



## 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:** 14/16/12/3/3/1/2719

**Enquiries:** Ms Thulisile Nyalunga

**Telephone:** (012) 399 9405 **E-mail:** [tnyalunga@dfre.gov.za](mailto:tnyalunga@dfre.gov.za)

Mr Peter Carl Venn  
Emoyeni Wind Energy (Pty) Ltd  
P. O. Box 639  
NORTHLANDS  
JOHANNESBURG  
2116

**Telephone Number:** 021 701 1292  
**E-mail:** [peter.venn@seritigreen.com](mailto:peter.venn@seritigreen.com)

### PER EMAIL / MAIL

Dear Mr Venn

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: THE DEVELOPMENT OF THE ILANGA EMOYENI PV2 SOLAR ENERGY FACILITY AND ITS ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF FARM SCHIETKUIL NO. 3 IN THE BEAUFORT WEST MUNICIPALITY OF THE WESTERN CAPE 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, of the decision, as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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

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

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

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

By email: [appeals@dffe.gov.za](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.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.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:** 10/07/2023

cc:	Mr Patrick Killick	Zutari (Pty) Ltd	Email: <a href="mailto:Patrick.Killick@zutari.com">Patrick.Killick@zutari.com</a>
	Mr Gavin Benjamin	Department of Environmental Affairs and Development Planning (DEA&DP)	Email: <a href="mailto:gavin.benjamin@westerncape.gov.za">gavin.benjamin@westerncape.gov.za</a>
	Mr Goodwill Zwelithini Nyathi	Beaufort West Local Municipality	Email: <a href="mailto:goodwilln@beaufortwestmun.co.za">goodwilln@beaufortwestmun.co.za</a>





## forestry, fisheries & the environment

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

# Environmental Authorisation

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

The development of the iLanga Emoyeni PV3 Solar Energy Facility and its associated infrastructure on the Remainder of Farm Schietkuil No. 3 in the Beaufort West Municipality of the Western Cape

### Central Karoo District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/2719
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Emoyeni Wind Energy (Pty) Ltd
<b>Location of activity:</b>	Schietkuil Farm No 3, Remainder of Farm No 3 Beaufort West Local Municipality Central Karoo District Municipality Western Cape 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 –

### **EMOYENI WIND ENERGY (PTY) LTD**

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

with the following contact details –

Mr Peter Carl Venn  
Emoyeni Wind Energy (Pty) Ltd  
P. O. Box 639  
Northlands,  
**JOHANNESBURG**  
2116

