. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.

Frequency and process of updating the EMPr

- 20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 27 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
- 21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
- 22. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
- 23. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
- 24. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

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

Recording and reporting to the Department

26. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
27. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
28. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
29. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
30. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.

31. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

32. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

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

Site closure and decommissioning

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

Specific conditions

35. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
36. Powerline towers must not be located within watercourses.
37. Walkdown survey of the power line route to confirm the most suitable locations of the towers must be undertaken by an Aquatic Ecologist and Avifaunal Specialist. Findings of the survey must inform the final layout and must be included in the final EMP.
38. Anti-collision devices such as bird flappers must be installed where powerlines cross avifaunal corridors. Inputs of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
39. A comprehensive stormwater management plan must be developed prior to commencement of construction during the detailed design phase for the PV Site. The plan must have a particular focus on

erosion prevention and remediation, and it must form part of the EMPr to be submitted to the Department for approval.

40. A detailed risk assessment must be undertaken based on the choice of solid state of the BESS technology selected and the final design of the Solar PV Plant. The outcomes of this risk assessment will need to be incorporated into the Operational EMPr.
41. Should archaeological sites or graves be exposed during construction work, such finds must immediately be reported to a heritage practitioner so that an investigation and evaluation can be made.
42. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the final EMPr to be submitted to this Department for approval before commencement of construction activities.
43. The holder of the authorisation is required to inform the North West Department of Economic Development, Environment, Conservation, and Tourism (DEDECT) and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
44. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Specialist Studies dated August 2023 must be implemented to reduce the risk of erosion and the invasion of alien species.
45. 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.
46. 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).
47. Waste, which is not authorised for disposal on site as part of the approved development, must be dealt with according to relevant legislation or the Department's policies and practices.
48. The holder of Environmental Authorisation must prevent the occurrence of nuisance conditions or health hazards.
49. No effluent must be discharged into any storm water drain or furrow, whether by commission or by omission.

General

50. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-

- 50.1. at the site of the authorised activity;
 - 50.2. to anyone on request; and
 - 50.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
51. 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: 26/09/2023



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 amended application form received on 07 August 2023.
- b) The information contained in the EIAr dated August 2023.
- c) The comments received from Interested and Affected Parties as included in the EIAr dated August 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 August 2023 and as appears below:

Title	Prepared by	Date
Freshwater Ecosystem Assessment	Nitai Consulting (Pty) Ltd.	June 2023
Terrestrial Biodiversity Specialist Assessment	Nitai Consulting (Pty) Ltd	May 2023
Avifaunal Assessment	The Biodiversity Company	April 2023
Agricultural Impact Assessment- Compliance Statement	INDEX (Pty) Ltd	May 2023
Heritage Impact Assessment	Nitai Consulting (Pty) Ltd	June 2023
Palaeontological Impact Assessment	Banzai Environmental (Pty) Ltd	2023
Visual Impact Assessment	Environmental Assurance (Pty) Ltd	June 2023
Transport Impact Assessment	iWink Consulting (Pty) Ltd	May 2023
Social Impact Assessment.	Nemai Consulting	May 2023
EMPrs	Nemai Consulting	August 2023

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 August 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 August 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 -

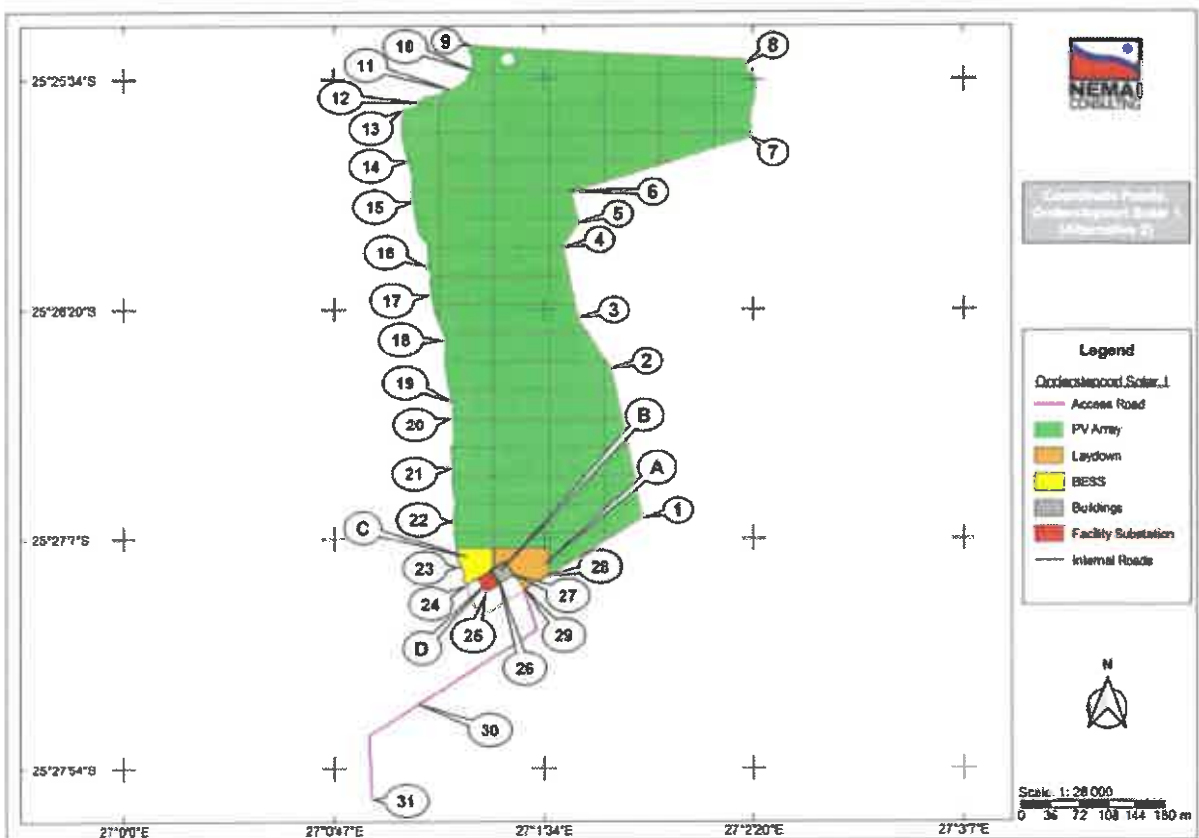
- a) The identification and assessment of impacts are detailed in the EIAr dated August 2023 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAr dated August 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 Map



Figure 3: Locality map (Orthophotograph map)



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