**Telephone Number:** 021 701 1292

**E-mail:** peter.venn@seritigreen.com

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

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>A substation will collect power from the solar array and step it up to 132kV for transmission via gridline (separate application)</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;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>A few drainage lines are scattered across the proposed property and one or more roads and / or other infrastructure will cross these lines and be within 32 m thereof. This includes where existing farm tracks may require upgrading to be suitable for use. Existing farm roads have been used where possible.</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>The infilling or depositing of any material of more than 10 m<sup>3</sup> into a watercourse will likely be triggered with the construction of access and internal service roads cables across drainage lines as well as the widening of the existing access road which crosses numerous small drainage lines.</p>
<p><u>Listing Notice 1, Item 24</u></p> <p><i>"The development of a road –</i> <i>(ii) a road with a reserve wider than 13.5 metres, or where no reserve exists where the road is wider than 8 metres; but excluding a road –</i> <i>(c) which is 1 kilometre or shorter."</i></p>	<p>Permanent access roads of sufficient width (~6 to 10 m) for delivery and construction vehicles will be required for the proposed project. While existing roads would be used as far as possible new sections of roads will be required in a few locations and will be over 1 kilometre in length.</p> <p>This includes the service roads within the development areas.</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 1 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 ha."</i></p>	<p>The farm on which the project is proposed is still being used for livestock grazing (primarily sheep) and the development is regarded as industrial / institutional in nature</p>
<p><u>Listing Notice 3, Item 2</u></p> <p><i>"The development of reservoirs, excluding dams, with a capacity of more than 250 cubic meters;</i></p> <p><i>i. Western Cape,</i></p> <p><i>ii. In areas containing indigenous vegetation."</i></p>	<p>Borehole water will be used in the construction and operations phase. Above-ground or raised buffer tank, exceeding 250 cubic meters may be used at the O&amp;M area.</p>
<p><u>Listing Notice 3, Item 4</u></p> <p><i>"The development of a road wider than 4 metres with a reserve of less than 13,5 meters.</i></p> <p><i>i. Western Cape,</i></p> <p><i>ii. Areas outside urban areas;</i></p> <p><i>(aa) Areas containing indigenous vegetation."</i></p>	<p>The construction of a road wider than 4m with a reserve of less than 13.5m (no reserve) will be required outside the urban area and within an area containing indigenous vegetation, as the existing access roads may need extension or widening in some places.</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 containers with a combined capacity of 30 but not exceeding 80 cubic meters.</i></p> <p><i>i. Western Cape,</i></p> <p><i>ii. All areas outside urban areas."</i></p>	<p>The combined volume of hydrocarbons (fuel and lubricants) stored in tanks and containers on the site will exceed 30,000 litres in the construction phase.</p>
<p><u>Listing Notice 3, Item 12</u></p> <p><i>"The clearance of an area of 300 square metres or more of indigenous vegetation</i></p> <p><i>i. Western Cape</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans."</i></p>	<p>The clearance of more than 300 m<sup>2</sup> of indigenous vegetation will be required for the project since the disturbance footprint will be ≤ 65 a. Areas designated as Critical Biodiversity Areas fall within the project evaluation envelope.</p>
<p><u>Listing Notice 3, Item 14</u></p> <p><i>"The development of —</i></p>	

<p>(xii) 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>i. Western Cape,</p> <p>i. Outside urban areas:</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</p>	<p>Associated infrastructure (e.g., fencing, substation, transmission lines, roads etc) will be located within or within proximity to a watercourse. The project may be located in areas designated as Critical Biodiversity Areas. TBD at final layout.</p>
<p><u>Listing Notice 3, 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>i. Western Cape,</p> <p>ii. All areas outside urban areas:</p> <p>(aa) Areas containing indigenous vegetation."</p>	<p>Access roads of up to 10 m in width would be required to develop the proposed project, the combination of which would exceed 1 km. Existing roads will be used as far as practically possible and feasible but would require widening by more than 4 m and new roads greater than 1 kilometre in length are likely to be required in some areas where the vegetation is indigenous.</p>

as described in the Basic Assessment Report (BAR) dated May 2023 at:

Farm Name, Portions and 21 Digit SG Code:

Farm name/s, Portions and number/s	SG 21 Code
Schietkuil Farm No 3 Remainder of Farm No 3	C052000000000003000000

Coordinates for the site

**Table 1: Coordinates for zone 1**

Position	Latitude	Longitude
Central Point	31°45'31.78"S	23°27'57.96"E
Northern point	31°45'10.18"S	23°27'57.66"E
North eastern point	31°45'18.77"S	23°28'07.80"E
North western point	31°45'14.88"S	23°27'39.52"E
South eastern point	31°45'48.31"S	23°28'16.25"E
Southern point	31°45'54.70"S	23°27'58.25"E
South western point	31°45'44.19"S	23°27'48.33"S

**Table 2: Coordinates for zone 2**

Position	Latitude	Longitude
Central Point	31°45'06.32"S	23°28'23.01"E
Northern point	31°44'48.84"S	23°28'22.79"E
North eastern point	31°44'55.45"S	23°28'32.48"E
North western point	31°44'51.11"S	23°28'07.87"E
South eastern point	31°45'22.19"S	23°28'39.02"E
Southern point	31°45'22.56"S	23°28'23.30"E
South western point	31°45'15.65"S	23°28'15.00"E

**Table 3: Coordinates of PV3 footprint**

Position	Latitude	Longitude
Central Point	31°45'21.42"S	23°28'07.29"E
Northern point	31°44'43.51"S	23°28'06.25"E
North eastern point	31°44'51.89"S	23°28'33.29"E
North western point	31°45'03.64"S	23°27'48.33"E
South eastern point	31°45'38.61"S	23°28'26.24"E
Southern point	31°45'59.77"S	23°28'08.02"E
South western point	31°45'49.19"S	23°27'40.99"E

- for the development of the iLanga Emoyeni PV3 Solar Energy Facility and its associated infrastructure on the Remainder of Farm Schietkuil No. 3 in the Beaufort West Municipality of the Western Cape, hereafter referred to as "the property".

≤147MW iLanga Emoyeni PV 3 (PV3) with a combined project footprint of ≤221ha will comprise the following zones and key components:



- Development areas (≤220ha): The ≤220ha development area is spread over two development zones (PV3.1 and PV3.2).
- PV3.1: A 44 MW - 88 MW solar PV array and associated infrastructure covering ≤132 ha including fixed axis or ground-mounted tracking PV panel support racks, inverters and service roads at required intervals (with required stormwater controls) and ≤33kV underground cables connecting the inverters to the IPP substation.
- O&M Area: An Operations and Maintenance (O&M) area including site offices, staff amenities, workshops and stores, including the storage of dangerous goods in the form of hydrocarbon fuels and lubricants.



- IPP substation: a 33/132kV substation to receive and step up the voltage from the inverters for transmission to the collector substation. A 0.25 ha switching station is located adjacent the substation and within the PV3 development area. The switching station is applied for under the separate iLanga Gridline application. The switching station portion of the IPP substation will be ceded to Eskom following construction.
- Battery Energy Storage System (BESS): A  $\leq 1.5$ ha  $\leq 50$ MW and  $\leq 200$ MWh Lithium-Ion (Li-Ion) BESS.
- Construction yard: Temporary laydown areas for the construction phase. This will be co-located with site offices and ablution facilities (4ha).
- PV3.2: A 30 MW - 59 MW solar PV array covering  $\leq 88$ ha and associated infrastructure including PV panel support racks, with inverters and service roads at required intervals, and 33kV underground cables connecting the inverters to the IPP Substation.
- Groundwater abstraction - A borehole for water abstraction of  $\leq 9,145$ m<sup>3</sup>/yr in the construction phase and  $\leq 6,780$ m<sup>3</sup>/yr in the operational phase with an above-ground water storage tank of  $\leq 50,000$ m<sup>3</sup>.
- Access roads ( $\leq 0.5$ ha) - Access roads  $\leq 0.42$ km long and  $\leq 10$ m wide with stormwater controls, an access control gate and security hut, ablutions and project signboard.
- Internal powerlines ( $\leq 0.3$ ha) –  $\leq 33$ kV powerlines as cables placed in excavated trenches ( $\leq 0.4$ km long and buried  $\leq 1.5$ m deep) and overhead powerlines on wooden poles ( $\leq 12$ m tall and  $\leq 0.4$ km in length), where trenched cabling is not possible.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The   development area spread over two development zones is approved per the geographic coordinates and property details 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 PV3 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 PV connection infrastructure;
  - 12.2. All associated infrastructure;
  - 12.3. The finalised access routes;
  - 12.4. The on-site and/or switching substation, indicating the Independent Power Producer's section and Eskom's section;
  - 12.5. All sensitive features; and
  - 12.6. All "no-go" and buffer areas.
13. Taking the above into consideration, the generic Environmental Management Programmes (EMPRs) for the substation (the relevant section that will be maintained by the Independent Power Producer and

- Eskom) and the powerline submitted as part of the BAR dated May 2023, are not approved. The final site layout plan of the on-site and/or switching substation, depicting the Independent Power Producer's section and Eskom's section and the final layout plan for the powerline as per condition 12 above, must be appended to Part C of the generic EMPr for the substation and submitted to this department for approval.
14. Once approved, the EMPrs (substation and powerline) 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.
  15. Changes to the approved EMPrs must be submitted in accordance with the EIA Regulations applicable at the time.
  16. The Department reserves the right to amend the approved EMPrs, should any impacts that were not anticipated or covered in the BAR 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 24 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 EMPs.
- 22.1.1. The ECO must be appointed before commencement of any authorised activities.
- 22.1.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 22.1.3. The ECO must keep record of all activities on site, problems identified, transgressions noted, and a task schedule of tasks undertaken by the ECO.
- 22.1.4. 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 EMPs remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPs 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 EMPs, taking into account 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 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.
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 EMPs.

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. 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**

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. Driving at night at the site between sunset – sunrise must be avoided, as the Riverine Rabbit is active from 3pm-10am.
33. Mortality on roads must be monitored and reported (carcasses need to be collected and frozen and circumstances of roadkill investigated).
34. The remaining vegetation within the property must remain intact so that it can continue to function as an ecological corridor for species movement.
35. All necessary plant permits must be obtained prior to the commencement of any construction activities.
36. Where feasible, laydown areas must be placed in previously disturbed sites.
37. A walkthrough of the final layout must be undertaken by a botanist and if populations of SCC will be impacted, infrastructure must be moved to avoid these areas. Where this is not feasible, a search and rescue plan will be required.
38. If any SCC are to be impacted, these must be relocated to nearest appropriate habitat.

39. Construction vehicles and machinery must not encroach into identified 'no-go' areas or areas outside the project footprint.
40. Topsoil (20cm, where possible) must be collected and stored in an area of low sensitivity and used to rehabilitate impacted areas that are no longer required during the operational phase (e.g., laydown areas).
41. Employees must be prohibited from collecting any plants.
42. Alien invasive plant clearing must be undertaken in line with an Alien Vegetation Management plan, which must be compiled as part of the EMP and implemented with immediate effect.
43. Any new fossil sites revealed during the construction phase of the development must be handled in terms of Chance Fossil Finds Protocol which must be included within the EMP for the development.
44. Where pre-construction or construction phase mitigation comprising palaeontological recording and collection of fossil material and associated geological data is triggered by chance fossil finds, this must be carried out by a suitably qualified palaeontological specialist under a Fossil Collection Permit issued by the relevant Heritage Resources Management Agency (In the case of mitigation within the Western Cape, a Work Plan must be submitted for approval by Heritage Western Cape, Cape Town).
45. The fossil material collected must be curated in an approved repository (e.g., museum / university collection). Standards for palaeontological reporting and mitigation in the RSA have been established by Heritage Western Cape (2016, 2021) and SAHRA (2013).
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).

**General**

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

Date of Environmental Authorisation: 10/07/2023



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries and the Environment**



## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

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

- a) The listed activities as applied for in the application form received in March 2023.
- b) The information contained in the BAR dated May 2023.
- c) The comments received from the Department: Environmental Affairs and Development Planning (DEA&DP), Cape Nature, Heritage Western Cape, Western Cape Transport and Roads and other I&AP's and interested and affected parties as included in the BAR dated May 2023.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated May 2023 and as appears below:

Name of Specialist	Title of specialist report/ s as attached in FBAR	Date
Johann Lanz	Agricultural	November 2022
Chris van Rooyen	Avifauna (birds)	February 2023
Patrick Killick	Defence	November 2022
Brian Colloety	Freshwater Ecological Assessment	20 February 2023
Salona Naido	Geotechnical Desktop Assessment	4 November 2023
Jayson Orton John Almond	Heritage, Archaeology and Palaeontology	February 2023
Callie Fouche	Radio Frequency Interference (RFI)	09 November 2022
Alex Kempthorne	Socio-Economic Assessment	22 November 2022
Amber Jackson Tarryn Martin	Terrestrial Biodiversity (Fauna and Flora)	October 2022
Stephen Stead	Visual	7 February 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 main need for the new iLanga Emoyeni project is to contribute to the alleviation of the current shortage of energy crisis in South Africa by generating clean energy for use within the National Grid. This grid connection project is needed to evacuate the generated energy from the SEF to the national grid by connecting to the existing Gamma MTS. As such, the need and desirability of this project is closely linked to that of the overall iLanga Emoyeni Solar Suite project and the utilisation of renewable resources is therefore considered part of this project. The project falls within the EGI corridor.
- c) The BAR dated May 2023 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the project.
- e) The methodology used in assessing the potential impacts identified in the BAR dated May 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

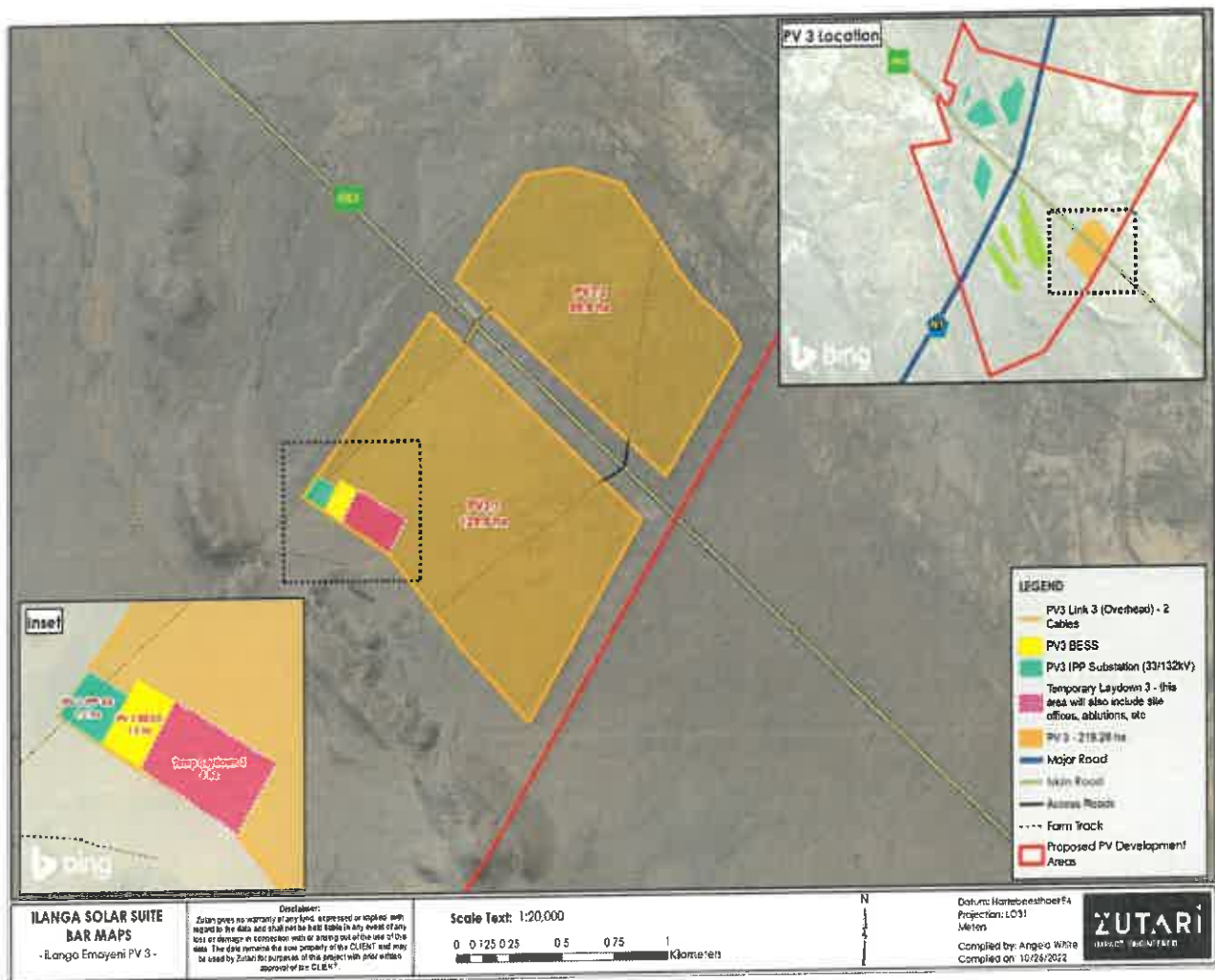
After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated May 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 BAR dated May 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 BAR 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



*MS*